

AGENDA FOR CITY COUNCIL MEETING  
January 24, 2012 – 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
2. Pledge of Allegiance

**PRESENTATIONS**

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
  - a. Presentation of Retirement Commendation for retiring city employees.
    1. Richard Candelaria
    2. Pedro C. Falcon
    3. Michael Turner

**PUBLIC COMMENT**

4. Receive public comments where individuals may address the City Council on City related issues and projects. 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.

**CONSENT AGENDA**

5. Consider a motion approving the following minutes:

**APPROVED**

- a. Regular Minutes of January 10, 2012.

**APPROVED**

6. Consider a resolution approving the purchase of six police package cars and nine police package SUVs for the Garage Division. (General Services)

RESOLUTION NO. 2012 - 001

RESOLUTION APPROVING THE PURCHASE OF FIVE (5) POLICE PACKAGE CARS AND NINE (9) POLICE PACKAGE SPORT UTILITY VEHICLES, FROM ROGERS FORD OF MIDLAND, TEXAS, AND CALDWELL COUNTRY CHEVROLET, OF CALDWELL, TEXAS, RESPECTIVELY, AT A TOTAL COST OF \$362,752.00; AND THE CITY MANAGER HAS DETERMINED THE NEED TO PURCHASE ONE (1) ADDITIONAL POLICE PACKAGE CAR FROM ROGERS FORD INCREASING THE TOTAL PRICE TO \$388,884.00; AND THE PURCHASE OF THE ADDITIONAL POLICE PACKAGE CAR INCREASES THE PRICE PAID TO ROGERS FORD BY APPROXIMATELY TWENTY PERCENT (20%) AND IS AUTHORIZED BY SECTION 252.048 OF THE TEXAS LOCAL GOVERNMENT CODE

**APPROVED**

7. Consider a resolution approving an Interlocal Agreement with the Midland Emergency Communication District. (CISD)

RESOLUTION NO. 2011 - 334

RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE MIDLAND EMERGENCY COMMUNICATION DISTRICT REGARDING THE PURCHASE AND MAINTENANCE OF 9-1-1 EMERGENCY SYSTEM RECORDING EQUIPMENT TO BE HOUSED AT THE CITY OF MIDLAND COMMUNICATIONS CENTER

**APPROVED**

8. Consider a motion on a request by Newton Engineering for City View Acres (Section 6), to approve items requested for deferral in the amount of \$53,730.13, and to waive the associated public improvement guarantee. This subdivision is positioned in the ETJ less than ½ mile from the City Limits, generally located at Fairgrounds Ave. approximately 1,800 feet north of Garden City Hwy. (SH 158). (Engineering)

**APPROVED**

9. Consider a resolution authorizing the City Attorney to represent the City of Midland and the Chief of Police in Jeremiah Alan Owens v. Price Robinson, Chief of Police; 385 Judicial District Court, Midland County, Texas; Cause No. CV48480. (City Attorney)

RESOLUTION NO. 2012 - 003

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 AND THE CHIEF OF POLICE IN A LAWSUIT STYLED JEREMIAH ALAN OWENS V. PRICE ROBINSON, CHIEF OF POLICE, CITY OF MIDLAND, TEXAS; 385th JUDICIAL DISTRICT COURT, MIDLAND COUNTY, TEXAS; CAUSE NO. CV48480; AND AUTHORIZING THE PAYMENT OF ALL COSTS

**APPROVED**

10. Consider a resolution authorizing the execution of a Right of Way License Agreement with Bluestem Energy Assets, LLC, for placement, operation and maintenance of a six inch gas pipeline within City of Midland right of way. (Engineering)

RESOLUTION NO. 2012 - 004

RESOLUTION AUTHORIZING A RIGHT OF WAY LICENSE WITH THE CITY OF MIDLAND, TEXAS AND BLUESTEM ENERGY ASSETS, L.L.C., A DELAWARE COMPANY; SAID RIGHT OF WAY LICENSE IS FOR THE PURPOSE OF PLACING, OPERATING, AND MAINTAINING ONE SIX INCH GAS PIPELINE; THE PIPELINE IS LOCATED WITHIN THE CITY OF MIDLAND RIGHT OF WAY ABUTTING THE NORTHEAST QUARTER (NE/4) OF SECTION 8, BLOCK X, H.P. HILLIARD SURVEY AND NORTHWEST QUARTER (NW/4) OF SECTION 9, BLOCK X, H.P. HILLIARD SURVEY, MIDLAND COUNTY, TEXAS; THE LICENSE TERM IS FOR FIVE YEARS, COMMENCING WITH THE DATE OF THIS LICENSE AND MAY RENEW AT THE END OF THE TERM FOR ONE ADDITIONAL FIVE YEAR TERM UPON 90 DAYS WRITTEN REQUEST PRIOR TO EXPIRATION

**APPROVED**

**SECOND READINGS**

11. Consider an ordinance on second reading on a request by Los Conchos Ventures, LLC. for a zone change. (Planning)

ORDINANCE NO. 8958

ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING A 19.71-ACRE TRACT OF LAND ("TRACT 1") WHICH IS PRESENTLY ZONED AE, AGRICULTURE ESTATE DISTRICT, TO BE USED AS AN LR-2, LOCAL RETAIL DISTRICT; BY PERMITTING A 12.97-ACRE TRACT OF LAND ("TRACT 2") WHICH IS PRESENTLY ZONED AE, AGRICULTURE ESTATE DISTRICT, TO BE USED AS AN O-1, OFFICE DISTRICT; BY PERMITTING A 26.33-ACRE TRACT OF LAND ("TRACT 3") WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A HOUSING

DEVELOPMENT, TO BE USED AS AN AMENDED PLANNED DISTRICT FOR A HOUSING DEVELOPMENT; BY PERMITTING A 60.84-ACRE TRACT OF LAND ("TRACT 4") WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT, TO BE USED AS A 1F-2, ONE-FAMILY DWELLING DISTRICT; BY PERMITTING A 7.93-ACRE TRACT OF LAND ("TRACT 5") WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT, TO BE USED AS A TH, TOWNHOUSE DISTRICT; BY PERMITTING A 6.33-ACRE TRACT OF LAND ("TRACT 6") WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT, TO BE USED AS A TH, TOWNHOUSE DISTRICT; BY PERMITTING A 10.64-ACRE TRACT OF LAND ("TRACT 7") WHICH IS PRESENTLY ZONED AE, AGRICULTURE ESTATE DISTRICT, TO BE USED AS A PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT; BY PERMITTING A 19.73-ACRE TRACT OF LAND ("TRACT 8") WHICH IS PRESENTLY ZONED AE, AGRICULTURE ESTATE DISTRICT, TO BE USED AS A 1F-2, ONE-FAMILY DWELLING DISTRICT; ALL OF SAID TRACTS BEING OUT OF SECTION 6, BLOCK "X", H.P. HILLIARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS; ALL OF SAID TRACTS BEING MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS MADE A PART HEREOF; SAID TRACTS ARE GENERALLY LOCATED SOUTH OF MOCKINGBIRD LANE, BETWEEN HOLIDAY HILL ROAD AND ORIOLE DRIVE; PROVIDING FOR SUCH USE TO BE SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS AS SET OUT 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

**AMENDED AND APPROVED**

12. Consider an ordinance on second reading on a request by Hamilton Williams for a Special Use Permit. (Planning)

**ORDINANCE NO. 8975**

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE SOUTH 120 FEET OF TRACT 4, MORNINGSIDE, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF NORTH BIG SPRING STREET, APPROXIMATELY 880 FEET SOUTH OF SCHARBAUER DRIVE), WHICH IS PRESENTLY ZONED LR-2, LOCAL RETAIL DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITHOUT TERM FOR TIRE, BATTERY AND AUTOMOTIVE ACCESSORY USE; 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

**APPROVED**

**PUBLIC HEARINGS**

13. At approximately 10:33 AM hold a public hearing and consider an ordinance on a request by Landgraf, Crutcher and Associates for a Site Plan Review on a 8.00-acre tract of land out of Section 2, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland Texas. (Planning)

**ORDINANCE NO. 8976**

ORDINANCE ADOPTING A SITE PLAN FOR AN 8.00-ACRE TRACT OF LAND OUT OF SECTION 2, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED NEAR THE NORTHEAST CORNER OF THE INTERSECTION OF EAST INTERSTATE HIGHWAY 20 AND TERRELL STREET); SUBJECT TO THE FOLLOWING 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

**APPROVED**

**DEVELOPMENT SERVICES**

14. Consider an ordinance on a request by Habitat for Humanity to vacate a 10-foot by 150-foot (1500 sq ft) portion S. Adams Street right-of-way. (Planning)

**ORDINANCE NO. 8977**

AN ORDINANCE VACATING AND ABANDONING A 1,500 SQUARE FOOT PORTION OF ADAMS STREET RIGHT-OF-WAY ADJACENT TO LOTS 4-6, BLOCK 40, MOODY ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF KENTUCKY AVENUE AND ADAMS STREET); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$150.00; WAIVING THE FEE FOR THE COST OF THE RIGHT-OF-WAY; AND ORDERING RECORDATION BY THE CITY SECRETARY

**APPROVED**

15. Consider an ordinance on a request by Habitat for Humanity to vacate a 10-foot by 150-foot (1500 sq ft) portion of Jefferson Street right-of-way. (Planning)

**ORDINANCE NO. 8978**

AN ORDINANCE VACATING AND ABANDONING A 1,500 SQUARE FOOT PORTION OF JEFFERSON STREET RIGHT-OF-WAY ADJACENT TO LOTS 4A, 5A AND 5B, BLOCK 193, SOUTHERN ADDITION, SECTION 7, CITY AND

COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF JEFFERSON STREET AND DAKOTA AVENUE); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$150.00; WAIVING THE FEE FOR THE COST OF THE RIGHT-OF-WAY; AND ORDERING RECORDATION BY THE CITY SECRETARY

**APPROVED**

**MISCELLANEOUS**

16. Consider a motion selecting an entity or organization to develop the T Bar Water Field located in Winkler County and Loving County, Texas. The T Bar Water Field consists of approximately 20,229 acres and the water rights underneath the property. The motion may also authorize the Mayor, Council Member Scott Dufford and Council Member Jerry Morales to negotiate a contract with the selected entity or organization and the contract shall not be effective until approved by a resolution of the Midland City Council. (City Manager)

**AMENDED AND APPROVED**

17. Consider a resolution hiring an outside legal attorney for the T-Bar project. (City Manager)

RESOLUTION NO. 2012 - 002

RESOLUTION AUTHORIZING THE EMPLOYMENT OF THE LAW FIRM OF LLOYD GOSSELINK OF AUSTIN, TEXAS TO ASSIST THE CITY OF MIDLAND IN ALL MATTERS RELATED TO WATER CONTRACTS; AND THE MAYOR IS AUTHORIZED TO EXECUTE AN ENGAGEMENT LETTER WITH THE LLOYD GOSSELINK LAW FIRM; AND APPROPRIATING FUNDS

**APPROVED**

18. Consider an ordinance authorizing the issuance, levy ad valorem tax and resolve other matters associated with Tax & Limited Pledge Revenue Certificates of Obligation, Series 2012. (Finance)

ORDINANCE NO. 8979

ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF MIDLAND, TEXAS, TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2012"; LEVYING AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND PROVIDING FOR A LIMITED PLEDGE OF THE NET REVENUES OF THE CITY'S WATERWORKS AND SEWER SYSTEM FOR THE PAYMENT OF SAID CERTIFICATES; PRESCRIBING THE TERMS AND DETAILS OF SUCH CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, SECURITY, PAYMENT AND DELIVERY OF SAID

CERTIFICATES, INCLUDING THE APPROVAL OF A PAYING AGENT/REGISTRAR AGREEMENT AND THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AND PROVIDING AN EFFECTIVE DATE

**APPROVED**

19. Consider a resolution allowing the Hispanic Chamber of Commerce to operate a concert, in conjunction with the annual Mex-Tex Family Fiesta, until 1:00 a.m. on Sunday, June 10, 2012. (City Secretary)

RESOLUTION NO. 2012 - 005

RESOLUTION AUTHORIZING THE MIDLAND HISPANIC CHAMBER OF COMMERCE TO EXTEND THE HOURS OF THE MEX-TEX FAMILY FIESTA TO OPERATE A CONCERT UNTIL 1:00 A.M. ON SUNDAY, JUNE 10, 2012

**AMENDED AND APPROVED**

20. Consider resolutions relating to a request from RSP Permian, L.L.C. for a permit to drill an oil and gas well (Bus Barn #2601) located 733' FNL and 1905' FWL, Section 26, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Development Services)

**APPROVED**

- a. Consider a resolution for a Permit to Drill an Oil and Gas Well within the City Limits.

RESOLUTION NO. 2012 - 006

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 733 FEET FROM THE NORTH LINE AND 1,905 FEET FROM THE WEST LINE, SECTION 26, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED NEAR THE SOUTH SIDE OF BRIARWOOD AVENUE, APPROXIMATELY 870 FEET EAST OF HEIDELBERG LANE)

**AMENDED AND APPROVED**

- b. Consider a resolution authorizing the execution of a road repair agreement with RSP Permian, LLC. related to the Bus Barn #2601 well.

RESOLUTION NO. 2012 - 007

RESOLUTION AUTHORIZING THE EXECUTION OF A ROAD REPAIR AGREEMENT WITH RSP PERMIAN, L.L.C. REGARDING ITS APPLICATION TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 733 FEET FROM THE NORTH LINE AND 1,905 FEET FROM THE WEST LINE,

SECTION 26, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY  
OF MIDLAND, TEXAS

**APPROVED**

21. Consider resolutions relating to a request from RSP Permian, L.L.C. for a permit to drill an oil and gas well (Bus Barn #2602) located 600' FNL and 525' FWL, Section 26, Block 40, T-1-S T&P RR Co. Survey, Midland County Texas.

**APPROVED**

- a. Consider a resolution for a Permit to Drill an Oil and Gas Well within the City Limits.

RESOLUTION NO. 2012 - 008

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 600 FEET FROM THE NORTH LINE AND 525 FEET FROM THE WEST LINE, SECTION 26, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED NEAR THE SOUTH SIDE OF BRIARWOOD AVENUE, APPROXIMATELY 450 FEET EAST OF HEIDELBERG LANE)

**AMENDED AND APPROVED**

- b. Consider a resolution authorizing the execution of a road repair agreement with RSP Permian, LLC. related to the Bus Barn #2602 well.

RESOLUTION NO. 2012 - 009

RESOLUTION AUTHORIZING THE EXECUTION OF A ROAD REPAIR AGREEMENT WITH RSP PERMIAN, L.L.C. REGARDING ITS APPLICATION TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 600 FEET FROM THE NORTH LINE AND 525 FEET FROM THE WEST LINE, SECTION 26, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS

**APPROVED**

22. Consider resolutions relating to a request from RSP Permian, L.L.C. for a permit to drill an oil and gas well (Bus Barn #2603) located 690' FNL and 1080' FEL, Section 26, Block 40, T-1-S T&P RR Co. Survey, Midland County, Texas.

**DEFERRED UNTIL FEBRUARY 28, 2012**

- a. Consider a resolution for a Permit to Drill an Oil and Gas Well within the City Limits.

RESOLUTION NO. 2012 - 010

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 690 FEET FROM THE NORTH LINE AND 1,080 FEET FROM THE EAST LINE, SECTION 26, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF BRIARWOOD AVENUE, APPROXIMATELY 600 FEET WEST OF ROADRUNNER TRAIL)

**DEFERRED UNTIL FEBRUARY 28, 2012**

- b. Consider a resolution authorizing the execution of a road repair agreement with RSP Permian, LLC. related to the Bus Barn #2603 well.

RESOLUTION NO. 2012 - 011

RESOLUTION AUTHORIZING THE EXECUTION OF A ROAD REPAIR AGREEMENT WITH RSP PERMIAN, L.L.C. REGARDING ITS APPLICATION TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 690 FEET FROM THE NORTH LINE AND 1,080 FEET FROM THE EAST LINE, SECTION 26, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS

**DEFERRED UNTIL FEBRUARY 28, 2012**

23. Consider a resolution on a request from Pioneer Natural Resources (Mabee #3) for a Permit to Drill an Oil and Gas Well within the City Limits located 660' FNL and 1980' FEL, Section 12, Block 39, T-1-S T&P RR Co. Survey, Midland County, Texas. (Development Services)

RESOLUTION NO. 2012 - 012

RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO PIONEER NATURAL RESOURCES USA, INC. ("OPERATOR") TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 660 FEET FROM THE NORTH LINE AND 1,980 FEET FROM THE EAST LINE, SECTION 12, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF STATE HIGHWAY 349, NORTH OF ARAPAHOE LANE); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT

**APPROVED**

24. Consider a resolution on a request from Pioneer Natural Resources (Mabee E #4) for a Permit to Drill an Oil and Gas Well within the City Limits located 800' FSL and 1980' FEL, Section 12, Block 39, T-1-S T&P RR Co. Survey, Midland County, Texas. (Development Services)

RESOLUTION NO. 2012 - 013

RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO PIONEER NATURAL RESOURCES USA, INC. ("OPERATOR") TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 800 FEET FROM THE SOUTH LINE AND 1,980 FEET FROM THE EAST LINE, SECTION 12, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF STATE HIGHWAY 349, NORTH OF ARAPAHOE LANE); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT

**APPROVED**

25. Consider a resolution on a request from Pioneer Natural Resources (Mabee D #5) for a Permit to Drill an Oil and Gas Well within the City Limits located 1880' FNL and 1980' FWL, Section 12, Block 39, T-1-S T&P RR Co. Survey, Midland County, Texas. (Development Services)

RESOLUTION NO. 2012 - 014

RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO PIONEER NATURAL RESOURCES USA, INC. ("OPERATOR") TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 1,880 FEET FROM THE NORTH LINE AND 1,980 FEET FROM THE WEST LINE, SECTION 12, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF STATE HIGHWAY 349, NORTH OF ARAPAHOE LANE); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT

**APPROVED**

26. Consider a resolution on a request from Pioneer Natural Resources (Mabee D #6) for a Permit to Drill an Oil and Gas Well within the City Limits located 1865' FNL and 660' FEL, Section 12, Block 39, T-1-S T&P RR Co. Survey, Midland County, Texas. (Development Services)

RESOLUTION NO. 2012 - 015

RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO PIONEER NATURAL RESOURCES USA, INC. ("OPERATOR") TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 1,865 FEET FROM THE NORTH LINE AND 660 FEET FROM THE EAST LINE, SECTION 12, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF STATE HIGHWAY 349, NORTH OF ARAPAHOE LANE); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT

**APPROVED**

27. Consider making appointments to various Boards and Commissions.

**EXECUTIVE SESSION**

28. 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 551.074 Personnel Matters
    1. Deliberate the employment, evaluation, duties, and salary of the Presiding Municipal Court Judge, the Associate Municipal Court Judge, the City Manager, the City Attorney and the City Secretary.

Respectfully Submitted,

Courtney B. Sharp  
City Manager