

CITY OF MIDLAND, TEXAS
AGENDA FOR CITY COUNCIL MEETING
October 10, 2017 – 10:00 AM
Council Chamber - City Hall
300 North Loraine
Midland, Texas

The Midland City Council agenda is posted for public notice at least 72 hours prior to the Tuesday meetings. All requests to be placed on the Council agenda by the public must be submitted to the City Manager, in writing, at least one week before the Council meetings. Such written requests must be in sufficient detail to identify the subject matter as well as the contact person who will represent the matter before the Council. The City Council reserves the right to not consider matters over which the City has no jurisdiction.

OPENING ITEMS

1. Invocation - Rev. Pat Bryant, Travis Baptist Church
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Presentation of a proclamation to Information Systems for National Cyber Security Awareness Month

CONSENT AGENDA

4. Consider a motion approving the following minutes:
 - a. Regular City Council meeting of September 26, 2017
5. Consider a resolution authorizing the City Manager to negotiate and execute, on behalf of the City of Midland, an agreement with Vandergriff Group Architects, PC, for oversight of abatement, demolition, and improvements in relation to City-owned property described as Lots 7 & 8, Block 35, Original Town Addition, Midland, Texas (known as the Building of the Southwest - 310 West Texas Avenue) at a total cost of \$326,000.00; and appropriating funds therefor. (PURCHASING) (2017 - 294)
6. Consider a resolution approving an Economic Development Agreement between the Midland Development Corporation ("MDC") and the University of Texas of the Permian Basin ("UTPB") for the purpose of facilitating the construction of a

new engineering building to be located within the corporate limits of the City of Midland, Texas. (CITY MANAGER'S OFFICE) (2017 - 295)

7. Consider a resolution approving an Incubator and Makerspace Grant Agreement between the Midland Development Corporation ("MDC") and the University of Texas of the Permian Basin ("UTPB") for the establishment and management of an incubator and makerspace to be located in UTPB's Center for Energy & Economic Development Building. (CITY MANAGER'S OFFICE) (2017 - 296)
8. Consider a motion on a request by Skyline Civil Group for approval of a Preliminary Plat for Somers and Watson Addition, being a 41.10-acre tract of land out of Section 27, Block 39, T-2-S, T&P RR Co. Survey, County of Midland, Texas (Generally located on the north side of West County Road 150, approximately 650 feet east of South County Road 1200. ETJ, Extraterritorial Jurisdiction). (DEVELOPMENT SERVICES) (116-2017)
9. Consider a motion on request by SW Howell, Inc. to defer water, wastewater, and sidewalk improvements for Covington Addition, Section 6, and to waive the corresponding financial security guarantee valued at \$212,964.00, an amount equal to the estimated cost of construction. The subject property is generally located northeast of the intersection of Candice Road and South Highway 191 Frontage Road located within the City of Midland corporate limits. (ENGINEERING SERVICES) (117-2017)
10. Consider a motion on request by SW Howell, Inc. to defer water, wastewater, paving and sidewalk improvements for West Terminal Addition, Section 5, and to waive the corresponding financial security guarantee valued at \$299,879.50, an amount equal to the estimated cost of construction. The subject property is generally located on the north side of West County Road 100, approximately 4,300 feet west of the intersection of Farm to Market 1788 and West County Road 100, and is approximately 3,800 feet outside the corporate limits of the City of Midland, Midland County, Texas. (ENGINEERING SERVICES) (118-2017)
11. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Lucid Energy Delaware, LLC, regarding City-owned property described as Sections 20, 21, and 22, Block C23, Public School Land, A-1414, Survey, Winkler County, Texas. (ENGINEERING SERVICES) (2017 - 297)
12. Consider a resolution authorizing the execution of a Non-Potable Water Supply Agreement between the City of Midland, Texas, and Mabee Water Resources LLC. (UTILITIES) (2017 - 298)
13. Consider a resolution approving a change order for the Spraberry Farm and Plant Farm Rehabilitation Project; said change order will authorize a fee increase of \$139,150.00 to Onyx General Contractors, LLC, for the clearing and mulching

of vegetation at the Plant Farm Ponds and Spraberry Lagoons. (UTILITIES)
(2017 - 299)

SECOND READINGS

14. Consider an ordinance on second reading changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Lot 1A, Block 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 southeast 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. (DEVELOPMENT SERVICES)(First reading held on September 26, 2017)(9704)

PUBLIC HEARINGS

15. Hold a public hearing and consider an ordinance changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Lot 8, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, to be used as an amended Planned District (Generally located on the south side of West Loop 250 North, approximately 720 feet west of North Midkiff Road); containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); and ordering publication. (DEVELOPMENT SERVICES) (9705)
16. Hold a public hearing regarding the proposed granting of oil and gas permits to Permian Deep Rock Oil Co., LLC, for the drilling of oil gas wells, being Charger #H155SS located 112 feet from the south line and 690 feet from the west line, and Charger #H155WA located 112 feet from the south line and 660 feet from the west line, Section 3, Block 39, T-2-S, T&P RR. CO. Survey, City and County of Midland, Texas (Said wells sharing a pad site area that is generally located 752 feet east of South Garfield Street and 325 feet north of West County Road 111). This is a public hearing only. (DEVELOPMENT SERVICES) (119-2017)
17. Hold a public hearing regarding the proposed granting of oil and gas permits to Permian Deep Rock Oil Co., LLC, for the drilling of oil gas wells, being Charger #H160WB located 113 feet from the south line and 330 feet from the west line, Charger #H160LS located 113 feet from the south line and 360 feet from the west line, and Charger #H160MS located 113 feet from the south line and 390 feet from the west line, Section 3, Block 39, T-2-S, T&P RR. CO. Survey, City and County of Midland, Texas (Said wells sharing a pad site area that is generally located 392 feet east of South Garfield Street and 326 feet north of West County Road 111). This is a public hearing only. (DEVELOPMENT SERVICES) (120-2017)

18. Hold a public hearing regarding the proposed granting of oil and gas permits to RSP Permian, L.L.C., for the drilling of oil gas wells, being MCC HZ Unit No. 1120H located 285 feet from the north line and 1,977 feet from the west line, and MCC HZ Unit No. 1121H located 285 feet from the north line and 1,937 feet from the west line, Section 11, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Said wells sharing a pad site area that is generally located 1,977 feet east of North A Street extension and 5,030 feet north of Mockingbird Lane). This is a public hearing only. (DEVELOPMENT SERVICES) (121-2017)
19. Hold a public hearing and consider an ordinance changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Lots 3A and 4, Block 15, Hyde Park Addition, Section 6, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, to be used as an amended Planned District (Generally located southwest of the intersection of West Wadley Avenue and North Midkiff Road); containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); and ordering publication. (DEVELOPMENT SERVICES) (9706)
20. Hold a public hearing and consider an annexation of a 0.82-acre tract of land and a 0.83-acre tract of land, located in Section 38, Block 40, T-1-S, T & P RR. Co. Survey, Midland County, Texas (Generally located on the west side of Arlington Road, approximately 1,900 feet south of State Highway 191). (DEVELOPMENT SERVICES) (122-2017)
21. Hold a public hearing and consider an ordinance granting a special exception for 84.743 acres of land out of Section 13, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the west side of Sandstone Drive, approximately 930 feet north of Sherwood Drive, and southwest of the intersection of Sherwood Drive and Val Verde Drive), by permitting a reduced front yard setback; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); ordering recordation by the City Secretary in the deed records of Midland County, Texas; and ordering publication. (DEVELOPMENT SERVICES) (9707)
22. Hold a public hearing and consider an ordinance adopting a site plan for Lot 1A, Block 21, Greenwood Addition, Section 13, City and County of Midland, Texas (Generally located southwest of the intersection of East Washington Avenue and South Calhoun Street); 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. (DOWNTOWN DEVELOPMENT) (9708)

MISCELLANEOUS

23. Discuss and consider a motion for a proposed dedication of approximately 4.9 acres of open space, identified as Common Area M, Block 12, Legacy Addition, Section 4 (Generally located northwest of the intersection of Commonwealth Road and Victory Parkway). (DEVELOPMENT SERVICES)(Deferred from September 26, 2017)(115-2017)
24. Consider a motion appealing the Building Official's denial of a sign permit application by Steve Findley on Lot 2B, Block 1, Mustang Industrial Park, Section 3, City and County of Midland, Texas (Generally located at the northwest intersection of West I-20 and Market Street). (DEVELOPMENT SERVICES)(Deferred from September 26, 2017)(067-2017)
25. Consider an ordinance changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Lot 3, Block 14, Claydesta Plaza, Section 13, City and County of Midland, Texas, which is presently zoned LR-2, Local Retail District, to be used as an O-2, Office District (Generally located on the north side of Veterans Airpark Lane, approximately 575 feet west of North Big Spring Street); containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); and ordering publication. (DEVELOPMENT SERVICES)(Deferred from August 22, 2017)(9695)
26. Consider a motion on request by West Company of Midland, LLC to defer wastewater and water improvements and sidewalk improvements for Moore Business Park, and to waive the corresponding financial security guarantee valued at \$106,177.00, an amount equal to the estimated cost of construction. The subject property is generally located approximately 3,600 feet west of South Tradewinds on the north side of West State Highway 80, approximately 2,825 feet outside the corporate limits of the City of Midland (as measured along South Highway 80), Midland County, Texas. (ENGINEERING SERVICES)(Deferred from September 26, 2017)(062-2017)
27. Consider an ordinance prohibiting parking on the north side of Conroe Court from the west curb line of Conroe Street continuing west to the east curb line of Holiday Hill Road except to residents whose property abuts said portion of Conroe Court and who have obtained valid parking permits; authorizing and directing the Traffic Engineer to erect appropriate signs; declaring any vehicle in violation of the provisions of this ordinance a nuisance and providing for the removal of same; containing a cumulative; containing a savings and severability clause; providing for a maximum penalty or fine of two hundred dollars (\$200.00); and ordering publication. (ENGINEERING SERVICES) (9709)
28. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Plains Pipeline, LP, regarding City-owned

property described as Section 10, Block 37, Township 3 South, T&P RR Co. Survey, Midland County, Texas. (ENGINEERING SERVICES) (2017 - 300)

29. Consider an ordinance amending Title IX, "Public Ways and Property", by establishing Chapter 7, "Small Wireless Facility Siting", so as to establish standards for network nodes and node support poles in the public right-of-way in the City of Midland; providing for a maximum penalty or fine of five hundred dollars (\$500.00); containing a cumulative clause; containing a savings and severability clause; and ordering publication. (DEVELOPMENT SERVICES) (9710)

PUBLIC COMMENT

30. 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.)

EXECUTIVE SESSION

31. Pursuant to Texas Government Code §551.101, the Council will hold an Executive Session which is closed to the public to discuss the following matters as permitted under the following Texas Government Code Sections:
 - a. Section §551.087 Deliberate Economic Development Negotiations
 - a.1. Discuss business prospects that the City seeks to have, locate, stay, or expand in or near the City of Midland, Texas, and discuss possible incentives.

Respectfully Submitted,

Courtney B. Sharp
City Manager

MEETING ASSISTANCE INFORMATION: The Midland City Hall and Council Chamber are wheelchair accessible. If you need special assistance to participate in this meeting, please contact the City Secretary's Office at (432) 685-7430. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.