

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

**AGENDA FOR CITY COUNCIL MEETING**  
April 23, 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. Pledge of Allegiance
2. Invocation - Reverend Pat Bryant, Travis Baptist Church

**PRESENTATIONS**

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
  - a. Presentation of proclamation to EZ Rider for National Get On Board Day.
  - b. Presentation of proclamation for Alzheimer's Congressional Team of the Year Celebration Month.

**CONSENT AGENDA**

4. Consider a motion approving the following minutes:
  - a. Regular City Council Minutes of April 9, 2019.

**APPROVED**

5. Consider a resolution awarding a contract for the Fiber Connectivity Project to Unite Private Networks, L.L.C., for a total installation cost not to exceed \$500,000.00 and a five-year maintenance term cost not to exceed \$250,200.00; and approving \$50,000.00 in contingencies. (PURCHASING) (2019 - 127)

**APPROVED**

6. Consider resolution approving the purchase of 12 Uninterruptible Power Supply Battery Backup Systems from Paradigm Traffic Systems, Inc. through Buyboard at a total cost of \$54,000.00 (PURCHASING)

**APPROVED**

7. Consider resolution approving the purchase of 12 Wavetronix Matrix Radar Detection Packages from Twincrest Inc., doing business as Twincrest Technologies, through the Houston-Galveston Area Council at a total cost of \$221,460.00; and appropriating funds therefor (PURCHASING)

**APPROVED**

8. Consider a resolution authorizing the execution of a professional services agreement with Parkhill, Smith & Cooper, Inc., to provide design and engineering services for the design of the Briarwood Sewer Main Extension for the Utilities Department, for an amount not to exceed \$88,103.00; and approving \$22,026.00 in contingencies. (PURCHASING) (2019 - 130)

**APPROVED**

9. Consider a resolution approving a professional services agreement between the Midland Development Corporation and Optidge, Inc. (CITY MANAGER'S OFFICE) (2019 - 131)

**APPROVED**

10. Consider a resolution approving a consulting services agreement between the Midland Development Corporation and Texas Health Institute. (CITY MANAGER'S OFFICE) (2019 - 132)

**APPROVED**

11. Consider a resolution approving a consulting services agreement between the Midland Development Corporation and M. Hensley Consulting. (CITY MANAGER'S OFFICE) (2019 - 133)

**APPROVED**

12. Consider a resolution granting a variance for a 4.712-acre tract of land out of Section 23, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, (generally located at the northwest corner of the intersection of Briarwood Avenue and Golden Gate Drive), by permitting construction of buildings where no portion of any structure is closer than 220 feet of an oil and gas well; and authorizing issuance of building permits. (DEVELOPMENT SERVICES) (2019 - 134)

**APPROVED**

13. Consider a resolution allocating the sum of \$100,000.00 from the 2019 Operating Budget for the Traffic Division in General Fund (001) to the Cowden Park Traffic Calming Project (900302); and allocating the sum of \$150,000.00 from the 2019 Operating Budget for the Traffic Division in the General Fund (001) to the Abell JHS PED Crossing Traffic Calming Project (900303). (ENGINEERING SERVICES) (2019 - 135)

**APPROVED**

14. Consider a resolution approving the Land Use Assumptions and Capital Improvements Plan related to the possible adoption of water, wastewater, and roadway impact fees. (ENGINEERING SERVICES) (2019 - 136)

**APPROVED**

15. Consider a resolution setting the date, time, and location of a public hearing to consider the imposition of water, wastewater, and roadway impact fees. (ENGINEERING SERVICES) (2019 - 137)

**APPROVED**

16. Consider a resolution appointing substitute judges for the City of Midland Municipal Court. (MUNICIPAL COURT) (2019 - 138)

**APPROVED**

17. Consider a resolution of the City Council of the City of Midland, Texas, approving certain amendments to the General Orders of the Midland Police Department; and providing that the City Council is the policymaking authority of the City of Midland. (POLICE) (2019 - 139)

**APPROVED**

**SECOND READINGS**

18. 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 12.3959-acre tract of land out of Corporate Plaza, Section 13, 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 Edwards Street, approximately 156 feet North of Fiesta 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) (First reading held March 26, 2019) (9901)

**SECOND READING AMENDED AND APPROVED**

19. Consider an ordinance on second reading changing the zoning use classification of the property described as the south half of Lot 12, Block 38, Original Town Addition, City and County of Midland, Texas, (generally located on the east side of North Main Street, approximately 65 feet south of East Illinois Avenue), 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 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 April 9, 2019) (9910)

**SECOND READING APPROVED**

20. Consider an ordinance on second reading establishing the zoning classification of the area indicated as being a 17.55-acre tract of land out of Section 48, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, as an MF-2, Multiple-Family Dwelling District; said tract being generally located at the southwest 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) (First reading held April 9, 2019) (9911)

**SECOND READING APPROVED**

21. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 1, Block 172, Southern Addition, City and County of Midland, Texas, (generally located at the southwest corner of the intersection of East California Avenue and South Terrell Street), which is presently zoned LR-3, 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) (First reading held April 9, 2019) (9912)

**SECOND READING APPROVED**

22. Consider an ordinance on second reading establishing a temporary regulatory construction speed limit on Midkiff Road, from West Gist Avenue to the southern corporate limits of the City, for the duration of a

roadway improvement project by the Texas Department of Transportation; authorizing installation of appropriate signs and markings; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two hundred dollars (\$200.00), except that the maximum penalty or fine shall be four hundred dollars (\$400.00) if an offense occurs in a construction or maintenance work zone when workers are present; and ordering publication. (ENGINEERING SERVICES) (First reading held April 9, 2019) (9913)

**SECOND READING APPROVED**

23. Consider an ordinance on second reading establishing intersection stops at various locations within the City of Midland, Texas; authorizing and directing the Traffic Engineer to install appropriate signs and markings at the designated locations; 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 April 9, 2019) (9914)

**SECOND READING APPROVED**

24. Consider an ordinance on second reading establishing yield right-of-way signs at various locations within the City of Midland, Texas; requiring and authorizing the posting of appropriate signs at said intersections; 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 April 9, 2019) (9915)

**SECOND READING APPROVED**

**PUBLIC HEARINGS**

25. Hold a public hearing and consider a resolution authorizing the temporary use of land for an arts festival on Lots 13 through 24, Block 66, a 0.41-acre portion of South Loraine Street right-of-way located adjacent to said Lots, and a 0.14-acre portion of alley right-of-way located in Block 66, all out of Original Town Addition, City and County of Midland, Texas, (generally located at the southeast corner of the intersection of South Loraine Street and West Wall Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2019 - 140)

**APPROVED**

26. 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 7.789-acre tract of land out of Lot 5, Block 27, Wydewood Estates, Section 20, 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 west side of Sunburst Drive, approximately 629 feet south of West Wadley 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) (9916)

**FIRST READING APPROVED**

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 a 0.599-acre tract of land out of Lot 5, Block 27, Wydewood Estates, Section 20, 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 east side of North Loop 250 West Frontage Road, approximately 600 feet south of West Wadley 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) (9917)

**FIRST READING APPROVED**

28. Hold a public hearing and consider an ordinance vacating and abandoning a 0.03-acre portion of alley right-of-way and a 0.05-acre portion of alley right-of-way located in Section 26, Block 39, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas, (generally located on the north side of West Cuthbert Avenue, approximately 135 feet west of North Main Street); adopting the appraisal by the City Manager of \$6,840.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9918)

**FIRST READING AMENDED AND APPROVED**

29. Hold a public hearing and consider a resolution authorizing the temporary use of land for a car stereo sound competition on Lot 3A, Block 92, Permian Estates, Section 7, City and County of Midland, Texas, (generally located on the west side of South Midkiff Road approximately 171 feet south of Travis Avenue); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2019 - 141)

**APPROVED**

30. Hold a public hearing and consider a resolution expressing the intent of the Midland City Council to continue in effect Title VI, "Police Regulations", Chapter 9, "Curfew Hours for Minors", of the Midland City Code pursuant to Texas Local Government Code Section 370.002. (POLICE) (2019 - 142)

**APPROVED**

31. At approximately 6:00 p.m. in Courtroom A, at the Midland Municipal Court, 201 East Texas Avenue, Midland, Texas hold a Joint Public Hearing with the Planning and Zoning Commission to consider an ordinance amending Title XI, "Planning and Development", Chapter 1, "Zoning" of the City Code of Midland, Texas, so as to change the heading of said Chapter 1 to "Zoning Ordinance" and to revise and amend the rules, regulations and zoning map contained therein or associated therewith and similar provisions related to land use and development. This is a public hearing only. (DEVELOPMENT SERVICES) (034-2019)

**PUBLIC HEARING HELD**

**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.)

**EXECUTIVE SESSION**

33. 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 551.087, Deliberate Economic Development Negotiations
    - a.1. Discuss business prospects that the City seeks to have, locate, stay, or expand in or near the City of Midland, Texas, and discuss possible incentives.

Respectfully Submitted,

Courtney B. Sharp  
City Manager