

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

**AGENDA FOR CITY COUNCIL MEETING**  
July 09, 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 Bob Pase, Grace Lutheran 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 City Council meeting of June 25, 2019

**APPROVED**

5. Consider a resolution authorizing the execution of a three year agreement with Grande Communications Network LLC, a Delaware Limited Liability Company, for dedicated internet services at Grande Communications Stadium for a total cost of \$106,200.00. (PURCHASING) (2019 - 201)

**APPROVED**

6. Consider a resolution authorizing the purchase of Microsoft Volume True-Up Licensing from SHI Government Solutions, Inc. of Austin, Texas, through the Texas Department of Information Resources, for the Communication and Information Systems Department at a total cost of \$249,705.79; and authorizing payment therefor. (PURCHASING) (2019 - 202)

**APPROVED**

7. Consider a resolution approving a Promotional Agreement between the Midland Development Corporation and the Midland Community College District, to advertise or publicize the City of Midland for the purpose of developing new and expanded business enterprises. (CITY MANAGER'S OFFICE) (2019 - 203)

**APPROVED**

8. Consider a resolution approving the amended bylaws of the Midland Development Corporation. (CITY MANAGER'S OFFICE) (2019 - 204)

**APPROVED**

9. Consider a resolution approving an Economic Development Agreement between the Midland Development Corporation and the City of Midland for the construction of Pilot Avenue, as authorized by Chapter 501 of the Texas Local Government Code. (CITY MANAGER'S OFFICE) (2019 - 205)

**APPROVED**

10. Consider a motion on request by Maverick Engineering, to defer wastewater, paving and sidewalk improvements for 349 Ranch Estates, Section 21, and to waive the corresponding financial security guarantee valued at \$32,887.00, an amount equal to the estimated cost of construction. The subject property is generally located on the north side of Washita, approximately 60 feet west of Choctaw, inside the corporate limits of the City of Midland. (ENGINEERING SERVICES) (045 - 2017)

**APPROVED**

11. Consider a motion on request by Maverick Engineering, to defer water, wastewater, paving and sidewalk improvements for Corporate Ranch Addition, and to waive the corresponding financial security guarantee valued at \$384,714.00, an amount equal to the estimated cost of construction. The subject property is generally located on the northwest side of the City of Midland on West County Road 60, approximately 5000 feet west of State Highway 158, outside the corporate limits of the City of Midland, located in Midland County. (ETJ) (ENGINEERING SERVICES) (046 - 2019)

**APPROVED**

12. Consider a resolution authorizing the City Manager to 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; said agreement providing for the construction of traffic improvements and terminating the previously-executed Chapter 380 Economic Development Agreement and Pre-Development Agreement. (ENGINEERING SERVICES) (2019 - 206)

**APPROVED**

**SECOND READINGS**

13. 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 46.38-acre tract of land out of Section 48, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, (generally located at the southeast corner of the intersection of Tradewinds Boulevard and Thomason Drive); approving a Public Service Plan; ordering publication; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (First reading held on June 25, 2019) (9941)

**SECOND READING APPROVED**

14. Consider an ordinance on second reading granting a special exception for Lot 35, Block 8, 349 Ranch Estates, City and County of Midland, Texas, (generally located on the south side of Navajo, approximately 347 feet west of Wewoka Place), by permitting a metal skin exterior on a detached accessory structure that exceeds 12 feet in height and 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) (First reading held on June 25, 2019) (9944)

**SECOND READING APPROVED**

15. Consider an ordinance on second reading altering prima facie speed limits along certain streets in the City; authorizing installation of appropriate signs and markings; repealing Ordinance No. 9702; 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. (DEVELOPMENT SERVICES) (First reading held on June 25, 2019) (9945)

**SECOND READING APPROVED**

16. Consider an ordinance on second reading adopting a fee schedule; containing a savings and severability clause; establishing an effective date of August 1, 2019; providing an appeal process; and ordering publication. (FINANCE) (First reading held on June 25, 2019) (9946)

**SECOND READING APPROVED**

**PUBLIC HEARINGS**

17. Hold a public hearing regarding the proposed granting of oil and gas well permits to Diamondback E&P LLC, for the drilling of oil and gas wells, being GRIDIRON N005WA located 1,315 feet from the west line and 1,345 feet from the south line, GRIDIRON N005WB located 1,284 feet from the west line and 1,345 feet from the south line, GRIDIRON N006LS located 1,255 feet from the west line and 1,345 feet from the south line, GRIDIRON N006MS located 1,225 feet from the west line and 1,345 feet from the south line, GRIDIRON N006WA located 915 feet from the west line and 1,345 feet from the south line, GRIDIRON N006WB located 885 feet from the west line and 1,345 feet from the south line and GRIDIRON N007MS located 855 feet from the west line and 1,345 feet from the south line, Section 24, Block 40, T-2-S, T&P RR. CO. Survey, City and County of Midland, Texas, (said wells are generally located 1,345 feet north of Briarwood Avenue and between 885 and 1,315 feet east of Avalon Drive). (DEVELOPMENT SERVICES) (047 - 2019)

**HELD**

18. Hold a public hearing regarding the proposed granting of an oil and gas well permit to Fasken Oil and Ranch, Ltd, for the drilling of an oil and gas well, being Fee "CK" No. 3H 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, (said well is generally located 418 feet south of Andrews Highway and 327 feet east of North Loop 250 West). This is a public hearing only. (DEVELOPMENT SERVICES) (048 - 2019)

**HELD**

19. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 4,175-square foot portion of the west 1.5 feet of Lot 3, Lots 4 through 6, and the east 24.25 feet of Lot 7, Block 65, Original Town Addition, City and County of Midland, Texas (generally located on the south side of West Wall Street, approximately 188 feet east of South Colorado Street), which is presently zoned C-1, Central Area 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) (9947)

**FIRST READING AMMENDED AND APPROVED**

20. 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 Plot A, The Village Addition, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, to be used as an LR-2, Local Retail District (generally located on the north side of West Wall Street, approximately 15 feet east of East Circle 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) (9948)
21. Hold a public hearing and consider an ordinance establishing the zoning classification of the area indicated as being a 46.38-acre tract of land out of Section 48, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, as a PD, Planned District; said tract being generally located at the southeast corner of the intersection of Tradewinds Boulevard 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) (9949)

**WITHDRAWN BY APPLICANT**

22. 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 6, Block 34, Cowden Addition, City and County of Midland, Texas, which is presently zoned 1F-2, One-Family Dwelling District, to be used as an LR-2, Local Retail District (generally located at the southeast corner of the intersection of West Estes Avenue and North Marienfeld 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) (9950)

**FIRST READING APPROVED**

23. Hold a public hearing and consider an ordinance adopting a site plan for Lot 5, Block 35, Northgate Addition, Section 19, City and County of Midland, Texas (generally located at the northeast corner of the intersection of West Loop 250 North and Northbrook Lane); 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) (9951)

**FIRST READING APPROVED**

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 a 26.15-acre tract of land out of the southwest quarter of Section 31, Block 38, T-1-S, T&P RR Co. Survey, 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 on the east side of North Fairgrounds Road, approximately 715 feet south of East Pecan 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) (9952)

**FIRST READING APPROVED**

25. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 49.85-acre tract of land out of Blocks 83, 84, 85, and 86, East Midland Addition, City and County of Midland, Texas (generally located on the west side of North Fairgrounds Road, approximately 617 feet north of East Cuthbert Avenue), which is presently zoned PD, Planned District for a Housing Development, by permitting said property to be used under a Specific Use Permit without Term for a Mobile Home Park; 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) (9953)

**FIRST READING APPROVED**

**PUBLIC COMMENT**

26. 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**

27. 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 551.072, Deliberation Regarding Real Property.
  - a.1. Discuss the purchase, exchange, lease or value of real property described as Lot 30, Block 57, Original Town Addition, City and County of Midland, Texas.

Respectfully Submitted,

Courtney B. Sharp  
City Manager