

**CITY OF MIDLAND, TEXAS**  
**BRIEFING SESSION AGENDA**  
**August 09, 2016 - 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 an update from the Development Services Department regarding sign regulations and the status of the revision process.

## AGENDA FOR CITY COUNCIL MEETING

August 09, 2016 – 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. Presentation of Proclamation to Genesis Center for Supporting Our Own Event

### **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. Special meeting of July 25, 2016.
  - b. Regular meeting of July 26, 2016.
  - c. Special meeting of August 2, 2016.
6. Consider a resolution authorizing the execution of a purchase agreement for an

annual supply of readymix concrete and caliche from 4J Concrete, LLC, dba Jordan Concrete, of Midland, Texas, at a total cost of \$91,400.00. (PURCHASING) (2016 - 235)

7. Consider a resolution awarding a contract for the Fiscal Year 2016 Frictional Asphaltic Surface Preservation Treatment Project to Crossroads Asphalt Preservation, Inc. of Winnie, Texas, at a total cost of \$642,688.02; and authorizing payment therefor. (PURCHASING) (2016 - 236)
8. Consider a resolution approving plans and specifications and authorizing advertisement for bids to re-route the Midland Center sewer line with an additive alternate to replace the water line. (PURCHASING) (2016 - 237)
9. Consider a resolution approving the purchase of furniture for the new Municipal Court Building from Wilson Office Interiors and Miller Office Interiors, through TXSmartBuy at a total cost of \$314,454.91. (PURCHASING) (2016 - 238)
10. Consider a resolution approving a contract with ABCO Fire Protection, Inc., for the repair of the fire protection system at Security Bank Ballpark at a total cost of \$59,900.00; and approving \$5,990.00 for contingencies. (PURCHASING) (2016 - 239)
11. Consider a resolution authorizing the execution of an agreement with the Commemorative Air Force, Inc., for the staging of an airshow at the Midland International Air & Space Port; the Airshow will commence Friday, August 26, 2016, and conclude Sunday, August 28, 2016. (AIRPORTS) (2016 - 240)
12. Consider a resolution supporting the candidacy of Council Member John B. Love III for the position of President-Elect of the Texas Municipal League. (CITY MANAGER'S OFFICE) (2016 - 241)
13. Consider a resolution calling an election for three City Officials; amending the boundary of the City and City Council Districts; providing for use of accessible voting systems; establishing election precincts for said election; and establishing vote centers for said election. (CITY SECRETARY'S OFFICE) (2016 - 242)
14. Consider a resolution approving the issuance of a permit to Diamondback E&P LLC ("Operator") to drill an oil and gas well within the City limits located 306 feet

from the south line and 690 feet from the west line, Section 8, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located approximately 470 feet north of the Green Tree Boulevard extension and approximately 645 feet east of North 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) (2016 - 243)

15. Consider a resolution approving the issuance of a permit to Diamondback E&P LLC ("Operator") to drill an oil and gas well within the City limits located 306 feet from the south line and 660 feet from the west line, Section 8, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located approximately 470 feet north of the Green Tree Boulevard extension and approximately 615 feet east of North 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) (2016 - 244)
16. Consider a resolution approving the issuance of a permit to Diamondback E&P LLC ("Operator") to drill an oil and gas well within the City limits located 306 feet from the south line and 630 feet from the west line, Section 8, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located approximately 470 feet north of the Green Tree Boulevard extension and approximately 586 feet east of North 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) (2016 - 245)
17. Consider a resolution approving the issuance of a permit to Diamondback E&P LLC ("Operator") to drill an oil and gas well within the City limits located 306 feet from the south line and 720 feet from the west line, Section 8, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located approximately 470 feet north of the Green Tree Boulevard extension and approximately 675 feet east of North 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) (2016 - 246)
18. Consider a resolution authorizing the execution of an amendment to the Public Improvement Development Agreement with Fasken Land and Minerals, Ltd. ("Fasken") for the expansion of Holiday Hill Road; said amendment providing that, in lieu of contributing \$656,000.00 toward the improvements, Fasken shall

cause the construction of improvements to Holiday Hill Road; said agreement and amendment being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES) (2016 - 247)

## **SECOND READINGS**

19. Consider an ordinance on second reading changing the name of the portion of Green Tree Boulevard that is adjacent to Lot 7, Block 2, Lone Star Business Park, Section 2, Lots 20, 21 and 36, Block 2, and Lot 1, Block 5, Lone Star Trails, and Lots 16, 17, 26, 27, 32 and 33, Block 5, Lone Star Trails, Section 2, City and County of Midland, Texas (Generally located on the east side of North Big Spring Street, approximately 790 feet north of Maverick Lane), to "Occidental Parkway"; 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)(First reading held on July 26, 2016)(9582)
20. Consider an ordinance on second reading vacating and abandoning a 0.55-acre portion of North Loraine Street right-of-way located adjacent to Lots 13-24, Block 54, and Block 55, Original Town Addition, City and County of Midland, Texas (Generally located between West Texas Avenue and West Wall Street, approximately 300 feet west of North Main Street); the City of Midland being the owner of all abutting property; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES)(First reading held on July 26, 2016)(9584)
21. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 7, Block 44, Fairmont Park Addition, Section 27, City and County of Midland, Texas (Generally located southwest of the intersection of West Loop 250 North and Henry Koontz 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 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 26, 2016)(9585)
22. 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 Tracts 14, 15, 16, and 17, Wallace Heights Addition, City and County of Midland, Texas, which are presently zoned 1F-1, One-Family Dwelling District, in part, MF-1, Multiple-Family Dwelling District, in part, MF-2, Multiple-Family

Dwelling District, in part, and TH, Townhouse Dwelling District, in part, to be used as a PD, Planned District for a Housing Development (Generally located on the south side of Sinclair Avenue, approximately 290 feet east of North Loop 250 West); 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 July 26, 2016)(9586)

23. Consider an ordinance on second reading vacating and abandoning a portion of North B Street right-of-way located adjacent to Lot 7, Block 23, High School Addition, City and County of Midland, Texas (Generally located northeast of the intersection of West Kansas Avenue and North B Street); adopting the appraisal by the City Manager of \$1,045.44; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9588)

### **PUBLIC HEARINGS**

24. Hold a public hearing and consider an ordinance vacating and abandoning a 0.138-acre portion of alley right-of-way located adjacent to Lots 1-24, Block 54, Original Town Addition, City and County of Midland, Texas (Generally located on the north side of Wall Street, approximately 140 feet west of North Main Street); the City of Midland being the owner of all abutting property; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9589)

### **MISCELLANEOUS**

25. Consider a resolution approving and authorizing publication of notice of intention to issue Series 2016 Certificates of Obligation in an amount not to exceed thirty-one million and no/100 dollars (\$31,000,000.00). (FINANCE) (2016 - 248)

### **EXECUTIVE SESSION**

26. 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.
  - b. Section §551.072, Deliberation Regarding Real Property

- b.1. Discuss the purchase, exchange, lease, or value of real property described as an approximate 0.13-acre tract of land out of the tract located at 4620 Andrews Highway and an approximate 1.56-acre tract of land out of the tract located at 4704 Andrews Highway, 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.