

**CITY OF MIDLAND, TEXAS  
BRIEFING SESSION AGENDA  
November 21, 2017 - 9:30 A.M.  
BASEMENT CONFERENCE ROOM  
300 North Loraine  
Midland, Texas**

These items, as well as any other items on the regular posted agenda for the City Council Meeting on this date, may be discussed:

1. Receive a presentation from Mr. Pervis Evans with Educate Midland, regarding Educate Midland initiatives.

AGENDA FOR CITY COUNCIL MEETING  
November 21, 2017 – 10:00 AM  
Council Chamber - City Hall

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

**OPENING ITEMS**

1. Invocation - Pastor 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:
  - a. Presentation of the 2017 Journalism Award to Trevor Hawes of the Midland Reporter Telegram from the American Planning Association Texas Chapter.

**CONSENT AGENDA**

4. Consider a motion approving the following minutes:
  - a. Regular City Council meeting of November 7, 2017
5. Consider a resolution authorizing the City Manager to negotiate and execute a two-year lease agreement between the City of Midland and Loraine at Texas Office Tower, Ltd. regarding approximately 2,134 square feet of real property located at 200 North Loraine Street, Midland, Texas 79701; and authorizing payment therefor. (FINANCE) (2017 - 342)
6. Consider a resolution approving the City of Midland's Fiscal Year 2018 Investment Policy. (FINANCE) (2017 - 343)
7. Consider a resolution declaring expectation to reimburse expenditures with proceeds of future debt. (FINANCE) (2017 - 344)

8. Consider a resolution authorizing the execution of a Professional Services Agreement with Real Estate One - Bill Scott to provide real estate marketing services in connection with certain real property described as Lots One (1) and Two (2), Block Sixty-Four (64), Permian Estates, an addition to the City of Midland, Midland County, Texas. (PURCHASING) (2017 - 345)
9. Consider a resolution approving plans and specifications and authorizing advertisement for bids for Phase 1 of the Dennis the Menace Park Renovation Project. (PURCHASING) (2017 - 346)
10. Consider a resolution approving the purchase of two (2) Greens King IV Plus riding green mowers and associated equipment for the Garage Division from C&M Air Cooled Engine, Inc., through Buyboard at a total cost of \$62,626.86. (PURCHASING) (2017 - 347)
11. Consider a resolution supporting the redesignation of the western leg of Interstate 14 from Brady, Texas, along U.S. Route 87 and State Highway 158 to a terminus at Interstate 20. (CITY MANAGER'S OFFICE) (2017 - 348)
12. Consider a 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 112 feet from the south line and 690 feet from the west line, Section 3, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located 752 feet east of South Garfield Street and 325 feet north of West County Road 111); and waiving the requirement of a Road Repair Agreement. (DEVELOPMENT SERVICES) (2017 - 349)
13. Consider a 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 113 feet from the south line and 360 feet from the west line, Section 3, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located 422 feet east of South Garfield Street and 326 feet north of West County Road 111); and waiving the requirement of a Road Repair Agreement. (DEVELOPMENT SERVICES) (2017 - 350)
14. Consider a 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 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 (Generally located 722 feet east of South Garfield Street and 325 feet north of West County Road 111); and waiving the requirement of a Road Repair Agreement. (DEVELOPMENT SERVICES) (2017 - 351)
15. Consider a 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 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 (Generally located 452 feet east of South Garfield Street and 326 feet north of West County Road 111); and waiving the requirement of a Road Repair Agreement. (DEVELOPMENT SERVICES) (2017 - 352)

16. Consider a 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 113 feet from the south line and 330 feet from the west line, Section 3, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located 392 feet east of South Garfield Street and 326 feet north of West County Road 111); and waiving the requirement of a Road Repair Agreement. (DEVELOPMENT SERVICES) (2017 - 353)
17. Consider a resolution approving the issuance of a permit to RSP Permian, L.L.C. ("Operator") to drill an oil and gas well within the City limits located 285 feet from the north line and 1,977 feet from the west line, Section 11, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located 1,977 feet east of the North A Street extension and 5,030 feet north of Mockingbird Lane); and waiving the requirement of a Road Repair Agreement. (DEVELOPMENT SERVICES) (2017 - 354)
18. Consider a resolution approving the issuance of a permit to RSP Permian, L.L.C. ("Operator") to drill an oil and gas well within the City limits 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 (Generally located 1,937 feet east of the North A Street extension and 5,030 feet north of Mockingbird Lane); and waiving the requirement of a Road Repair Agreement. (DEVELOPMENT SERVICES) (2017 - 355)

## **SECOND READINGS**

19. Consider an ordinance on second reading 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)
20. Consider an ordinance on second reading 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)

21. Consider an ordinance on second reading 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)
22. Consider an ordinance on second reading 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)

### **PUBLIC HEARINGS**

23. Hold a public hearing and consider an ordinance granting a special exception for Lot 10A, Block 1, Mira Vista, Section 2, City and County of Midland, Texas (Generally located southwest of the southern intersection of Mira Vista Circle and North Big Spring Street), by permitting an increased height of a fence within the front yard setback and by permitting a detached accessory structure in front of the portion of the principal structure that is closest to the front yard setback line; 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) (9718)
24. 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 1-6, Block 21, Belmont Addition, City and County of Midland, Texas, which is presently zoned MH, Mobile Home Dwelling District, to be used as an LR-2, Local Retail District (Generally located southwest of the intersection of West Francis Avenue and Belmont 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) (9719)

25. Hold a public hearing and consider a resolution authorizing the Temporary Use of Land for an Ice Skating Rink on a 15,185-square foot portion of Block 64, Original Town Addition, City and County of Midland, Texas (Generally located southeast of the intersection of North Big Spring Street and West Wall Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2017 - 356)
26. Hold a public hearing and consider a resolution authorizing the Temporary Use of Land for Outdoor Christmas Tree Sales on Lot 1, Block 1, Scotsdale Addition, Section 2, City and County of Midland, Texas (Generally located on the west side of North Midland Drive, approximately 180 feet south of West Dengar Avenue); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2017 - 357)

### **MISCELLANEOUS**

27. Consider an ordinance making certain amendments to the 2016-2017 Fiscal Year Budget so as to increase amounts appropriated to certain funds. (FINANCE) (9720)
28. Consider a resolution authorizing the City Manager to approve the plans and specifications and advertise for bids for the Taylor Avenue and Hicks Avenue project; said project to provide road, sidewalk, pedestrian ramp, and public utilities improvements along Taylor Avenue, from Terrell Street to Lamesa Road, and along Hicks Avenue, from Mineola Street to Lamesa Road; authorizing the City Manager to approve the plans and specifications and advertise for bids for the Cuthbert Avenue and Green Tree Boulevard Project; said project to provide road, sidewalk, pedestrian ramp, and public utilities improvements along Cuthbert Avenue, from Garfield Street to A Street, and along Green Tree Boulevard, from Holiday Hill Road to Midland Drive; said projects being year one bond projects. (PURCHASING) (2017 - 358)
29. Consider a motion appealing the Building Official's denial of a sign permit application by HEB Grocery Company, LP, on Lot 3, Block 2, Westridge Park Addition, Section 4, City and County of Midland, Texas (Generally located at the southwest intersection of Andrews Highway and North Loop 250 West). (DEVELOPMENT SERVICES) (126-2017)
30. Consider a motion appealing the Building Official's denial of a sign permit application by HEB Grocery Company LP on Lot 3A and 4, Block 15, Hyde Park Addition, Section 6, City and County of Midland, Texas (Generally located southwest of the intersection of West Wadley and North Midkiff Road). (DEVELOPMENT SERVICES) (127-2017)

## **PUBLIC COMMENT**

31. 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.)

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.