

CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
June 27, 2017 - 9:30 AM
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 an update regarding the Non-Aqueous Phase Liquid (NAPL) Plume at the Midland International Air & Space Port.

AGENDA FOR CITY COUNCIL MEETING

June 27, 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 - 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. Special City Council meeting of June 6, 2017.
 - b. Regular City Council meeting of June 13, 2017.
5. Consider a resolution authorizing the purchase of ballistic rifle plates and carriers for the Police Department from Chase Tactical, of Belgrade, Montana, at a total cost of \$87,248.00. (PURCHASING) (2017 - 165)
6. Consider a resolution authorizing the execution of agreements for the purchase of brass fittings and valves of assorted sizes for the Municipal Warehouse from the respective low bidders, HD Supply Waterworks, of El Paso, Texas, and Western Industrial Supply, of Odessa, Texas, at an estimated total cost of \$81,172.94. (PURCHASING) (2017 - 166)
7. Consider a resolution authorizing the execution of a Professional Services Agreement with Enprotec/Hibbs & Todd, Inc., to provide Hydraulic Modeling Services for the City of Midland's Water Distribution System in an amount not to exceed \$240,000.00. (PURCHASING) (2017 - 167)

8. Consider a resolution authorizing the execution of a Professional Services Agreement with HDR Engineering, Inc., for technical assistance, start-up assistance, and owner representative services for the Water Pollution Control Plant Reuse Construction Project in an amount not to exceed \$6,579,330.00; and appropriating funds therefor. (PURCHASING) (2017 - 168)
9. Consider a resolution ratifying the payment of \$213,434.00 to TEC Excavation, Inc., of Midland, Texas, for the emergency repair of a sewer line and the replacement of the associated manhole for the Utilities Department. (PURCHASING) (2017 - 169)
10. Consider a resolution authorizing the appropriation of \$350,000.00 from the Airport Operating Fund to the Rehabilitate Runways 10/28, 16R/34L and Taxiways Project. (AIRPORTS) (2017 - 170)
11. Consider a resolution of the City of Midland, Texas, finding that the application of Oncor Electric Delivery Company, LLC ("Oncor") to change rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by Oncor; finding that the meeting at which this resolution is passed is open to the public as required by law; and authorizing and directing the City Secretary to send copies of this resolution to Oncor and Legal Counsel for the Steering Committee. (CITY MANAGER'S OFFICE) (2017 - 171)
12. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Targa Pipeline Mid-Continent WestTex, LLC, regarding City-owned property described as Block 37, Township 2 South, ET Hopkins Survey No. 15 and Block 38, Township 2 South, A.P. Veazey Survey No. 47, Midland County, Texas. (ENGINEERING SERVICES) (2017 - 172)
13. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Targa Pipeline Mid-Continent WestTex, LLC, regarding City-owned property described as Section 2, Block 37, Township 3 South, T&P RR Co. Survey, Midland County, Texas. (ENGINEERING SERVICES) (2017 - 173)
14. Consider a resolution authorizing the execution of a second amendment to the Right-of-Way License between the City of Midland and Crownquest Operating, LLC. (ENGINEERING SERVICES) (2017 - 174)
15. Consider a resolution authorizing an Operating Certificate for the Jezco Rentals, Inc., to operate a limousine business; setting forth conditions accompanying the Certificate; and establishing the terms of the Certificate. (POLICE) (2017 - 175)

SECOND READINGS

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 Lot 2C, Block 43, Fairmont Park Addition, Section 47, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, in part, and LR-2, Local Retail District, in part, to be used as a PD, Planned District for a Shopping Center (Generally located on the east side of West Loop 250 North, approximately 2,025 feet north of Tremont 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) (9673)
17. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 8, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas (Generally located on the south side of West Loop 250 North, approximately 720 feet west of North Midkiff Road), 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 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) (9674)

PUBLIC HEARINGS

18. Hold a public hearing and consider a resolution of the City Council of Midland, Texas, making certain findings, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, that there is no feasible and prudent alternative to the change in use of an approximate 5,472 square foot tract of land out of Lots 18-22, Block 54, Original Town, City and County of Midland, Texas, from public park use to be used for the new Midland Center for public use; and making the same finding regarding the completion of improvements to include new staging, lighting, turf, trees, benches, sidewalks, and a splash pad in Centennial park, for public use; said improvements to be located on Centennial Park located on Lots 13-24, Block 54, Original Town, City and County of Midland, Texas (Generally located north of Wall Street, south of Texas Avenue, east of the site of the former Midland County Courthouse, and west of Main Street). (COMMUNITY SERVICES) (2017 - 176)
19. Hold a public hearing and consider a resolution authorizing the Temporary Use of Land for a festival on Lots 10-12, Block 93, all of Block 94, a 0.6-acre portion of Block 104, Lots 1-5, Block 105, the portion of South K Street adjacent to Blocks 93 and 94, and the portion of West Indiana Avenue adjacent to Blocks 93 and 96, West End Addition, City and County of Midland, Texas (Generally

located on the south side of West Missouri Avenue, between South J Street and South L Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2017 - 177)

20. Hold a public hearing and consider an ordinance granting a special exception for a 60.84-acre tract of land located in the west half of Section 6, Block X, H. P. Hilliard Survey, City and County of Midland, Texas (Generally located on the west side of Oriole Drive, approximately 200 feet north of Hilltop Drive), by permitting a reduced front yard setback; 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) (9675)
21. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Tract 9, Morningside Addition, City and County of Midland, Texas (Generally located on the east side on North Big Spring Street, approximately 300 feet north of Scharbauer Drive), 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) (9676)
22. Hold a public hearing regarding a proposed oil and gas permit to RSP Permian, L.L.C. (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Isbell HZ Unit No. 112H) located 2,416 feet from the north line and 2,360 feet from the east line located in Section 1, Block X, Hilliard Survey, City of Midland and County of Midland, Texas. (Generally located 200 feet north of Solomon Lane extension and 2,280 feet west of Fairgrounds Road.) This is a public hearing only. (DEVELOPMENT SERVICES) (052-2017)
23. Hold a public hearing regarding a proposed oil and gas permit to RSP Permian, L.L.C. (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Isbell HZ Unit No. 113H) located 2,416 feet from the north line and 2,330 feet from the east line located in Section 1, Block X, Hilliard Survey, City of Midland and County of Midland, Texas. (Generally located 200 feet north of Solomon Lane extension and 2,250 feet west of Fairgrounds Road.) This is a public hearing only. (DEVELOPMENT SERVICES) (053-2017)
24. Hold a public hearing regarding a proposed oil and gas permit to RSP Permian, L.L.C. (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Isbell HZ Unit No. 114H) located 2,416 feet from the north line and 2,300 feet

from the east line located in Section 1, Block X, Hilliard Survey, City of Midland and County of Midland, Texas. (Generally located 200 feet north of Solomon Lane extension and 2,220 feet west of Fairgrounds Road.) This is a public hearing only. (DEVELOPMENT SERVICES) (054-2017)

25. Hold a public hearing regarding a proposed oil and gas permit to RSP Permian, L.L.C. (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Isbell HZ Unit No. 116H) located 2,416 feet from the north line and 2,240 feet from the east line located in Section 1, Block X, Hilliard Survey, City of Midland and County of Midland, Texas. (Generally located 200 feet north of Solomon Lane extension and 2,160 feet west of Fairgrounds Road.) This is a public hearing only. (DEVELOPMENT SERVICES) (055-2017)
26. Hold a public hearing regarding a proposed oil and gas permit to RSP Permian, L.L.C. (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Isbell HZ Unit No. 117H) located 2,416 feet from the north line and 2,210 feet from the east line located in Section 1, Block X, Hilliard Survey, City of Midland and County of Midland, Texas. (Generally located 200 feet north of Solomon Lane extension and 2,130 feet west of Fairgrounds Road.) This is a public hearing only. (DEVELOPMENT SERVICES) (056-2017)
27. Hold a public hearing and consider a resolution approving the issuance of an order finding the building located on the north half of Lot 1, Block 15, Moody Addition, City and County of Midland, Texas (Generally located at 305 North Lee Street, Midland, Texas 79701) to be a substandard building and ordering the owner(s) of said building and lienholder(s) and mortgagee(s) having an interest in said building, if any, to take abatement action as specified in the order, and, if said abatement action is not taken, authorizing the City of Midland to take abatement action; authorizing and directing the Building Official to promptly provide a copy of said order to the owner(s) of the building and to any lienholder(s) or mortgagee(s) of the building, as determined through the use of the City's best efforts; and authorizing and directing the City Secretary to publish a notice in accordance with the order. (DEVELOPMENT SERVICES) (2017 - 178)
28. Hold a public hearing and consider a resolution approving the issuance of an order finding the building located on the south 53 feet of Lot 2, Block 15, Moody Addition, City and County of Midland, Texas (Generally located at 1109 East Illinois Avenue, Midland, Texas 79701) to be a substandard building and ordering the owner(s) of said building and lienholder(s) and mortgagee(s) having an interest in said building, if any, to take abatement action as specified in the order, and, if said abatement action is not taken, authorizing the City of Midland to take abatement action; authorizing and directing the Building Official to promptly provide a copy of said order to the owner(s) of the building and to any lienholder(s) or mortgagee(s) of the building, as determined through the use of the City's best efforts; and authorizing and directing the City Secretary to publish a notice in accordance with the order. (DEVELOPMENT SERVICES) (2017 - 179)

MISCELLANEOUS

29. Consider a motion on request by GBT to defer public water and wastewater improvements for Rolling Green Acres Addition Section 3, and to waive the corresponding financial security guarantee valued at \$390,085.00, an amount equal to the estimated cost of construction. The subject property is located at the northwest corner of State Highway 80 and Todd Road in the City of Midland, Midland County, Texas. (ENGINEERING SERVICES) (057-2017)
30. Consider a resolution authorizing the execution of a Public Improvement Development Agreement with Midland (Todd) DTP, LLC for paving improvements to Todd Road to serve Rolling Green Acres Addition, Section 3 (Generally located at the northwest corner of the intersection of Business Interstate 20 and Todd Road); and depositing and appropriating funds therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES) (2017 - 180)
31. Consider a motion making appointments to various boards and commissions

PUBLIC COMMENT

32. 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.