

AGENDA FOR CITY COUNCIL MEETING

March 24, 2020 – 10:00 AM

Council Chamber - City Hall

300 North Loraine

Midland, Texas

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 - Jon Slayden, Hope Community 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 City Council Meeting of February 25, 2020
 - b. Regular City Council Meeting of March 9, 2020
5. Consider a resolution approving the purchase of a Transit 350 Cargo Van with associated sewer equipment from Chastang Enterprises - Houston, LLC, at a total cost of \$248,172.00 through Buyboard. (PURCHASING) (2020 - 056)
6. Consider a resolution authorizing the conveyance of certain City-owned real property to Midland Visions 2000; said real property described as Lots 13-18, Block 176, Southern Addition, City of Midland, Midland County, Texas (generally described as 101 East Florida Avenue); authorizing the City Manager to negotiate, execute, and file all agreements and documents necessary for the conveyance of said property; and ordering the City Secretary to record, or ensure that the title company records, all instruments of conveyance. (PURCHASING) (2020 - 057)

7. Consider a resolution awarding a two-year master agreement for the purchase of plastic meter box lids to Ferguson Waterworks at a total annual cost of \$108,360.00. (PURCHASING) (2020 - 058)
8. Consider a resolution authorizing the execution of a master real estate broker services agreement for the sale of various City-owned real properties to Real Estate One - Bill Scott, of Midland, Texas. (PURCHASING) (2020 - 059)
9. Consider a resolution awarding a contract for the Fiscal Year 2020 Slurry Seal Project to Intermountain Slurry Seal, Inc. of North Salt Lake, Utah, at a total cost of \$1,575,302.72; and authorizing payment. (PURCHASING) (2020 - 060)
10. Consider a resolution awarding a contract for the Various Traffic Signal Improvements Project to the sole bidder, Willis Electric Company, LP of Abilene, Texas, at a total cost of \$1,008,397.50; appropriating funds; and authorizing payment. (PURCHASING) (2020 - 061)
11. Consider a resolution approving the selection of Pavetex Engineering, LLC and Beyond Engineering & Testing, LLC to assist City departments by providing professional engineering services related to construction materials testing and services provided in connection therewith on an as-needed basis; authorizing the negotiation and execution of a professional services agreement with each firm; providing that each agreement shall be for a term not to exceed three years; authorizing the negotiation and execution of task orders in accordance with such agreements; providing that the payment for each task order shall not exceed \$150,000.00; providing that the total cost to the City for all task orders shall not exceed \$300,000.00 per agreement per year; and authorizing payment. (PURCHASING) (2020 - 062)
12. Consider a motion authorizing the execution of a professional services agreement with HDR Engineering, Inc., to provide evaluation and engineering services for the Primary Effluent Holding Ponds Project for the Utilities Department at a total cost not to exceed \$169,530.00. (PURCHASING) (034-2020)
13. Consider a motion authorizing the execution of a professional services agreement with Parkhill, Smith & Cooper, Inc. (PSC), to provide design and engineering services for the Briarwood Water Main Relocation Project for the Utilities Department at a total cost not to exceed \$121,611.00. (PURCHASING) (035-2020)
14. Consider a resolution authorizing the execution of the fourth amendment to the interlocal management services agreement between the City of Midland, Texas and Midland County Hospital District, doing business as Midland Memorial Hospital, for certain medical and well-being services; said amendment adjusting the annual fee and providing for the hosting of influenza clinics; and authorizing payment. (ADMINISTRATIVE SERVICES) (2020 - 063)

15. Consider a motion to authorize the Director of Airports to advertise a request for proposals for janitorial services at the Midland International Air & Space Port and negotiate an agreement for said services; provided, however, that said agreement shall not become effective until approved by the City Council. (AIRPORTS) (036-2020)
16. Consider a motion authorizing the Director of Airports to negotiate and execute an amendment to the Lease Agreement with Signature Flight Support regarding certain City-owned real property described as a 0.411-acre tract out of Lot 1A, Block 13, Midland International Airport Industrial Park, City of Midland, Midland County, Texas; said amendment to provide for the expansion of the leased premises. (AIRPORTS) (037-2020)
17. Consider a resolution approving the Amended Bylaws of the Midland Development Corporation. (CITY MANAGER'S OFFICE) (2020 - 064)
18. Consider a resolution ratifying and approving Mayor Patrick N. Payton's Order Declaring a Local State of Disaster for the City of Midland, Texas; and consenting to the continuation of said Declaration. (CITY MANAGER'S OFFICE) (2020 - 065)
19. Consider a motion authorizing the execution of an amendment to that certain Sponsorship License Agreement for the Baseball Stadium at the Scharbauer Sports Complex with American Momentum Bank (formerly known as Security Bank); said amendment shall provide for American Momentum Bank's assumption of Security Bank's rights, covenants and obligations under the Sponsorship License Agreement. (COMMUNITY SERVICES) (038-2020)
20. Consider a resolution approving the issuance of permits to Parsley Energy Operations, LLC ("Operator") to drill four oil and gas wells located in Section 1, Block X, H.P. Hilliard Survey, City of Midland, Midland County, Texas (generally located between 755 feet and 845 feet north of East Loop 250 North and between 389 and 390 feet east of North Lamesa Road); and providing that said permits do not require a new road repair agreement but shall be consolidated under an existing road repair agreement. (DEVELOPMENT SERVICES) (2020 - 066)
21. Consider a resolution granting a variance for Lot 7, Block 1, Kalpower Estates, City and County of Midland, Texas (generally located on the east side of Trobaugh Boulevard, approximately 700 feet north of Briarwood Avenue), by permitting construction of a residence and accessory structures where no portion of any structure is closer than 450 feet of an oil and gas well; and authorizing issuance of building permits. (DEVELOPMENT SERVICES) (2020 - 067)
22. Consider a resolution approving a modification of restrictive covenants applicable to Lots 12 through 22, Block 26, Crestview Addition, City and County of Midland, Texas. (DEVELOPMENT SERVICES) (2020 - 068)

23. Consider a resolution authorizing the submission of an application to the Office of the Governor, Texas Criminal Justice Division, for Fiscal Year 2021 Edward Byrne Memorial Justice Assistance Grant Program; said grant will be used to purchase three (3) narcotics analyzers and eight (8) night-vision binoculars for the Police Department. (POLICE) (2020 - 069)
24. Consider a resolution accepting a Fiscal Year 2019 grant award from the Southwest Border High Intensity Drug Trafficking Areas program in the amount of \$162,720.00; said grant will be used to enhance and coordinate drug control efforts among federal, state, and local law enforcement agencies; and appropriating funds. (POLICE) (2020 - 070)
25. Consider a motion authorizing the execution of an amendment to the right-of-way license between the City of Midland and Endeavor Energy Resources, L.P., regarding City-owned property described as Sections 4, 5, 9 and 10, Block 38, Township 2 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES) (039-2020)

SECOND READINGS

26. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to rezone Lots 3 and 4, Block 6, Lilly Heights Addition, City and County of Midland, Texas, from PD, Planned Development District for an Office Center to O-1, Office District (generally located at the southeast corner of the intersection of Andrews Highway 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) (First reading held on February 25, 2020) (10058)
27. Consider an ordinance on second reading vacating and abandoning a 0.496-acre portion of West Indiana Avenue right-of-way located adjacent to Blocks 88 and 93, Original Town Addition, City and County of Midland, Texas (generally located approximately 380 feet south of West Missouri Avenue, between South Marienfeld Street and South Big Spring Street); adopting the appraisal by the City Manager of \$43,212.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (First reading held on February 25, 2020) (10059)
28. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to rezone Lot 3, less the south 10 feet, Block 26, Moody Addition, City and County of Midland, Texas, from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District (generally located on the west side of North Tyler Street, approximately 100 feet south of East Texas 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 February 25, 2020) (10060)

29. Consider an ordinance on second reading amending Title II, "Commissions and Boards," Chapter 10, "Animal Control Advisory Commission," Section 2, "Membership," of the City Code of Midland, Texas, so as to increase the number of commission members to seven (7); containing a cumulative clause; containing a savings and severability clause; and ordering publication. (COMMUNITY SERVICES) (First reading held on February 25, 2020) (10061)
30. Consider an ordinance on second reading appointing a new City of Midland Municipal Court Presiding Judge effective March 24, 2020; and authorizing the Mayor to execute an employment agreement with the new presiding judge. (ADMINISTRATIVE SERVICES) (First reading held on March 9, 2020) (10063)

PUBLIC HEARINGS

31. Hold a public hearing and consider an ordinance establishing the initial zoning classification of the area indicated as being a 37.9539-acre tract of land out of Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, as an MF-22, Multiple-Family Dwelling District; said tract being generally located on the west side of State Highway 158, approximately 2,372 feet north of State Highway 191; 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) (10064)
32. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 1A, Block 2, Grassland Estates West, Section 2, City and County of Midland, Texas, from PD, Planned Development District for an Office Center to an amended PD, Planned Development District for an Office Center (generally located at the southwest corner of the intersection of Homestead Boulevard and Hereford 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) (10065)
33. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 9, Block 9, Greenwood Addition, Section 2, City and County of Midland, Texas, from C, Commercial District to SF-3, Single-Family Dwelling District (generally located on the east side of South Stonewall Street, approximately 173 feet south of East Indiana 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) (10066)
34. Hold a public hearing and consider an ordinance establishing the initial zoning classification of the area indicated as being a 64.52-acre tract of land out of Section 48, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, as an

MF-22, Multiple-Family Dwelling District; said tract being generally located approximately 733 feet west 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) (10067)

35. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 7, Block 24, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas, from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District (generally located at the northeast corner of the intersection of East New York Avenue and South Benton 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) (10068)
36. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lots 15 and 16, Block 133, Southern Addition, City and County of Midland, Texas, from LI, Light Industrial District to SF-3, Single-Family Dwelling District (generally located on the east side of South Weatherford Street, approximately 86 feet north of East Washington 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) (10069)
37. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lots 5A and 5B, Block 3, Westridge Park Addition, Section 14, City and County of Midland, Texas, from PD, Planned Development District for a Shopping Center to RR, Regional Retail District (generally located at the northwest corner of the intersection of Tradewinds Boulevard 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) (10070)
38. Hold a public hearing and consider an ordinance of the City of Midland, Texas, amending the Tall City Tomorrow Comprehensive Plan as authorized by Chapter 213 of the Texas Local Government Code so as to revise the thoroughfare plan; providing a savings and severability clause; and providing an effective date of May 1, 2020. (ENGINEERING SERVICES) (10071)

MISCELLANEOUS

39. Consider a motion appealing the Building Official's denial of a sign permit application by Ginamarie Soto, on Lot 5A, Block 33, Northgate Addition, Section

15, City and County of Midland, Texas (generally located on the northwest corner of the intersection of North Midland Drive and West Loop 250 North). (DEVELOPMENT SERVICES) (040-2020)

EXECUTIVE SESSION

40. 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 551.072, Deliberation Regarding Real Property
 - a.1. Discuss the purchase, exchange, lease, or value of real property described as an 11.72 acre tract located in Section 13, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

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.