

****UNOFFICIAL AGENDA RESULTS****

AGENDA FOR CITY COUNCIL MEETING
August 27, 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 - 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 meeting of July 18, 2019
 - b. Regular meeting of July 30, 2019
 - c. Special meeting of August 7, 2019
 - d. Regular meeting of August 13, 2019

APPROVED

5. Consider a resolution approving the continued receipt of Bingo Prize Fee Funds under Section 2001.502, Occupations Code, as amended by House Bill 914, 86th Texas Legislature. (FINANCE) (2019 - 239)

APPROVED

6. Consider a resolution declaring expectation to reimburse expenditures with proceeds of future debt - GO Bonds. (FINANCE) (2019 - 240)

APPROVED

7. Consider a resolution declaring expectation to reimburse expenditures with proceeds of future debt - Certificates of Obligation. (FINANCE) (2019 - 241)

APPROVED

8. Consider a resolution approving the fiscal year 2019-2020 budget for the Midland Spaceport Development Corporation, as authorized by Chapter 507 of the Texas Local Government Code. (FINANCE) (2019 - 242)

APPROVED

9. Consider a resolution approving the purchase of a school flasher system for the Traffic Operations Division from Texas Highway Products, LTD through Buyboard at a total cost of \$150,600.00. (PURCHASING) (2019 - 243)

APPROVED

10. Consider a resolution approving a contract with Tommy Klein Construction, Inc., for the replacement of chiller units and air handler units at City Hall and the Police Department, through Buyboard, at a total cost of \$597,487.13. (PURCHASING) (2019 - 244)

APPROVED

11. Consider a resolution ratifying the execution of an instrument granting to Oncor Electric Delivery Company LLC an easement and right-of-way located in a 0.116-acre tract of land out of Section 4, Block 38, T-2-S, T&P RR Co. Survey, Midland County, Texas. (PURCHASING) (2019 - 245)

APPROVED

12. Consider a resolution approving the purchase of a three year maintenance renewal for VMware Virtual Enterprise Licensing from GTS Technology Solutions, Inc., through the Texas Department of Information Resources at a total cost of \$175,139.49 for the Communication and Information Systems Department. (PURCHASING) (2019 - 246)

APPROVED

13. Consider a resolution authorizing the appropriation and transfer of funds from the Airport Passenger Facility Charge Fund (501) Unappropriated Fund Balance (35650) for the purpose of reimbursing the Airport Operating Fund (500); and appropriating remaining Passenger Facility Charge Funds to certain projects. (AIRPORTS) (2019 - 247)

APPROVED

14. Consider a resolution authorizing the execution of an agreement with the Commemorative Air Force, Inc., for the staging of an airshow at the Midland International Air & Space Port; the airshow will commence Friday, September 13, 2019, and conclude Sunday, September 15, 2019. (AIRPORTS) (2019 - 248)

APPROVED

15. Consider a resolution authorizing the appropriation of \$975,393.00 from the Airport Operating Fund to the Outbound Baggage Handling System Replacement and Passenger Boarding Bridges Replacement Project (700244). (AIRPORTS) (2019 - 249)

APPROVED

16. Consider a resolution authorizing the execution of a contract with Ranger Steel, Inc., in an amount not to exceed \$1,497,401.00 for the construction of the Outbound Baggage Handling System Replacement Project at Midland International Air & Space Port; and appropriating funds therefor. (AIRPORTS) (2019 - 250)

APPROVED

17. Consider a resolution authorizing the execution of a contract with Thyssenkrupp Airport Systems in an amount not to exceed \$3,345,476.00 for the construction of the Passenger Boarding Bridges Replacement Project at Midland International Air & Space Port; and appropriating funds therefor. (AIRPORTS) (2019 - 251)

APPROVED

18. Consider a resolution authorizing the allocation of funds in the amount of \$525,000.00 from the 2019 operating budget of the Information Systems Division of the Communication Information Systems Department in the General Fund to the Parks Wi-Fi Project. (CISD) (2019 - 252)

APPROVED

19. Consider a resolution adopting rules regarding the public's right to address the City Council of the City of Midland, Texas, regarding an item on an agenda for an open meeting in accordance with Texas Government Code § 551.007. (CITY MANAGER'S OFFICE) (2019 - 253)

APPROVED

20. Consider a motion approving a proposed preliminary plat of J Bar J

Properties, being a 25.95 acre tract of land out of the southwest quarter of Section 28, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas, (generally located on the east side of North County Road 1148, approximately 448 feet south of East County Road 63 - Extraterritorial Jurisdiction). (Development Services) (056-2019)

APPROVED

21. Consider a motion approving a proposed preliminary plat of Lone Star Trails II, Section 3 being a 258.84-acre tract of land located in Section 7, Block 38, T-1-S, T&P RR. Co. Survey, City and County of Midland Texas, (generally located on the north side of Arapahoe Road, approximately 445-feet east of Fairgrounds Road). (Development Services) (057-2019)

APPROVED

22. Consider a resolution authorizing the City Manager to execute, on behalf of the City of Midland, a sub-surface easement agreement granting to Parsley Energy, L.P. ("Operator") a sub-surface easement located on a City-owned .854-acre tract of land in the east half of Section 14 , Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas, for the purpose of drilling, reworking, re-drilling, completing, maintaining, re-entering, producing, operating, transporting production through, plugging and abandoning wellbores under, across and through said tract of land to benefit the oil, gas and other mineral production from wells drilled or to be drilled by operator, its successors or assigns on lands located in the east half of Sections 14 and 23 and the northeast quarter of Section 26, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. (DEVELOPMENT SERVICES) (2019 - 254)

APPROVED

SECOND READINGS

23. 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 1, Block 2, Hillcrest Acres, Section 3, City and County of Midland, Texas, which is presently zoned 1F-1, One-Family Dwelling District, to be used as an O-1, Office District, (generally located at the northwest corner of the intersection of Cuthbert Avenue and Midland 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 on August 13, 2019) (9962)

APPROVED

24. 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 Block 42 and the west 75.33 feet of Block 43, Belmont Addition, City and County of Midland, Texas, which is presently zoned 1F-3, One Family Dwelling District, to be used as an O-2, Office District (generally located at the southeast corner of the intersection of Belmont Street and West Stokes 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 on August 13, 2019) (9963)

APPROVED

25. Consider an ordinance on second reading vacating and abandoning a 0.004 acre portion of right-of-way, a 0.019 acre portion of right-of-way, and a 0.019 acre portion of right-of-way, all out of Section 42, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, (generally located on the north side of Beachwood Street, approximately 131 feet, 871 feet, and 1,066 feet west of Chukar Lane); adopting the appraisal by the City Manager of \$3,659.04; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (First reading held on August 13, 2019) (9964)

WITHDRAWN AT REQUEST OF APPLICANT

PUBLIC HEARINGS

26. Hold a public hearing and consider an ordinance vacating and abandoning a 0.375-acre portion of Pasadena Drive and alley right-of-way located adjacent to Lot 5, Block 20, and Lot 6, Block 13, Western Hills, replat of Block 13, and Lot 6C, Block 20, Western Hills, Section 13, City and County of Midland, Texas, (generally located approximately 411 feet west of the intersection of Pasadena Drive and Eisenhower Drive); adopting the appraisal by the City Manager of \$24,503.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9966)

FIRST READING AMENDED & APPROVED

27. Hold a public hearing and consider an ordinance amending the zoning district map of the City of Midland to rezone Lot 6D, Block 2, Westridge Park Addition, Section 24, City and County of Midland, Texas, from PD, Planned District for a shopping center to RR, Regional Retail District, (generally located on the north side of Westridge Boulevard, approximately 358 feet east of Tradewinds 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) (9967)

FIRST READING APPROVED

28. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 5,950 square foot portion of Lot 1, Block 8, Polo Park Addition, Section 3, City and County of Midland, Texas, (generally located at the southeast corner of the intersection of Castleford Road and North Garfield Street), 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) (9968)

FIRST READING APPROVED

29. Hold a public hearing and consider an ordinance granting a special exception for a 3.199-acre tract of land out of Section 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, (generally located approximately 815 feet south of State Highway 191 and approximately 1,643 feet west of Avalon Drive), by permitting an increased maximum height of a structure; 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) (9969)

FIRST READING APPROVED

30. Hold a public hearing and consider an ordinance granting a special exception for Lot 2, Block 2, Lilly Heights Extension, City and County of Midland, Texas, (generally located on the south side of Sentinel Avenue, approximately 133 feet west of Alpine Street), by permitting (1) an increased maximum number of accessory buildings, (2) an increased maximum combined area of all accessory buildings, and (3) a deviation from the building facade material standards; 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) (9970)

FIRST READING APPROVED

31. Hold a public hearing regarding the proposed granting of an oil and gas well permit to COG Operating LLC, for the drilling of an oil and gas well,

being Mask HZ Unit No 1007AH located 230 feet from the north line and 2,627 feet from the east line, Section 10, Block X, H.P Hilliard Survey, City and County of Midland, Texas, (said well is generally located 2,627 feet east of North A Street and 215 feet north of Green Tree Boulevard Extension). This is a public hearing only. (DEVELOPMENT SERVICES) (058-2019)

PUBLIC HEARING HELD

32. Hold a public hearing regarding the proposed granting of an oil and gas well permit to Permian Deep Rock Oil Co., LLC, for the drilling of an oil and gas well, being Charger #H160UH located 110 feet from the south line and 525 feet from the west line, Section 3, Block 39, T-2-S, T&P RR. CO. Survey, City and County of Midland, Texas, (said well is generally located 857 feet east of South Garfield Street and 323 feet north of West County Road 111). This is a public hearing only. (DEVELOPMENT SERVICES) (059 - 2019)

PUBLIC HEARING HELD

33. Hold a public hearing to gather citizen input on the Proposed 2019-2020 Budget. This is a public hearing only. (FINANCE) (060 - 2019)

PUBLIC HEARING HELD

MISCELLANEOUS

34. Consider an ordinance of the City of Midland providing funds for the fiscal year beginning October 1, 2019, and ending September 30, 2020, by approving the Budget for said period and appropriating and setting aside the necessary funds out of the general and other revenues and unappropriated fund balance of the City of Midland for said fiscal year for the maintenance and operation of the various departments and for various activities and improvements to the City; and ordering publication. (FINANCE) (9971)

FIRST READING AMENDED & APPROVED

35. Consider an ordinance fixing the tax levy for the City of Midland, Texas, for the fiscal year beginning on October 1, 2019, and ending on September 30, 2020. (FINANCE) (9972)

FIRST READING AMENDED & APPROVED

36. Consider an ordinance amending Title III, "Departments", Chapter 1, "Water Department", of the City Code of Midland, Texas, so as to regulate water and sewer services; containing a cumulative clause; containing a

savings and severability clause; ordering publication; and directing notification to customers outside the City limits as required by state law. (FINANCE) (Deferred from 08/13/2019 meeting) (9965)

FIRST READING APPROVED

37. Consider a resolution authorizing the City Manager to negotiate & execute a contract with Perdue Brandon Fielder Collins and Mott, LLP (the "Firm") of Midland, Texas, for the collection agency services for the Finance Department at a cost not to exceed 20 percent of the amounts collected by the Firm. (PURCHASING) (2019 - 255)

APPROVED

PUBLIC COMMENT

38. 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