

**MIDLAND CITY COUNCIL
MINUTES
January 14, 2020**

BRIEFING SESSION

The City Council convened in a Briefing Session in the basement conference room, City Hall, Midland, Texas, at ____ a.m. on January 14, 2020.

Council Members present: Mayor Patrick Payton, Mayor Pro Tem Spencer Robnett (At-Large), Council Member Michael Trost (At-Large), Council Member Scott Dufford (District 1), Council Member John B. Love III (District 2), Council Member Jack Ladd (District 3), and Council Member Lori Blong (District 4).

Council Members absent: None.

Staff members present: City Manager Courtney Sharp, City Attorney John Ohnemiller, Assistant City Manager Robert Patrick, Assistant City Manager Morris Williams, Assistant to the City Manager Marcia Bentley-German, City Secretary Amy Turner, Police Chief Seth Herman, Fire Chief Chuck Blumenauer, Utilities Director Carl Craigo, Administrative Services Director Mark Widmann, Interim Finance Director Jennifer Fung, Development Services Director Charles Harrington, Community Services Director Tina Jauz, Engineering Services Director Jose Ortiz, Director of Airports Justine Ruff, General Services Director Regina Stephenson, Chief Information Officer Jennifer Frescaz, Solid Waste Director Jeffery Ahrlett, Planning Division Manager Cristina Odenborg, Building Official Jeff Pinkstaff, and Public Information Officer Erin Bailey.

Mayor Payton called the meeting to order at ____ a.m.

The foregoing agenda items were discussed by the City Council with no formal action taken. The Briefing Session was adjourned at ____ a.m.

REGULAR SESSION

The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., January 14, 2020.

Council Members present: Mayor Patrick Payton, Mayor Pro Tem Spencer Robnett (At-Large), Council Member Michael Trost (At-Large), Council Member Scott Dufford (District 1), Council Member John B. Love III (District 2), Council Member Jack Ladd (District 3), and Council Member Lori Blong (District 4).

Council Members absent: None.

Staff members present at the annex table: City Manager Courtney Sharp, City Attorney John Ohnemiller, Assistant City Manager Robert Patrick and Assistant City Manager Morris Williams.

The Agenda Items were heard in the following order:

Mayor Morales called the meeting to order at __ a.m.

OPENING ITEMS

cto 10 a.m.

1. Invocation - Pastor Nathan Headrick, Midland Church of God
2. Pledge of Allegiance

PRESENTATIONS

- a. Joey Jolly presented Christmas Parade Best Lighted 3rd Place - American Legion Post #19: 2nd Midland Memorial Hospital Lab; 1st Place Pioneer Natural Resources; Best Light Band - Goddard Jr High Band; Best theme Float Aloha O Hawaii
 - b. Midland Retired Senior Volunteer Program presented a representative of a check in the amount of \$2, 107,485.82 value of volunteer hours. 82874 hours by 590 senior volunteers . volunteer at 40 agencies meals on wheels habitat, schools, symphony soup kitchens, need ot read.
 - c. Mayor Payton presented Crime Stoppers
 - d. Love presented MLK
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. Approved a motion approving the following minutes:

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

- a. Regular meeting of December 10, 2019.

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

b. Special meeting of December 17, 2019.

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

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

RESOLUTION NO. 2020 - 001

RESOLUTION AUTHORIZING THE CITY TREASURER TO WRITE OFF AS UNCOLLECTIBLE CERTAIN DELINQUENT ACCOUNTS FOR EMERGENCY MEDICAL SERVICES RECEIVABLES AND HEALTH DEPARTMENT RECEIVABLES

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

6. Approved a resolution allocating the City of Midland's authorized votes for MCAD Board of Directors. (FINANCE)

RESOLUTION NO. 2020 - 002

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

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

7. Approved a resolution authorizing the Water, Sewer and Sanitation write offs for 2019. (FINANCE)

RESOLUTION NO. 2020 - 003

RESOLUTION AUTHORIZING THE CITY TREASURER TO WRITE OFF AS UNCOLLECTIBLE CERTAIN DELINQUENT ACCOUNTS FOR WATER, SEWER, AND SANITATION SERVICES

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

8. Approved a resolution amending the scope of the City of Midland Community Development Sidewalk Improvement Project: Sidewalks and Pedestrian Ramps contract for the Community Development Division. (PURCHASING)

RESOLUTION NO. 2020 - 004

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

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

9. Approved a resolution awarding a contract to Champion Infrastructure, LLC. for the Crack Fill Project for the Transportation Division. (PURCHASING)

RESOLUTION NO. 2020 - 005

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

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

10. Approved a resolution awarding a contract to Slateco, Inc. for the FY 2020 Drainage System Mowing, Median Maintenance and Tree Trimming Project for the Transportation Division. (PURCHASING)

RESOLUTION NO. 2020 - 006

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

Trost where is Farwell. by Herfer. Trost have local bidder what happened not

competitive. Regina they go outid. almost 100,000 off. 5% rule way outside.

Council Member Love moved to adopt Resolution No. 2020 - 006; seconded by Council Member Robnett.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

11. Approved a resolution approving the purchase of two (2) Full size $\frac{3}{4}$ ton extended cab and chassis trucks and one (1) Full size single axle cab and chassis to be used by the Animal Services Division for the Garage Division. (PURCHASING)

RESOLUTION NO. 2020 - 007

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

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

12. Approved a resolution approving the purchase of three (3) 2-3 cubic yard dump bodies and two (2) utility service body beds with cranes for the Garage Division. (PURCHASING)

RESOLUTION NO. 2020 - 008

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

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

13. Approved a resolution approving the purchase of fall and spring seed from the sole bidder, Helena Agri-Enterprises LLC for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2020 - 009

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

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19;

seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

14. Approved a resolution approving the purchase of herbicide for the Spraberry Farm for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2020 - 010

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

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

15. Approved a resolution approving the purchase of Isilons for Police Department and main data storage from GTS Technology Solutions, Inc. through Department of Information Resources (DIR) contract DIR-TSO-4299 for the Communication and Information Systems Department. (PURCHASING)

RESOLUTION NO. 2020 - 011

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

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

16. Approved a resolution approving the purchase of replacement hardware for the Primary Data Center through Department of Information Resources (DIR) contract DIR-TSO-4299 for the Communication and Information Systems Department. (PURCHASING)

RESOLUTION NO. 2020 - 012

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

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

17. Approved a resolution approving the purchase of Traffic Control and Signal Preemption Equipment from Consolidated Traffic Controls, Inc. through Houston Galveston Area Council Buy (HGACBuy) Contract PE-05-17 for a cost of \$122,962.00 for the Traffic Division. (PURCHASING)

RESOLUTION NO. 2020 - 013

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

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

18. Approved 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)

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

19. Approved a resolution authorizing the execution of a Chapter 312 Tax Abatement Agreement between the City of Midland and Colorado Street Hotel Development, LLC, regarding Lots Five (5), Six (6), Seven (7), and Eight (8), Block Thirty-Five (35), Original Town Addition, City and County of Midland, Texas. (CITY ATTORNEY'S OFFICE)

RESOLUTION NO. 2020 - 014

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 REINVESTMENT 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

Kimberly Crisp, appreciate rep district 2, at last council meeting last year 2.5 econ dev incentives with this hotel passed 4-2 now 5 out of 7 either vote against or did not vote as proejct gets underway all 7 held equally of how the vote went to see who approved. article written published 12/8 specif of proejct. 12/9 mdc meejting couni 12/10 tax payers not given adequate time to evaluate unheard and unrepresented. In light of this and magnitude of project fact voters did not have opportunity to wait oposition. Robnet answer is elections. We get this questions a lot of big projects that is why have elected officials to handle business. elections are very importnat to making big decisions like this. end quaote. ask robnett and dufford recall as catalyst for recall 25registered more than 550 signatures a day don't expect recall to go through. giving citiznes opprotunity to do what didn't. Ask council today to denay and not offer this tax abatement not will of residents council job to represent to best of ability. Dufford been 5 weeks since 1st voted on hotel heard nthing but positive feedback. nothing but great positive feedback sorry disagreeuy. Robnett stand by comment severy bit of information to proceed with recall electiion.

Trost pulled in keeping with belief not highest and best using only pulling to bring up to vote to renew objection.

Council Member Robnett moved to adopt Resolution No. 2020 - 014; seconded by Council Member Dufford.

Blong what would be consequence of voting no. John O master development agreement included tax abatement as exhibit. City has committed to tax abatement through tax abatement agreement. State law passed 30 days notice prior to approving tax abatement itming of deal to provide 30 days notice to get on december agenda. Trost 10 years max of 100% incremental increase of prroperty value. Trost don't know what that will be any projections. Robert about \$1 million year (Robnett) anticipated. John this is only City

The motion carried by the following vote: AYE: Blong, Payton, Dufford, Robnett, Ladd. NAY: Trost, Love. ABSTAIN: None. ABSENT: None.

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)

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

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

RESOLUTION NO. 10047

Approved a motion approving the expenditure of funds for the development and implementation of reporting software from Adventos Corporation.

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

22. Approved a resolution authorizing and executing a new Right-of-Way License to replace expiring License Number 2010-045, between the City of Midland and Atlas Pipeline Mid-Continent Westex L.L.C., now known as Targa Pipeline Mid-Continent Westex L.L.C. Said Right-of-Way License is for the continued safe operation and maintenance of a three (3) inch in diameter natural gas pipeline on City of Midland's property and to have the right to ingress and egress at convenient points for such purpose; the pipeline is located in Section 44, Block 38, Township-1-South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES)

RESOLUTION NO. 2020 - 015

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

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

23. Approved a resolution authorizing and executing a Right-of-Way License between the City of Midland and SCM Water LLC, a subsidiary of Salt Creek Midstream LLC, said Right-of-Way License is for entering the City of Midland's property for the purpose of placing, installing, constructing, operating, repairing, maintaining and removing a salt water disposal pipeline, not to exceed twelve (12) inches in diameter, and a 4,484 square foot surface area surface valve connection point and to have the right to ingress and egress at convenient points for such purpose; the pipeline is located within City of Midland property, Sections 13, 17, 18 and 19, Block C23, Public School Land Survey, Winkler County, Texas. (UTILITIES)

RESOLUTION NO. 2020 - 016

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

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

24. Approved a resolution authorizing and executing a Right-of-Way License between the City of Midland and Endeavor Energy Resources, L.P., said Right-of-Way License is for entering the City of Midland's property for the purpose of placing, installing, constructing, operating, repairing, maintaining and removing one three inch (3") private water line. Pipeline will be located within City of Midland Plant Farm property, Section 5, Block 38, Township-2-South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES)

RESOLUTION NO. 2020 - 017

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

Council Member Love moved to approve Consent Agenda items 4 - 24 excluding 10, 19; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

SECOND READINGS

25. Consider an ordinance on second reading on a request by Guadalupe and Mayra Zarate, for a zone change from MF-22, Multiple Family Dwelling District, to SF-3, Single Family Dwelling District, on Lots 15 and 16, Block 1, Eastover Addition, City and County of Midland, Texas, (generally located on the southeast corner of the intersection of East Illinois Avenue and North Adams Street). (DEVELOPMENT SERVICES) (First reading held December 10, 2019)

ORDINANCE NO. 10029

AN ORDINANCE 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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10029.

Council Member Love moved to approve the second and final reading of Ordinance No. 10029 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

26. Consider an ordinance on second reading on a request by Midland Park Anchor Parcel, LLC., for a Zone Change from a PD, Planned Development District for a Shopping Center, to an amended PD, Planned Development District for a Shopping Center on Lot 6, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas, (generally located on the south side of West Loop 250 North, approximately 389-feet east of Boulder Drive). (DEVELOPMENT SERVICES) (First reading held on December 10, 2019)

ORDINANCE NO. 10031

AN ORDINANCE 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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10031.

Council Member Robnett moved to approve the second and final reading of Ordinance No. 10031 in accordance with the Charter of the City of Midland; seconded by Council Member Love.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

27. Consider an ordinance on second reading on a request by Sergio Arias for a Specific Use Designation with term, for the sale of all alcohol beverages, for on-premises consumption, in a bar, on 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). (DEVELOPMENT SERVICES) (First reading held on December 10, 2019)

ORDINANCE NO. 10032

AN ORDINANCE 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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10032.

Council Member Love moved to approve the second and final reading of Ordinance No. 10032 in accordance with the Charter of the City of Midland; seconded by Council Member Blong.

Love Ohnemiller amended respect to time. Ladd abstaining vote

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett. NAY: None. ABSTAIN: Ladd. ABSENT: None.

28. Consider an ordinance on second reading on a request by Lilly Terrazas for a zone change from a LI, Light Industrial District to SF-3, Single-Family Dwelling District on Lot 3, Block 6, Moody Addition, City and County of Midland, Texas, (generally located on the west side of North Lee Street, approximately 122-feet south of Houston Avenue). (DEVELOPMENT SERVICES) (First reading held December 10, 2019)

ORDINANCE NO. 10033

AN ORDINANCE 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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10033.

Council Member Love moved to approve the second and final reading of Ordinance No. 10033 in accordance with the Charter of the City of Midland; seconded by Council Member Blong.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

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)

ORDINANCE NO. 10037

AN ORDINANCE 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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10037.

Council Member Love moved to approve the second and final reading of Ordinance No. 10037 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

30. Consider an ordinance on second reading on a request by Evangelina Montemayor for a Special Exception from the City of Midland Zoning Ordinance, Section 5.04 - Residential Zoning District Dimensional Regulations Chart, concerning the front yard setback on 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). (DEVELOPMENT SERVICES) (First reading held on December 10, 2019)

ORDINANCE NO. 10038

AN ORDINANCE 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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10038.

Council Member Love moved to approve the second and final reading of Ordinance No. 10038 in accordance with the Charter of the City of Midland; seconded by Council Member Blong.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

31. Consider an ordinance on second reading on a request by Family Promise of Midland, for Site Plan Approval on the south half of Block 23, Gardens Addition, City and County of Midland, Texas, (generally located on the northwest corner of Ward Street and West Ohio Avenue). (DEVELOPMENT SERVICES) (First reading held on December 10,

2019)

ORDINANCE NO. 10039

AN ORDINANCE 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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10039.

Council Member Love moved to approve the second and final reading of Ordinance No. 10039 in accordance with the Charter of the City of Midland; seconded by Council Member Trost.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

PUBLIC HEARINGS

32. Hold a public hearing and consider an ordinance on a request by Midland Community Development Corporation, for a zone change 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 on a 19.70-acre tract of land located in Section 30, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, (generally located on the south side of Princeton Avenue, approximately 824-feet west of North Midland Drive). (Development Services)

ORDINANCE NO. 10040

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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10040.

Development Services Director Chuck Harrington gave a brief overview of the item noting multi family complex. site plan attached illustrates 2 story building 200 units density 10 units per acres, includes club house, dog park, adequate park 488 spaces 242 garage. sideyard. meets code been reviewed by all departments. does meet comp plan. will provide neighborhood centers. rev by all depts no objections. approved 11/18 at p7z. received 100 loj of those 30.9% within 200 feet which is super majority vote or 6 of 7 for approval. Given additional information this morning. Already passed the super

majority requirements. Received one letter of petition. Dufford its currently zoned mf22 in 1974 so since 1974 apartment complexes could have gone on that property and could have been approved without Council approval. What is density of mf22 is 22 units per acres and they are proposing 10 units over whole area. To pack that many apts would have to go 3 stories. How many units zoned as today could be 300 units as zoned today by right Robnett, and with new zone will be 10 units per acre. It is 2 story building not building 3 story anywhere on this property. Rezone will allow 90 units less than as zoned today. Trost question on infrastructure keep seeing well water. Chuck just extend where enecessary. Love same question different if this were to be denied today by Council then applicant could go in and put more units then what asking for on this application. Chuck it could be significantly more on MF22 portion. Love applicant has good track record of doing good projects in Midland he is working with COM to put product at that location that is less restrictive than allowed by rights. Chuck this is their own things it is. Love he is sophisticated enoguh to know that is what he is doing to ensure neighborhodo integrity. Blong if site plan approved and want to change site plan caan they do that? Chuck if they revise site plan have to go back before p7z and Council to revise. Dufford if can't obtain financing iif sell property what would happen. Chuck buyer obligated to build according to site plan or to change come back to Council. John O site plan is part of the ordinance to do something outside ths cope of ord it is criminal offense. Love zoning goes back to 74 therre has been nothing on that track of land. Chuck no development.

Mayor Payton opened the public hearing at 10:29 a.m.

Andrew Mellen 1909 W Wall Maverick would like to talk about site plan adhere to all M16 zoning new ones out since July all building within 100 feet away from any property line to accomodate site distance. all 2 story. walking trail around site to accomodate site and ssurrounding neighbors open to public. central club house all infrastructure taken care of know how to get sewer and water there. It will be landscaped out. Love if denied by Council would applicant continue to try to develop property if that case everything packed in tight. We'e had other layouts in the past. Can't speak to MCDC it is a good product and best use of land. Dufford know nice development where is retention basin. Andrew centrally located and landscaped up on site. All developments have retnion basins turned into nice parks. Andrew have to irrigate or look like Mockingbird. largest about 3 acres.

MCDC Brad Bullock board member already asked questions about density and difference clarify there has been confusion about project in regard to affordability not talking about HUD financed raising from local discount rate 30-50% off market for other a class proeprtys for COM first responders, school districtt, voucher to get discount deferring to HR staff to determine how to use them. One concern neighbors had how make certain proeprty remains true to purpose of discounted property. one foundation taken lead specializes in land use restrictions to protect the integrity of the prroject. Land use partners will have to be comfortable with that. Need to raise 14M have 4.3 m committed several waiting for zone change to go througnj. key aspect walking spaces and green spaces benefit enighborhood. understand neighbors would prefer to be vacant or single family haomes but creating less density then current zoning. Blong vouchers coming from entities forthose vouchers any money be changing hand will they be paying to subsidize or simple voucher these are our epple. Not subsidizing on top of voucher. HOpe to have master leases have non bidning letters of intent for school district and hospital. Idea behind master lease if dont have popel to fill 70 units then

they will pay to keep it open. Love you made comment ensure not a HUD property and even if it was a HUD property should not bear any factor disappointed that this community associates HUD with bad people they are just people who have less money than average. Robnett if rezone not approved what will board do in way of developing property? Brad focus on MF 22 section first to develop 1f1 lots the infrastructure cost can't build on large lots and make affordable. will put 176 units on MF 22. Will be forced financially to as high as density as possible. Blong already done other multi family facilities. David Diaz 208 S marriensfeld ex dir mcdc. the other two projects hud funded 2013 similar housing crucial at that time Puebla de rouayl 611 e Int 20 high 90 % occupied since opened. At same time saw success applied for additional tax credits in 2014 and built out midland westridge senior 5200 Graceland inside Loop across from Scharber sports stadium. each about 14 m using HUD funds. Apt complexes hard to development but no blue ridge moment. excellent working relationship with city staff and play by the rules. Trost pursuant to conversation market rate when established current apt complex is going down and where baseline is when established and what was amount for baseline. CJ Edmon 3511 Joquin Lane. did market study analysis of 1-2-3- bedroom property 1 2.29 2 2.13 at 1.37 per square foot on weighted rate that is 38% below market as of 6/25/2019 that is the buffer. Has market softened yes enough that no longer attractive. will update called permin basin apartment association for updated market association to understand as it moves. Blong if market were to soften does get down to those numbers or can't fill master lease agreement would mcdc continue to manage this property. CJ if that were to occur prior to getting to finalized stage if figure out in next 3 months as gathering equity then housing issue would be solved if rents come down where affordable to first year teacher then entire market would have adjusted to solve housing market here to fix. Blong long term residents think short term fix for something that won't be long term project. CJ would have to work through to get a real specific answer still want those target people to occupy. Dufford thought through agreements with other taxing entities how long enforced. C.j. no indication of timing think 2-3 years too short. The longer the better. ONLY have letters of intent at this. Dufford indication of length of time. David started talking in 2013 about doing something affordable for our teachers. Over last 7 years probably more than 5000 apartments built to date and teachers are getting 10% discount on highest rental area in state is not affordable. Still struggling. Dufford assume most local banks are going to want to see fairly long term agreement to ensure they get their loans paid back over some period of time. David all willing to make long term fixed rate commitments. Love talk about MCDC, local not for profit builders. David MCDC officially recognized by state of Texas January of 2000. Exist because COM asked to get involved to develop affordable housing. still doing single family housing city provided over 80 lots to MCDC and 80 lots to habitat. Been success over and over again thru years. the profits generated by habitat and mcdc go right back into 80 lots. MCDC was give 80 lots and purchased another 70 lots. habitat has done about 160 houses. between 2 organizations concentrated in CDBG target areas which is District 2. The reinvestment back into those areas have paid dividends continue to do infill great success story. Trost associate with habitat how relationship works. mcdc target 60-80 median income habitat is 60% and below. no connection with regard to sharing financing two separate organizations. Trost why tying together. David city would split land between 2 entities. they refer people back and forth. Dufford context when started working with MCDC and habitat in was skeptical of David and his group but working with him performed done everything he said he was going to do he puts out good products and glad trying to put affordable housing all over town.

Ashley Borin 4608 Princeton on ns of princeton for new members here not last year but year before Bobby Cox had aptmets built right behind our home denied at p7z and then approved by city council. have apartments behind home looking in and now have apartments iin front of homes. will be blocked in by apartments. surrounded by single family zone just want to know appreciate mcddc for giving us opportunity to hear plan before hand where everyone in community expressed not happy with apartments. most own between 1/4 acres to 5 acre lots appreciate single family homes beeing built in this area to conform to existing area around it. When Bobby Cox came with apartment they heard objections prior to this started. Looking into homes appreciate build walking trail but dont want people walking on our property. Apartments are suppoosed to be buffers between residential and commercial. MCDC does not have funding still understanding if dont have funding can sell property but new developer can present new site plan that can be approved. mf 22 can be 4 story we understand. This is setting precedence apts can go right in middle of homes. on page 141 of zoning will not access as primary access to apartment complex. Volunteer at many schols not one wants to live in an apartment they want to live in homes.

Blong speak to residential street Chuck Harrington will get Mike to come down they are not what we consider local streets.

Rolondo Riddick , School Superintendent MISD want to speak to work done with Mr. Diaz first approach had to ahve quality of place not just for teachers but community and residenta had to be appealintg leaving areas from university could walk out of what having and walk into a similar concept here . talked about low desnity so not packed and crowded but idea of community so had common space entire complex could meet and be part of dog park walking trail. Appreciate previous comment about reachers who want home but first year teacher is not on radar. With delay from community members set up on our own course to attachk what this could look like. Set up 20 modulaar homes but not a community gives housing concept took another step boughtt 2 apartment complex to establish community of teachers. This approach just another avenue and another jump to get first responders to develop this community as well. Set up master lease to move that. develop other idea 10% off a b or c level type apartment complex. initial steps. Wwe have 3000 employees hwen talk about teachers 1600 others oon staff looking for housing as well. police, nurses and other sstaff members need houssing opportunity to help navigate community.

Blong question within own city plan wont have primary entrances onto residential street most letters of objections that is happening with cuthbert and princeton. Jose Ortiz have evaluated roadways classified as collectors. residential lower, collector roads cuthbert is collector road such as neely. Access onto this roadway is a collector road. Love even if it were not a collector we legally cannot deny access to a property owner. jose correct. Trost for those who dont understand difference. Jose to simplify local road access to individual parcel in residential neighborhoods. collectors provides connections between enighborhood which is cuthbert and princeton.

Priscilla Val Verde, 4622 Cuthbert, struggle with what wanted to talka bout discouraged with this project been lied to made broken promising made been look unsympathetic and uncaring to community have poeple talk about teachers adn their needs. she has teacher on corner of street house ran into moved in 2006 ran into 6 times traffic already horrible know listen complain aobut raffic. All traffic comes off andrews goes to cuthbert and princeton and apartment with Bobby Cox and these apartments will add. Did state

concerns about traffic and safety. kids can't go in front yard sit in back yard and now have apartments looking into back yard dont know who looks in there. Her dream to have built and remodeled to make forever home. Come because here are other things hit and runs see some picture . Traffic impact brought up to mcdc they said that is not their problem that is com problem. what are you going to do about that. spoke to david diaz about this in 2019. spok e gave 2 other developments to lookat they are homes dont understand why can't build hoems or townhomes to make it all the same make feel comfortable in own neighborhood.

Guy McCreery, Permian Basin AREa Foundation, working with MCDRC for number of years at least 16 years always lived up to what presented and proposed. Very creative solution to many of our housig programs. thinkwill make creative solution committed 600,000 in a 7 e cost to make more presentable. Thaks for consideeration heartily in favor.

Enrique Romera Odess work 90 percent of time serve on board of MCDRC for 10 years seen mission of what MCDRC has done accomplished mission plans to continue on that path. Biggest issue see is housing, but affordable housing. Sat on couple meetings with priority midland believe this is great solution, support this project ensure mcdc stay tru to mission

Andrew Savas, 4415 Princeton, objections some questions if dont mind mentioned super majority 49 letters go out and come back with % of 32% what does that mean nothing to do with people that live there has to do with square footage of land. oland doesn't vote and being penalized. Robert Patrick can go over details. John O dictated by state law. Andrew talked about infrastrucure development water pressure not high and will add to demand everybody there has septicc so nobody towards andrews highway could attached because slope wont accomodate. Expensive it is for the lot slope lift it up so slopes down. Concern about infrastructure concerned about traffic not just from this development. talked about vouchers if project completion date is a couple years out we hve an urgent issues have we addressed vouchers to existing apartments to get in apartment before ended up buying house. we are not terrible people we had dream and hate seeing that somebody is going to weight who is more importnat than somebody else. Dash dreams of people . Support it but not there.

Woodrow Baily 803 Devonshire, chief hr stand in support of new housing devleopment. as midland native understand concerns city changed dramatically. smoe staff rom HR dept travel all over sate and outside of country to recruit teachers 350-400 starting in Feb thorough Aug on trend past severla years need for affordable housing end o f fall 26361 students at end of fall prev had 25943 students enroled 418 more students entorlled then prev addition 17 teachers historicl trend. student growth requires additionaal staff and teacheers, urses polcie officers local housing cost compounds. We cont to address comp7% and addition 4,000 for support staff. with inc in compensation when start doing math locl housing cost prohibitive to those chose Midland. appreciation mcdc for support not ssilver bullet ste piin right direciton great impact in mission to educate students. encourage approval.

Sharon Humphries, 4504 Princeton own 5 acres a lot house and shop and lot next to us to west that has tac barn on it. Wrote the petition sure all received peition and had opportunity to review wont review 17 points lots of concerns need to be really careful in making decision based on a good feeling. Making decision to have apartmens built to

teachers and first responders she knows what teachers don't make. A lot of average working people make less than that. That doesn't mean make decisions to do something good that affects taxpayers already in community. Husband there since 1963 neighbor since 60s their back yard has no fence. People from apartment can walk right up to back door and look in window and look in kitchen. Neighbors down at Cuthbert down at bottom where MCDC surrounds kids with special needs child terrified of strangers caused a lot of tension and emotion from that family. You can't make sound decision on emotions. She is wife of retired physician everyone thinks loaded. Will talk about property values every realtor said that apartments right next to home did not add value if anything detracts. One was taking near apartments they said don't bother to show us this one. Ask to make sound decision to people that have already been paying taxes as opposed to entity pay no tax on 40M plus project seems as if our efforts contribute financially is totally disregarded. Husband is amputee would be difficult to move for proper kinds of bathroom. Trost MCDC has not been truthful with current homeowners and candidates. Sharon there was a house across the street. People in house across street purchased last May asked MCDC did not want to invest uncertainty about whether value of property would stay same told by MCDC by City if anything being planned for all of the blue area in May of 2019 told nothing in works. Neighbors next to them also said same thing they are related. So people in house to west started major remodel project on home as soon as found zone change request they stopped there is particle board plywood. MCDC homes are just north of MF22 realtor should of let them know about zoning in area.

Jeremy Bishop, First Capital Bank 310 W Wall, as mgr of bank hard to find employees can only imagine what hospital city and school district go through bring them in and afford high cost of Midland. First National Bank in support. Been banker for 13 years been lucky enough to ride wave up of homes but those fresh out of school police teachers don't have that luxury. Helpful to community and new hires to have. Economic trickle down that opens up other units would drive down prices first Capital Bank standpoint support MCDC.

Justine Price 4605 W Cuthbert, a lot of what heard today opposed to. Live south by main entrance and exit. 488 parking spots and by the way Cuthbert even though thoroughway deadends right there doesn't go through loop has to go on Wood Crest to get to loop. Large amount of traffic 488 parking spaces people coming in and out over 300,000 vehicles a year going up and down in front of his property. The number of hazards that that causes, safety to children of neighborhood. We want property developed but think that 100 homes could be built and become the City of Choice for first responders and offer opportunity to home instead of transitional housing. Would love to get to know them and become neighbors. No to take into consideration of Cox where is traffic gonna go. Asked about traffic and they said City's problem not there's. If don't do traffic impact analysis may never know. to address future of Midland.

Roberta Solaria, Chief HR officer MMH. like superintendent Riddick challenged with finding hiring and retaining employees to serve our community. Done a number of things not as large as school district. Rented apts from apts mgr in city and use those to house some contract and traveling to being into city can't hire. Discounted rate. Created rental subsidy program at hospital based on increase in rent have 60 people participating in program helps to keep folks but still lose people who can't afford to live. In support of project. It will not be 4 unit apartment complex and like other partners we need every opportunity to bring folks into town and keep them here. Signed 50 people

have 97 who are absolutely interested in doing that.

Christina Cochram, 4609 Cuthbert when Mr. Morales came to property in September felt like it was already in bag told by everybody in community not something we are going to win trying to convince otherwise. Found center lot safe location did quickly discover zoned mf22 a lot of projects brought did not pass. confident something in 1974 couldn't hold true 48 years later that is not case he owns property. Seen generations raised in neighborhood. Concerned about main existing dead front center of bedroom window. Bought property that is z shaped no way to exit away from residents. how is it okay to put main existing bedroom window on daily basis. have seen other site plans. asking for smaller zoning not multi family maybe that's why does it have to be such a large amount of people.

Sylvester Cantu 123 Vonarich Drive, rep of Midland Affordable housing association alliance in favor of any effort to try and address needs of first responder workers. Secondly as someone you know long time mgr of community develop office of City. MCDC been very good partner in trying to address gaps in various needs. They are winning partner. Live in District 4 in support of project should be a very good change.

Kimberly Crisp, 3304 Douglas, attended every Council meeting since June and one question comes up is does this fit with neighborhood flanked on all 4 sides fits characteristics. The lot of MF 22 is 8 acres which is 44 units less than stated earlier. predicting on what could happen in future voting on this zone change and whether appropriate for this neighborhood he said foundations would not be contributing to 176 units 3 story apartment complex then where would vouchers come from. Stated any unused unit paid for by taxing entity in order to use them those are taxpayer dollars and subsidizing housing. Said over and over that city not subsidizing. Bullock mentioned in p7z fair housing cannot restrict to just professions open to everybody seems most expensive apartments in COM only affordable because of offset cost of vouchers. This complex nothing more than revolving door looking for few years off experience and leave. Said yesterday Midland should be distinguished by providing opportunity to purchase homes would be that. Far better option put down roots joint community and just on recruitment no way to reward people loyally serving community.

Tera Seegers MCDC 2824 W Dengar address Loris about changing market one problem ongoing is variable rates occur in rental properties since beginning what can offer in stable way going forward. Really about making sure projects stays affordable for first responders want them to enter project designed to . Blong what year mcdc purchase? David spring of 2016. Blong 2016 have you looked at pricing single family homes have you evaluated that as board. David from very get go first discussions when purchased land is viable for housing project to help them. they agreed. As a board considered doing mix of multi and housing but understanding that they need was rental. As a home builder its tough for a young individual or young couple to buy a home so at the request of entities followed their lead and looked at doing multi family rental. Know residents would like to see housing but people don't buy homes off the bat. Love question about affordability of Midland is roughly over 200,000 (up to). that is challenging for first responders to acquire that. puts above more than 25% of income. If were to take property and use MF22 standards and put affordable housing and made it affordable then quality of product would be two quality. David problem doing affordable anywhere in this community. To get to a level where teachers can afford first. year. 2 bedroom no garage siding instead of brick.

Laura Schwartz 4503 Princeton why are we imploding our city and not expanding. The last Council meeting husband beat home from Odessa then here. NO sidewalks can't walk down to many cars no sidewalks why imploding it there. Putting all in her back yard you wouldn't want it in yours. Fed up.

Nori Martin 4736 Princeton own Princeton and Idylwild. across home abundant life worship center Princeton access road to loop 250, border states business and oil production company. all in close prox. bought in 1993 since 1993 first handed traffic inc 4 fold if not more big rig speeding cars, motorcycles. not seen impact with Cox Taco Villa apts now but 4 or more times since 993 then know traffic increase 8 or more times now. now back out cautiously people racing to stop sign. This is only Princeton now increase traffic in Idylwild along with loop 250 runway. increased 6 or more times since 1993 and add apartments can only see what kind of traffic. building for teachers hospital is going to further increase traffic. Employee of MISSD Aug 1981 first year 13,000 brought home 670 month didn't even make enough money to pay rent. rented room, following year paid rented for 12 years had to have box fan relating so one of those teachers please reconsider to single family dwelling would have been affordable duplex. keep zoning for single family. idea appreciated but not in the form of an apartment.

Carl Kiddo 4623 Princeton lived 24, in Midland 46 retired teacher coach 53 years. On both sides a lot of good things going on but his house on 4623 look out and see trees and quail in back yard never happened before found out about project they lied to us and said they didn't know. Wouldn't tell wife now this new apartment complex they will look right down over fence in back yard retired to watch what is going on. Don't think it's right should push this on them. Her time valuable don't want in his back yard not one on the street or Cuthbert in back yard.

There being no one else wishing to speak, the public hearing was closed at 11:54 a.m.

Council Member Robnett moved approval of the first of two readings of Ordinance No. 10040 in accordance with the Charter of the City of Midland; seconded by Council Member Love.

Love heard comments about people looking into back yard talk about setback and why not a reality. Chuck Harrington applicant has moved building away from property lines 50 feet back from property lines minimum. It's a 2 story structure from that distance. They have run site distance calculation meet minimum. Along any portion over 2 story.

Trost was traffic study done for Cox? Mike Pacelli did not require one fairly typical outcome of traffic study is recommendation for improvement widen line put in traffic signal already know what ultimately build out will be only if specific improvements unique to that project that need to be evaluated. Just work with developer if agree to do don't need. In case of Bobby Cox adding traffic to congested area but improvements needed but can't go after one particular developer to put in millions of dollars when serving entire city. Already know impacts nothing reasonable developer can do to mitigate those impacts. Trost that tells me unless future plans something in work. Mike conceptual plan Midlands Andrews most congested. Plans to provide east west connectivity through commercial development as progresses west. As eventually progresses west connectivity through those projects and connect to Woodcrest for traffic signal at Andrews and Woodcrest. Robnett west bend at Cuthbert why does it deadend.

Mike no history.

Trost concerns that looking at area traffic will be an impact think need to do some sort of hard look at area regarding traffic flow. Not sure what the remedies are. Chuck can't answer for Mike generally look at some things we know have large roadway did expansion of amll a lot more traffic so did impact analysis there. A proejct of this size unless particular need. Point if staff needs to take look at this area harder traffic becoming more and more difficult to move around in.

Robert Patrick do have tall city tomorrow and land use and tied to and now adopted ipact fees that will help with capital improvement throughout city. There are several areas of town comprhensively looking at that. Robnett those palns considered with exsisting zoning of property .

Blong met with so many neighborhood think the compassionas homeowners lived there for decades we hear that and are compassionate. Been asked to consider a zone change, not financing just consider zone change find it to be preferable to existing zoning and other part is live in Texas because live in property rights. they own the property and limiting ability to use their property don't want that to be precedent in Midland they ahve property rights. Do not and will not support tax paying funding to go towards this dont believe palce of city dollars.

Robnett nicely put in uspport of zone change

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

33. Hold a public hearing and consider an ordinance on a request by Jose Chavez, for a zone change from MF-22, Multiple Family Dwelling District, to SF-3, Single Family Dwelling District, on Lot 11, Block 59, Park Avenue Heights Addition, City and County of Midland, Texas, (generally located on the south side of East Pennsylvania Avenue, approximately 99-feet west of South Tyler Street). (DEVELOPMENT SERVICES)

ORDINANCE NO. 10041

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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10041.

Mayor Payton opened the public hearing at 12:27 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Robnett moved approval of the first of two readings of Ordinance No. 10041 in accordance with the Charter of the City of Midland; seconded by Council

Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

34. Hold a public hearing and consider an ordinance on a request by Matthew Mildfelt for a Specific Use Designation with term, for the sale of all alcohol beverages, for on-premises consumption, in a lounge, on 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). (Development Services)

ORDINANCE NO. 10042

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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10042.

Mayor Payton opened the public hearing at 12:28 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Love moved approval of the first of two readings of Ordinance No. 10042 in accordance with the Charter of the City of Midland; seconded by Council Member Blong.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

35. Hold a public hearing and consider an ordinance on a request by Nhan Phan for a Specific Use Designation with term, for the sale of all alcohol beverages, for on-premises consumption, in a restaurant, on a 3,985 square foot portion of Lot 1A, Block 11, Kimber-Lea, Section 11, City and County of Midland, Texas, (generally located on the northeast corner of the intersection of Maxwell Drive and North Midkiff Road). (Development Services)

ORDINANCE NO. 10043

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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10043.

Mayor Payton opened the public hearing at 12:30 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Blong moved approval of the first of two readings of Ordinance No. 10043 in accordance with the Charter of the City of Midland; seconded by Council Member Ladd.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

36. Hold a public hearing and consider an ordinance on a request by The Fields Edge, Inc., for a zone change from AE, Agricultural Estate District to PD, Planned Development District for a Housing Development on a 23.66-acre tract of land out of the south part of Section 11, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas, (generally located approximately 1,024-feet south of West Interstate 20 and approximately 2,083-feet west of South County Road 1235). (Development Services)

ORDINANCE NO. 10044

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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10044.

chuck Harrington brief overview of item request AE to PD applicant has ministry for chronic homeless property in process plated site plan 10 pods 8-10 tiny homes and pods for baathroom kitchen. only about 4.2 units per acares hcappel market health building playground full size dev for chronic homeless homelss more than year have to qualify. there are others across state staff in support of zone change subject to cond a-e no loj.

Mayor Payton opened the public hearing at 12:33 p.m. T

Eric West PSC 1700 W Wall nothing to add. Robnett psc with developer and time donating. its great and fund talking about long time catching vision of what trying to accomplish zoning complicated so that all covered based on this site plan prduced as robnett mention psc provide some work up front for free to get tot his point to do the proejct. avail for questions. Trost how do you qualify? Eric John Marks works with those folks he has personal intimate knowledge of who is living ons treets. and then application process to go through to join community rent have to pay for tiny home but provide opportunity to earn money to pay rent. John Mark will talk on this. encourage to talk to about what going to accomplish very beneficial pwoerful thing for Midland. Payton a lot of exp 501 c3 but don't have great org or sustainability. This is hardest palce to behomeless john mark thabnk you for all you do.

There being no one else wishing to speak, the public hearing was closedat 12:37 p.m.

Love fortunate to sit in on early stages with John Makr proud in district 2 thank you becasueoften time equate HUD homeless poor with bad and they are not they jsut hav eless money. doing wonderful applaud.

Council Member Love moved approval of the first of two readings of Ordinance No. 10044 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

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)

Oil & Gas Compliance Officer Ron Jenkins gave a brief overview of the item noting diamondback in area produce previous wells to east at north midkiff ext and garfield ext undeveloped land. been to o7g have surface agreemenet 5 variances same as in past item to note is o7g rec use sound walls and this application has no sound walls. Dufford how far form nearest. resideential to 3300 feet. We have a lot of drilling 3000 feet awa drilling is not issue it is fracing. Dufford have to go ahead and have sound walls.

Mayor Payton opened the public hearing at 12:41 p.m.

Travis Lane Diamondback appreciate what saying not required by ord main reason didn't include is sitll working on flood plain and waiting to see what looks like will use sound walls on some portion of sound wall since so far away from nearest residence.

Dufford well over mile from parsley and could hear. Robnett not against sound walls just waiting to finish plan and would like flexibility. Dufford how about lets use them during completion regardless recommending do vote against otherwise. Permit reviewed by engineering we know where flood plain cant change anything. cph 12:43

38. Hold a public hearing and consider an ordinance on a request by Jamie Alvarado Lopez for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 1, Block 43, South Park Addition, City and County of Midland, Texas, (generally located on the southwest corner of the intersection of East Hicks Avenue and South Dallas Street). (Development Services)

ORDINANCE NO. 10045

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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10045.

Mayor Payton opened the public hearing at 12:43 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Trost moved approval of the first of two readings of Ordinance No. 10045 in accordance with the Charter of the City of Midland; seconded by Council Member Love.

Chuck clean up

The motion carried by the following vote: AYE: Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: Blong.

39. Hold a public hearing and consider an ordinance on a request by Elsa Marquez for a Special Exception from the City of Midland Zoning Ordinance, Section 5.04 - Residential Zoning District Dimensional Regulations Chart, concerning the lot dimensions on Lot 3, less the south 10-feet, Block 26, Moody Addition, City and County of Midland, Texas. (Development Services)

ORDINANCE NO. 10046

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 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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10046.

Chuck special exception Council auth to make applicant property 107 N tyler sold off metes and bounds woman owns lot 20 feet wide need 50 foot interior wants to get platted no special exceptions from staff stand point no hardship puts in positions but council wants to consider askt oc onsider cond a as a part of it.

Mayor Payton opened the public hearing at 12:46 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Ladd moved approval of the first of two readings of Ordinance No. 10046 in accordance with the Charter of the City of Midland; seconded by Council Member Trost.

Love encourage council nice growth in infield another property just around diagonally carver cultural center hop support.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

MISCELLANEOUS

40. Consider an ordinance to give a person who seeks an accommodation under the FHA, ADA, or other similar federal or state law an avenue to request and obtain a reasonable accommodation. (CITY MANAGER'S OFFICE)

ORDINANCE NO. NUMBER>

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

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

Council Member Robnett moved to approve Approved a motion to receive and file the schedule for 2019/2020 Action Plan application cycle.; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Blong, Trost, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: Love.

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".

(ENGINEERING SERVICES)

ORDINANCE NO. 10048

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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10048.

Traffic Engineer Mike Pacelli gave a brief overview of this item several streets exist in discontinuous same street sinclair one examples red sections little existing blue line dashed 158 west is future backage road. along 191 frontage road frontage roads one way limited access to get backage roads behind to allow 2 way circulation been on plan for some time. with development of costway at 158 and 191 this piece of sinclair and curve over to left there will be traffic signal. Would like to rename the little piece of roadland ironwood 140 feet drive rename sinclair so just one cross street easier for drivers larger printing on signs clean up measure rec rename. no address of street never will be. planning sent out notice is not required and hoa was notified no responses back. Love in accordance with midessa 191 study and backage road part of that. So important enc dev of 191.

Council Member Love moved approval of the first of two readings of Ordinance No. 10048 in accordance with the Charter of the City of Midland; seconded by Council Member Ladd.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

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

Council Member Robnett moved to appoint Lori Blong to Midland Spaceport Corport as board member an liaison to Airport Board ; seconded by Council Member Ladd.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

Sara inactually steven lawrey term expired as of stephen willing

Council Member Robnett moved to reappoint Stephen Lowery MDC; seconded by Council Member Love.

The motion carried by the following vote: AYE: Blong, Trost, Love, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: None.

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.)

Dustin Johnson president of Skate park association inite to Beal Park rto make changes out there. weekends are best time come on out.

Robnett paint situation taken care of ddustin bandaids.

Shirley Howard 3405 Magnolia, as president negro prof bus women inc reached out to each to invite to mlk luncheon monday jan 20 have not heard but ensure all know aobut at 11 a.m. Miss Mr. Love. Please come support. 11:30 a.m.

EXECUTIVE SESSION

recess to executive session at 12:57. will reconvene downstairs to consider last item.

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.

All of the business at hand having been completed, the meeting adjourned at ____ p.m.

PASSED AND APPROVED the __ day of _____, 2020.

Jerry F. Morales, Mayor

ATTEST:

Amy M. Turner, City Secretary

