

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
April 10, 2018 - 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 regarding utility billing software.

AGENDA FOR CITY COUNCIL MEETING
April 10, 2018 – 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 - Reverend 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:

CONSENT AGENDA

4. Consider a motion approving the following minutes:
 - a. Regular meeting of March 27, 2018
5. Consider a resolution awarding a contract for the Fiscal Year 2018 High Density Mineral Bond Surface Treatment Project to the sole bidder, Andale Construction, Inc. of Wichita, Kansas, at a total cost not to exceed \$824,575.37; and authorizing payment therefor. (PURCHASING) (2018 - 131)
6. Consider a resolution authorizing the purchase of twenty (20) police-package vehicles for the Police Department and (2) police-package vehicles for the Fire Department from Randall Reed's Prestige Ford, of Garland, Texas, at a total cost of \$650,166.00. (PURCHASING) (2018 - 132)
7. Consider a resolution approving the purchase of one thousand (1000) three (3) cubic yard refuse containers with lids and three hundred (300) three and one-half (3.5) cubic yard refuse containers with lids from Roll Offs USA, Inc., of Durant, Oklahoma, at a total cost of \$627,100.00. (PURCHASING) (2018 - 133)

8. Consider a resolution authorizing the execution of a Lease Agreement between the Permian Basin Metropolitan Planning Organization and the City of Midland, Texas, to lease City-owned office space in the Wright Office Complex located at Midland International Air & Space Port. (AIRPORTS) (2018 - 134)
9. 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 2,258 feet from the east line, Section 11, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (generally located 2,258 feet west of Business State Highway 349-C and 5,030 feet north of Mockingbird Lane); and waiving the requirement of a Road Repair Agreement. (DEVELOPMENT SERVICES) (2018 - 135)
10. 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 2,288 feet from the east line, Section 11, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (generally located 2,288 feet west of Business State Highway 349-C and 5,030 feet north of Mockingbird Lane); and waiving the requirement of a Road Repair Agreement. (DEVELOPMENT SERVICES) (2018 - 136)
11. 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 2,318 feet from the east line, Section 11, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (generally located 2,318 feet west of Business State Highway 349-C and 5,030 feet north of Mockingbird Lane); and waiving the requirement of a Road Repair Agreement. (DEVELOPMENT SERVICES) (2018 - 137)
12. 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 2,348 feet from the east line, Section 11, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (generally located 2,348 feet west of Business State Highway 349-C and 5,030 feet north of Mockingbird Lane); and waiving the requirement of a Road Repair Agreement. (DEVELOPMENT SERVICES) (2018 - 138)
13. Consider a resolution granting a variance for an approximate 31.259-acre tract of land out of Section 5, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas (generally located on the north side of Interstate 20, approximately 1,950 feet west of Midkiff Road), by permitting construction of commercial buildings where no portion of any structure is closer than 250 feet of an oil and gas well; and authorizing issuance of Building Permits. (DEVELOPMENT SERVICES) (2018 - 139)

14. Consider a resolution authorizing the funding for the Communication Ring Project in the amount of \$1,552,000.00, as contemplated by that certain Economic Development Agreement between the City of Midland and the Midland Development Corporation for the purpose of combining funds to provide for the expansion of various infrastructure improvements to state and local highways and related facilities in and around the corporate limits of the City of Midland, as authorized by Chapter 501 of the Texas Local Government Code; and approving the allocation and appropriation of funds therefor. (ENGINEERING SERVICES) (2018 - 140)

SECOND READINGS

15. 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 a 2.43-acre tract of land out of Section 33, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned LR-2, Local Retail District, to be used as an LI, Light Industry District (generally located on the north side of State Highway 191, approximately 1,110 feet east of north County road 1271); 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 March 27, 2018.)(9748)
16. 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 a 36.18-acre tract of land out of Section 13, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned FD, Future Development District, to be used as an LR-2, Local Retail District (generally located southwest of the intersection of Becker Drive and Holiday Hill 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)(First reading held March 27, 2018.)(9749)
17. Consider an ordinance on second reading changing the zoning use classification of the property described as Lots 7-9, Block 183, Southern Addition, City and County of Midland, Texas (generally located northeast of the intersection of West Dakota Avenue and South Big Spring Street), which is presently zoned LR-2, Local Retail District, by permitting said property to be used under a Specific Use Permit with Term for the sale of all alcoholic beverages in a restaurant for on-premises consumption; making said permit subject to certain conditions and restrictions contained herein; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); and ordering publication. (DEVELOPMENT SERVICES)(First reading held March 27, 2018.)(9750)

18. Consider an ordinance on second reading adopting a site plan for Lot 3, Block 1, Cross Pointe Addition, Section 24, City and County of Midland, Texas (generally located on the north side of Briarwood Avenue, approximately 305 feet West Holiday Hill Road); 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)(First reading held March 27, 2018.)(9751)
19. Consider an ordinance on second reading amending Title XI, "Planning and Development", of the City Code of Midland, Texas, by establishing Chapter 13, "Municipal Drainage Utility", Article I, "Creation of Utility", so as to declare the drainage of the City of Midland to be a public utility; establishing the service area for said public utility; dedicating City assets to said public utility; providing for exemptions; containing a cumulative clause; containing a savings and severability clause; and ordering publication. (ENGINEERING SERVICES)(First reading held March 27, 2018.)(9752)
20. Consider an ordinance on second reading amending Title XI, "Planning and Development", Chapter 13, "Municipal Drainage Utility" of the City Code of Midland, Texas, by adding Article II, "Administration of Drainage Utility", so as to establish rules for the City of Midland Drainage Utility; establishing a drainage utility fund; levying a schedule of drainage charges that shall be billed after October 1, 2018; providing an appeal procedure; negating and dispensing with the culpable mental state requirement; providing for criminal enforcement and a maximum penalty or fine of five hundred dollars (\$500.00); containing a cumulative clause; containing a savings and severability clause; and ordering publication. (ENGINEERING SERVICES)(First reading held March 27, 2018.)(9753)

PUBLIC HEARINGS

21. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot 3, Block 45, Fairmont Park Addition, Section 13, City and County of Midland, Texas (generally located on the south side of West Loop 250 North, approximately 750 feet west of Henry Koontz Boulevard), which is presently zoned PD, Planned District for a Shopping Center, by permitting said property to be used under a Specific Use Permit with Term for the sale of all alcoholic beverages in a movie theater for on-premises consumption; making said permit subject to certain conditions and restrictions contained herein; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); and ordering publication. (DEVELOPMENT SERVICES) (9754)

22. Hold a public hearing and consider an ordinance granting a special exception for Lot 27, Block 1, Country Sky Addition, Section 20, City and County of Midland, Texas (generally located on the west side of Coyote Trail, approximately 659 feet south of Briarwood Avenue), by permitting a detached accessory structure of a size that exceeds the total finished area of the principal structure and by permitting a metal skin exterior on a detached accessory structure that exceeds 400 square feet in area; 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) (9755)
23. 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 a 26.92-acre tract of land out of Section 24, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned FD, Future Development District, to be used as a PD, Planned District for a Shopping Center (generally located northeast of the intersection of Briarwood Avenue and Avalon 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) (9756)

MISCELLANEOUS

24. Consider an ordinance establishing intersection stops at various locations within the City of Midland, Texas; authorizing and directing the Traffic Engineer to install appropriate signs and markings at the designated locations; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two hundred dollars (\$200.00); and ordering publication. (ENGINEERING SERVICES) (9757)
25. Consider an ordinance establishing yield right of way signs at various locations within the City of Midland, Texas; requiring and authorizing the posting of appropriate signs at said intersections; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two hundred dollars (\$200.00); and ordering publication. (ENGINEERING SERVICES) (9758)
26. Consider a motion authorizing and directing the City Manager or his designee to issue a Right-of-Way Permit to David Banh relating to the property described as Lot 14, Block 2, Legacy Addition, City and County of Midland, Texas (commonly known as 908 Founders Road); said permit to allow for the existing eight-foot privacy fence constructed in the public right-of-way adjacent to said property and along the Vanguard Road frontage. (ENGINEERING SERVICES) (038-2018)

PUBLIC COMMENT

27. 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.