

**AGENDA FOR CITY COUNCIL MEETING**  
**300 North Loraine**  
**Midland, Texas**  
**August 13, 2019 – 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 Daniel Hernandez, Mid-Cities 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 proclamation Midland Soup Kitchen Ministry (Marcia)

**CONSENT AGENDA**

4. Consider a motion approving the following minutes:
  - a. Regular City Council Meeting of July 23, 2019
5. Consider a resolution awarding a contract for the Central Station Locker Room Remodel Project to Mid-Tex of Midland, Inc., for a total cost of \$222,975.00; approving \$44,595.00 in contingencies; and allocating funds therefor. (PURCHASING) (2019 - 221)
6. Consider a resolution ratifying and approving the emergency installation of valves and piping at the Paul Davis Well Field by TEC Excavation, Inc., for a total cost of \$225,758.00. (PURCHASING) (2019 - 222)
7. Consider a resolution approving specifications and authorizing advertisement for bids for the removal of water treatment plant solids from the Water Purification Plant. (PURCHASING) (2019 - 223)

8. Consider a resolution authorizing the City Manager to advertise a request for qualifications for professional services for up to eight firms to assist the Engineering Services Department by providing professional engineering services, architecture services, landscape architecture services, land surveying services, real estate appraising services, and services provided in connection therewith on an as-needed basis; authorizing the City Manager to negotiate professional services agreements for said services; and providing that said agreements shall not become effective until approved by the City Council. (PURCHASING) (2019 - 224)
9. Consider a resolution authorizing the appropriation of \$150,000.00 from the Facilities Division 2019 operating budget (001041) to the Fire Station #5 Construction Project (900307-005); said appropriation providing for the demolition of Fire Station #5. (PURCHASING) (2019 - 225)
10. Consider a resolution authorizing the execution of a contract in the amount of \$3,443,582.39 with Fieldturf USA, Inc., for the purchase and installation of artificial field turf at the Bill Williams Softball/Baseball Complex and Ulmer Park; approving \$50,000.00 for contingencies; and appropriating funds therefor. (PURCHASING) (2019 - 226)
11. Consider a resolution authorizing the Mayor, City Manager, and City Attorney to accept and execute Federal Aviation Administration Grant Number 59 in the amount of \$6,000,000.00; said grant shall be used to fund the replacement of the passenger boarding bridges and the outbound baggage system at Midland International Air & Space Port; said grant funds are to be deposited in the airport fund upon receipt. (AIRPORTS) (2019 - 227)
12. Consider a resolution approving specifications and authorizing advertisement for bids for the Vehicle Parking Improvements Project at Midland International Air & Space Port. (AIRPORTS) (2019 - 228)
13. Consider a resolution authorizing the execution of Amendment Number Eleven to the Professional Services Agreement with Parkhill, Smith & Cooper, Inc., for Professional Engineering Services at the Midland International Air & Space Port and Midland Airpark so as to include the new hangar development at Midland Air Park and MAF Multi-Facility Rehab Projects; and appropriating funds therefor. (AIRPORTS) (2019 - 229)
14. Consider a resolution approving amendments to the permits issued to Parsley Energy Operations, LLC ("Operator") to drill two oil and gas wells located in Section 1, Block X, H.P. Hilliard Survey, City of Midland, Midland County, Texas (generally located 952 feet west of the Fairgrounds Road extension and between 380 feet and 410 feet south of the Solomon Lane extension); said amendments changing the names of the wells. (DEVELOPMENT SERVICES) (2019 - 230)

15. Consider a resolution approving amendments to the permits issued to Parsley Energy Operations, LLC (“Operator”) to drill two oil and gas wells located in Section 1, Block X, H.P. Hilliard Survey, City of Midland, Midland County, Texas (generally located 2,386 feet east of Lamesa Road and between 2,125 feet and 2,155 feet north of Loop 250); said amendments changing the names of the wells. (DEVELOPMENT SERVICES) (2019 - 231)
16. Consider a resolution granting a variance for an oil and gas well to be located 463 feet from the north line and 259 feet from the west line, Section 30, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (generally located 418 feet south of Andrews Highway and 327 feet east of North Loop 250 West) by allowing said oil and gas well to be no closer than 308 feet of an occupied residential or commercial structure; approving the issuance of a permit to Fasken Oil and Ranch, Ltd. (“Operator”) to drill said oil and gas well within the City limits; 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) (2019 - 232)
17. Consider a resolution approving the issuance of permits to Diamondback E&P LLC (“Operator”) to drill seven oil and gas wells located in Section 24, Block 40, T-1-S, T&P RR. Co. Survey, City of Midland, Midland County, Texas (generally located 1,345 feet north of Briarwood Avenue and between 885 feet and 1,315 feet east of Avalon Drive); and providing that said permits do not require a new Road Repair Agreement but shall be consolidated under an existing Road Repair Agreement. (DEVELOPMENT SERVICES) (2019 - 233)
18. Consider a motion on request by Maverick Engineering, to defer wastewater, water, and sidewalk improvements for Southeast Industrial Acres, Section 14, and to waive the corresponding financial security guarantee valued at \$90,768.00, an amount equal to the estimated cost of construction. The subject property is generally located just west of the Fairgrounds Road and IH 20 frontage road intersection, inside the corporate limits of the City of Midland. (ENGINEERING SERVICES) (049 – 2019)
19. Consider a resolution accepting a Fiscal Year 2018 grant award from the Southwest Border High Intensity Drug Trafficking Areas Program in the amount of \$154,800.00; said grant will be used to enhance and coordinate drug control efforts among federal, state, and local law enforcement agencies; and appropriating funds. (POLICE) (2019 - 234)
20. Consider a resolution authorizing the City of Midland to file a joint application with Midland County for Fiscal Year 2019 Justice Assistance Grant Program Funds totaling \$31,185.00, with the City of Midland to receive \$17,422.00 (60%) and Midland County to receive \$11,613.00 (40%); authorizing the execution of an agreement regarding the division of said grant funds; and authorizing the execution of all necessary documents. (POLICE) (2019 - 235)

21. Consider a resolution accepting a grant in the amount of \$21,000.00 from the Texas Department of Transportation in order to conduct a Fiscal Year 2019-2020 Comprehensive Special Traffic Enforcement Program; providing that the grant funds shall be used to pay overtime to police officers working on said program; and authorizing the execution of acceptance documents. (POLICE) (2019 - 236)
22. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and ETC Texas Pipeline, Ltd., regarding City-owned property described as Sections 16, 20 and 21, Block 37, Township 3 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES) (2019 - 237)

## **SECOND READINGS**

23. 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 40.36-acre tract of land out of the south half of Section 12, Block X, H.P. Hilliard Survey, City and County of Midland, Texas, which is presently zoned AE, Agriculture Estate District, to be used as a PD, Planned District for a Housing Development (generally located east of the intersection of Overshine Lane and Sunrise Way); 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 July 23, 2019.) (9954)
24. 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 Lots 5 and 6, Block 3, Gateway Plaza Addition, Section 2, City and County of Midland, Texas, which is presently zoned LR-2, Local Retail District, to be used as a PD, Planned District for a Housing Development (generally located on the north side of Starboard Drive, approximately 570 feet east of South Tradewinds Boulevard); 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 July 23, 2019.) (9955)
25. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 9, Block 2, Amaron Addition, Section 8, City and County of Midland, Texas (generally located at the northeast corner of the intersection of Camp Street and Crump Street), which is presently zoned O-2, Office District, by permitting said property to be used under a Specific Use Permit with Term for the sale of all alcoholic beverages in a bar 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 on July 23, 2019.) (9956)

26. Consider an ordinance on second reading vacating and abandoning a 0.339-acre portion of Bedford Avenue right-of-way located in Section 30, Block 39, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas (generally located on the west side of Midland Drive, approximately 598 feet south of Princeton Avenue); adopting the appraisal by the City Manager of \$5,085.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (First reading held on July 23, 2019.) (9957)
27. 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 2.254-acre tract of land out of Lot 1, Block 163, Wilshire Park Addition, Section 9, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, to be used as a PD, Planned District for a Housing Development (generally located at the southwest corner of the intersection of Beal Parkway and Thomason 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 July 23, 2019.) (9958)
28. 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 2.607-acre tract of land out of Lot 1, less the south 20 feet of said Lot, Block 104A, Wilshire Park Addition, Section 9, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, to be used as a PD, Planned District for a Housing Development (generally located at the southeast corner of the intersection of Beal Parkway and Thomason 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 July 23, 2019.) (9959)
29. Consider an ordinance on second reading amending Title XI, "Planning and Development", of the City Code of Midland, Texas, by establishing Chapter 14, "Impact Fees"; establishing water, wastewater, and roadway impact fees; establishing procedures for the assessment, computation, collection, deposit, refund, expenditure and general administration of said impact fees; establishing an appeal procedure; establishing an effective date of October 1, 2019; containing a cumulative clause; containing a savings and severability clause; and ordering publication. (ENGINEERING SERVICES) (First reading held on July 23, 2019.) (9960)
30. Consider an ordinance on second reading amending Title X, "Traffic Regulations", Chapter Four, "Traffic Control Devices", Section 11, "School Zones", of the Midland City Code, so as to designate each school zone within the City and regulate the speed and movement of traffic therein; authorizing and

directing the traffic engineer to install appropriate signs and markings; repealing Ordinance No. 9787; 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) (First reading held on July 23, 2019.) (9961)

## **PUBLIC HEARINGS**

31. Hold the first public hearing on tax increase for Fiscal Year 2019-2020. (FINANCE) (050 – 2019)
32. Hold a public hearing and consider a resolution of no objection to the Midland Leased Housing Associates II, Limited Partnership's application to the Texas Department of Housing and Community Affairs for 2019 Housing Tax Credits for Scharbauer Flats (formerly known as Ventura at Fairgrounds). (DEVELOPMENT SERVICES) (2019 - 238)
33. Hold a public hearing regarding the proposed granting of oil and gas well permit to Diamondback E&P LLC, for the drilling of oil and gas well, being GRIDIRON N008MS located 825 feet from the west line and 1,345 feet from the south line, Section 24, Block 40, T-1-S, T&P RR. CO. Survey, City and County of Midland, Texas. (Said well is generally located 1,345 feet north of Briarwood Avenue and 825 feet east of Avalon Drive.) This is a public hearing only. (DEVELOPMENT SERVICES) (051 – 2019)
34. 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 Fee "CK" No. 4H located 463 feet from the north line and 234 feet from the west line and Fee "CK" No. 5H located 463 feet from the north line and 209 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 418 feet south of Andrews Highway and between 277 feet and 301 feet east of North Loop 250 West.) This is a public hearing only. (DEVELOPMENT SERVICES) (052 – 2019)
35. 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 1, Block 2, Hillcrest Acres, Section 3, City and County of Midland, Texas, which is presently zoned 1F-1, One Family Dwelling District, to be used as an O-1, Office District (generally located at the northwest corner of the intersection of Cuthbert Avenue and 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) (9962)

36. 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 Block 42 and the west 75.33 feet of Block 43, Belmont Addition, City and County of Midland, Texas, which is presently zoned 1F-3, One Family Dwelling District, to be used as an O-2, office District (generally located at the southeast corner of the intersection of Belmont Street and West Stokes Avenue); 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) (9963)
37. Hold a public hearing and consider an ordinance vacating and abandoning a 0.004-acre portion of right-of-way, a 0.019-acre portion of right-of-way, and a 0.019-acre portion of right-of-way, all out of Section 42, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (generally located on the north side of Beachwood Street, approximately 131 feet, 871 feet, and 1,066 feet west of Chukar Lane); adopting the appraisal by the City Manager of \$3,659.04; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9964)

### **MISCELLANEOUS**

38. Consider an ordinance amending Title III, "Departments", Chapter 1, "Water Department", of the City Code of Midland, Texas, so as to regulate water and sewer services; containing a cumulative clause; containing a savings and severability clause; ordering publication; and directing notification to customers outside the City limits as required by state law. (FINANCE) (9965)
39. Consider a motion on request by Maverick Engineering, to defer water and sidewalk improvements for Oasis Addition, and to waive the corresponding financial security guarantee valued at \$53,062.00, an amount equal to the estimated cost of construction. The subject property is generally located on the south side of West Industrial Avenue, approximately 500 feet west of South County Road 1250, inside the Extraterritorial Jurisdiction of the City of Midland. (ENGINEERING SERVICES) (053 – 2019)
40. Consider a motion on request by Maverick Engineering, to defer water and sidewalk improvements for Monomoy Estates, and to waive the corresponding financial security guarantee valued at \$67,187.00, an amount equal to the estimated cost of construction. The subject property is generally located on the South side of West Industrial Avenue, approximately 1000 feet west of Agri Road, inside the Extraterritorial Jurisdiction of the City of Midland. (ENGINEERING SERVICES) (054 – 2019)

**PUBLIC COMMENT**

41. 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.