AGENDA FOR CITY COUNCIL MEETING
300 North Loraine
Midland, Texas
January 8, 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 - Monsignor Larry Droll - St. Ann's Parish

2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:

    a. Presentation of Proclamation for National School Choice Week.

    b. Presentation of the 2018 Management Awards.

    c. Recognition of the 2018 Christmas Parade Float Winners

CONSENT AGENDA

4. Consider a motion approving the following minutes:

    a. Special City Council Meeting of December 3, 2018

    b. Regular City Council Meeting of December 11, 2018

    c. Special City Council Meeting of December 11, 2018

    d. Special City Council Meeting of December 18, 2018

5. Consider a resolution authorizing the City Treasurer to write off as uncollectible certain delinquent accounts for water, sewer, and sanitation services. (FINANCE) (2019 - 001)

6. Consider a resolution authorizing the City Treasurer to write off as uncollectible certain delinquent accounts for weedy lot accounts receivable. (FINANCE) (2019 - 002)

7. Consider a resolution approving and authorizing publication of notice of intention to issue Series 2019 Certificates of Obligation in an amount not to exceed twenty-five million and no/100 dollars ($25,000,000.00). (FINANCE) (2019 - 003)

8. Consider a resolution rejecting all proposals and authorizing the re-issuance of a request for proposals for the Fiber Connectivity Project. (PURCHASING) (2019 - 004)

9. Consider a resolution awarding a contract for the Fiscal Year 2019 Micro-Surfacing and/or Slurry Seal Project to Intermountain Slurry Seal, Inc. of North Salt Lake, Utah, at a total cost of $2,442,751.05; and authorizing payment therefor. (PURCHASING) (2019 - 005)

10. Consider a resolution approving the purchase of thirty-three (33) DSR 2x Radar Units with Fast Lock Remote and Accessories from Applied Concepts, Inc., through the Houston-Galveston Area Council at a total cost of $96,112.50. (PURCHASING) (2019 - 006)

11. Consider a resolution awarding a contract for pump and motor maintenance to Evans Enterprises, Inc., in the annual amount of $1,226,000.00. (PURCHASING) (2019 - 007)

12. Consider a resolution awarding a contract for the Midway Lift Station and Force Main Project to TEC Excavation, Inc., at a total cost of $1,709,093.75. (PURCHASING) (2019 - 008)

13. Consider a resolution approving the purchase of two hundred five (205) Getac laptops and accessories for the Police and Fire Departments from SHI Government Solutions, Inc., through the Texas Department of Information Resources at a total cost of $836,015.00 for the Communication and Information Systems Department. (PURCHASING) (2019 - 009)

14. Consider a resolution authorizing the execution of a purchase and sale agreement with Ausbilt, LLC, regarding the conveyance of City-owned real property described as Lot One-A (1A), Block Forty-One (41), Old Town Addition, an Addition to the City of Midland, Midland County, Texas. (PURCHASING) (2019 - 010)

15. Consider a resolution approving the Midland Development Corporation's appropriation of $1,409,006.95 from the Fiscal Year 2017-2018 Budget to be used for promotional purposes, as authorized by Chapter 504 of the Texas Local Government Code. (CITY MANAGER'S OFFICE) (2019 - 011)

16. Consider a resolution authorizing an additional economic incentive payment of $225,000.00 to Permian Basin Public Telecommunications, Incorporated, doing business as Basin PBS ("PBS") under the economic development agreement by and between the Midland Tax Increment Reinvestment Zone No. 1 and PBS and approved by the City of Midland; said additional economic incentive payment being subject to certain conditions being satisfied no later than January 31, 2020. (DEVELOPMENT SERVICES) (2019 - 012)

17. Consider a motion on a proposed Preliminary Plat of The Vineyard Addition, Section 13 being a 309.21-acre tract of land out the west half of Section 13, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, (generally located on the northeast corner of the intersection of Mockingbird Lane and Avalon Drive). (Planning Admin) (001 - 2019)

18. Consider a resolution authorizing the execution of a right-of-way license between the City of Midland and Longwood Midstream Delaware, LLC, regarding City-owned property described as Sections 5, 6, 7 and 12, Block C-24, A-1023, PSL Survey, Loving County, Texas. (UTILITIES) (2019 - 013)

SECOND READINGS

19. 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 7, Block 17, Skyline Terrace, Unit 7, 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 south side of West Loop 250 North, approximately 220 feet west of North Midkiff Road); 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 11, 2018.) (9857)

20. Consider an ordinance on second reading granting a special exception for Lot 12, Block, 1, Grandridge Estates Addition, City and County of Midland, Texas, (generally located at the northwest corner of the intersection of Blake Drive and Trennon Place), by permitting a reduced setback for the side yard adjacent to Blake 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); ordering recordation by the City Secretary in the deed records of Midland County, Texas; and ordering publication. (DEVELOPMENT SERVICES) (First reading held December 11, 2018.) (9858)

21. 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 1.03-acre tract of land out of Section 8, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned IP,

Industrial Park District, to be used as an LR-2, Local Retail District, (generally located on the east side of South Farm-to-Market Road 1788, approximately 2,410 feet north of State Highway 80); 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 11, 2018.) (9859)

22. 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 14.18-acre tract of land out of Sections 7 and 8, and a 15.81-acre tract of land out of Section 8, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas, which are presently zoned FD, Future Development District, to be used as an LR-2, Local Retail District, in part, and as an IP, Industrial Park District, in part, (generally located at the northeast corner of the intersection of Loop 40 and South Farm-to-Market Road 1788); 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 11, 2018.) (9860)

23. Consider an ordinance on second reading extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City limits, being a 123.28-acre tract of land out of Sections 37 and 48, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, (generally located approximately 703 feet west of the intersection of Tradewinds Boulevard and Thomason Drive); approving a public service plan; ordering publication; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (First reading held December 11, 2018.) (9861)

24. Consider an ordinance on second reading extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City limits, being a 25.410-acre tract of land out of Section 38, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, (generally located approximately 896 feet south of State Highway 191 and approximately 1,020 feet west of Avalon Drive); approving a public service plan; ordering publication; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (First reading held December 11, 2018.) (9862)

25. Consider an ordinance on second reading of the City of Midland, Texas, designating a 0.87-acre tract of land out of Lots 4, 5 and 6 and the rights-of-way adjacent thereto, Block 34, Original Town Addition, City and County of Midland, Texas, (generally located at the northwest corner of the intersection of North Big Spring Street and West Texas Avenue), as tax abatement reinvestment zone number 2018-02, for commercial and industrial tax abatement, as authorized by Chapter 312 of the Texas Tax Code; establishing the boundaries thereof and other matters relating thereto; declaring findings of fact; and providing a savings

and severability clause. (DEVELOPMENT SERVICES) (First reading held December 11, 2018.) (9863)

26. Consider an ordinance on second reading of the City of Midland, Texas, designating a 6.11-acre tract of land out of Blocks 88 and 93 and the rights-of-way adjacent thereto, Original Town Addition, City and County of Midland, Texas, (generally located at the southwest corner of the intersection of South Big Spring Street and West Missouri Avenue), as tax abatement reinvestment zone number 2018-03, for commercial and industrial tax abatement, as authorized by Chapter 312 of the Texas Tax Code; establishing the boundaries thereof and other matters relating thereto; declaring findings of fact; and providing a savings and severability clause. (DEVELOPMENT SERVICES) (First reading held December 11, 2018.) (9864)

27. Consider an ordinance on second reading making certain amendments to the 2017-2018 Fiscal Year budget so as to increase amounts appropriated to certain funds. (FINANCE) (First reading held December 11, 2018.) (9865)

PUBLIC HEARINGS

28. Hold a public hearing and consider an ordinance vacating and abandoning a 0.71-acre portion of a public access easement located adjacent to Lots 13, 17 and 18, Block 2, Green Hill Terrace, and Lot 14A, Block 2, Green Hill Terrace, Section 15, City and County of Midland, Texas, (generally located approximately 153 feet south of Widener Strip, between Keenland Drive and Holiday Hill Road); adopting the appraisal by the City Manager of $14,200.00; retaining a nonexclusive utility easement; and ordering recordation by the City Secretary. (Planning Admin) (9866)

29. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot I, Tract 7, Stockard Acres, City and County of Midland, Texas, (generally located on the north side of Carter Avenue, approximately 256 feet west of Goode Street), which is presently zoned C-3, Commercial District, by permitting said property to be used under a specific use permit without term for a kennel; 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) (9867)

30. Hold a public hearing regarding the proposed granting of oil and gas well permits to Permian Deep Rock Oil Co., LLC, for the drilling of oil and gas wells, being Rebel #H130LS located 110 feet from the south line and 290 feet from the east line, Rebel #H130MS located 110 feet from the south line and 260 feet from the east line, Rebel #H130WB located 110 feet from the south line and 230 feet from the east line, Rebel #H135SS located 110 feet from the south line and

1,090 feet from the east line, Rebel #H135WA located 110 feet from the south line and 1,060 feet from the east line, Rebel #H140LS located 110 feet from the south line and 1,180 feet from the east line, Rebel #H140MS located 110 feet from the south line and 1,150 feet from the east line, Rebel #H140WB located 110 feet from the south line and 1,120 feet from the east line, Rebel #H145SS located 110 feet from the south line and 1,371 feet from the east line, and Rebel #H145WA located 110 feet from the south line and 1,340 feet from the east line, Section 2, Block 39, T-2-S, T&P RR. CO. Survey, City and County of Midland, Texas, (said wells are generally located between 230 and 1,371 feet west of South Lamesa Road and 170 feet south of I-20). This is a public hearing only. (Planning Admin) (002 - 2019)

31. Hold a public hearing regarding the proposed granting of oil and gas well permits to Permian Deep Rock Oil Co., LLC, for the drilling of oil and gas wells, being Rebel #H150LS located 110 feet from the south line and 1,792 feet from the east line, Rebel #H150MS located 110 feet from the south line and 1,762 feet from the east line, Rebel #H155SS located 110 feet from the south line and 2,092 feet from the east line, Rebel #H160LS located 110 feet from the south line and 2,452 feet from the east line and Rebel #H160MS located 110 feet from the south line and 2,422 feet from the east line Section 2, Block 39, T-2-S, T&P RR. CO. Survey, City and County of Midland, Texas, (said wells are generally located between 1,762 and 2,452 feet west of South Lamesa Road and 170 feet south of I-20). This is a public hearing only. (Planning Admin) (003- 2019)

32. Hold a public hearing regarding the proposed granting of oil and gas well permits to Permian Deep Rock Oil Co., LLC, for the drilling of oil and gas wells, being Mustang #H110LS located 110 feet from the south line and 2,306 feet from the west line and Mustang #H110MS located 110 feet from the south line and 2,336 feet from the west line, Section 2, Block 39, T-2-S, T&P RR. CO. Survey, City and County of Midland, Texas, (said wells are generally located between 2,306 and 2,336 feet east of Rankin Highway and 170 feet south of I-20). This is a public hearing only. (Planning Admin) (004 - 2019)

33. Hold a public hearing and consider an ordinance granting a special exception for Lots 37 and 38, Block 5, Midkiff Plaza Addition, City and County of Midland, Texas (generally located on the north side of Tealwood Place, approximately 230 feet east of Whitney Drive), by permitting a reduced 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) (9868)

34. Hold a public hearing and consider an ordinance establishing the zoning classification of the area indicated as being a 123.28-acre tract of land out of Sections 37 and 48, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, as a 1F-3, One-Family Dwelling District; said tract being generally located

approximately 703 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) (9869)

35. Hold a public hearing and consider an ordinance establishing the zoning classification of the area indicated as being a 3.199-acre tract of land and a 5.266-acre tract of land out of Section 38, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, as an LR-2, Local Retail District; said tract being generally located approximately 896 feet south of State Highway 191 and approximately 1,020 feet west of Avalon 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) (9870)

36. Hold a public hearing and consider an ordinance establishing the zoning classification of the area indicated as being a 16.946-acre tract of land out of Section 38, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, as a PD, Planned District for a housing development; said tract being generally located approximately 1,081 feet south of State Highway 191 and approximately 1,020 feet west of Avalon 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) (9871)

37. Hold a public hearing and consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City limits, being a 21.30-acre tract of land and a 6.975-acre tract of land out of Section 38, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas (generally located approximately 688 feet south of State Highway 191 and approximately 2,287 feet west of Avalon Drive); approving a public service plan; ordering publication; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9872)

38. Hold a public hearing and consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City limits, being a 28.84-acre tract of land out of Section 8, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas (generally located at the southeast corner of the intersection of South Farm-to-Market Road 1788 and Loop 40); approving a public service plan; ordering publication; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9873)

39. 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 Lot 1, Tract 4, Wallace Heights Addition, 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 northeast corner of the intersection of Bates Street and Andrews Highway); 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) (9874)

40. Hold a public hearing and consider an ordinance vacating and abandoning a 0.907-acre portion of east Taylor Avenue right-of-way out of Section 1, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas, (generally located approximately 732 feet south of Garden City Highway, approximately 711 feet east of King Street, and approximately 312 feet west of South Fairgrounds Road); adopting the appraisal by the City Manager of $27,210.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9875)

41. 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 Lot 1, Block 5, Hollandale Heights Addition, Resubdivision of Blocks 3-9, City and County of Midland, Texas, which is presently zoned O-1, Office District, to be used as an MF-2, Multiple-Family Dwelling District, (generally located at the northwest corner of the intersection of North Carver Street and East Dormard 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) (9876)

42. Hold a public hearing and consider an ordinance adopting a site plan for Lot 1, Block 5, Hollandale Heights Addition, Resubdivision of Blocks 3-9, City and County of Midland, Texas, (generally located at the northwest corner of the intersection of North Carver Street and East Dormard 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) (9877)

MISCELLANEOUS

43. Consider a motion directing staff to begin the annexation of a 126.162-acre tract located in Section 13, Block 40, T-1-S, T&P RR Co. Survey, and a 13.537-acre tract located in Section 13, Block 40, T-1-S, T&P, RR Co. Survey, Midland County, Texas, (generally located approximately 2,630 feet east of the intersection of Mockingbird Lane and Holiday Hill Road.) (DEVELOPMENT SERVICES) (005-2019)

44. Consider a resolution of no objection to VCZ Development, LLC's application to the Texas Department of Housing and Community Affairs for 9% competitive housing tax credits for the construction of approximately seventy-two units generally located near 1301 East Dormard Avenue in Midland, Texas. (DEVELOPMENT SERVICES) (2019 - 014)

45. Consider a resolution of the City Council of the City of Midland, supporting the proposed rehabilitation of Chaparral Apartments and confirming that the City shall provide a loan, grant, reduced fee or contribution of $500.00 for such development; the applicant is MJL Acquisitions IX, LLC, an affiliate of the Michaels Organization; the proposed development is located at 4201 North Garfield Street, Midland, Texas 79705; providing an effective date; and authorizing and directing the City Secretary to certify the resolution to the Texas Department of Housing and Community Affairs. (DEVELOPMENT SERVICES) (2019 - 015)

46. Consider a motion appointing a Mayor Pro Tempore.

47. Consider a motion authorizing the City Manager to take all action necessary for the design and construction of improvements and enhancements to the intersection of West Cuthbert Avenue and North Garfield Street, including (1) acquiring necessary real property interests, (2) issuing necessary requests for qualifications, proposals or bids, and (3) authorizing payment of necessary costs in connection with the foregoing; provided, however, that the award of any contract for design or construction work must be approved by the City Council. (Legal) (006-2019)

PUBLIC COMMENT

48. 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

49. 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 551.072 Deliberation Regarding Real Property.

b.1. Discuss the purchase, exchange, lease, or value of real property described as Lot 1, Block A1, Johnson and Moran Addition, and Lots 5 and 6, Block 2, University Park Addition, 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.