

****UNOFFICIAL AGENDA RESULTS****

AGENDA FOR CITY COUNCIL MEETING
January 14, 2020 – 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 Nathan Headrick, Midland Church of God
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Recognition of the 2019 Christmas Parade Float Winners.
 - b. Receive a presentation from Midland Retired Seniors Volunteer Program.
 - c. Presentation of a Proclamation for Crime Stoppers Month.
 - d. Presentation of a Proclamation for Martin Luther King Jr. Day of Service.

CONSENT AGENDA

4. Consider a motion approving the following minutes:

APPROVED

- a. Regular meeting of December 10, 2019.

APPROVED

- b. Special meeting of December 17, 2019.

APPROVED

5. Consider a resolution authorizing the City Treasurer to write off as uncollectible certain delinquent accounts for Emergency Medical Services receivables and Health Department receivables. (FINANCE) (2020 - 001)

APPROVED

6. Consider a resolution casting the City of Midland's votes for Directors of the Midland Central Appraisal District for Robert McNaughton; and directing the City Manager to file the appropriate documents. (FINANCE) (2020 - 002)

APPROVED

7. Consider a resolution authorizing the City Treasurer to write off as uncollectible certain delinquent accounts for water, sewer, and sanitation services. (FINANCE) (2020 - 003)

APPROVED

8. Consider a resolution authorizing the execution of a change order to the contract with Speedcrete, Inc., regarding the Community Development Block Grant Sidewalk Improvements Project-Phase II; said change order to provide for additional work based on the unit prices in the contract. (PURCHASING) (2020 - 004)

APPROVED

9. Consider a resolution awarding a contract for the Fiscal Year 2020 Crack Fill Project to Champion Infrastructure, LLC of Georgetown, Texas, at a total cost not to exceed \$270,320.00; and authorizing payment therefor. (PURCHASING) (2020 - 005)

APPROVED

10. Consider a resolution awarding a contract for the Fiscal Year 2020 Drainage System Mowing, Median Maintenance and Tree Trimming Project to Slateco, Inc. of Farwell, Texas, at a total cost not to exceed \$279,106.96; and authorizing payment therefor. (PURCHASING) (2020 - 006)

APPROVED

11. Consider a resolution approving the purchase of two (2) full-size three-quarter (3/4) ton extended cab and chassis trucks and one (1) full-size single-axle cab and chassis truck from Randall Reed's Prestige Ford, of Garland, Texas. (PURCHASING) (2020 - 007)

APPROVED

12. Consider a resolution approving the purchase of three (3) 2-3 cubic-yard dump bodies and two (2) utility service body beds with cranes from Randal Reed's Prestige Ford of Garland, Texas. (PURCHASING) (2020 - 008)

APPROVED

13. Consider a resolution authorizing the purchase of various amounts of spring and fall seed for the Plant Farm and the Spraberry Farm from Helena Agri-Enterprises, LLC, of Stanton, Texas, at a total cost of \$274,501.90. (PURCHASING) (2020 - 009)

APPROVED

14. Consider a resolution authorizing the purchase of herbicide for the Spraberry Farm from Helena Agri-Enterprises, LLC of Stanton, Texas, at a total cost of \$149,800.40. (PURCHASING) (2020 - 010)

APPROVED

15. Consider a resolution approving the purchase of Isilons for the Police Department and main data storage from GTS Technology Solutions, Inc., through the Texas Department of Information Resources at a total cost of \$425,804.28. (PURCHASING) (2020 - 011)

APPROVED

16. Consider a resolution approving the purchase of replacement hardware for the Primary Data Center from GTS Technology Solutions, Inc., through the Texas Department of Information Resources at a total cost of \$591,019.71 for the Communication and Information Systems Department. (PURCHASING) (2020 - 012)

APPROVED

17. Consider a resolution approving the purchase of Traffic Signal Poles for three road construction projects from Consolidated Traffic Controls, Inc. through the Houston-Galveston area Council at a total cost of \$122,962.00. (PURCHASING) (2020 - 013)

APPROVED

18. Consider a motion approving the issuance of a request for bids for the sale of real property described as a 0.482 acre tract out of Block 176, Lots 13 through 18, Southern Addition, City of Midland, Midland County, Texas, (generally described as 101 East Florida Avenue) and also known as the Flash Tax office building for the General Services Department. (PURCHASING) (001-2020)

APPROVED

19. Consider a resolution authorizing the execution of a tax abatement agreement with Colorado Street Hotel Development, LLC as authorized by Chapter 312 of the Texas tax Code (the "Agreement") regarding Lots five (5), six (6), seven (7) and eight (8), Block thirty-five (35), Original Town, City and County of Midland, Texas (the "Property"); said property being located within Tax Abatement Investment Zone Number 2018-01 (the "Reinvestment Zone"); said reinvestment zone being located at the northeast corner of the intersection of North Big Spring Street and West Texas Avenue; the owner of the land located within the property being the City of Midland; the owner of the improvements to be constructed on the property being Colorado Street Hotel Development, LLC; the applicant for tax abatement being Colorado Street Hotel Development, LLC; the improvements included in the agreement being generally described as a full-service, upscale hotel, ground floor retail and restaurant space, and ballroom space; the estimated cost of said improvements being not less than \$50,000,000.00; and directing the City Manager to deliver a written notice of the City's intention to enter into the agreement, or ensure that such a notice has been delivered, to the presiding officer of the governing body of each appropriate taxing unit at least seven days prior to the execution of the agreement. (CITY ATTORNEY'S OFFICE) (2020 - 014)

APPROVED

20. Consider a motion authorizing the City Manager to receive donations from Permian Lodging of Spring, Texas in the amount of \$1,500.00. (DEVELOPMENT SERVICES) (002-2020)

APPROVED

21. Consider a motion approving the expenditure of funds for the development and implementation of reporting software from Adventos Corporation. (POLICE) (003-2020)

APPROVED

22. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Targa Pipeline Mid-Continent WestTex LLC, regarding City-owned property described as Section 44, Block 38, Township-1-South, T&P RR. Co. Survey, Midland County, Texas. (UTILITIES) (2020 - 015)

APPROVED

23. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and SCM Water, LLC, regarding City-owned property described as Sections 13, 17, 18 and 19, Block C23, Public

School Land Survey, Winkler County, Texas. (UTILITIES) (2020 - 016)

APPROVED

24. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Endeavor Energy Resources, L.P., regarding City-owned property described as Section 5, Block 38, Township-2-South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES) (2020 - 017)

APPROVED

SECOND READINGS

25. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to rezone Lots 15 and 16, Block 1, Eastover Addition, City and County of Midland, Texas, from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District (generally located at the southeast corner of the intersection of East Illinois Avenue and North Adams 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 December 10, 2019) (10029)

SECOND READING APPROVED

26. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to rezone Lot 6, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas, from PD, Planned Development District for a shopping center to an amended PD, Planned Development District for a shopping center (generally located on the south side of West Loop 250 North, approximately 389 feet east of Boulder 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 December 10, 2019) (10031)

SECOND READING APPROVED

27. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to grant a Specific Use Designation with Term for a 7,700-square foot portion of Lot 7, less the west five feet, and Lots 8 through 10, Block 20, Belmont Addition, City and County of Midland, Texas, (generally located northeast of the intersection of Rankin Highway and West Francis Avenue), which is presently zoned RR, Regional Retail District, allowing said property to be used for the sale of all alcoholic

beverages in a bar for on-premises consumption; making said designation 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 December 10, 2019) (10032)

SECOND READING APPROVED

28. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to rezone Lot 3, Block 6, Moody Addition, City and County of Midland, Texas, from LI, Light Industrial District to SF-3, Single-Family Dwelling District (generally located on the west side of North Lee Street, approximately 122 feet south of Houston 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 December 10, 2019) (10033)

SECOND READING APPROVED

29. Consider an ordinance on second reading amending Title XI, "Planning and Development", Chapter 1, "Zoning Ordinance", Section 9.02, "Zoning Text and Map Amendments" of the City Code of Midland, Texas, by adding Subsection G, "Limitation on Reapplication" so as to establish a limitation on reapplication for a zoning map amendment; 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 December 10, 2019) (10037)

SECOND READING APPROVED

30. Consider an ordinance on second reading granting a special exception for Lot 3, Block 1, Brookshire Village, City and County of Midland, Texas, (generally located on the east side of Perry Street, approximately 182 feet north of West Wadley Avenue), by permitting a reduced minimum front yard setback; 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) (First reading held on December 10, 2019) (10038)

SECOND READING APPROVED

31. Consider an ordinance on second reading adopting a site plan for the

south half of Block 23, Gardens Addition, City and County of Midland, Texas, (generally located at the northwest corner of Ward Street and West Ohio Avenue); subject to certain 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. (DEVELOPMENT SERVICES) (First reading held on December 10, 2019) (10039)

SECOND READING APPROVED

PUBLIC HEARINGS

32. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone a 19.70-acre tract of land out of Section 30, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, from SF-1, Single-Family Dwelling District, in part, and MF-22, Multiple-Family Dwelling District, in part, to MF-16, Multiple-Family Dwelling District (generally located on the south side of Princeton Avenue, approximately 824 feet west of North 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) (10040)

First Reading Approved

33. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 11, Block 59, Park Avenue Heights 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 south side of East Pennsylvania Avenue, approximately 99 feet west of South Tyler 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) (10041)

First Reading Approved

34. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to grant a Specific Use Designation with Term for a 3,210-square foot portion of Lot 33C, Block 3, Briarwood Addition, Section 16, City and County of Midland, Texas, (generally located on the north side of Briarwood Avenue, approximately 185 feet west of North Midland Drive), which is presently zoned PD, Planned Development District for a Shopping Center, allowing said property to be used for the sale of all alcoholic beverages in a lounge for on-premises consumption; making said designation 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) (10042)

First Reading Approved

35. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to grant a Specific Use Designation with Term for a 3,985-square foot portion of Lot 1A, Block 11, Kimber-Lea, Section 11, City and County of Midland, Texas, (generally located at the northeast corner of the intersection of Maxwell Drive and North Midkiff Road), which is presently zoned RR, Regional Retail District, allowing said property to be used for the sale of all alcoholic beverages in a restaurant for on-premises consumption; making said designation 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) (10043)

First Reading Approved

36. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone a 23.66-acre tract of land out of Section 11, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas, from AE, Agricultural Estate District to PD, Planned Development District for a Housing Development (generally located approximately 1,024 feet south of West Interstate 20 and approximately 2,083 feet west of South County Road 1235); 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) (10044)

First Reading Approved

37. Hold a public hearing regarding the proposed granting of oil and gas well permits to Diamondback E&P LLC, for the drilling of oil and gas wells, being BILLINGS UNIT 807WA located 310 feet from the south line and 1,432 feet from the east line, BILLINGS UNIT 808LS located 309 feet from the south line and 1,373 feet from the east line, BILLINGS UNIT 808WB located 310 feet from the south line and 1,393 feet from the east line and BILLINGS UNIT 819MS located 310 feet from the south line and 1,413 feet from the east line, Section 8, Block 39, T-1-S, T&P RR. CO. Survey, City and County of Midland, Texas, (said wells are generally located between 409 and 410 feet north of Green Tree Boulevard extension and between 1,373 and 1,432 feet west of North Midkiff Road extension). This is a public hearing only. (Development Services) (004-2020)

38. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 1, Block 43, South Park Addition, City and County of Midland, Texas, from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District (generally located at the southwest corner of the intersection of East Hicks Avenue and South Dallas 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) (10045)

First Reading Approved

39. Hold a public hearing and consider an ordinance granting a special exception for Lot 3, less the south 10 feet, Block 26, Moody Addition, City and County of Midland, Texas, (generally located on the west side of North Tyler Street, approximately 100 feet south of East Texas Avenue), by permitting a reduced minimum lot width; 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) (10046)

First Reading Approved

MISCELLANEOUS

40. Consider an ordinance amending Title I, "Administrative", Chapter 5, "City Manager" of the City Code of Midland, Texas, by establishing Section 7, "Authority to Grant Reasonable Accommodations" so as to authorize the City Manager to grant reasonable accommodations as required by applicable laws; providing an appeal procedure; containing a cumulative clause; containing a savings and severability clause; and ordering publication. (CITY MANAGER'S OFFICE) (10047)

First Reading Approved

41. Consider a motion to receive and file the schedule for 2019/2020 Action Plan application cycle. (DEVELOPMENT SERVICES) (005-2020)

APPROVED

42. Consider an ordinance changing the name of the portion of Ironwood Drive that is adjacent to Lot 12, Block 12, and Lot 1, Block 13, Grassland Estates West, Section 7, City and County of Midland, Texas, (generally located on the south side of the intersection of Ironwood Drive and

Mosswood Drive), to “Sinclair Avenue”; containing a cumulative clause; containing a savings and severability clause; and directing the City Secretary to send the Midland Emergency Communications District a certified copy of this ordinance. (ENGINEERING SERVICES) (10048)

First reading approved

43. Consider a motion making appointments to various Boards and Commissions.

Appointments made

PUBLIC COMMENT

44. 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

45. 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.
 - b. Section 551.071, Consultation with the City Attorney
 - b.1. Discuss matters in which the duty of the attorney(s) to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code.

Respectfully Submitted,

Courtney B. Sharp
City Manager