REVISED 11/02/2017 AT 5:12 P.M.
Changed Ordinance No. 9716 to a public hearing

CITY OF MIDLAND, TEXAS
AGENDA FOR CITY COUNCIL MEETING
Council Chamber - City Hall
November 7, 2017 – 10:00 AM
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 - Pastor Dr. Darin Wood, First Baptist Church

2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:

CONSENT AGENDA

4. Consider a motion approving the following minutes:

   a. Regular meeting of October 24, 2017

   b. Special meeting of October 25, 2017

5. Consider a resolution nominating Robert McNaughton for the Midland Central Appraisal District Board of Directors; and directing the City Manager to deliver a copy of this resolution to the Midland Central Appraisal District. (FINANCE) (2017 - 327)

6. Consider a resolution awarding a contract for the Conversion Liquid Ammonium Sulfate Project at the Water Purification Plant for the Utilities Department to Strategic Construction Solutions in the amount of $1,387,500.00; and appropriating funds therefor. (PURCHASING) (2017 - 328)

7. Consider a resolution awarding a contract for the Westridge and Gateway Subdivision Manhole Adjustment Project for the Utilities Department to the sole responsive bidder, TEC Excavation, Inc., of Midland, Texas, at a total cost of $137,932.00. (PURCHASING) (2017 - 329)

8. Consider a resolution awarding a contract for Spraberry Farm Labor Contracting Services to Kevin Cook Farms, of Stanton, Texas, at a total cost of $1,100,041.00; and providing for an amount of $275,010.25 in contingencies therefor. (PURCHASING) (2017 - 330)

9. Consider a resolution authorizing the execution of a Professional Services Agreement with Enprotec/Hibbs & Todd, Inc., to provide design services for the Louisiana Avenue Water Line Replacement Project in an amount not to exceed $87,000.00. (PURCHASING) (2017 - 331)

10. Consider a resolution establishing the dates of the regular City Council meetings to be held during the calendar year 2018. (CITY MANAGER'S OFFICE) (2017 - 332)

11. Consider a motion authorizing the acceptance of reimbursement funds from the Texas Department of State Health Services in the following amounts for the following purposes: $59,840.00 to assist the City of Midland Health and Senior Services Division (City) with delivery of Refugee Immunization Services; $150,358.00 to assist the City with delivery of Immunizations Services; $102,190.00 to assist the City with delivery of Public Health Emergency Preparedness Services; $111,630.00 to assist the City with the delivery of local Public Health Services; authorizing the City Manager or his designee to execute all necessary acceptance documents; and authorizing and directing the City Treasurer to deposit the funds into the General Fund. (COMMUNITY SERVICES) (123-2017)

12. Consider a resolution authorizing the execution of an Interlocal Cooperation Agreement between the City of Midland and the Downtown Midland Management District (the “DMMD”) to provide for landscaping services for the City including, but not limited to, care and maintenance of City-owned planters, tree grates, plants, trees, shrubs, and other greenery located within the public rights-of-way within the boundaries of the DMMD. (DEVELOPMENT SERVICES) (2017 - 333)

13. 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 - 334)

14. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Enterprise Crude Pipeline LLC regarding City-owned property described as Sections 33 and 34, Block 38, Township 1 North, T&P RR Co. Survey, Martin County, Texas, Section 36, Block 39, Township 1 North, T&P RR Co. Survey, Martin County, Texas, Section 5, Block 38, Township 1 South, T&P RR Co. Survey, Martin County, Texas, and Section 8, Block 38, Township 1 South, T&P RR Co. Survey, Midland County, Texas. (ENGINEERING SERVICES) (2017 - 335)

15. Consider a resolution of the City of Midland, Texas, inviting the United States Army Special Operations Command to conduct the Unconventional Warfare Exercise 18 in Midland, Texas, from March 10, 2018, through May 10, 2018. (POLICE) (2017 - 336)

16. Consider a resolution appointing individuals to serve as volunteers to enforce parking restrictions as authorized by Chapter 681 of the Texas Transportation Code. (POLICE) (2017 - 337)

SECOND READINGS

17. Consider an ordinance on second reading vacating and abandoning a 0.092-acre portion of alley right-of-way located adjacent to Lots 1-4 and 9-12, Block 8, Moody Addition, City and County of Midland, Texas (Generally located on the west side of North Madison Street, approximately 140 feet south of Houston Avenue); adopting the appraisal by the City Manager of $8,015.40; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9711)

18. Consider an ordinance on second reading adopting a site plan for Lot 1-A, Block 6, Crestgate Addition, Section 28, City and County of Midland, Texas (Generally located northwest of the intersection of West Loop 250 North and Crestfield 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. (DEVELOPMENT SERVICES) (9712)

PUBLIC HEARINGS

19. Hold a public hearing and consider a resolution authorizing the temporary use of land for an educational petting zoo and exotic animal display on Lot 4a, Block 1, North Park Addition, Section 5, City and County of Midland, Texas (Generally located northeast of the intersection of West Loop 250 North and North Midkiff Road); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2017 - 338)

20. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot 12B, Block 2, Country Sky Addition, Section 19, City and County of Midland, Texas (Generally located east of Roadrunner Trail, approximately 1,931 feet south of Briarwood Avenue), which is presently zoned CE, Country Estate District, by permitting said property to be used under a Specific Use Permit without Term for an accessory building to be used for living or sleeping quarters; making said permit subject to certain conditions and restrictions contained herein; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars ($2,000.00); ordering publication; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9713)

21. Hold a public hearing and consider a resolution authorizing the temporary use of land for a grand re-opening event on Lot 1, Block 5, Park Place Addition, Section 3, City and County of Midland, Texas (Generally located on the north side of Andrews Highway, approximately 390 feet east of Whitney Drive); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2017 - 339)

22. Hold a public hearing and consider a resolution authorizing the temporary use of land for the placement and use of storage containers on Lots 1-4, Block 4, Parklea Addition, City and County of Midland, Texas (Generally located northeast of the intersection of West Wall Street and Key Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2017 - 340)

23. Hold a public hearing regarding the proposed granting of oil and gas permits to Parsley Energy Operations, LLC, for the drilling of oil and gas wells located in Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas, being: (1) Hogan 1-24-2414H located 2,281 feet from the south line and 683 feet from the east line, (2) Hogan 1-24-2714H located 2,311 feet from the south line and 683 feet from the east line, (3) Hogan 1-24-2809H located 2,281 feet from the south line and 1,540 feet from the east line, (4) Hogan 1-24-2811H located 2,281 feet from the south line and 1,221 from the east line, (5) Hogan 1-24-2813H located 2,281 feet from the south line and 901 feet from the east line, (6) Hogan 1-24-2815H located 2,281 feet from the south line and 209 feet from the east line, (7) Hogan 1-24-4209H located 2,311 feet from the south line and 1,540 feet from the east line, (8) Hogan 1-24-4211H located 2,311 feet from the south line and 1,221 feet from the east line, (9) Hogan 1-24-4213H located 2,311 feet from the south line and 901 feet from the east line, (10) Hogan 1-24-4215H located 2,311 feet from the south line and 209 feet from the east line, (11) Hogan 1-24-4309H located 2,341 feet from the south line and 1,540 feet from the east line, (12) Hogan 1-24-4311H located 2,341 feet from the south line and 1,221 feet from the east line, (13) Hogan 1-24-4313H located 2,341 feet from the south line and 901 feet from the east line, and (14) Hogan 1-24-4315H located 2,341 feet from the south line 209 feet from the east line. Said wells sharing pad sites in an area that is generally located between 320 feet and 380 feet south of the extension of Solomon Lane and between 171 feet and 1,502 feet west of the extension of Fairgrounds Road. This is a public hearing only. (DEVELOPMENT SERVICES) (124-2017)

24. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot 1 and the east 37.25 feet of Lot 2, Block 13, North Park Hill Addition, City and County of Midland, Texas (Generally located southwest of the intersection of Country Club Drive and North G Street), which is presently zoned 1F-1, One-Family Dwelling District, by permitting said property to be used under a Specific Use Permit without Term for an accessory building to be used for living or sleeping quarters; making said permit subject to

certain conditions and restrictions contained herein; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars ($2,000.00); ordering publication; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9714)

25. Hold a public hearing and consider an ordinance of the City Council of the City of Midland, Texas, ordaining the city's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code (the "Act"); providing tax incentives; designating a liaison for the communication with interested parties; nominating Apache Corporation to the Office of the Governor, Economic Development and Tourism ("EDT") through the Economic Development Bank (the "Bank") as an Enterprise Project; and providing an effective date. (CITY MANAGER'S OFFICE) (9716)

MISCELLANEOUS

26. Consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City limits, being a 0.82-acre tract of land and a 0.83-acre tract of land out of 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); approving a Public Service Plan; and ordering publication. (DEVELOPMENT SERVICES) (9715)

27. Consider an ordinance amending Title VIII, "Food establishments, Health and General Sanitation", Chapter 1, "In General", of the City Code of Midland, Texas, by establishing Section 20, "Adoption of the Texas Food Establishment Rules", so as to adopt by reference Title 25, Part 1, Chapter 228 of the Texas Administrative Code, as amended, which sets forth rules regarding the regulation of food establishments including food service establishments, retail food stores, temporary food establishments, mobile food units, and roadside food vendors; providing for a maximum penalty or fine of two thousand dollars ($2,000.00); containing a cumulative clause; containing a savings and severability clause; ordering publication; and establishing an effective date of January 1, 2018. (COMMUNITY SERVICES) (9717)

28. Consider a motion to approve Preliminary Plat of Entrada Estates, Section 6, being a plat of a 54.79 acre tract of land located in Section 32, Block 40, T-1-S, T&P RR CO, Survey, Midland County, Texas (Generally located at the northwest intersection of West County Road 78 and West County Road 1271. ETJ, Extraterritorial Jurisdiction (DEVELOPMENT SERVICES) (125-2017)

29. Consider a motion making appointments to various boards and commissions.

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.

    b. Section 551.074, Personnel Matters

        b.1. Deliberate the employment, evaluation, or duties of the City Manager, City Attorney, City Secretary, Municipal Court Presiding Judge, and Municipal Court Associate Judge.

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.