

CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
July 22, 2014 - 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 a presentation from Development Services regarding potential Workforce Housing Incentive Programs.

AGENDA FOR CITY COUNCIL MEETING

July 22, 2014 – 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 - Reverend 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:

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 July 7, 2014.
 - b. Regular meeting of July 8, 2014.
6. Consider a resolution approving plans and specifications and authorizing advertisement for bids for improvements to the Bill Williams Concessions and Umpire's Buildings at the Bill Williams Softball Complex located at 1201 E. Wadley Avenue. (PURCHASING) (2014 - 208)

7. Consider a resolution authorizing the execution of a contract for the Doug Russell Pool Renovation Project with the lowest and most responsible bidder, Atlantis Pool Plastering, Incorporated dba Atlantis Aquatic Group from Austin, Texas, in the amount of \$3,112,400.00; reserving the right not to reject the alternate bids in order to allow evaluation and the possible addition of those items to the renovation project at a later date; and appropriating funds. (PURCHASING) (2014 - 228)
8. Consider a resolution authorizing and directing the City Manager to issue a Request for Qualifications for design services for fields at Bill Williams Complex, Hogan Park, and the Scharbauer Sports Complex. (PURCHASING) (2014 - 229)
9. Consider a resolution authorizing and directing the City Manager to issue a Request for Qualifications for an engineering firm to oversee wastewater plant upgrades for secondary treatment at the City of Midland's Wastewater Treatment Plant for the Utilities Department. (PURCHASING) (2014 - 230)
10. Consider a resolution authorizing an amendment to Article VI, "Requirements Applicable to Fixed Base Operators," Section 6.01, "Minimum Standards for Fixed Based Operators," Paragraph (E), "Rates and Charges," and establishing Paragraph (L), "Assignment and Sublease," of the Airport Minimum Standards and Requirements, which govern the standard operations at Midland International Airport and Midland Airpark; and establishing an effective date of July 26, 2014. (AIRPORTS) (2014 - 231)
11. 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 1,472 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 the extension of Solomon Lane, approximately 1,472 feet east of State Highway 349). (DEVELOPMENT SERVICES) (2014 - 232)
12. 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 1,522 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 the extension of Solomon Lane, approximately 1,522 feet east of State Highway 349). (DEVELOPMENT SERVICES) (2014 - 233)
13. 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 1,572 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 the extension of Solomon Lane, approximately 1,572 feet east

of State Highway 349). (DEVELOPMENT SERVICES) (2014 - 234)

14. 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 1,622 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 the extension of Solomon Lane, approximately 1,622 feet east of State Highway 349). (DEVELOPMENT SERVICES) (2014 - 235)
15. Consider a resolution authorizing the execution of a Road Repair Agreement with High Sky Partners, LLC regarding its applications to drill oil and gas wells (Isbell Wells) within the City limits in Section 1, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas. (DEVELOPMENT SERVICES) (2014 - 236)
16. 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 320 feet from the north line and 1,160 feet from the west line, Section 1, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas (Generally located on the south side of Mockingbird Lane, approximately 1,160 feet east of Big Spring Street). (DEVELOPMENT SERVICES) (2014 - 237)
17. 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 320 feet from the north line and 1,210 feet from the west line, Section 1, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas (Generally located on the south side of Mockingbird Lane, approximately 1,210 feet east of Big Spring Street). (DEVELOPMENT SERVICES) (2014 - 238)
18. Consider a resolution authorizing the execution of a Road Repair Agreement with High Sky Partners, LLC regarding its applications to drill oil and gas wells (Nickel Wells) within the City limits in Section 1, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas. (DEVELOPMENT SERVICES) (2014 - 239)
19. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland, Texas and High Sky Partners, LLC; said Right-of-Way License is for entering City of Midland's property for the purpose of placing, installing, constructing, operating, repairing, maintaining, replacing and removing three (3) crude oil pipelines and to have the right of ingress and egress at convenient points for such purpose; the property is located in Midland County, Texas, being Section 1, Block "X", H.P. Hilliard Survey; the license term is for five (5) years, commencing with the date of this license and shall automatically renew at the end of the term for one additional five (5) year term upon 120 days written request prior to expiration. (ENGINEERING SERVICES) (2014 - 240)
20. Consider a resolution approving the issuance of a permit to Rust Oil Corporation

("Operator") to drill an oil and gas well within the City limits located 200 feet from the east line and 2,350 feet from the south line, Section 9, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas (Generally located on the north side of Mockingbird Lane, approximately 200 feet west of the extension of North Garfield Street); 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) (2014 - 241)

21. Consider a resolution approving the issuance of a permit to Bluestem Energy Holdings, LLC ("Operator") to drill an oil and gas well within the City limits located 1,954 feet from the south line and 1,974 feet from the west line, Section 8, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas (Generally located on the north side of Mockingbird Lane, approximately 1,974 feet east of Midland Drive); 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) (2014 - 242)
22. Consider a resolution approving the issuance of a permit to Bluestem Energy Holdings, LLC ("Operator") to drill an oil and gas well within the City limits located 1,954 feet from the south line and 1,944 feet from the west line, Section 8, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas (Generally located on the north side of Mockingbird Lane, approximately 1,944 feet east of Midland Drive); 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) (2014 - 243)
23. Consider a resolution authorizing the execution of a Public Improvement Development Agreement with Jonathan J. Evans and spouse Sandra Evans for paving improvements to North Midkiff Road adjacent to Sprayberry Winery Plaza Addition; and appropriating funds therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES) (2014 - 244)

SECOND READINGS

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 a 1.04-acre tract of land and a 0.29-acre tract of land located on the Common Area-F, Block 2, Meadowpark Addition, Section 2, and a 0.47-acre tract of land located on the Common Area-K, Block 3, Meadowpark Addition, Section 4, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Housing Development, to be used as an Amended Planned District (Generally located at the intersection of North "A" Street and Meadowpark Drive); providing for such use to be subject to certain special conditions and restrictions as set out 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 July 08, 2014)(9292)

25. Consider an ordinance on second reading changing the zoning use classification of the property described as a 4.72-acre tract of land out of Section 8, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas (Generally located on the west side of North Midkiff Road, approximately 700 feet north of Mockingbird Lane), 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 winery 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 July 08, 2014)(9293)
26. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 1, Block 11, Westridge Park Addition, Section 27, City and County of Midland, Texas (Generally located on the southwest corner of the intersection of Tradewinds Boulevard and Deauville Boulevard), 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)(First reading held July 08, 2014)(9294)
27. Consider an ordinance on second reading for classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Lot 21, Block 26, Wydeewood Estates Addition, Section 32, City and County of Midland, Texas, which is presently zoned LR-2, Local Retail District, to be used as a PD, Planned District for a Shopping Center (Generally located on the south side of Preston Drive, approximately 330 feet east of North Loop 250 West); providing for such use to be subject to certain special conditions and restrictions as set out 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 July 08, 2014.)(9295)
28. 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 6B and 6C, Block 2, Westridge Park Addition, Section 24, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, to be used as an Amended Planned District (Generally

located on the west side of North Loop 250 West, approximately 350 feet north of Deauville Boulevard); providing for such use to be subject to certain special conditions and restrictions as set out 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 July 08, 2014.)(9296)

29. Consider an ordinance on second reading vacating and abandoning a 0.057-acre portion of Sierra Court right-of-way adjacent to Lots 12A and 17A, Block 6, Adobe Meadows Addition, Section 6, City and County of Midland, Texas (Generally located on the west side of Sierra Court, approximately 150 feet south of San Francisco Avenue); adopting the appraisal by the City Manager of \$7,448.70; providing a credit of \$7,212.00 to the fee for the cost of the right-of-way; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES)(First reading held July 08, 2014.)(9297)

PUBLIC HEARINGS

30. 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 Lot 2, Block 1, West 80 Industrial Park, Section 5, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, to be used as a C-3, Commercial District (Generally located on the northeast corner of the intersection of Beal Parkway and Wall Street); containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); and ordering publication. (DEVELOPMENT SERVICES) (9299)
31. At approximately 10:36 A.M. hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lots 11 and 12, Block 40, College Heights, City and County of Midland, Texas (Generally located on the northwest corner of the intersection of South Garfield Street and Front Street), which is presently zoned C-3, Commercial 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) (9300)
32. At approximately 10:39 A.M. hold a public hearing and consider an ordinance vacating and abandoning a 0.103-acre portion of Summit Avenue right-of-way adjacent to Lot 2A, Block 52, Belmont Addition, Section 12, City and County of Midland, Texas (Generally located on the southeast corner of the intersection of Belmont Street and Summit Avenue); adopting the appraisal by the City

Manager of \$2,700.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9301)

33. At approximately 10:42 A.M. hold a public hearing and consider a resolution authorizing the temporary use of land for a philanthropic event on the west 51.5 feet of Lot 5, all of Lots 6-10, and the east 22 feet of Lot 11, Block 8, Loma Linda replat, City and County of Midland, Texas (Generally located on the north side of Scharbauer Drive, approximately 250 feet west of Lamesa Road); making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2014-245)
34. At approximately 10:48 A.M. hold a public hearing and consider an ordinance amending Title XI, "Planning and Development", of the City Code of Midland, Texas, so as to delete Chapter 11 and replace said Chapter with a new Chapter 11, "Airport Height Hazard and Compatible Land Use Zoning", in order to provide for the public health, public safety and general welfare by prohibiting airport hazards within the vicinity of Midland International Airport and Midland Airpark; 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) (9302)

MISCELLANEOUS

35. Consider a resolution recording a vote on a proposal to consider an ad valorem tax rate for the Fiscal year 2014 - 2015 and to establish dates to hold public hearings on the proposed tax rate; and to establish dates when there will be a record vote on the tax rate; and authorizing and directing the City Manager to post all appropriate notices. (FINANCE) (2014 - 246)
36. Consider a motion on a request for the annexation of a 2.35-acre tract of land out of Section 31, Block 40, T-1-S, T&P RR Company Survey and a 36.14-acre tract of land out of Section 32, Block 40, T-1-S, T&P RR Company Survey, Midland County, Texas. (Generally located approximately 650 feet north of State Highway 191, 400 feet west of North County Road 1278.) (DEVELOPMENT SERVICES)
37. Consider an ordinance altering prima facie speed limits along certain streets in the City; 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); repealing Ordinance No. 9064; and ordering publication. (ENGINEERING SERVICES) (9303)
38. Consider an ordinance amending Title X, "Traffic Regulations", Chapter Four, "Traffic Control Devices", Section 11, "School Zones and Crossings", of the Midland City Code, so as to designate each school zone and school crossing within the City and regulate the speed and movement of traffic therein;

authorizing and directing the Traffic Engineer to install appropriate signs and markings; repealing Ordinance No. 9042 and Ordinance No. 9183; 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) (9304)

39. Consider a motion making appointments to Building Codes Review Committee, Midland Football-Soccer and Baseball Complex Development Corporation, Midland-Odessa Urban Transit District Board, Planning and Zoning Commission; and consider motions appointing individuals to all other Boards and Commissions.

EXECUTIVE SESSION

40. 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.