

**MIDLAND CITY COUNCIL
MINUTES
October 09, 2018**

BRIEFING SESSION

The City Council convened in a Briefing Session in the basement conference room, City Hall, Midland, Texas, at ____ a.m. on October 09, 2018.

Council Members present: Mayor Jerry F. Morales, Mayor Pro Tem Spencer Robnett (At-Large), Council Member Scott Dufford (At-Large), Council Member Jeff Sparks (District 1), Council Member John B. Love III (District 2), Council Member Sharla Hotchkiss (District 3), and Council Member J.Ross Lacy (District 4).

Council Members absent: None.

Staff members present: City Manager Courtney Sharp, City Attorney John Ohnemiller, Assistant City Manager Frank Salvato, Assistant City Manager Robert Patrick, City Secretary Amy Turner, Police Chief Steve Henry, Fire Chief Chuck Blumenauer, Utilities Director Laura Wilson, Administrative Services Director ___, Finance Director Pam Simecka, Development Services Director Charles Harrington, Community Services Director Tina Jauz, Engineering Services Director Jose Ortiz, Director of Airports Justine Ruff, General Services Director Fred Reyes, Chief Information Officer Willie Resto, Solid Waste Director Morris Williams, Planning Division Manager Jessica Carpenter, Building Official Steve Thorpe, and Public Information Officer Elana Ladd.

The foregoing agenda items were discussed by the City Council with no formal action taken. The Briefing Session was adjourned at ____ a.m.

REGULAR SESSION

The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., October 09, 2018.

Council Members present: Mayor Jerry F. Morales, Mayor Pro Tem Spencer Robnett (At-Large), Council Member Scott Dufford (At-Large), Council Member Jeff Sparks (District 1), Council Member John B. Love III (District 2), Council Member Sharla Hotchkiss (District 3), and Council Member J.Ross Lacy (District 4).

Council Members absent: None.

Staff members present at the annex table: City Manager Courtney Sharp, City Attorney John Ohnemiller, Assistant City Manager Frank Salvato, and Assistant City Manager Robert Patrick.

The Agenda Items were heard in the following order:

Mayor Morales called the meeting to order at ___ a.m.

OPENING ITEMS

cto 10:01 a.m.

1. Invocation - Pastor Allman, Grace Lutheran Church
2. Pledge of Allegiance

PRESENTATIONS

- A. Robnett Cybersecurity Month
- B. Mayor Morales presented Business Woman
3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Proclamation recognizing National Cyber Security Awareness Month.
 - b. Proclamation recognizing National Business Women's Week.

CONSENT AGENDA

4. Approved a motion approving the following minutes:

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

- a. Regular City Council Meeting of September 25, 2018

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

- b. Special City Council Meeting of October 1, 2018

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

5. Approved a resolution awarding an agreement for Agenda Management Software services for the City Secretary's Office for the Communication and Information Systems

Department. (PURCHASING)

RESOLUTION NO. 2018 - 392

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH PRIME GOVERNMENT SOLUTIONS, LLC, FOR AGENDA MANAGEMENT SERVICES AND CORRESPONDING HARDWARE AND SOFTWARE AT A TOTAL COST OF \$42,405.00; PROVIDING FOR \$8,500.00 IN CONTINGENCIES; AND APPROPRIATING FUNDS THEREFOR

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

6. Approved a resolution awarding an agreement for Document Management Software services to MCCi through Buyboard contract 544-17 for a cost of \$143,899.50 plus \$70,405.00 for data conversion and \$42,860.00 for contingencies for a total project cost of \$257,164.50 for the Communication and Information Systems Department. (PURCHASING)

RESOLUTION NO. 2018 - 393

RESOLUTION AWARDING A CONTRACT FOR DOCUMENT MANAGEMENT SOFTWARE AND DATA CONVERSION SERVICES TO MCCI, THROUGH BUYBOARD AT A TOTAL COST OF \$214,304.50; PROVIDING FOR \$42,860.00 IN CONTINGENCIES; AND APPROPRIATING FUNDS THEREFOR

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

7. Approved a resolution rejecting all proposals received for the purchase, installation and maintenance of Ambulance Stretchers for the General Services Department. (PURCHASING)

RESOLUTION NO. 2018 - 394

RESOLUTION REJECTING ALL PROPOSALS FOR AMBULANCE STRETCHERS FOR THE GARAGE DIVISION

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

8. Approved a resolution approving the purchase of Ammunition for the Police Department. (PURCHASING)

RESOLUTION NO. 2018 - 395

RESOLUTION AUTHORIZING THE PURCHASE OF AMMUNITION OF ASSORTED TYPES AND IN ASSORTED QUANTITIES FOR THE MIDLAND POLICE DEPARTMENT FROM THE RESPECTIVE LOW BIDDERS, GOLD COAST ARMORY LLC, BLACKHILLS AMMUNITION, KIESLER POLICE SUPPLY, AND PRECISION DELTA CORPORATION, AT A TOTAL COST OF \$121,610.20

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

9. Approved a resolution awarding a contract for the purchase and installation of a Self-Contained Breathing Apparatus (SCBA) Air Compressor for the Midland Fire Department Training Field from August Industries, Inc. through Buyboard contract 524-17 for a total cost of \$61,815.60 for the Fire Department. (PURCHASING)

RESOLUTION NO. 2018 - 396

RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE OF A SELF-CONTAINED BREATHING APPARATUS AIR COMPRESSOR FOR THE FIRE DEPARTMENT FROM AUGUST INDUSTRIES INC., THROUGH BUYBOARD AT A TOTAL COST OF \$61,815.60

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

10. Approved a resolution approving the purchase of a pothole patcher from Southwest International Trucks, Inc. through Buyboard contract 521-16 for a total cost of \$160,111.93 for the Garage Division. (PURCHASING)

RESOLUTION NO. 2018 - 397

RESOLUTION APPROVING THE PURCHASE OF A POT HOLE PATCHER FOR THE GARAGE DIVISION FROM SOUTHWEST INTERNATIONAL TRUCKS, INC., THROUGH BUYBOARD AT A TOTAL COST OF \$160,111.93

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

11. Approved a resolution approving the purchase of a Toro Groundsmaster mower from Professional Turf Products, L.P. through Buyboard contract 529-17 for a total cost of \$66,551.24 for the Garage Division. (PURCHASING)

RESOLUTION NO. 2018 - 398

RESOLUTION APPROVING THE PURCHASE OF A TORO GROUNDMASTER MOWER FOR THE GARAGE DIVISION FROM PROFESSIONAL TURF PRODUCTS,

L.P., THROUGH BUYBOARD AT A TOTAL COST OF \$66,551.24

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

12. Approved a resolution authorizing the execution of Amendment #10 to Parkhill, Smith & Cooper's Professional Services Agreement, and appropriate necessary funds. (AIRPORTS)

RESOLUTION NO. 2018 - 399

RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT NUMBER TEN TO THE PROFESSIONAL SERVICES AGREEMENT WITH PARKHILL, SMITH & COOPER, INC., FOR PROFESSIONAL ENGINEERING SERVICES AT THE MIDLAND INTERNATIONAL AIR & SPACE PORT SO AS TO INCLUDE THE NEW TERMINAL VEHICLE PARKING LOTS AT MAF PROJECT; AND APPROPRIATING FUNDS THEREFOR

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

13. Approved a resolution authorizing the appropriation of additional funds to the project known as Airpark New Hangar Development Planning (Resolution #2016-140). (AIRPORTS)

RESOLUTION NO. 2018 - 400

RESOLUTION AUTHORIZING THE APPROPRIATION OF \$50,000.00 FROM THE AIRPORT OPERATING FUND TO THE NEW HANGAR DEVELOPMENT AT AIRPARK PROJECT

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

14. Approved a motion approving a contract with Cody Ohl Jr Calf Roping Championships in the amount of \$12,500.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE)

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

15. Approved a motion approving a contract with University of Texas Permian Basin Small Business Development Center (UTPB SBDC) in the amount of \$27,500.00 to promote growth and development in the City of Midland from funds available and as approved in the Fiscal Year 2018-2019 budget (General Fund/Non Departmental). (CITY SECRETARY'S OFFICE)

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

16. Approved a resolution ratifying and approving the consolidation of the Citizens Advisory Committee and the Hotel/Motel Tax Advisory Board. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2018 - 401

A RESOLUTION RATIFYING AND APPROVING THE CONSOLIDATION OF THE CITIZENS ADVISORY COMMITTEE AND THE HOTEL/MOTEL TAX ADVISORY BOARD INTO THE CITIZEN DEVELOPMENT AND HOTEL/MOTEL ADVISORY BOARD FOR THE PURPOSE OF ADVISING THE CITY COUNCIL ON THE MATTERS OF ADVERTISING THE CITY OF MIDLAND AND PROMOTING ITS GROWTH AND DEVELOPMENT PURSUANT TO CHAPTER 371 OF THE TEXAS LOCAL GOVERNMENT CODE, AND USE OF FUNDS COLLECTED PURSUANT TO CHAPTER 351 OF THE TEXAS TAX CODE; AND RATIFYING AND APPROVING INITIAL APPOINTMENTS

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

17. Approved a resolution approving the transfer of the Oil and Gas Well Permit and Road Repair Agreement issued to Lario Oil & Gas Company, (Current Operator). Willow Lakes 191H located 250 feet from the north line and 1,130 feet from the west line, Section 19, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Said well is generally located on East side of the North Fairgrounds extension and South of the Mockingbird Lane Extension.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 402

RESOLUTION APPROVING THE TRANSFER OF A CERTAIN OIL AND GAS WELL PERMIT FROM LARIO OIL & GAS COMPANY ("OPERATOR") TO ENDEAVOR ENERGY RESOURCES, L.P. ("TRANSFeree"); AND APPROVING THE TRANSFER OF THE ROAD REPAIR AGREEMENT REGARDING SAID OIL AND GAS WELL PERMIT FROM OPERATOR TO TRANSFeree; THE OIL AND GAS WELL BEING WILLOW LAKES 191H; SAID OIL AND GAS WELL BEING LOCATED IN SECTION 19, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF THE NORTH FAIRGROUNDS ROAD EXTENSION, SOUTH OF THE MOCKINGBIRD LANE EXTENSION)

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

18. Approved a resolution approving the issuance of a permit to Diamondback E&P LLC, for the drilling of oil and gas well, being , Bozeman Unit 803LS located 306 feet from the south line and 2,085 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 405 feet north of Green Tree Blvd. and between 1,998 feet and 2,118 feet east of North Midland Drive.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 403

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 2,085 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 405 FEET NORTH OF THE GREEN TREE BOULEVARD EXTENSION AND APPROXIMATELY 2,028 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

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

19. Approved a resolution approving the issuance of a permit to Diamondback E&P LLC, for the drilling of oil and gas well, being, Bozeman Unit 803WA located 306 feet from the south line and 2,145 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 405 feet north of Green Tree Blvd. and 2,088 feet east of North Midland Drive.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 404

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 2,145 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 405 FEET NORTH OF THE GREEN TREE BOULEVARD EXTENSION AND APPROXIMATELY 2,088 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

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

20. Approved a resolution approving the issuance of a permit to Diamondback E&P LLC, for the drilling of oil and gas well, being, Bozeman Unit 814MS located 306 feet from the south line and 2,115 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 405 feet north of Green Tree Blvd. and 2,058 feet east of North Midland Drive.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 405

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 2,115 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 405 FEET NORTH OF THE GREEN TREE BOULEVARD EXTENSION AND APPROXIMATELY 2,058 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

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

21. Approved a resolution approving the issuance of a permit to Diamondback E&P LLC, for the drilling of oil and gas well, being, Butte Unit 804WB located 306 feet from the south line and 2,175 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 405 feet north of Green Tree Blvd. and 2,118 feet east of North Midland Drive.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 406

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 2,175 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 405 FEET NORTH OF THE GREEN TREE BOULEVARD EXTENSION AND APPROXIMATELY 2,118 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

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

22. Approved a resolution approving the issuance of a permit to Diamondback E&P LLC, for

the drilling of oil and gas wells, being Whitefish Unit 813MS located 306 feet from the south line and 2,055 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 407 feet north of Green Tree Blvd. and 1,998 feet east of North Midland Drive.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 407

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 2,055 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 405 FEET NORTH OF THE GREEN TREE BOULEVARD EXTENSION AND APPROXIMATELY 1,998 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

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

23. Approved a resolution approving the issuance of a permit to Parsley Energy Operations, LLC, for the drilling of oil and gas wells, being Ranchland C Unit 2805H located 841 feet from the north line and 2,229 feet from the east line, Section 36, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located between 2,229 feet west of Fairgrounds Road and 626 feet south of Front Street.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 408

RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO PARSLEY ENERGY OPERATIONS, LLC ("OPERATOR") TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 841 FEET FROM THE NORTH LINE AND 2,229 FEET FROM THE EAST LINE, SECTION 36, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED APPROXIMATELY 2,229 FEET WEST OF FAIRGROUNDS ROAD AND APPROXIMATELY 626 FEET SOUTH OF FRONT STREET)

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

24. Approved a resolution approving the issuance of a permit to Parsley Energy Operations, LLC, for the drilling of oil and gas wells, being Ranchland C Unit 4205H located 851 feet from the north line and 2,257 feet from the east line, Section 36, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located between 2,257 feet west of Fairgrounds Road and 636 feet south of Front Street.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 409

RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO PARSLEY ENERGY OPERATIONS, LLC ("OPERATOR") TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 851 FEET FROM THE NORTH LINE AND 2,257 FEET FROM THE EAST LINE, SECTION 36, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED APPROXIMATELY 2,257 FEET WEST OF FAIRGROUNDS ROAD AND APPROXIMATELY 636 FEET SOUTH OF FRONT STREET)

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

25. Approved a resolution approving the issuance of a permit to Parsley Energy Operations, LLC, for the drilling of oil and gas wells, being Ranchland C Unit 4305H located 860 feet from the north line and 2,286 feet from the east line, Section 36, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located between 2,286 feet west of Fairgrounds Road and 645 feet south of Front Street.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 410

RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO PARSLEY ENERGY OPERATIONS, LLC ("OPERATOR") TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 860 FEET FROM THE NORTH LINE AND 2,286 FEET FROM THE EAST LINE, SECTION 36, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED APPROXIMATELY 2,286 FEET WEST OF FAIRGROUNDS ROAD AND APPROXIMATELY 645 FEET SOUTH OF FRONT STREET)

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

26. Approved a resolution authorizing the execution of a road repair agreement with Parsley Energy Operations, LLC. (Operator), regarding its application to drill oil and gas wells (Ranchland C Unit 2805H, Ranchland C Unit 4205H, Ranchland C Unit 4305H) located in Section 36, Block 39, T-1-S, T&P RR Co. Survey, City of Midland and County of Midland, Texas. The Road Repair Agreement will cover Fairgrounds Road in the amount of \$75,000.00. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 411

RESOLUTION AUTHORIZING THE EXECUTION OF A ROAD REPAIR AGREEMENT WITH PARSLEY ENERGY OPERATIONS, LLC REGARDING ITS APPLICATION TO DRILL OIL AND GAS WELLS WITHIN THE CITY LIMITS IN SECTION 36, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

27. Approved a resolution approving the issuance of a permit to Permian Deep Rock Oil Co., LLC, for the drilling of oil an gas well, being Rebel A #H150WB located 110 feet from the south line and 1,732 feet from the east line, Section 2, Block 39, T-2-S, T&P RR. CO. Survey, City and County of Midland, Texas. (Generally located between 1,732 feet west of South Lamesa Rd and 170 feet south of I-20.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 412

RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO PERMIAN DEEP ROCK OIL CO., LLC ("OPERATOR") TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 110 FEET FROM THE SOUTH LINE AND 1,732 FEET FROM THE EAST LINE, SECTION 2, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED APPROXIMATELY 1,732 FEET WEST OF SOUTH LAMESA ROAD AND APPROXIMATELY 170 FEET SOUTH OF INTERSTATE 20); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

28. Approved a resolution approving the issuance of a permit to Permian Deep Rock Oil Co., LLC, for the drilling of oil an gas well, being Rebel A #H155WA located 110 feet from the south line and 2,062 feet from the east line, Section 2, Block 39, T-2-S, T&P RR. CO. Survey, City and County of Midland, Texas. (Generally located between 2,062 feet west of South Lamesa Road and 170 feet south of I-20.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 413

RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO PERMIAN DEEP ROCK OIL CO., LLC ("OPERATOR") TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 110 FEET FROM THE SOUTH LINE AND 2,062 FEET FROM THE EAST LINE, SECTION 2, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED APPROXIMATELY 2,062 FEET WEST OF SOUTH LAMESA ROAD AND APPROXIMATELY 170 FEET SOUTH OF INTERSTATE 20); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

29. Approved a resolution approving the issuance of a permit to Permian Deep Rock Oil Co., LLC, for the drilling of oil an gas well, being Rebel A #H160WB located 110 feet from the south line and 2,392 feet from the east line, Section 2, Block 39, T-2-S, T&P RR. CO. Survey, City and County of Midland, Texas. (Generally located between 2,392 feet west of South Lamesa Road and 170 feet south of I-20.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 414

RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO PERMIAN DEEP ROCK OIL CO., LLC ("OPERATOR") TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 110 FEET FROM THE SOUTH LINE AND 2,392 FEET FROM THE EAST LINE, SECTION 2, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED APPROXIMATELY 2,392 FEET WEST OF SOUTH LAMESA ROAD AND APPROXIMATELY 170 FEET SOUTH OF INTERSTATE 20); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

30. Approved a resolution approving the issuance of a permit to Permian Deep Rock Oil Co., LLC, for the drilling of oil an gas well, being Mustang #H110WB located 110 feet from the south line and 2,366 feet from the west line Section 2, Block 39, T-2-S, T&P RR. CO. Survey, City and County of Midland, Texas. (Generally located 2,366 feet east of Rankin Highway and 170 feet south of I-20.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 415

RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO PERMIAN DEEP ROCK OIL CO., LLC ("OPERATOR") TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 110 FEET FROM THE SOUTH LINE AND 2,366 FEET FROM THE WEST LINE, SECTION 2, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED APPROXIMATELY 2,366 FEET EAST OF RANKIN HIGHWAY AND APPROXIMATELY 170 FEET SOUTH OF INTERSTATE 20); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

31. Approved a resolution approving a five year contract between the MOUTD Board and RATP Dev USA Management and Operation of the EZ Rider Transit System

(DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 416

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE MIDLAND-ODESSA URBAN TRANSIT DISTRICT AND RATP DEV USA, INC., FOR THE MANAGEMENT AND OPERATION OF THE EZ RIDER TRANSIT SYSTEM

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

32. Approved a resolution authorizing the execution of a Community Development Block Grant for the Minor Repair Program in the amount of \$50,00.00; for the express purpose of home repairs (A/C, Heating, plumbing etc.) for low income families. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 417

RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS IN THE AMOUNT OF \$50,000.00 FROM THE UNAPPROPRIATED FUND BALANCE OF THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND TO THE MINOR REPAIR PROJECT

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

33. Approved a resolution authorizing the execution of a Community Development Block Grant for Administration in the amount of \$30,00.00; for the express purpose of contracting for 2020-2025 Housing Impediment Study. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 418

RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS IN THE AMOUNT OF \$30,000.00 FROM THE UNAPPROPRIATED FUND BALANCE OF THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND TO THE CDBG ADMINISTRATION PROJECT

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

34. Approved a resolution authorizing the execution of a Community Development Block Grant for the Home Buyers Assistance Program in the amount of \$250,00.00; for the express purpose of assisting first time home buyers with down payment and closing cost. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 419

RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS IN THE AMOUNT OF \$250,000.00 FROM THE UNAPPROPRIATED FUND BALANCE OF THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND TO THE HOMEBUYER ASSISTANCE PROJECT

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

35. Approved a resolution authorizing the execution of a Community Development Block Grant for the Greenwood Infrastructure Improvements Project in the amount of \$403,102.00; for the express purpose of sidewalk construction in the Greenwood subdivision. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 420

RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS IN THE AMOUNT OF \$403,102.00 FROM THE UNAPPROPRIATED FUND BALANCE OF THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND TO THE GREENWOOD INFRASTRUCTURE PROJECT

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

36. Approved a resolution authorizing the execution of a Community Development Block Grant with the City of Midland Parks & Recreation Project in the amount of \$66,00.00; for the express purpose of the replacement of exercise equipment and audio system for participants. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 421

RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS IN THE AMOUNT OF \$66,000.00 FROM THE UNAPPROPRIATED FUND BALANCE OF THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND TO THE CITY OF MIDLAND PARK PROJECT

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

37. Approved a motion on request by Maverick Engineering, to defer paving and sidewalk improvements for Original Town, Section 16, and to waive the corresponding financial security guarantee valued at \$42,753.00, an amount equal to the estimated cost of

construction. The subject property is generally located on southeast corner of South Street and Mineola Street, in the City of Midland, Midland County, Texas. (ENGINEERING SERVICES)

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

38. Approved a motion on request by West Company, to defer water, wastewater, paving and sidewalk improvements for Cedar Elm Mobile Home Park and to waive the corresponding financial security guarantee valued at \$557,680.00, an amount equal to the estimated cost of construction. The subject property is generally located on southeast corner of West County Road 116 and South County Road 1255, approximately 1,450 linear feet outside the corporate limits of the City of Midland, in Midland County, Texas - Extraterritorial Jurisdiction. (ENGINEERING SERVICES)

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

39. Approved a resolution authorizing the City Manager to negotiate and execute an agreement with Mall at Midland Park, LLC for development of Skyline Terrace, Unit 7, City and County of Midland, Texas (generally located southwest of the intersection of Loop 250 and North Midkiff Road); said agreement being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES)

RESOLUTION NO. 2018 - 422

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH MALL AT MIDLAND PARK, LLC FOR DEVELOPMENT OF SKYLINE TERRACE, UNIT 7, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF LOOP 250 AND NORTH MIDKIFF ROAD); SAID AGREEMENT BEING AUTHORIZED BY SECTION 395.081 OF THE TEXAS LOCAL GOVERNMENT CODE

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

40. Approved a resolution appointing two members to the Midland Emergency Communication District Board of Managers (FIRE)

RESOLUTION NO. 2018 - 423

RESOLUTION APPOINTING CHARLES BLUMENAUER AND SETH HERMAN TO THE MIDLAND EMERGENCY COMMUNICATION DISTRICT BOARD OF MANAGERS

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

41. Approved a resolution authorizing City Manager to negotiate an Interlocal Agreement between Midland, Abilene and San Angelo to continue to work together to address Water Management Strategies to meet future water needs for each city. (UTILITIES)

RESOLUTION NO. 2018 - 424

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF MIDLAND, THE CITY OF ABILENE, AND THE CITY OF SAN ANGELO TO PROVIDE FOR THE EVALUATION, SELECTION AND DEVELOPMENT OF WATER MANAGEMENT STRATEGIES FOR REGIONAL WATER SUPPLIES

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

42. Approved a resolution authorizing and executing a Right-of-Way License between the City of Midland and Salt Creek Midstream LLC, said Right-of-Way License is for entering the City of Midland's property for the purpose of placing, installing, constructing, operating, repairing, maintaining and removing a crude oil pipeline, not to exceed sixteen (16) inches in diameter, and to have the right to ingress and egress at convenient points for such purpose; the pipeline is located within City of Midland property, Sections 17, 18 and 19, Block C23, Public School Land Survey, Winkler County, Texas. (UTILITIES)

RESOLUTION NO. 2018 - 425

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND SALT CREEK MIDSTREAM, LLC REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 17, 18 AND 19, BLOCK C23, PUBLIC SCHOOL LAND SURVEY, WINKLER COUNTY, TEXAS

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

43. Approved a resolution authorizing and executing a Right-of-Way License between the City of Midland and Salt Creek Midstream LLC, said Right-of-Way License is for entering the City of Midland's property for the purpose of placing, installing, constructing, operating, repairing, maintaining and removing a gas and oil gathering system servicing the mineral owners production fields and to have the right to ingress and egress at convenient points for such purpose; the pipelines are located within City of Midland property, Sections 1& 2. Block C-24 and sections 17, 22, 23, 24 & 25, Block C-23,

Public School Land Survey, Winkler County, Texas. (UTILITIES)

RESOLUTION NO. 2018 - 426

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND SALT CREEK MIDSTREAM, LLC REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 17, 22, 23, 24 AND 25, BLOCK C-23 AND SECTIONS 1 AND 2, BLOCK C-24, PUBLIC SCHOOL LAND SURVEY, WINKLER COUNTY, TEXAS

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

44. Approved a resolution authorizing and executing a Right-of-Way License between the City of Midland and Salt Creek Midstream LLC, said Right-of-Way License is for entering the City of Midland's property for the purpose of placing, installing, constructing, operating, repairing, maintaining and removing a gas and oil gathering system servicing the mineral owners production fields and to have the right to ingress and egress at convenient points for such purpose; the pipelines are located within City of Midland property, Sections 21,22,18 &13, Block C23, Public School Land Survey, Winkler County, Texas. (UTILITIES)

RESOLUTION NO. 2018 - 427

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND SALT CREEK MIDSTREAM, LLC REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 13, 18, 21 AND 22, BLOCK C-23, PUBLIC SCHOOL LAND SURVEY, WINKLER COUNTY, TEXAS

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

45. Approved a resolution authorizing and executing a Right-of-Way License between the City of Midland and Endeavor Energy Resources, L.P., said Right-of-Way License is for entering the City of Midland's property for the purpose of placing, installing, constructing, operating, repairing, maintaining and removing a an access road to adjacent Endeavor property, road is located within City of Midland property, Section 44, Block 38, Township 1 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES)

RESOLUTION NO. 2018 - 428

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND ENDEAVOR ENERGY RESOURCES, LP, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 44, BLOCK 38, TOWNSHIP 1 SOUTH, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS, TO CONSTRUCT A DIRT ACCESS ROAD APPROXIMATELY 741.45 FEET IN LENGTH

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

46. Approved a resolution authorizing and executing a Right-of-Way License between the City of Midland and Endeavor Energy Resources, L.P., said Right-of-Way License is for entering the City of Midland's property for the purpose of placing, installing, constructing, operating, repairing, maintaining and removing a an access road to adjacent Endeavor property, road is located within City of Midland property, Section 44, Block 38, Township 1 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES)

RESOLUTION NO. 2018 - 429

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND ENDEAVOR ENERGY RESOURCES, LP, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 44, BLOCK 38, TOWNSHIP 1 SOUTH, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS, TO CONSTRUCT A DIRT ACCESS ROAD APPROXIMATELY 1,307.96 FEET IN LENGTH

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

47. Approved a resolution authorizing the transfer of Right-of-Way License 2016-101 between the City of Midland and Lario Oil & Gas Company to Endeavor Energy Resources. Said right-of- way is for entering the City of Midland's property for the purpose of placing, installing, constructing, operating, repairing, maintaining and removing one private gas transportation pipeline, not to exceed eight (8) inches in diameter. The pipeline is located on City of Midland owned Fairgrounds Road in Section 1, BLK X, HP Hilliard Survey, Midland County, Texas. (UTILITIES)

RESOLUTION NO. 2018-430

RESOLUTION APPROVING THE TRANSFER OF A RIGHT-OF-WAY LICENSE FROM LARIO OIL AND GAS COMPANY ("OPERATOR") TO ENDEAVOR ENERGY RESOURCES, L.P. ("TRANSFeree"); SAID RIGHT-OF-WAY LICENSE BEING LOCATED IN SECTION 1, BLOCK X, H.P. HILLIARD SURVEY, MIDLAND COUNTY, TEXAS

Council Member Robnett moved to approve Consent Agenda items 4 - 47 excluding ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

SECOND READINGS

48. Consider an ordinance on second reading on a request by Maverick Engineering, for a zone change from O-1, Office District, in part, and PD, Planned District for a Housing

Development, in part, to PD, Planned District for a Housing Development, on Lot 8, Block 3, Gateway Plaza, Section 2, and Lot 7B, Block 3, Gateway Plaza, Section 10, City and County of Midland, Texas. (Generally located on the northeast corner of South Tradewinds Boulevard and Starboard Drive.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9827

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 8, BLOCK 3, GATEWAY PLAZA, SECTION 2, AND LOT 7B, BLOCK 3, GATEWAY PLAZA, SECTION 10, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED O-1, OFFICE DISTRICT, IN PART, AND PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT, IN PART, TO BE USED AS A PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF TRADEWINDS BOULEVARD AND STARBOARD 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

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9827.

Council Member Robnett moved to approve the second and final reading of Ordinance No. 9827 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

49. Consider an ordinance on second reading on a request by Serenity Hotels, LLC for a Special Exception to Section 11-1-6 of the Zoning Code concerning the height regulations on Lot 13, Block 8, Correction Plat of Westridge Park Addition, Section 27, City and County of Midland, Texas. (Generally located on the southwest corner of Windhaven Drive and Tradewinds Boulevard). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9828

AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 13, BLOCK 8, CORRECTION PLAT OF WESTRIDGE PARK ADDITION, SECTION 27, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WINDHAVEN DRIVE AND TRADEWINDS BOULEVARD), BY PERMITTING AN INCREASED BUILDING HEIGHT; 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

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9828.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9828 in accordance with the Charter of the City of Midland; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

50. Consider an ordinance on second reading on a request by Skyline Civil Group, for a zone change from PD, Planned District for Office Center, to IP-3, Industrial Park District on Lot 3, Block 2, Industrial Park Regional Air Terminal, Unit 7, City and County of Midland, Texas, (generally located on the west side of Earhart Drive, approximately 634-feet south of Banks Drive). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9829

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 3, BLOCK 2, INDUSTRIAL PARK REGIONAL AIR TERMINAL ADDITION, UNIT 7, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR AN OFFICE CENTER, TO BE USED AS AN IP-3, INDUSTRIAL PARK DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF EARHART DRIVE, APPROXIMATELY 634 FEET SOUTH OF BANKS 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

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9829.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9829 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

51. Consider an ordinance on second reading on a request by Family Promise of Midland, TX Inc., for a site plan approval on the south half of Block 23, Gardens Addition, City and County of Midland, Texas. (Generally located on the northwest corner of Ward Street and West Ohio Street.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9830

AN ORDINANCE ADOPTING A SITE PLAN FOR THE SOUTH HALF OF BLOCK 23, GARDENS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF WARD STREET AND WEST OHIO AVENUE); SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS; 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

Council Member Sparks moved to approve the second and final reading of Ordinance No. 9830 in accordance with the Charter of the City of Midland; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford,

Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9830.

52. Consider an ordinance on second reading on a request by Furniture Row USA for a vacation of the 0.17-acre portion of Faulkner Drive located in a 2.23-acre tract of land out of Section 4, Block X, HP Hilliard Survey, City and County of Midland, Texas, (generally located west of Whitman Drive, approximately 356-feet north of West Loop 250 North). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9831

AN ORDINANCE VACATING AND ABANDONING A 0.17-ACRE PORTION OF FAULKNER DRIVE RIGHT-OF-WAY LOCATED IN SECTION 4, BLOCK X, H.P. HILLIARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF WHITMAN DRIVE, APPROXIMATELY 356 FEET NORTH OF WEST LOOP 250 NORTH); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$24,067.00; AND ORDERING RECORDATION BY THE CITY SECRETARY

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9831.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9831 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

53. Consider an ordinance on second reading on a request by Maverick Engineering for approval of a site plan on a 10.18-acre tract of land located in Section 19, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, (generally located on the north side of Andrews Highway, approximately 930-feet west of North Midland Drive). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9826

AN ORDINANCE ADOPTING A SITE PLAN FOR A 10.18-ACRE TRACT OF LAND OUT OF SECTION 19, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF ANDREWS HIGHWAY, APPROXIMATELY 930 FEET WEST OF NORTH MIDLAND DRIVE); SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS; 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

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9826.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9826 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford,

Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

PUBLIC HEARINGS

54. Hold a public hearing and consider an ordinance on a request by Kimley-Horn and Associates, Inc., for a Zone Change from a PD, Planned District for a Housing Development to an Amended PD, Planned District for a Housing Development on Lot 1A, Block 6, Pavilion Park, Section 10, City and County of Midland, Texas. (Generally located on the on the southeast corner of the intersection of Mockingbird Lane and Stonebridge Drive.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9832

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 1A, BLOCK 6, PAVILION PARK, SECTION 10, 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 SOUTHEAST CORNER OF THE INTERSECTION OF MOCKINGBIRD LANE AND STONEBRIDGE 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

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9832.

Development Services Director Chuck Harrington gave a brief overview of the item noting amendment to current PD apt complex 362 units include amenities andd now this additional monument sign. tree and pool aarranged ot meet seatig mmeat all requirements for heigght. one restriction 15 foot clearance from driveway site. no loj 9//12 staff rec approval. Hotchkiss meets exisisting sign ord.

Mayor Morales opened the public hearing at 10:17 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9832 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

55. Hold a public hearing and consider an ordinance on a request by Maverick Engineering, for a Zone Change from a O-2, Office District, to an LR-2, Local Retail District on Lot 2, Block 4, Corporate Plaza, Section 5, City and County of Midland, Texas. (Generally located on east side of North Big Spring, approximately 889-foot north of Corporate Drive.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9833

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 2, BLOCK 4, CORPORATE PLAZA, SECTION 5, CITY AND

COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED O-2, OFFICE DISTRICT, TO BE USED AS AN LR-2, LOCAL RETAIL DISTRICT (GENERALLY LOCATED ON EAST SIDE OF NORTH BIG SPRING STREET, APPROXIMATELY 889 FEET NORTH OF CORPORATE 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

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9833.

Development Services Director Chuck Harrington gave a brief overview of the item noting staff rec approval received no loj. Mayor excited to see lot develop not part of this item. want to talk about ingress and egress. Chuck Mike Pacelli evaluate access. Mayor similar to pioneer exit ttype. Courtney as part of building permit engineering will take a look at thaat. if they determine traffic study warranted they will requirement. include . mayor concern don't like possibility should be mandatory with congestion on Big /Spring street. Chuck spoke to developer about needs of access.

Mayor Morales opened the public hearing at 10:21 a.m.

Andrew Mellen Maveerick Eengineering, already talked to Mr. paaceli deceleration lane added into much like Pioneers so it does not hold up traffic.

There being no one else wishing to speak, the public hearing was closed at 10:21 a.m.

Council Member Hotchkiss moved approval of the first of two readings of Ordinance No. 9833 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

56. Hold a public hearing and consider an annexation of a 9.75-acre tract located in the NE/4 of Section 48, Block 40, T-1-S, T&P RR Co Survey, Midland County, Texas, (generally located on the northwest intersection of Tradewinds Boulevard and Thomason Drive - Extraterritorial Jurisdiction). This is a public hearing only (DEVELOPMENT SERVICES)

Development Services Director Chuck Harrington gave a brief overview of the item noting proposed multi family dev this is next steep in process. allow city services to property., voluntary annexation in compliance with comp plan. Lacy how many units in process chuck lasat count about 2000 anywhere in process.

Mayor Morales opened the public hearing at 10:23 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

57. Hold a public hearing and consider an annexation of a 16.386-acre tract of land out of Section 48, Block 40, T-1-S, T&P RR Co. Survey and Section 1, Block 40, T-2-S, T&P RR Co. Survey and a 4.487-acre tract of land located in the NE/4 of Section 48, Block 40, T-1-S, T&P, RR Co. Survey, Midland County, Texas, (generally located south of the intersection of Tradewinds Boulevard and Thomason Drive - Extraterritorial Jurisdiction).

This is a public hearing only. (DEVELOPMENT SERVICES)

Development Services Director Chuck Harrington gave a brief overview of the item noting annexation of tradewinds row. this is in process for while and did developers agreement to accomplishment. been before coun cil for approval to move forward. in comp comp plan and noo loj.

Mayor Morales opened the public hearing at 10:24 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

58. Hold a public hearing regarding the proposed granting of oil and gas well permits to Permian Deep Rock Oil Co., LLC, for the drilling of oil and gas wells, being Charger A #H125WA located 108 feet from the south line and 2,370 feet from the west line, Charger A #H125SS located 108 feet from the south line and 2,400 feet from the west line, Charger A #H130WB located 108 feet from the south line and 2,280 feet from the west line, Charger A #H130MS located 108 feet from the south line and 2,340 feet from the west line, Charger A #H130LS located 108 feet from the south line and 2,310 feet from the west line, Charger A #H135WA located 108 feet from the south line and 1,980 feet from the west line, Charger A #H135SS located 108 feet from the south line and 2,010 feet from the west line, Charger A #H140LS located 109 feet from the south line and 1,920 feet from the west line, Charger A #H140MS located 109 feet from the south line and 1,950 feet from the west line, and Charger A #H140WB (DEVELOPMENT SERVICES)

Oil & Gas Compliance officer gave a brief overview of the item noting group 10 wells south of peetrol museum similar arrea previously permitted. same 5 variances asked previous. 500 foot radius f within from museum and letter of support. 16 foot sound wall on north side between itnerstate and wells. lacy commercial to south. ron yess.

Mayor Morales opened the public hearing at 10:27 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

59. Hold a public hearing regarding the proposed granting of oil and gas well permits to Fasken Oil and Ranch, Ltd , for the drilling of oil and gas wells, being Manor Park No. 1H located 1,865 feet from the south line and 1,487 feet from the west line, Manor Park No. 2H located 1,850 feet from the south line and 1,486 feet from the west line, Manor Park No. 3H located 1,835 feet from the south line and 1,486 feet from the west line, Manor Park No. 4H located 1,820 feet from the south line and 1,486 feet from the west line, Manor Park No. 5H located 1,805 feet from the south line and 1,485 feet from the west line and Manor Park No. 6H located 1,790 feet from the south line and 1,485 feet from the west line, Section 30, Block 39, T-1-S, T&P RR. CO. Survey, City and County of Midland, Texas. (Said wells are generally located between 1,487 and 1,485 feet west of North Loop 250 West and between 230 and 155 feet north of Network Drive extension.) This is a public hearing only. (DEVELOPMENT SERVICES)

Ron Jenkin 6 wells on loocation permitted two perivos wells in similar locaaition. 32 ft soud walls on all sides coming off loop 2250 o their prooperty so no local streets in area. upgrading alley with cemennt. tthere was fresh wateer pit in areea last time permitted oout to county. when bring equipment in work with police and fire sso as not to congesest loop 250. using fencing when finish and go to pumping fencing with brick columns. closed loop system so no reserve pits. repss here if any questions. r eceived

33 of 33 is from residences. Some residences received notices from 6 wells asking only one variance for 24 hour fracing which required to giving.

Mayor Morales opened the public hearing at 10:31 a.m.

Shawn Cooley 409 Sweet Briar Drive Midland, as resident in general vicinity can be environmental impact if something goes wrong in site it could endanger lives of residents and

Tommy Taylor, director of oil and gas for Fasken wants to bring attention to Manor Park. Manor Park approached about 5 years ago to develop minerals just north of this site. Ownership and mgmt of company decided to do after much consideration. Challenging project but everyone agrees Manor Park is crown jewel for senior living and this project would give significant source of income well into the future. Fasken is their own development called the Vineyard on Holiday Hill. Developed with that site to show how residence oil and gas, multi family and office can co-exist. Invite all to come out and look at operation. When considering doing this, thinking about residence wants to be good neighbors, been proactive in design. No tank battery facility in city moved 4 miles west of town and north of Hwy 191. Access point is not on city street coming off easement road on loop to property. Rebuilding alley with concrete and rebar, 32 foot sound wall, done noise and study just over 50 db on avg highest level with soundwall is just below. Doesn't mean residents aren't going to hear sounds but will be much reduced. In the end trying to do something for Manor Park but when done hoping can look at property and say this improved this area welcome in questions. Lacy thanked Tommy for showing how oil and gas co-exists with residence. Mayor flow line how does that work? Tommy never done but contracted company to put in bore an Andrews highway and west of town on 191 48 inch bore 68 feet deep and pulled conduit 30" steel conduit and that is flow lines they use offshore. Put inside pipe and pull pipe through bore. They say record for that size pipe that length and that weight significant cost. On side of service road of 191. Sparks appreciate what done for Manor Park know it is helping our community and thank for it.

Mark Nicholas, 8100 Edinburg in Briarwood, also vice chair of Manor Park board ask for support of project. Also mention in area in NW Midland drilling wells all around for last several years yes noise during drilling but after work done quiet neighbors ask for support.

Don Sparks, 2701 Hummingbird Ct, compliment city on oil and gas order in place now for some time allowed proper drilling and completion of minerals that lie under city. Also member of board at Manor Park and on oil and gas com at Manor Park. They had minerals given to them in 1973 this is first opportunity with new technology to develop minerals and it will be very important to a non profit which helps senior citizens in this community. Also blessed to have great corporate citizen of Midland a long time that took this project on. When Fasken stepped up they said they would be pleased they would do it. He also in oil and gas business well aware of order, been involved but hasn't had to do work as member of oil and gas com for Manor Park been involved Fasken has done tremendous job to develop property with no mineral since city can't ask for more than that. Think terrible situation to turn down the development of these minerals by great corp citizens.

Sharon Humphries 4504 Princeton less than one mile from this. Said wells generally located with description believes description should be east and not west. Other

question is what direction will they be drilling North south. How long will it take? lacy noise drilling louder form 250.

There being no one else wishing to speak, the public hearing was closed at 10:42 a.m.

60. Hold a public hearing and consider an resolution on a request by Sonny Aguilar, for a Temporary Land Use Permit for a Mobile Food Vendor with Seating on Lot 12, Block 26, Original Town Addition, and a previously vacated 0.032-acre portion of W. Ohio Avenue right-of-way, located adjacent to Lot 12, Block 26, Original Town Addition, City and County of Midland, Texas. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 431

RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR A MOBILE FOOD VENDOR WITH SEATING ON LOT 12, BLOCK 26, ORIGINAL TOWN ADDITION, AND A PREVIOUSLY-VACATED 0.032-ACRE PORTION OF WEST OHIO AVENUE RIGHT-OF-WAY LOCATED ADJACENT TO LOT 12, BLOCK 26, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF NORTH COLORADO STREET AND WEST OHIO AVENUE); AND MAKING SAID PERMIT SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS CONTAINED HEREIN

Development Services Director Chuck Harrington gave a brief overview of the item noting temp land use permit bus 22 renewal permit at 312 n colorado. operation from oct 25 to oct 24 of 2019. Permitted hours mon-sat 7-12 it is double decker bus converted and allowed seating when bus operation is in operation. They do provide seating at ground level. No complaints staff recommend approval subj to cond a-j. on loj provided this morning and rec approval.

Mayor MOrales opened the public hearing at 10:44 a.m.

Sony Aguilar, 4120 springfood court, thaanked mayor and council for having faith basically double decker bus serving food wwell received by neeighborhood aand midland iin general. Lacy selling alcohol - no not yet. Hotchkiss adeqate toilet and trash container. Sony trash cans there and restrooms in building. during market more restroomss. Mayor signs for restaurant. Sony nosigns could add. Sparks food very good with a pleasant day the lline can be long it is anice place to go eat.

Monica Ramirez, 1602 McClintick Ave, on behalf of Sony and bus the bus center peice of urban marrket next item on maarket huge draw to downtowwn. created something fun. ord written for food trucks never expected double decker bus has a good story. the food is good and so cool. Do really believe in continuing to offer seating and atmosphe bus provides.

There being no one else wishing to speak, the public hearing was closed at 10:48 a.m.

Robnett is one year longest, chuck yes. Robnet anything can do to extend beyond. john o in city code but would like to see issued for a littlee longer. Frank can modify ord to allow staff to papprove. find a way to extend beyond a year.

Council Member Robnett moved to adopt Resolution No. 2018 - 431; seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

61. Hold a public hearing and consider a resolution on a request by Monica Ramirez for approval of a Temporary Land Use Permit for Pop-Up Markets on Lot 12, Block 26, a previously vacated 0.032-acre portion of W. Ohio Avenue right-of-way, located adjacent to Lot 12, Block 26, and a 0.11-acre portion of North Colorado Street right-of-way, located adjacent to Lot 12, Block 26, and Lots 1 and 2, Block 27; all out of Original Town Addition, City and County of Midland, Texas. Generally located southeast of the intersection of North Colorado Street and West Ohio Avenue. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 432

RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR POP-UP MARKETS ON LOT 12, BLOCK 26, ORIGINAL TOWN ADDITION, AND A PREVIOUSLY-VACATED 0.032-ACRE PORTION OF WEST OHIO AVENUE RIGHT-OF-WAY LOCATED ADJACENT TO LOT 12, BLOCK 26, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF NORTH COLORADO STREET AND WEST OHIO AVENUE); AND MAKING SAID PERMIT SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS CONTAINED HEREIN

Development Services Director Chuck Harrington follow up to Bus 22 approved pop up market last year trial been successful. received no complaints, activitiey brought downtown signifaant much success. renewal. sale and on premise proposed for some of pop up mmarkets only allowed after 11 a.m.. on sundayss. live dj and music for some of pop ups. 2 etrra resterooms aand security duty on when alcohol. staff ec approval in compli with comp plan and rec approval subj to cond a-m. no loj .

Mayor Morales opened the public hearing at 10:52 a.m.

Gloria Salazar, 2504 Campbell tree Cove, spoke on behalf of urban market their mission is to support other small entrpreneurs with no store front to sell goods and serices and to bring people downtown. tthey are accomplishing both. They arej aalso proud of locla entrpreneurs debutd at urban market. some said not openedd their business no place ot sell. economic impact amking on community and small business woners iinclude is great. They hope if not been to market they are fun urge to approve tthe new tlup.

Barbara Guzman, 1900 E Golf Coourse #303, she is a small vendor and great to draw people out from if want to come out and find good gifts if looking for nice homemade gift shop local and please approve for another year going forward and ensure continue.

Monica REamirez 1602 mcclintick , only had one goal to bring people downtown. knew busiensses lacing downtown and felt like creating an avenue to bring people downtown in pop up markt. Feel strongly as business owners and feel if give to community will ccome back ten fold. they have seen that. They needed to taake action and did. started as idea turned into community of vendors. over 75 that have participated, wait lists can't necessary bring everybody on. together created market conceptualized never imagine feeling of community. Knew people would come didn't know how many. That taken by surprise. Heard that coolest thing to happen to midland in long time, feelc

community love. As gloria mentioned economic impact comfortably say half mil of rev local money spent through local businesses. about 50 vendors per market is huge for small businesses. Invite everyone to come and support event. How many trash? lacy monica 6 bins and compactor pay for and dumpsters in alley. adjacent alley say use their compactor but they share the cost.

Gloria Salazar if let know if objecting she can go ahead and prove that paying their share of that.

There being no one else wishing to speak, the public hearing was closed at 10:59 a.m.

Council Member Robnett moved to adopt Resolution No. 2018 - 432; seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

MISCELLANEOUS

62. Approved a resolution granting a variance to Ordinance 8769, (January 1, 2010 Oil and Gas Well Drilling Ordinance), for Penta Addition, Block 001, Lot 001, a 7.04 Acre tract in Section 1, Block 39, T-2-S T&P RR Co. Survey, City and County of Midland, Texas, (generally located south-west of the intersection of Fairgrounds Road (FM Road 715) and the Interstate 20 Service Road), by permitting construction of commercial structures where no portion of any structure is closer than 135 feet of an existing oil and gas wells (McClurg #1). (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 433

RESOLUTION GRANTING A VARIANCE FOR LOT 1, BLOCK 1, PENTA ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF FAIRGROUNDS ROAD (FM 715) AND THE INTERSTATE 20 SERVICE ROAD), BY PERMITTING CONSTRUCTION OF COMMERCIAL BUILDINGS WHERE NO PORTION OF ANY STRUCTURE IS CLOSER THAN 135 FEET OF AN OIL AND GAS WELL; AND AUTHORIZING ISSUANCE OF BUILDING PERMITS

Building Official Steve Thorpe gave a brief overview of item noting introduce Jeff ?? asst building official. Jeff landowner of is requesting variance to allow structure within 500 foot of o7g of pioneer. no agmt with operator. pioneer objection letter. sparks fence around location. ron around well. Lacy why would city rec approve variance when operator is not in agreement. Steve Thorpe based on fact that no structures within 135 foot feet. there are no structures and that is what ordinances truly addresses. Sparks occupied structure how far away? Steve Thorpe structure is 404 feet canopy for deisl fuiling 200 feet. Mayor assume that mineral owner would not to approve for safety purposes. Dufford most high profile well is out by BMW dealership how close is that? Ron Jenkins behind dealership is no longer there. how close was it probably 135. remember no problems at all.

Brent Robertson senior land mgr with pioneer. filed letter of protest no desire to

interfere with establishment of convenience store must variance of location of 135 feet of producing wellhead or within 360 feet of 500 foot variance established by city. also within ignition zone and compromise safety. understand need for this type of facility just feel like safety for employees and general public in danger. Sparks what ignition zone? Brent it makes 3mcf a day. if an ignition zone is 135 feet away can you imagine what your horizontals are. would like to know how they calculated bothers when as an industry put out something like that because it will be used against us when shoe is on other foot. that is what bothers most about statement without any backing of ignition zone of how they came up with that. Do realize 135 foot is what parking lot has encroached and want to point out ask about fence itself do need to respect that pioneer might need 135 foot when work that well but it not being structure being a parking lot then owner of store need ot realize pioneer notify owner may need to encroach on parking lot when on well. think its doable structure itself is just 92 foot within 500 and have in past given variances. Need to afford that both ways. Brent not opposed to workign with convenience store in that regard. Sparks only bothered by ignition zone statement without any calculation included. He will ask.

Council Member Robnett moved to adopt Resolution No. 2018 - 433; seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

63. Consider an ordinance on second reading on a request by Maverick Engineering, for a zone change from PD, Planned District for a Shopping Center, in part, and 1F-1, Single Family Dwelling District, in part to MF-1, Multiple Family Dwelling District, on a 8.03-acre tract of land located in Section 30, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, (generally located on the south side of Andrews Highway, approximately 670 feet west of North Midland Drive). (DEVELOPMENT SERVICES) (First reading held September 11, 2018)

ORDINANCE NO. 9820

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING AN 8.03-ACRE TRACT OF LAND OUT OF SECTION 30, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A SHOPPING CENTER, IN PART, AND 1F-1, ONE-FAMILY DWELLING DISTRICT, IN PART, TO BE USED AS AN MF-1, MULTIPLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE SOUTH SIDE OF ANDREWS HIGHWAY, APPROXIMATELY 670 FEET WEST OF NORTH MIDLAND 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

SueAnn read caption 9820.

Development Services Director Chuck Harrington gave a brief overview of the item noting item 63 and 64 are related this is second reading that passed beofre and asked to have site plan with it. as stated second reading of ordinance.

Council Member Robnett moved to approve the second and final reading of Ordinance No. 9820 in accordance with the Charter of the City of Midland; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

64. Hold a public hearing and consider an ordinance on a request by Maverick Engineering for approval of a site plan on a 8.03-acre tract of land located in Section 30, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Andrews Highway, approximately 670-feet west of North Midland Drive.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9834

AN ORDINANCE ADOPTING A SITE PLAN FOR AN 8.03-ACRE TRACT OF LAND OUT OF SECTION 30, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF ANDREWS HIGHWAY, APPROXIMATELY 670 FEET WEST OF NORTH MIDLAND DRIVE); SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS; 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

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9834.

Chuck site plan is attached 11 apt buildings with 110 units and 220 apt cunits with parking and garage. ooverall densit 14.77 units per acres splash pad, dog run prop set backs less then 50 feet in process of rezzone. applicant met with complainants and now propoos 8 ft dec waall neaar residence. as of 10/3 two loj . staff rec approval subj to cond a and b. Mayor requested? Chuck 8 foot fence and wall of trees. Dufford objection is they want a gate back there. complaint about 8 foot wall on top of fence?

Glen Luynch rep bobbi cox, ft worth tx, in reference to putting fence around neighborhood. already met with two adjacent neighbors Ms Humphries agreed to put 167 foot sliding gate on each lot and Mr. Pickets andd communicate next to him and also Mr. Bishop he also owns lot on opposite side that doesn't have anythign to do with zoning she build 8 foot fence she put pylons up to add wood fence and he requesting knock off columnns and repaint fence and they have agreed to do that. Robnett requests for sliding gates has already been taken care of. Glenn Lynch for access. Basically alley that could be public entrance and have access to back lot. Dufford will it be added to site plan? Staaff yes. Robnett how many gaates. Glenn 4 gates. 1 116 foot gate for each individual lots 4 gates. it will be added to second. Hotcchkiss quesation, is it really your responsibbility to work on other fence? Glen owwn other property and wheen bought allowed her to live for anoteher year they are maintaining it untl she mooved. That is not a problem for him it looks different. Sparks thanked for workiing with neighbors. Glenne arly contentious but got a lot beter want ot be good neigghbors. Mayor road gooing down to house moved eventually? Glen eventually not aat this time.

Sharon Humphries 4504 Princeton, showed residences on map she met with Mrr.

Luynch but still opposed to this, these apartments completely unlike any of the rest of the neighborhood. She willing ot accept to work with Mr. Luynch and brother oon project. After speaking with Mr. Luynch trees are not exactly drawn in right place. trees will be on other side of wall. It is not owned by Bobby Cox company but by his family. The trees being discussed are chinese pistach trees and two arborist rec not only chinese pistach but alternating trees if some kind of blight, insect attacks that tree it will wipe them all out. Anotehr concern is planting tree in enough soil which on back of porperty will be issue. Electric line is issue go down short distance to and hit rock. Mr. Lynch talked about putting in drip irrigation system with wells drilled in his area to nourish trees. Against property would rather see single family homess. Don't want people in apartment to see into pool and liviing room. Concerned about width of property. REason for gates is if fire can't get out. Robnett their concern is what negotiated wiith developer happens.

Andrew Mellen 1909 West wall Lacy windows facing to west whaat is line of site? Andrew someone stading on second story shouldbe be able to see oveer fence line.

shaaron Humpries what are numberrrs on site line at bottom how many feet is that? 50 feet is nearest property line. 47 feet 7 inches to fence. Glenn Lyncch that drawing is wrong building move back 3 feet. the property line is 50 feet that site line off. Sharon you can see farteher than 50 feeet if 8 foot wall. Chuck Harrington as Mr. Lacy eluded calls for 50 foot. Theey provided a site liine distance of 50 foot don't have anything other than in ordinance to govern that. at some point you get to point it is too far can't have 500 foot site line distance. Lacy how tall are trees. Luynch first suggested cchinese pistach fast growing. in rest have oak no problem 3 trees as mix but oak trees go slower won't reach neight as quickly. Did measurement off of google. from nearesst house second story to her back yard is 220 feet considerable distance you can look over fence 220 feet when trees get up won't be able to see that 30 feet high and 30 foot wide chiense ppistach.

John O. second reading zone change take up first beforee site plan and then as discussed previously we have super majority issue. no majority on origginal zone change on zone change is on site plan.

cph 11:27 a.m.

Council Member Sparks moved approval of the first of two readings of Ordinance No. 9834 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

trees and gates need to be added as part of second reading.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

65. Approved a motion making appointments to various boards and commissions.

Council Member Lacy moved to reappoint Mr. Bownds to MDC and appoint E.J. Baldridge to replace Greg Maes on MOUTD; seconded by Council Member Robnett.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Dufford,

Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Love.

PUBLIC COMMENT

66. 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.)

Jeffery Burch 1700 Harvaard, M7M ddisposal in Stanton solid wastee similar to Midland. Issues bottle neck and landfill appreciate time and work done but Mldland is sitll growing roads importnat equally importnat. Highlight it is getting read crowded and trucks wiating in line is reduced oeprating hours so trying to work aorund that want to be ppart of the solution happy to do whaateve.r talked to martin idea two seperat eoffloading one for oilfied and otherr trucks his coocern didn't have enought equipment and peersonnel waated to highlight and bring to council attnetion to keep working. Robnett is bbusiness munic or oilfield.. jeffrey mainly rural residential. side laod.

Sharon Humphries ?? we have great problem big concern is traffic. a lot of people that run red lights still an issuse with lengthth of time left turn arrows are on at busiest parts of day maybe 5 cars can get through and 20 cars lined up talking midland/andrews. so people run llight. aalsoo beent hinking about midland known idea person midland known for putting ideas on map and big problem with running red lights that just willy nilly follow. aaother one is think there are a lot of people how to estimate how far something was. people have to estimate whether get through interseciton on yellow. they can start in when turns yellow can go through. there is a way to mark the road that if mark road to wherre light turns yellow cana they get through if turns red or green hash marks in road. Try it as busiest interrsecitons first or big dot and then do campaign to say if your passed this you can geet on through you stop.

Meeting adjourned 11:35 a.m.

All of the business at hand having been completed, the meeting adjourned at ____ p.m.

PASSED AND APPROVED the __ day of ____, 2018.

Jerry F. Morales, Mayor

ATTEST:

Amy M. Turner, City Secretary