

CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
August 08, 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 a presentation from Chief Information Officer Willie Resto regarding Smart City Technologies.

AGENDA FOR CITY COUNCIL MEETING
August 08, 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 - Pastor Robert 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 meeting of July 25, 2017
5. Consider a resolution awarding a contract for the installation of raised access flooring for the Communication and Information Systems Department's Dispatch Center to the sole proposer, Prestige Interiors Corporation of Austin, Texas, at a total cost not to exceed \$62,740.00; and authorizing payment therefor. (PURCHASING) (2017 - 209)
6. Consider a resolution authorizing the issuance of a request for proposals for an Agenda and Document Management System. (PURCHASING) (2017 - 210)
7. Consider a resolution awarding a contract for the Water, Wastewater, & Fire Hydrant Taps Expanded Program 04 Project to the sole bidder, Red Deer Construction, LLC of Midland, Texas, at a total cost not to exceed \$700,000.00; and authorizing payment therefor. (PURCHASING) (2017 - 211)
8. Consider a resolution awarding a contract for the Utility Extension Program 03 Project to Boler Equipment Services, Inc. of Midland, Texas, at a total cost not to exceed \$2,500,000.00; and authorizing payment therefor. (PURCHASING) (2017 - 212)

9. Consider a resolution authorizing advertisement for sealed bids for the sale of real property described as Lots 1 and 2, Block 64, Permian Estates Addition, City of Midland, Midland County, Texas (Generally known as 4315 Thomason Drive). (PURCHASING) (2017 - 213)
10. Consider a resolution approving the release of terms, conditions, covenants and restrictions from an approximate 5,472-square foot tract of land out of Lots 18-22, Block 54, Original Town, City and County of Midland, Texas, and the transfer of said terms, conditions, covenants and restrictions to an approximate 14,000-square foot tract of land located west of Block 54, Original Town, City and County of Midland, Texas, and being a portion of the tract of land described in Ordinance No. 9584 for the purpose of vacating a 0.55-acre portion of North Loraine Street right-of-way; authorizing the City Manager to execute, on behalf of the City of Midland, a release and transfer of terms, conditions, covenants and restrictions and to execute all other documents and to take all action necessary or appropriate to effect the same; and ordering the City Secretary to record or ensure the recording of the release and transfer of terms, conditions, covenants and restrictions. (PURCHASING) (2017 - 214)
11. Consider a resolution authorizing the City Manager to purchase, on behalf of the City of Midland, Lots 5 and 6, Block 49, East Midland Addition, City and County of Midland, Texas; authorizing the negotiation, execution and filing of all documents necessary for the purchase of said real property; authorizing payment for said purchase; and ordering the City Secretary to record, or ensure that the title company records, the instrument(s) of conveyance. (PURCHASING) (2017 - 215)
12. Consider a resolution appropriating \$1,155,608.29 from the 2014 CO fund unappropriated fund balance and transferring \$600,000.00 to the Fiber Optics Project and \$555,608.29 to the Network Infrastructure Upgrade Project. (CISD) (2017 - 216)
13. 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 2,416 feet from the north line and 2,360 feet from the east line, Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located approximately 200 feet north of the Solomon Lane Extension and approximately 2,280 feet west of Fairgrounds Road); 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) (2017 - 217)
14. 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 2,416 feet from the north line and 2,330 feet from the east line, Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located approximately 200 feet north of the Solomon Lane Extension and approximately

2,250 feet west of Fairgrounds Road); 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) (2017 - 218)

15. 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 2,416 feet from the north line and 2,300 feet from the east line, Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located approximately 200 feet north of the Solomon Lane Extension and approximately 2,220 feet west of Fairgrounds Road); 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) (2017 - 219)
16. 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 2,416 feet from the north line and 2,240 feet from the east line, Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located approximately 200 feet north of the Solomon Lane Extension and approximately 2,160 feet west of Fairgrounds Road); 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) (2017 - 220)
17. 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 2,416 feet from the north line and 2,210 feet from the east line, Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located approximately 200 feet north of the Solomon Lane extension and approximately 2,130 feet west of Fairgrounds Road); 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) (2017 - 221)
18. Consider a resolution authorizing the execution of a right-of-way license between the City of Midland and Diamondback E&P LLC regarding City-owned property described as Section 8, Block "X", H.P. Hilliard Survey, Midland County, Texas. (ENGINEERING SERVICES) (2017 - 222)
19. Consider a resolution appointing a Substitute Judge for the City of Midland Municipal Court. (MUNICIPAL COURT) (2017 - 223)
20. Consider a resolution authorizing the office of the City Attorney to file all documents, employ all necessary experts and make all necessary appearances to represent the City of Midland in a lawsuit styled Bank of New York Mellon Trust Company, National Association FKA the Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank, as trustee for Residential Asset Mortgage Products, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2003-RP2 v. Robert M. Middleton and Rebecca

Middleton, individually and as independent executrix of the estate of Jefferson Carl Ward, deceased, et al., in the United States District Court for the Western District of Texas, Midland-Odessa Division, Civil Action No. 7:15-CV-00041-DAE. (CITY ATTORNEY'S OFFICE) (2017 - 224)

SECOND READINGS

21. Consider an ordinance on second reading changing the zoning use classification of the property described as a 5,751-square foot portion of Lot 1A, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas (Generally located approximately 560 feet south of West Loop 250 North and approximately 510 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)(First reading held on July 25, 2017)(9686)

PUBLIC HEARINGS

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 a 2.048-acre tract of land out of Section 42, 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 Transition District, to be used as an amended Planned District (Generally located on the northwest corner of Todd Drive and East Highway 80); 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) (9687)
23. Hold a public hearing and consider an ordinance amending Title XI, "Planning and Development", Chapter 1, "Zoning", Section 10, "Specific Use Permits", Subsection (B) of the City Code of Midland, Texas, so as to allow the issuance of Specific Use Permits without Term for for-profit plasma donation centers in the LR-3, Local Retail District, or less restrictive districts; 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) (9688)
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 Lots 15, 16, 17 and 42R, 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 amended Planned District (Generally located on the south side of Illinois Avenue, approximately 300 feet west of Andrews Highway); 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) (9689)

25. 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 Lots 4, 5, and 6, Block 3, Westridge Park Addition, Section 28, City and County of Midland, Texas, which is presently zoned PD, Planned District, to be used as an amended Planned District (Generally located on the east side of Avalon Drive, between Andrews Highway and Deauville 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) (9690)
26. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as an 8,590-square foot portion of Lot 18, Block 1, Providence Park, Section 2, City and County of Midland, Texas (Generally located northwest of the intersection of West Wadley Avenue and North Midkiff Road), 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 nightclub 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) (9691)
27. 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-A, Block 6, Crestgate Addition, Section 28, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, to be used as an amended Planned District (Generally located northwest of the intersection of West Loop 250 North and Crestfield 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) (9692)
28. 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 10, Sunset Acres, and Lot 1, Block 11, Sunset Acres, Section 6, City and County of Midland, Texas, which is presently zoned 1F-1, One-Family Dwelling District, in part, and 2F, Two-Family Dwelling District, in part, to be used as an O-1, Office District (Generally located northwest of the intersection of West Golf Course Road and Tarleton 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) (9693)

29. Hold a public hearing and consider a resolution authorizing the temporary use of land for a concert on Lot 4, Block 5, Westridge Park Addition, Section 6, City and County of Midland, Texas (Generally located northeast of the intersection of Tradewinds Boulevard and Champions Drive); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2017 - 225)

MISCELLANEOUS

30. Consider a motion on request by West Company of Midland, LLC to defer wastewater and water improvements and sidewalk improvements for Moore Business Park, and to waive the corresponding financial security guarantee valued at \$106,177.00, an amount equal to the estimated cost of construction. The subject property is generally located approximately 3,600 feet west of South Tradewinds on the north side of West State Highway 80, approximately 2,825 feet outside the corporate limits of the City of Midland (as measured along South Highway 80), Midland County, Texas. (ENGINEERING SERVICES) (062-2017)
31. Discuss a proposed bond election to be held in the City of Midland for street, waterworks, and sewer system improvements, including but not limited to: street, waterworks and sewer system projects; the aggregate principal amount of the bonds; and other matters incident and related to such proposed bond election. This is a discussion item only and no action will be taken.

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.