

**MIDLAND CITY COUNCIL
MINUTES
January 28, 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 28, 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 28, 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 Robert Pase, Grace Lutheran Church
2. Pledge of Allegiance

PRESENTATIONS

none.

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

CONSENT AGENDA

4. Approved a motion approving the following minutes:

Council Member Robnett moved to approve Consent Agenda items 4 - 24 excluding 7, 8, 9, 14, 15, 16, 17, 20; 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.

- a. Special City Council meeting of January 13, 2020

Council Member Robnett moved to approve Consent Agenda items 4 - 24 excluding 7, 8, 9, 14, 15, 16, 17, 20; 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.

- b. Regular City Council meeting of January 14, 2020

Council Member Robnett moved to approve Consent Agenda items 4 - 24 excluding 7, 8, 9, 14, 15, 16, 17, 20; 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.

5. Approved a resolution approving the City of Midland Fiscal Year 2020 Investment Policy. (FINANCE)

RESOLUTION NO. 2020 - 018

RESOLUTION APPROVING THE CITY OF MIDLAND'S FISCAL YEAR 2020 INVESTMENT POLICY

Council Member Robnett moved to approve Consent Agenda items 4 - 24 excluding 7, 8, 9, 14, 15, 16, 17, 20; 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.

6. Approved a resolution authorizing the execution of a participation agreement with the Texas Cooperative Liquid Assets Securities System Trust (Texas CLASS). (FINANCE)

RESOLUTION NO. 2020 - 019
RESOLUTION AUTHORIZING THE CITY OF MIDLAND TO PARTICIPATE IN THE TEXAS COOPERATIVE LIQUID ASSETS SECURITIES SYSTEM TRUST

Council Member Robnett moved to approve Consent Agenda items 4 - 24 excluding 7, 8, 9, 14, 15, 16, 17, 20; 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.

7. Approved a resolution awarding a contract to Jones Bros. Dirt & Paving Contractors, Inc. for the FY2020 Mill/Inlay Project for the Transportation Division. (PURCHASING)

RESOLUTION NO. 2020 - 020
RESOLUTION AWARDING A CONTRACT FOR THE FISCAL YEAR 2020 MILL AND INLAY PROJECT TO JONES BROS. DIRT & PAVING CONTRACTORS, INC. OF ODESSA, TEXAS, AT A TOTAL COST NOT TO EXCEED \$5,757,575.85; AND AUTHORIZING PAYMENT THEREFOR

Robnett largest contracts award or some of largest only 2 bids out of 12 any news or updates on lack of bids same question on number 8. quick update. Gabe McClelland. Good news only received 2 bids but interest from 4 different vendors which is good. first time any interst at all.

Council Member Robnett moved to adopt Resolution No. 2020 - 020; 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.

8. Approved a resolution awarding a contract to sole bidder, Pavement Restoration, Inc. for the GSB (Gilsonite Sealer and Binder) Friction Seal Project for the Transportation Division. (PURCHASING)

RESOLUTION NO. 2020 - 021
RESOLUTION AWARDING A CONTRACT FOR THE FISCAL YEAR 2020 GILSONITE SEALER AND BINDER FRICTION SEAL PROJECT TO THE SOLE BIDDER, PAVEMENT RESTORATION, INC. OF BOERNE, TEXAS, AT A TOTAL COST NOT TO EXCEED \$3,325,380.31; AND AUTHORIZING PAYMENT THEREFOR

Robnett single bid out of 12 guidelines or price range expect to see can reject. Gabe 3% under our est.

Council Member Dufford moved to adopt Resolution No. 2020 - 021; seconded by Council Member Robnett.

Blong anything we can do to bring in more bids or make more attractive. Gabe have a bidders list. Regina Stephenson bidders list and put on website so any vendor can pick up search internet for vendors. Love limited by geography harder to come and bring equipment and employees. Gabe also look at Tx PW association and others for projects. Dufford little history asked for 19 years.

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 rejecting the sole bid for the Fiscal Year 2020 Mastic Seal Project for the Engineering Services Department. (PURCHASING)

RESOLUTION NO. 2020 - 022

RESOLUTION REJECTING THE SOLE BID RECEIVED FOR THE FISCAL YEAR 2020 MASTIC SEAL PROJECT

Council Member Robnett moved to adopt Resolution No. 2020 - 022; 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.

10. Approved a resolution approving an amendment to the professional services agreement with Stantec Consulting Services, Inc. for Fiscal Year 2017 On-Call Engineering Services for the Engineering Services Department. (PURCHASING)

RESOLUTION NO. 2020 - 023

RESOLUTION AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR MULTIPLE PROJECTS BETWEEN STANTEC CONSULTING SERVICES, INC. AND THE CITY OF MIDLAND; SAID AMENDMENT EXTENDING THE TERM OF THE AGREEMENT TO AUGUST 15, 2020

Council Member Robnett moved to approve Consent Agenda items 4 - 24 excluding 7, 8, 9, 14, 15, 16, 17, 20; 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.

11. Approved a motion authorizing the issuance of a request for proposals for certain real estate broker services for the General Services Department, as authorized by Texas Local Government Code § 253.014. (PURCHASING)

Council Member Robnett moved to approve Consent Agenda items 4 - 24 excluding 7,

8, 9, 14, 15, 16, 17, 20; 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.

12. Approved a motion approving plans and specifications and authorizing the advertisement of a request for proposals for the construction of Fire Station 5 and Fire Station 11 for the General Services Department. (PURCHASING)

Council Member Robnett moved to approve Consent Agenda items 4 - 24 excluding 7, 8, 9, 14, 15, 16, 17, 20; 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.

13. Approved a resolution awarding a contract for two (2) Pivot Irrigation Systems and associated parts to the sole bidder, Lamesa Irrigation Company, for \$177,145.08 for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2020 - 024

RESOLUTION AWARDING A CONTRACT FOR TWO PIVOT IRRIGATION SYSTEMS AND ASSOCIATED PARTS, FOR A TOTAL COST NOT TO EXCEED \$177,145.08

Council Member Robnett moved to approve Consent Agenda items 4 - 24 excluding 7, 8, 9, 14, 15, 16, 17, 20; 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.

14. Approved a motion approving the issuance of a request for bids for the sale of real property described as a 26.906-acre tract of land out of Section 14, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (generally located on the west side of North Big Spring Street, approximately 1,320 feet south of Loop 250), for the General Services Department. (PURCHASING)

Robnett what doing ehre. Jose Ortiz site interest in developments latted for future development for grocery store. with that have more master plan for entire site to develop. Robnett discussed in executive? John eligible but nothing eligible posted today. Robet Patrick ask for authorization to put out. Ladd adjacent to new HEB off loop. presume if putting up for bid somebody trying to purchase. Jose ther is interest. Ladd clear make it clear opposed to any sale of real property assets that are only increase in value over time unless given very good reason to do that. Love no concern beent alking about for long time ever since HEB built out on loop. concern why no information in the packet didn't know HEB until somebody said it. Robnett adjacent, city owned proeprty. consider for laandswap and suggest defer for a couple of week. Blong can we not plan for traffic flows in anticipation. Courtney good ideaa to hear

Council Member Ladd moved to defer ; 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.

15. Approved a resolution approving a change order one (1) to the Plant Farm Labor Contracting Services contract for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2020 - 025

RESOLUTION AUTHORIZING THE EXECUTION OF A CHANGE ORDER TO THE CONTRACT WITH KEVIN COOK DBA KEVIN COOK FARMS, OF STANTON, TEXAS, REGARDING THE PLANT FARM LABOR CONTRACTING SERVICES; SAID CHANGE ORDER TO PROVIDE FOR ADDITIONAL WORK BASED ON THE UNIT PRICES IN THE CONTRACT; AND AUTHORIZING PAYMENT THEREFOR IN AN AMOUNT NOT TO EXCEED \$115,319.00

Robnett explanation on next 3 items couldn't make sense of 3 agenda items not enough info in the agenda to understand exactly what going. Carl Craig 15 and 16 farm labor contracts for sprayberry and plant farms. bid out a couple of years ago and city staff trying to make educated guess how much mowing, harvest et clearing grubbing. We underestimated work to be done. John o bid unit prices. Blong long history of this area not fully aware of spent time trying to understand. part reason grubbing is needed is because of history want to defer until 3 new council members could be brought up to speed. Carl quick explanation way used to farm was different didn't pay for famrers to do harvesting. one used it just as grazing so mesquite grew up when got rid of contract someone actually farm had to get rid of all mesquite. Blong farmer who allowed mesquite to grow has another contract. Carl in contract 5 year letter go to sept 2023. Blong do we have any ability to require farme to farm. Carl where now it is fine grazing is in other section with no irrigation. not hurting system.

Council Member Blong moved to defer; seconded by Council Member Ladd.

Is that breach of contract, is so any .. John difficult to go back and recoup costs for what not done. Robert Patrick so vague it wasn't nec breach of contract just vague old contract working under. Now not leasing just hiring to do activities on land with crop management in place. 3 other bidders and this was low bidder and bench marked for custom farm rates and below A & M average. Asking him to do more than anticciapted needed to be done. Love all with need for satisfying TCEQ requirements due to effluent. Ladd with new Pioneer project continue to farm. Carl yes for short time ph 1 qand 2 still use sprayberry until all kinks worked otu with pioneer hoping to be done by 2023. This contract is 3 year with 3 one year extentions. Can end when need to end it. Trost set out what has to be done who does that. Robert Patrick third party consultant with with crop management plan they specify type of plants grown on particular acerage.

Carl there is definately urgent. one project is almost out of money due to TCEQ. They continue to farm in hope this passed. Love this is someone who depends on this moeny they depend on COM asking them to not get paid for one of the farms.. John O performed work that haven't been paid for. John O bottom line is we owe then for the work they've done whether defer or not need to be timely.

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

Council Member Love moved to adopt Resolution No. 2020 - 025; seconded by Council Member Robnett.

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

16. Approved a resolution approving a change order one (1) to the Spraberry Farm Labor Contracting Services contract for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2020 - 026

RESOLUTION AUTHORIZING THE EXECUTION OF A CHANGE ORDER TO THE CONTRACT WITH KEVIN COOK DBA KEVIN COOK FARMS, OF STANTON, TEXAS, REGARDING THE SPRABERRY FARM LABOR CONTRACTING SERVICES; SAID CHANGE ORDER TO PROVIDE FOR ADDITIONAL WORK BASED ON THE UNIT PRICES IN THE CONTRACT; AND AUTHORIZING PAYMENT THEREFOR IN AN AMOUNT NOT TO EXCEED \$275,000.00

Robnett separate contracts does have funds.

Council Member Blong moved to defer; seconded by Council Member Ladd.

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

17. Approved a motion authorizing the approval of an interlocal agreement between Midland County and the City of Midland that provides for certain funding of the new City of Midland Animal Services Facility; authorizing the acceptance and allocation of said funding to the Animal Shelter Design and Build Project. (900265) (COMMUNITY SERVICES)

Robnett anybody from County here today? tell County thank you big project for city worked long time to come to agreement. look more

Council Member Blong moved to adopt Resolution No. 10047; seconded by Council Member Love.

Trost all interlocals are separate? John yes global that covers variety of subject matters county wanted to do separately. Dufford first time projects ongoing for a long long time these are one offs.

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

18. Approved a resolution granting a variance to Ordinance 8769, (January 1, 2010 Oil and Gas Well Drilling Ordinance), for Lot 1, Block 2, Vista Del Pueblo Addition, City and County of Midland, Texas, (Generally located at 3102 Vista Del Pueblo, at the intersection of Vista Del Pueblo and Nueva Vida) by permitting construction of residential buildings where no portion of any structure is closer than 135 feet of an existing oil and gas well (Myrtle D#1). (DEVELOPMENT SERVICES)

RESOLUTION NO. 2020 - 027

RESOLUTION GRANTING A VARIANCE FOR LOT 1, BLOCK 2, VISTA DEL PUEBLO ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT

THE SOUTHEAST CORNER OF THE INTERSECTION OF VISTA DEL PUEBLO DRIVE AND NUEVA VIDA CIRCLE), BY PERMITTING CONSTRUCTION OF RESIDENCES WHERE NO PORTION OF ANY STRUCTURE IS CLOSER THAN 135 FEET OF AN OIL AND GAS WELL; AND AUTHORIZING ISSUANCE OF BUILDING PERMITS

Council Member Robnett moved to approve Consent Agenda items 4 - 24 excluding 7, 8, 9, 14, 15, 16, 17, 20; 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.

19. Approved a resolution delegating authority to the City Manager to approve and execute contracts for expending drainage charge funds. This resolution would authorize the City Manager to purchase real property for drainage purposes and authorize execution of construction contracts and associated change orders. (ENGINEERING SERVICES)

RESOLUTION NO. 2020 - 028

RESOLUTION DELEGATING TO THE CITY MANAGER THE CITY COUNCIL'S CONTRACTING AUTHORITY REGARDING CONTRACTS TO BE PAID ENTIRELY FROM DRAINAGE CHARGE FUNDS; AUTHORIZING THE CITY MANAGER TO ACQUIRE, ON BEHALF OF THE CITY OF MIDLAND, ANY REAL PROPERTY INTERESTS NECESSARY OR APPROPRIATE, BY ANY INSTRUMENTS OF CONVEYANCE NECESSARY OR APPROPRIATE, FOR THE USE AND BENEFIT OF THE PUBLIC FOR DRAINAGE PURPOSES, OBTAIN APPRAISALS, NEGOTIATE, EXECUTE AND FILE ALL DOCUMENTS NECESSARY TO ACQUIRE SAID REAL PROPERTY INTERESTS, PURCHASE TITLE INSURANCE POLICIES AND HOLD THE CLOSINGS FOR SAID ACQUISITIONS IF THE FUNDS EXPENDED IN CONNECTION THEREWITH ARE LIMITED TO DRAINAGE CHARGE FUNDS; ORDERING THE CITY SECRETARY TO RECORD, OR ENSURE THAT THE TITLE COMPANY RECORDS, INSTRUMENTS OF CONVEYANCE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDERS TO CONTRACTS

Council Member Robnett moved to approve Consent Agenda items 4 - 24 excluding 7, 8, 9, 14, 15, 16, 17, 20; 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.

20. Approved a motion ratifying and approving the City Manager's execution of an interlocal agreement between Midland County and the City of Midland that provides certain funding for three (3) fire squad trucks for the Fire Department; and authorizing the acceptance and allocation of said funding to the Three Squad Trucks Project (900329). (FIRE)

Robnett recognize Couhty this been going on for quite some time recognize city and county working together more opporut in future.

Council Member Robnett moved to approve a motion ratifying and approving the City Manager's execution of an interlocal agreement between Midland County and the City of

Midland that provides certain funding for three (3) fire squad trucks for the Fire Department; and authorizing the acceptance and allocation of said funding to the Three Squad Trucks Project (900329).; seconded by Council Member Love.

chief blumenauer work together with County. Love city doesn't realize how important what you do it this affects everyones insurance rates important good fire dept with good resp time to keep rates low.

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

21. Approved a resolution to accept and appropriate funds for the FY2019 Justice Assistance Grant (JAG) Program. (POLICE)

RESOLUTION NO. 2020 - 029

RESOLUTION AUTHORIZING THE CITY OF MIDLAND IN CONJUNCTION WITH MIDLAND COUNTY TO ACCEPT THE FISCAL YEAR 2019 JUSTICE ASSISTANCE GRANT FUNDS TOTALING \$29,036.00; THE CITY OF MIDLAND WILL RECEIVE \$17,422.00 (60%) AND MIDLAND COUNTY WILL RECEIVE \$11,614.00 (40%) OF THE GRANT FUNDS; AUTHORIZING THE EXECUTION OF ACCEPTANCE DOCUMENTS; AND APPROPRIATING FUNDS

Council Member Robnett moved to approve Consent Agenda items 4 - 24 excluding 7, 8, 9, 14, 15, 16, 17, 20; 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.

22. Approved a resolution authorizing and executing a Right-of-Way License between the City of Midland and Wink to Webster Pipeline, 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 one thirty-six inch (36) common carrier crude line, and to have the right to ingress and egress at convenient points for such purpose; pipeline will be located within City of Midland Plant Farm property, Sections 5 & 8, Block 38, Township 2 South, and Section 44 Block 38 Township 1 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES)

RESOLUTION NO. 2020 - 030

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND WINK TO WEBSTER PIPELINE LLC REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 44, BLOCK 38, TOWNSHIP 1 SOUTH AND SECTIONS 5 AND 8, BLOCK 38, TOWNSHIP 2 SOUTH, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS

Council Member Robnett moved to approve Consent Agenda items 4 - 24 excluding 7, 8, 9, 14, 15, 16, 17, 20; 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.

23. Approved a resolution authorizing and executing a Right-of-Way License between the

City of Midland and Wink to Webster Pipeline, 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 one thirty-six inch (36) common carrier crude line, pipeline will be located within City of Midland Airport property, Section 9 Block 40, Township 2 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES)

RESOLUTION NO. 2020 - 031

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND WINK TO WEBSTER PIPELINE LLC REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 9, BLOCK 40, TOWNSHIP 2 SOUTH, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS

Council Member Robnett moved to approve Consent Agenda items 4 - 24 excluding 7, 8, 9, 14, 15, 16, 17, 20; 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.

24. Approved a motion authorizing the execution of a five (5) year lease agreement between the City of Midland, Texas and Lubbock MPL Tower Holdings LLC through CCATT LLC, for the continued installation, maintenance and operation of a cellular tower site at Lake Peggy Sue. (UTILITIES)

Council Member Robnett moved to approve Consent Agenda items 4 - 24 excluding 7, 8, 9, 14, 15, 16, 17, 20; 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.

SECOND READINGS

25. Consider an ordinance on second reading 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 N. Midland Drive. Council District 4). (DEVELOPMENT SERVICES) (First reading held on January 14, 2020)

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 SueAnn Reyes read the caption of Ordinance No. 10040.

Council Member Love moved to approve the second and final reading of Ordinance No. 10040 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

Trost comment this is only for a zone change not approval of anything except a zone change.

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

Trost zone change to equalize entire piece of property will all now have same zoning classification.

Kimberly Crisp, on behalf of residents Mr. Diaz offered to sit down and would like to see site plan to negotiate some compromises to see if could have conversations. Understand 100 letters of opposition not enough to make council reconsider. Instead would like to look forward. part of this is locking in site plan and because site plan already included in this ask that moving forward city not get involved in housing business and ask that council deny any proposals coming before then requesting in tax payer money for project no exempts for impact fees (including utilities). when dev eis done money will exchange hands and money made. investors should not have cities help. treat as any other apartment complex to not receive any other preferential treatment. It may be a non profit but money will be made. They will already get complete tax exemption any further exemptions wouldn't necessarily be necessary. Blong one comment appropriate for mcdc to sit down with members of community but also visited by a lot of people residence would like a fence around property that will be ongoing conversation. That is big concern a lot of properties are open reality properties will be trespassed on. where people trash. Dufford how recall petition. NOT relevant to this item, just curious.

26. Consider an ordinance on second reading 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) (First reading held January 14, 2020)

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 SueAnn Reyes read the caption of Ordinance No. 10041.

Council Member Trost moved to approve the second and final reading of Ordinance No. 10041 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 a second reading 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) (First reading held on January 14, 2020)

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 SueAnn Reyes read the caption of Ordinance No. 10042.

Council Member Love moved to approve the second and final reading of Ordinance No. 10042 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.

28. Consider an ordinance on a second reading 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. Council District 3) (DEVELOPMENT SERVICES) (First reading held on January 14, 2020)

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 SueAnn Reyes read the caption of Ordinance No. 10043.

Council Member Love moved to approve the second and final reading of Ordinance No. 10043 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.

29. Consider an ordinance on second reading 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) (First reading held on January 14, 2020)

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 SueAnn Reyes read the caption of Ordinance No. 10044.

Council Member Robnett moved to approve the second and final reading of Ordinance No. 10044 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, Payton, Dufford, Robnett, Ladd. NAY: None. ABSTAIN: None. ABSENT: Love.

30. Consider an ordinance on a second reading 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) (First reading held on January 14, 2020)

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 SueAnn Reyes read the caption of Ordinance No. 10045.

Council Member Ladd moved to approve the second and final reading of Ordinance No. 10045 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.

31. Consider an ordinance on a second reading 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) (First reading held on January 14, 2020)

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 SueAnn Reyes read the caption of Ordinance No. 10046.

Council Member Love moved to approve the second and final reading of Ordinance No. 10046 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.

32. 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) (First reading held on January 14, 2020)

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

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 10047.

Council Member Love moved to approve the second and final reading of Ordinance No. 10047 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.

33. Consider an ordinance on second reading 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) (First reading held on January 14, 2020)

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 SueAnn Reyes read the caption of Ordinance No. 10048.

Council Member Blong moved to approve the second and final reading of Ordinance No. 10048 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.

PUBLIC HEARINGS

34. Hold a public hearing and consider an ordinance on a request by MARC INC., for a zone change from SF-1, Single Family Dwelling District, to PD, Planned Development District for an Office Center, on Lot 1, Block 4, "A" Street Community Center, Section 4, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of North A Street and Ventura Drive.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 10049

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1, BLOCK 4, "A" STREET COMMUNITY CENTER, SECTION 4, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-1, SINGLE-FAMILY DWELLING DISTRICT TO PD, PLANNED DEVELOPMENT DISTRICT FOR AN OFFICE CENTER (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF NORTH "A" STREET AND VENTURA 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 SueAnn Reyes read the caption of Ordinance No. 10049.

Development Services Director Chuck Harrington gave a brief overview of the item noting expansion of facility of North A. Zone change to PD for their property typical mixed used offices and dormitoreis. shows on site plan proposing 2 story office building 8200 plus sq ft. o2 existing office demolished existing res remain. review by all staff approved by planning. Love support MARC support this project do have concerns aobut traffic with park, Junior League Com Aquatics, assume not from AMRC. chuck no comments for traffic or transportation. if hes good im good.

Mayor Payton opened the public hearing at 10:48 a.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. 10049 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.

35. Hold a public hearing and consider an ordinance on a request by Schumann Engineering Co. Inc., for a zone change from SF-1, Single Family Dwelling District, to SF-3, Single Family Dwelling District, on Lots 1 and 2, Block 114, West End Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of College Avenue and South L Street.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 10050

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 1 AND 2, BLOCK 114, WEST END ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-1, SINGLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF COLLEGE AVENUE AND SOUTH L 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 SueAnn Reyes read the caption of Ordinance No. 10050.

Development Services Director Chuck Harrington gave a brief overview of the item noting another lots where changed zoning ord on them doesn't allow single family opportunity to develop 2 resients lots staff reviewed recommend approval. Love replat and divide into 2 lots. chuck yes.

Blong will that change address on L if split. huck reorient lots. Love reorienting not divide north south they do east west so have address on college and on lower side on L. chuck yes.

Mayor Payton opened the public hearing at 10:51 a.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. 10050 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.

36. Hold a public hearing and consider an ordinance on a request by Jose Chavez for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 8, Block 32, Moody Addition, City and County of Midland, Texas. Generally located on the east side of South Tyler Street, approximately 66-feet north of East Missouri Avenue. (DEVELOPMENT SERVICES)

ORDINANCE NO. 10051

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 8, BLOCK 32, MOODY ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF SOUTH TYLER STREET, APPROXIMATELY 66 FEET NORTH OF EAST MISSOURI 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 SueAnn Reyes read the caption of Ordinance No. 10051.

Development Services Director Chuck Harrington gave a brief overview of the item noting similar zoning ord impact allowed them to build.

Mayor Payton opened the public hearing at 10:52 a.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. 10051 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.

37. Hold a public hearing and consider an ordinance on a request by Midland CDC for a zone change from SF-2, Single-Family Dwelling District, in part; and SF-3, Single-Family Dwelling District, in part, to TH, Townhouse Dwelling District on a 0.780-acre tract of land out of Section 26, Block 39, T-1-S, T&P, RR, Co. Survey, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of West Estes Avenue and North Main Street.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 10052

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 0.780-ACRE TRACT OF LAND OUT OF SECTION 26, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-2, SINGLE-FAMILY DWELLING DISTRICT, IN PART, AND SF-3, SINGLE-FAMILY DWELLING DISTRICT, IN PART, TO TH, TOWNHOUSE (ATTACHED) DWELLING DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST ESTES AVENUE AND NORTH MAIN 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 SueAnn Reyes read the caption of Ordinance No. 10052.

Mayor Payton opened the public hearing at 10:53 a.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. 10052 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.

38. Hold a public hearing regarding the proposed granting of oil and gas well permits to Parsley Energy Operations, LLC, for the drilling of oil and gas wells, being Hogan 1-25-A-2601H located 755 feet from the south line and 389 feet from the west line, Massey Unit 2415H located 785 feet from the south line and 390 feet from the west line, Massey Unit 2614H located 815 feet from the south line and 390 feet from the west line, and Massey A Unit 2611H located 845 feet from the south line and 390 feet from the west line, Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Said wells are generally located between 755 feet and 845 feet north of East Loop 250 North and between 389 and 390 feet east of North Lamesa Road.) This is a public hearing only. (DEVELOPMENT SERVICES)

Oil & Gas Compliance Officer Ron Jenkins gave a brief overview of the item noting site

seen before off loop 250 east of rest haven. been to o7g no rec doing everyhting like to see done. 4 ells putting up sound walls 24 foot quiet frac fleet and everything like 2 variance 24 hours for fracing and variance from landscaping same as had for prvious wells . one notice of objection.

Mayor Payton opened the public hearing at 10:56 a.m. T

Christ Hamilton parsley give background on apd site parsley had 9 well s permitted and drilled. all wells drilled on south worked with council in past agreed to do quiet frac worked with council and staff glad to answer any questions. Payton ask continue to reach consistent outreach of concern to residents in rea especial as grown and emonstrate to rest of coutry as how we can do well. anythign we can do as leading energy center of entire world appreciate you stepping up to palte show how can coesist. Robnett quiet frac not required by city jsut want to point that out just agrement amongst council, city and residents parlsey. Chris tries to use in city one time crew wasn't noticed and everyone noticed. Robnett comes at a cost appreciate what you do. Love what side of wall. Chris on north and west currently in palce. east and south not necessary. as wells get wrapped up in 2020 pad reclaimed in 2020 and work with mark payne on fencing. Dufford hoping 2021. Alex is just back up if needed to speak

There being no one else wishing to speak, the public hearing was closed at 10:59 a.m.

MISCELLANEOUS

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

nothing against her she was recommendation of parks and rec and Mr. ladd as her replacement. Ladd can't be on aprks and rec board and will isntead be liaison. suzanne works at DA she approached always passionate about parks. excellent addition to that group.

Blong concern about a trend that we don't have applications from, gripe is one thing not publically available. preference wait until given opportunity to apply. Robnett not allowing people to apply.

Robnett withdraw and wait until more applicants. would be find remove Jack aladd and appoint suzanne Prooka.

Payton does MDC have concern about board. Sara Harris no concern they ahve quorum can defer a nomination if acceptable. make sure public and notice better way to do it. Dufford to be hoenst prefer always done chance to review applicants prior to appoint to whatever board in advance. All boards term September 30 advertise through media outlets adn eople encouraged to go on website and look in September to make appointment (Courtney) this was one off take a look at to see. Payton no offense as Council need ot make sure in social media make sure getting word out. Probably not thing people looking at.

Trost suggest that we take a look applicant for MDC and think we need to look at that. If that person took time out to put in application and consider. Payton not rejecting out of hand would like to see more applicants.

Trost get idea but those who have put in applications they should put in. Payton will but will be later and hopefully have more applications.

Robnett put a 30 day window and come back at end of February and try again. Blong also to that same point should have deadlines and stick to deadlines. This has not been pushed it is appropriate moving forward as come up with plan.

PUBLIC COMMENT

40. 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.)

Debi Martin, 1107 Castleford Drive, outgrown facilities several times over 633 registered member 75-150 use facility daily. parking inadequate. Have total 61 spaces only 12 handicapped share with school church and businesses. next door fork lifts running all day long, 18 wheelers block parking spaces parents picking up children block spaces. In past resolution to look into new center please act as soon as possible. Midland forward thinking City, seniors are just important as dogs and cats. New motto is felt he senior energy. For mayor and Council Member Blong packet.

Shirley Howard, 405 Magnolia, about Delwood Center is what she is speaking of. Have two senior centers facilities in Midland. Please visit senior citizens facilities. Both are in need of being updated. Also aware Ms. Haney spoke about doing something. Ask Council to consider to get involved with senior centers to make things better. Address negro business prof women club bringing conference to Midland. Asked all to Makemidland be know what its know to be, service to all, big city. please sponsor and underwrite.

no additional speakers. Adjourned 11:09 a.m.

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