

**\*\*UNOFFICIAL AGENDA RESULTS\*\***

**AGENDA FOR CITY COUNCIL MEETING**  
October 09, 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 - Pastor Allman, Grace Lutheran Church
2. Pledge of Allegiance

**PRESENTATIONS**

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. Consider a motion approving the following minutes:
  - a. Regular City Council Meeting of September 25, 2018
  - b. Special City Council Meeting of October 1, 2018

**APPROVED**

5. Consider a 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. (PURCHASING) (2018 - 392)

**APPROVED**

6. Consider a 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. (PURCHASING) (2018 - 393)

**APPROVED**

7. Consider a resolution rejecting all proposals for ambulance stretchers for the Garage Division. (PURCHASING) (2018 - 394)

**APPROVED**

8. Consider a 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. (PURCHASING) (2018 - 395)

**APPROVED**

9. Consider a 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. (PURCHASING) (2018 - 396)

**APPROVED**

10. Consider a resolution approving the purchase of a pothole patcher for the Garage Division from Southwest International Trucks, Inc., through Buyboard at a total cost of \$160,111.93. (PURCHASING) (2018 - 397)

**APPROVED**

11. Consider a resolution approving the purchase of a Toro Groundsmaster Mower for the Garage Division from Professional Turf Products, L.P., through Buyboard at a total cost of \$66,551.24. (PURCHASING) (2018 - 398)

**APPROVED**

12. Consider a 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. (AIRPORTS) (2018 - 399)

**APPROVED**

13. Consider a resolution authorizing the appropriation of \$50,000.00 from the Airport Operating Fund to the New Hangar Development at Airpark Project. (AIRPORTS) (2018 - 400)

**APPROVED**

14. Consider 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) (112-2018)

**APPROVED**

15. Consider 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) (110-2018)

**APPROVED**

16. Consider 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. (CITY SECRETARY'S OFFICE) (2018 - 401)

**APPROVED**

17. Consider a 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). (DEVELOPMENT SERVICES) (2018 - 402)

**APPROVED**

18. Consider a 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. (DEVELOPMENT SERVICES) (2018 - 403)

**APPROVED**

19. Consider a 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. (DEVELOPMENT SERVICES) (2018 - 404)

**APPROVED**

20. Consider a 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. (DEVELOPMENT SERVICES) (2018 - 405)

**APPROVED**

21. Consider a 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. (DEVELOPMENT SERVICES) (2018 - 406)

**APPROVED**

22. Consider a 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. (DEVELOPMENT SERVICES) (2018 - 407)

**APPROVED**

23. Consider a 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). (DEVELOPMENT SERVICES) (2018 - 408)

**APPROVED**

24. Consider a 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). (DEVELOPMENT SERVICES) (2018 - 409)

**APPROVED**

25. Consider a 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). (DEVELOPMENT SERVICES) (2018 - 410)

**APPROVED**

26. Consider a 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.

(DEVELOPMENT SERVICES) (2018 - 411)

**APPROVED**

27. 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 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. (DEVELOPMENT SERVICES) (2018 - 412)

**APPROVED**

28. 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 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. (DEVELOPMENT SERVICES) (2018 - 413)

**APPROVED**

29. 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 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. (DEVELOPMENT SERVICES) (2018 - 414)

**APPROVED**

30. 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 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. (DEVELOPMENT SERVICES) (2018 - 415)

**APPROVED**

31. Consider a 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. (DEVELOPMENT SERVICES) (2018 - 416)

**APPROVED**

32. Consider a 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. (DEVELOPMENT SERVICES) (2018 - 417)

**APPROVED**

33. Consider a 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. (DEVELOPMENT SERVICES) (2018 - 418)

**APPROVED**

34. Consider a 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. (DEVELOPMENT SERVICES) (2018 - 419)

**APPROVED**

35. Consider a 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. (DEVELOPMENT SERVICES) (2018 - 420)

**APPROVED**

36. Consider a 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. (DEVELOPMENT SERVICES) (2018 - 421)

**APPROVED**

37. Consider 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) (122-2018)

**APPROVED**

38. Consider 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) (123-2018)

**APPROVED**

39. Consider 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) (2018 - 422)

**APPROVED**

40. Consider a resolution appointing Charles Blumenauer and Seth Herman to the Midland Emergency Communication District Board of Managers. (FIRE) (2018 - 423)

**APPROVED**

41. Consider a 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. (UTILITIES) (2018 - 424)

**APPROVED**

42. Consider a 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. (UTILITIES) (2018 - 425)

**APPROVED**



43. Consider a 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 C23 and Sections 1 and 2, Block C24, Public School land Survey, Winkler County, Texas. (UTILITIES) (2018 - 426)

**APPROVED**

44. Consider a 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 C23, Public School Land Survey, Winkler County, Texas. (UTILITIES) (2018 - 427)

**APPROVED**

45. Consider a 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. (UTILITIES) (2018 - 428)

**APPROVED**

46. Consider a 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. (UTILITIES) (2018 - 429)

**APPROVED**

47. Consider a 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. (UTILITIES) (2018-430)

**APPROVED**

**SECOND READINGS**

48. 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 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. (DEVELOPMENT SERVICES) (9827)

**SECOND READING APPROVED**

49. Consider an ordinance on second reading 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. (DEVELOPMENT SERVICES) (9828)

**SECOND READING APPROVED**

50. 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 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. (DEVELOPMENT SERVICES) (9829)

**SECOND READING APPROVED**

51. Consider an ordinance on second reading 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. (DEVELOPMENT SERVICES) (9830)

**SECOND READING APPROVED**

52. Consider an ordinance on second reading 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. (DEVELOPMENT SERVICES) (9831)

**SECOND READING APPROVED**

53. Consider an ordinance on second reading 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. (DEVELOPMENT SERVICES) (9826)

**SECOND READING APPROVED**

**PUBLIC HEARINGS**

54. 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 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. (DEVELOPMENT SERVICES) (9832)

**FIRST READING APPROVED**

55. 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 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. (DEVELOPMENT SERVICES) (9833)

**FIRST READING APPROVED**

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) (124-2018)

**HELD**

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) (125-2018)

**HELD**

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) (126-2018)

**HELD**

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) (127-2018)

**HELD**

60. Hold a public hearing and consider a 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) (2018 - 431)

**APPROVED**

61. Hold a public hearing and consider a 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) (2018 - 432)

**APPROVED**

**MISCELLANEOUS**

62. Consider a 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. (DEVELOPMENT SERVICES) (2018 - 433)

**APPROVED**

63. 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 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. (DEVELOPMENT SERVICES) (First reading held September 11, 2018) (9820)

**SECOND READING APPROVED**

64. Hold a public hearing and consider 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. (DEVELOPMENT SERVICES) (9834)

**FIRST READING APPROVED**

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

**APPOINTMENTS MADE**

**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.)

Respectfully Submitted,

Courtney B. Sharp  
City Manager