

**MIDLAND CITY COUNCIL
MINUTES
February 11, 2020**

BRIEFING SESSION

The City Council convened in a Briefing Session in the basement conference room, City Hall, Midland, Texas, at ____ a.m. on February 11, 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., February 11, 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

1. Invocation - Monsignor Larry Droll, St. Ann's Catholic Church
2. Pledge of Allegiance

PRESENTATIONS

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

- a. Presentation of the Certificate of Achievement for Excellence in Financial Reporting awarded by the Government Finance Officers Association for the City's Fiscal Year 2018 Comprehensive Annual Financial Report

Jennifer Fung recognized staff 36th consecutive year to receive the award. Thanked the Finance Department. Mayor Payton presented award.

- b. Announcement from representative(s) of the Eleventh District Court of Appeals, Eastland, Texas

Keith Stretcher thanked the council for using chamber for the Eleventh District Court of Appeals. 40 percent come from Permian Basin. Most amount in controversy from Midland. Explained jurisdiction and thanked the staff and council.

Michael Trost thanked Stretcher for his years of service and dedication to the rule of law.

Presentation to John Love. Keith Stretcher, Michael Trost, Scott Dufford, Spencer Robnett, thanked Mr. Love. Mayor Payton presented Love with a t-shirt and clock and thanked him for his service.

John Love thanked the staff and past and current council. Trost acknowledged Mr. Love as TML President.

Council Member Love moved to approve Consent Agenda items b excluding 7, 14, 17, 28, 29; 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.

CONSENT AGENDA

4. Approved a motion approving the following minutes:

- a. Regular City Council meeting of January 28, 2020
5. Approved a resolution approving the sole source purchase of thirty-five (35) mobile radios from Daily and Wells Communications, Inc. for a total cost of \$140,780.50 for the Communication and Information Systems Department. (PURCHASING)

RESOLUTION NO. 2020 - 033

RESOLUTION AUTHORIZING THE SOLE-SOURCE PURCHASE OF THIRTY-FIVE L3 HARRIS MOBILE RADIOS FOR THE COMMUNICATION AND INFORMATION SYSTEMS DEPARTMENT FROM DAILEY AND WELLS COMMUNICATIONS, INC., FOR A TOTAL COST OF \$140,780.50

6. Approved a resolution approving the purchase of three (3) fire squad trucks from Metro Fire Apparatus Specialists, Inc. through Houston-Galveston Area Council (HGACBuy) for a cost of \$989,999.00 for the Fire Department for the Garage Division. (PURCHASING)

RESOLUTION NO. 2020 - 034

RESOLUTION APPROVING THE PURCHASE OF THREE (3) FIRE SQUAD TRUCKS FROM METRO FIRE APPARATUS SPECIALISTS, INC., THROUGH THE HOUSTON-GALVESTON AREA COUNCIL AT A TOTAL COST OF \$989,999.00

7. Approved a resolution approving a Change Order One (1) to the Spraberry Farm Labor Contracting Services contract for the Utilities Department. (PURCHASING) (Deferred from January 28, 2020.)

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

Carl Craig. Blong thanked Carl for giving him a bigger picture of Spraberry Farm. Is within the contingency. Trost, saw that with the contingency it was well below. Great job

Council Member Love moved to approve Approved a resolution approving a Change Order One (1) to the Spraberry Farm Labor Contracting Services contract for the Utilities Department.; 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 extending the termination date in Resolution 2017-037 to August 14, 2020 for Construction Material Testing Services for the Engineering Services Department. (PURCHASING)

RESOLUTION NO. 2020 - 035

RESOLUTION EXTENDING TO AUGUST 14, 2020, THE TERM OF THE

AUTHORIZATION GRANTED BY RESOLUTION NO. 2017-037 SO AS TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE PROFESSIONAL SERVICES AGREEMENTS WITH BEYOND ENGINEERING AND TESTING, LLC (FORMERLY KNOWN AS RRC POWER & ENERGY, LLC) TO PROVIDE PROFESSIONAL SERVICES TO ASSIST THE CITY WITH CONSTRUCTION MATERIALS TESTING AS NEEDED

9. Approved a motion to authorize the City Manager or the City Manager's designee to advertise a request for qualifications for construction material testing services associated with construction projects citywide and to negotiate professional services agreements with two firms for said services; provided, however, that said agreements shall not become effective until approved by the City Council. (PURCHASING)
10. Approved a resolution approving a professional services agreement with HDR Engineering, Inc. for engineering services for the 2017 Midland Water Pollution Control Plant Rehabilitation Project for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2020 - 036

RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HDR ENGINEERING, INC. TO PROVIDE CONSULTING AND ENGINEERING SERVICES FOR THE 2017 MIDLAND WATER POLLUTION CONTROL PLANT REHABILITATION PROJECT FOR THE UTILITIES DEPARTMENT AT AN AMOUNT NOT TO EXCEED \$276,750.00

11. Approved a resolution awarding a contract for the citywide access control and coordinating camera system to Advanced Connections, Inc. (ACI) for the Communication and Information Systems Department. (PURCHASING)

RESOLUTION NO. 2020 - 037

RESOLUTION AWARDING A CONTRACT FOR THE CITYWIDE ACCESS CONTROL AND COORDINATING CAMERA SYSTEM TO ADVANCED CONNECTIONS INC., FOR A TOTAL COST NOT TO EXCEED \$317,080.00 AND APPROVING \$63,416.00 FOR CONTINGENCIES

12. Approved a resolution awarding a contract for FY2020 Sweeping Project for the Transportation Division. (PURCHASING)

RESOLUTION NO. 2020 - 038

RESOLUTION AWARDING A CONTRACT FOR THE FISCAL YEAR 2020 STREET SWEEPING PROJECT TO MISTER SWEEPER LP OF DALLAS, TEXAS, AT A TOTAL COST NOT TO EXCEED \$119,600.00; AND AUTHORIZING PAYMENT

13. Approved a resolution approving a professional services agreement with HDR Engineering, Inc. for engineering services for the 2020 Permit Compliance Agreement for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2020 - 039

RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HDR ENGINEERING, INC., TO PROVIDE CONSULTING AND ENGINEERING SERVICES FOR THE 2020 PERMITTING ASSISTANCE PROJECT FOR THE UTILITIES DEPARTMENT AT AN AMOUNT NOT TO EXCEED \$64,600.00;

AND APPROVING \$15,000.00 FOR CONTINGENCIES

14. Approved a motion authorizing the execution of Amendment #13 to Parkhill, Smith & Cooper's Professional Services Agreement, and appropriate necessary funds. (AIRPORTS)

Council Member Robnett moved to approve Approved a motion authorizing the execution of Amendment #13 to Parkhill, Smith & Cooper's Professional Services Agreement, and appropriate necessary funds.; 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.

Mayor thanked Justine for snow removal at airport. Spencer Robnett asked if there was a general master plan for the airport and if not can there be one? Airport Director Justine Ruff they did have an airport master plan that they update regularly and they are about to update it. The things they are doing are in that plan. Robnett a lot going on and want to make sure you have the resources you need. update last 2010 or 12. Ladd, the rental? Justine, looking at it with the amendment. Profits have increased in the last few years. Looking for them to partner with us for something bigger and better.

15. Approved a motion to appropriate additional funding to the project named MAF Rehabilitate Northwest Taxiway and Executive Apron in the sum of \$20,000.00 from Airport Operating Fund (500) Unappropriated Fund balance (35650) to the MAF Rehab Northwest Taxiway and Executive Apron Project (700242-505). (AIRPORTS)
16. Approved a motion to appropriate funding to the project named MAF Rehabilitate North, Terminal and South Apron Concrete Pavement in the sum of \$20,000.00 from the Airport Operating Fund (500) Unappropriated Fund Balance (35650) to the MAF Rehab North, Terminal and South Apron Concrete Pavement Project (700241-505). (AIRPORTS)
17. Approved a resolution reappointing David Byrd to the Midland Downtown Park Conservancy Board of Directors. (COMMUNITY SERVICES)

RESOLUTION NO. 2020 - 040

RESOLUTION REAPPOINTING DAVID BYRD TO THE MIDLAND DOWNTOWN PARK CONSERVANCY BOARD OF DIRECTORS; AND DIRECTING THE CITY MANAGER TO DELIVER A COPY OF THIS RESOLUTION TO THE MIDLAND DOWNTOWN PARK CONSERVANCY

Council Member Love moved to approve Approved a resolution reappointing David Byrd to the Midland Downtown Park Conservancy Board of Directors.; 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.

Trost stated he did not know the gentleman. Former superintendent of Hogan Golf Course. Mr. Trost how this came about. Spencer stated they hired . Trost, it is a succession? Love Yes. Dufford explained who had seats. Payton, throwing out a first

pitch at a baseball game. Thank you for the work at Hogan Park. If anyone has any doubt about our parks, etc. Everybody kept praising the facilities. I haven't heard about Midland facilities in 21 years. Thank you for what you did and to

18. Approved a motion authorizing the execution of a sports agreement with West Texas BMX to administer programs, special events, and services related to BMX (Bicycle Motocross) racing and riding. (COMMUNITY SERVICES)
19. Approved a motion authorizing the execution of a sports agreement with the YMCA of Midland, to administer programs, special events, and services related to various sports activities for youth and adults. (COMMUNITY SERVICES)
20. Approved a motion authorizing the execution of a sports agreement with Midland Softball Association, Inc., to administer programs, special events, and services related to youth softball. (COMMUNITY SERVICES)
21. Approved a motion authorizing the execution of a sports agreement with Under the Lights Flag Football League to administer programs, special events, and services related to flag football for youth and adults. (COMMUNITY SERVICES)
22. Approved a motion authorizing the execution of a sports agreement with the Boys and Girls Club of the Permian Basin, to administer programs, special events, and services related to flag football and soccer for youth ages eight through twelve. (COMMUNITY SERVICES)
23. Approved a motion authorizing the execution of a sports agreement with the Midland Soccer Association, Inc., to administer programs, special events, and services related to soccer activities. (COMMUNITY SERVICES)
24. Approved a motion authorizing the execution of a sports agreement with Midland United Girls Softball Association, Inc., to administer programs, special events, and services related to softball activities. (COMMUNITY SERVICES)
25. Approved a motion authorizing the execution of a sports agreement with the Greater Midland Football League to administer programs, special events, and services related to youth football. (COMMUNITY SERVICES)
26. Approved a motion authorizing the execution of a sports agreement with the Midland Junior Baseball Association, Inc., to administer programs, special events, and services related to baseball activities. (COMMUNITY SERVICES)
27. Approved a motion authorizing the execution of a sports agreement with the Texas Cricket Club to administer programs, special events, and services related to cricket activities. (COMMUNITY SERVICES)
28. Approved a resolution authorizing the Mayor and City Manager to execute The United States Department of Housing and Urban Development contract for loan guarantee assistance under Section 108 of the Housing and Community Act of 1974. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2020 - 041

RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION AND AMENDMENTS THERETO AND ALL UNDERSTANDINGS AND ASSURANCES CONTAINED THEREIN TO THE SECTION 108 LOAN GUARANTEE PROGRAM FOR THE FUNDING OF THE PARKS AVENUE HEIGHTS II REGION PROJECT IN THE AMOUNT OF \$3,000,000.00 UNDER SECTION 108 OF THE HOUSING AND COMMUNITY ACT OF 1974; AUTHORIZING TO ACT IN CONNECTION WITH THE APPLICATION TO PROVIDE SUCH ADDITIONAL INFORMATION AS MAY BE REQUIRED; AND AUTHORIZING THE EXECUTION OF SUCH DOCUMENTS AS MAY BE REQUIRED IN ORDER TO IMPLEMENT THE APPLICATION AND ISSUE DEBT OBLIGATIONS PURSUANT THERETO, PROVIDED THAT THE AUTHORIZATION REQUIRED MAY BE GIVEN AFTER THE APPLICATION, BUT PRIOR TO THE EXECUTION REQUIRED BY 24 CFR § 570.705(b)

Council Member Blong moved to approve Approved a resolution authorizing the Mayor and City Manager to execute The United States Department of Housing and Urban Development contract for loan guarantee assistance under Section 108 of the Housing and Community Act of 1974.; seconded by Council Member Robnett.

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

Spencer, this would be something unique with CDBG please explain why this makes sense to do this today vs later. Chuck Harrington stated they did a presentation about infield lots. This was one. The problem was it would have to be expanded over years. Staff did some work and did some research on cost. Isaac was very successful in approaching HUD. What they do is give you a basic advanced against CDBG pay 300,000 per year. We cannot carry money over. If we don't spend it they take it back. We came up with this program. We can use the 200,000 to repay it. This will not affect any of the other programs. Still have 1/2 million dollars available for other project. Dufford, still use bricks and mortar for other projects. Dufford, thank isaac for looking into project. Chuck, this will bring close to 60 lots. Blong: Over the next 15 years we will be repaying this money will we still be receiving more money from CDBG. Chuck, Blong, if we are allocating all this money we are going to have to cut. Chuck we still have money to use from projects that would need to be cut. Blong, thanked Isaac for his efforts. Robert Patrick, a bit of a struggle in this area. A bit of a challenge. Payton, visited with HUD in DC and one of the things they were watching us closely on was this money. Thank you for finding these projects as we are being watched. Ladd, this is money we already had.

29. Approved a motion on request by Newton Engineering, to defer water, wastewater and sidewalk improvements for Southwest Crossing, Section 5, and to waive the corresponding financial security guarantee valued at \$1,951,998.00, an amount equal to the estimated cost of construction. The subject property is generally located to the west of SCR 1232 and approximately 2600 feet south of Cholla Road, outside the corporate limits of the City of Midland, in Midland County. (ENGINEERING SERVICES)

Blong, one of the things concerning is we continue to defer these projects. We are leaving the areas where are we getting into a situation where we are leaving stuff for our kids to clean up. In the ETJ we have an opportunity to. Matt Carr, exactly right, we have been working with this particular developer. It would be paved to city standards. Also they are going to be doing other things that would prepare for the extension of

utilities. Widening part of trail, That will . There are several other things that will be deferred. Blong is that sleeve already in the proposal? They are being requested to have this been put in. We did not specify in the deferral. They have verbally approved. Blong I would like that to be put in the motion intentionally. Ladd how many housings in the project. I understand where the developers and the city are coming from with the ETJ. WE have to ask ourselves is the ETJ just a buffer zone. I would like to table this for more information. Jose stated someone has to maintain and we do have to have conversations with the county and start having conversations with recent commissioners. Love: Third entity, water district. That it self becomes a challenge with annexing to the south. Jose: How do we handle these projects and then how do we move forward. Blong: need to involve developers in the conversation on a regular basis. Love, also suggest we also make sure the community is involved with this.

Robert Anderson, 10716 SHW 191, anderson construction. Blong, do you have any feedback. Anderson the area is all industrial no housing. Will be putting in a sleeve. Would like to move on with it. We will be putting in all that we have discussed. Ladd, not housing? Anderson, all industrial. Its a long way to bring water and sewer per the deferral. Ladd would like the sleeve. Blong, the question we are asking is bigger than this one project. Love how would . Robnett if we defer can we do something in the next few weeks. I don't want to defer them too long. Dufford, I don't think in two weeks we can . I would rather have this at a bigger discussion at the retreat and discuss with the county. I think deferring this today would do a disservice to him. Robnett 105 acre development. Jose, yes sir, Are providing a paved roadway. Its not quite much of a deferral as before. I think we do need more time to look at this. I think we are going to go with the same decision on this project so move forward. Will make an effort in the ETJ to vacate any of Robnett, what I'm hearing is we are okay with moving forward with this one but we need more discussion for future.

Payton, no problem accepting Mr. Anderson's word? Jose two item, plat has not been approved. Yes.

Love, you are going to get calls about the ETJ to my successors.

Council Member Love moved to approve Approved a motion on request by Newton Engineering, to defer water, wastewater and sidewalk improvements for Southwest Crossing, Section 5, and to waive the corresponding financial security guarantee valued at \$1,951,998.00, an amount equal to the estimated cost of construction. The subject property is generally located to the west of SCR 1232 and approximately 2600 feet south of Cholla Road, outside the corporate limits of the City of Midland, in Midland County.; 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. Approved a motion authorizing and executing a Right-of-Way License between the City of Midland and WPX Energy Permian LLC, said Right-of-Way License is for entering the City of Midland's property for the purpose of installing, operating, repairing, maintaining and removing an overhead electrical power, and to have the right to ingress and egress at convenient points for such purpose; the powerline is located within City of Midland's T-Bar Ranch property, Section 25, Block C-23, Abstract 1395, Section 2, Block C-24, Abstract 1396, Public School Lands Survey Winkler County, Section 12, Block C-24,

SECOND READINGS

31. Consider an ordinance on second reading 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) (First reading held January 28, 2020)

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

Council Member Robnett moved to approve Consider an ordinance on second reading 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).; seconded by Council Member Blong.

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

32. Consider an ordinance on second reading 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) (First reading held January 28, 2020)

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

Council Member Love moved to approve Consider an ordinance on second reading 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).; seconded by Council Member Robnett.

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

33. Consider an ordinance on second reading 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) (First reading held January 28, 2020)

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

Council Member Love moved to approve Consider an ordinance on second reading 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. ; seconded by Council Member Robnett.

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

34. Consider an ordinance on second reading 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) (First reading held January 28, 2020)

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

Council Member Love moved to approve Consider an ordinance on second reading 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). ; seconded by Council Member Robnett.

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

PUBLIC HEARINGS

35. Hold a public hearing and consider an ordinance on a request by Jason Heller for a zone change from PD, Planned District for a Shopping Center to an amended PD, Planned Development District for a Shopping Center on Lot 1A, Block 1, Cycles Addition, Section 2, City and County of Midland, Texas, (generally located on the northwest corner of the intersection of West Business I-20 Frontage Road and Tradewinds Boulevard). (DEVELOPMENT SERVICES)

ORDINANCE NO. 10053

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1A, BLOCK 1, CYCLES ADDITION, SECTION 2, 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 AT THE NORTHWEST CORNER OF THE INTERSECTION OF WEST BUSINESS INTERSTATE 20 FRONTAGE ROAD AND TRADEWINDS BOULEVARD); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Council Member Robnett moved to approve Hold a public hearing and consider an ordinance on a request by Jason Heller for a zone change from PD, Planned District for a Shopping Center to an amended PD, Planned Development District for a Shopping Center on Lot 1A, Block 1, Cycles Addition, Section 2, City and County of Midland, Texas, (generally located on the northwest corner of the intersection of West Business I-20 Frontage Road and Tradewinds Boulevard).; 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.

36. Hold a public hearing and consider an ordinance on a request by Cora Lechler for a zone change from a C, Commercial District to SF-3, Single-Family Dwelling District on the North 1/2 of the West 1/3 of Tract 1, Snively Addition, City and County of Midland,

Texas, (generally located approximately 421 feet west of Cotton Flat Road and approximately 865 feet north of West Francis Avenue). (DEVELOPMENT SERVICES)

ORDINANCE NO. 10054

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE THE NORTH 1/2 OF THE WEST 1/3 OF TRACT 1, SNIVELY ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM C, COMMERCIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED APPROXIMATELY 421 FEET WEST OF COTTON FLAT ROAD AND APPROXIMATELY 865 FEET NORTH OF WEST FRANCIS 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

Council Member Love moved to approve Hold a public hearing and consider an ordinance on a request by Cora Lechler for a zone change from a C, Commercial District to SF-3, Single-Family Dwelling District on the North 1/2 of the West 1/3 of Tract 1, Snively Addition, City and County of Midland, Texas, (generally located approximately 421 feet west of Cotton Flat Road and approximately 865 feet north of West Francis Avenue).; seconded by Council Member Blong.

Chuck harrington gave an explanation of the zone change. Feel like becasue of the comprehension. Staff is opposed to it. Did go to p and z and they did approve. No letters of objection but staff is opposed. Robnett, this could go on forever. Love I don't have a problem with modular homes but i do agree with staff in our rush to get affordable housing there are just houses popping up everywhree. I don't think a house is approprite here. I agree with

mayor opened public hearing.

Cora Lechler, expalined she was the owner of lots around there. Robnett, asked for explanation of why there were houses there? New zoning . Its not cumulative. Love, explained zoning and that Love: Chuck there is no street. This is an exhisting situation. Love: Blumenhour do you have any concerns with thisi about getting in or out. Chuck, without seeing exactly where is was at. We are going to get access at the end of the day, as long as we have water we are good. Blong: If we don't approve this right now can she apeal that for a certain amount of time. Chuck, if council . John we would have to look at the application date. If her application beat the amendment then she is vested with respect tothe provision with procludes her from coming back in a year.

Cora, I had already purchased the manufacture home and I had to change to modular so she's already approved for housing and living in an RV.

Love, you are not going to sell and no other development. You willbe drivingn on your own problem. No problem with it.

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 for the annexation of a

40.0492-acre tract of land located in Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas (generally located on the west side of State Highway 158, approximately 2,372 feet north of State Highway 191. ETJ, Extraterritorial Jurisdiction). (DEVELOPMENT SERVICES)

ORDINANCE NO. 10055

AN ORDINANCE EXTENDING THE BOUNDARIES OF THE CITY OF MIDLAND, TEXAS, BY ADDING THERETO A CERTAIN AREA ADJOINING THE PRESENT CITY LIMITS, BEING A 40.0492-ACRE TRACT OF LAND OUT OF SECTION 35, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF STATE HIGHWAY 158, APPROXIMATELY 2,372 FEET NORTH OF STATE HIGHWAY 191); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY

Jan hamilton read the caption

Council Member Love moved to approve Hold a public hearing and consider an ordinance on a request for the annexation of a 40.0492-acre tract of land located in Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas (generally located on the west side of State Highway 158, approximately 2,372 feet north of State Highway 191. ETJ, Extraterritorial Jurisdiction).; seconded by Council Member Trost.

Chuck harrington gave an overview of the request. Is considered a voluntary annexation and recommend approve with no letters of objection. Payton, is this part of the Wadley extention? Jose: shuld be running concurrently.

Payton oph

cph

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

MISCELLANEOUS

38. Discussion and consideration of all matters incident and related to the issuance and sale of "City of Midland, Texas, General Obligation Bonds, Series 2020", including the adoption of an ordinance authorizing the issuance of such bonds. (FINANCE)

ORDINANCE NO. 10056

DISCUSSION AND CONSIDERATION OF ALL MATTERS INCIDENT AND RELATED TO THE ISSUANCE AND SALE OF "CITY OF MIDLAND, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2020", INCLUDING THE ADOPTION OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF SUCH BONDS.

Jan Hamilton read the caption

Jennfer Fung gave an overview of the 25 million general obligation bond. Bong rating was AAA and AA1. Interest rate is 2.0489 percent, compared to 3.28.

Council Member Robnett moved to approve Discussion and consideration of all matters

incident and related to the issuance and sale of "City of Midland, Texas, General Obligation Bonds, Series 2020", including the adoption of an ordinance authorizing the issuance of such bonds.; seconded by Council Member Ladd.

George Williford, Hilltop Security referred to booklet handed out to council. The process was first the GO bond of the third installment of 2017 and the CO, legislature changed everything so more longated. Yesterday after the rating process was given the underwriters, second page of booklet, more or less a perspective. Forst Bank let the offering. They went out yesterday in conjunction with out operator and made offerings to investors and gave a committment to underwrite. For several years we have been talking about low interest rates. All of the municipal hit all time low. Summarized the references in the booklet provided.

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

39. Discussion and consideration of all matters incident and related to the issuance and sale of "City of Midland, Texas, Tax and Limited Pledge Revenue Certificates of Obligation, Series 2020", including the adoption of an ordinance authorizing the issuance of such certificates of obligation. (FINANCE)

ORDINANCE NO. 10057

DISCUSSION AND CONSIDERATION OF ALL MATTERS INCIDENT AND RELATED TO THE ISSUANCE AND SALE OF "CITY OF MIDLAND, TEXAS, TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2020", INCLUDING THE ADOPTION OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF SUCH CERTIFICATES OF OBLIGATION.

Council Member Love moved to approve Discussion and consideration of all matters incident and related to the issuance and sale of "City of Midland, Texas, Tax and Limited Pledge Revenue Certificates of Obligation, Series 2020", including the adoption of an ordinance authorizing the issuance of such certificates of obligation.; 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.

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.)

Love: Encourage Council to support conference? for Shirly Howard.

Shirly Howard, 405 E. Magnolia, Negro Womans Business? Are a group that is very active in this community since 1952. Come before for support on event March 19. Conference includes in 2018 the chambers came to houston with a bid to bring to midland. My group went before the group and had three diffrenct states that wanted to

host this conference and it took a lot of pulling teeth to bring this conference to midland. We cannot do it alone. I have reached out to different businesses, etc. and have talked to many of you for support in many ways. Asking for 5000 from the city. We need the support, we cannot pull this off alone. Will take donations, looking at 300 to 500 people. If City cannot I will reach out with MDC to see what they can do as well, but City we need you. On behalf of organization thanked Mr. Love for all he has done.

EXECUTIVE SESSION

41. 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:

adjourned 11:36 a.m.

- a. Section 551.072, Deliberation Regarding Real Property.

- a.1. Discuss the purchase, exchange, lease or value of real property.

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