

**MIDLAND CITY COUNCIL
MINUTES
February 24, 2015**

BRIEFING SESSION

The City Council convened in a Briefing Session in the basement conference room, City Hall, Midland, Texas, at ____ a.m. on February 24, 2015.

Council Members present: Mayor Jerry F. Morales, Mayor Pro Tem Scott Dufford (At-Large), Council Member Spencer Robnett (At-Large), Council Member Jeff Sparks (District 1), Council Member John B. Love, III (District 2), Council Member Sharla Hotchkiss (District 3), and Council Member J.Ross Lacy (District 4).

Council Members absent: None.

Staff members present: City Manager Courtney Sharp, City Attorney John Ohnemiller, Deputy City Manager Tommy Hudson, Assistant City Manager Robert Patrick, Assistant City Manager Frank Salvato, City Secretary Amy Turner, Police Chief Price Robinson, Fire Chief Robert Isbell, Utilities Director Laura Wilson, Administrative Services Director Catherine Clifton, Finance Director Pam Simecka, Development Services Director Charles Harrington, Community Services Director Tina Jauz, Engineering Director Jose Ortiz, Interim Director of Airports Justine Ruff, Planning Division Manager Bob Baronti, Building Official Steve Thorpe, Public Information Officer Sara Bustilloz, and Community Development Manager Sylvester Cantu.

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 ____ a.m., February 24, 2015.

Council Members present: Mayor Jerry F. Morales, Mayor Pro Tem Scott Dufford (At-Large), Council Member Spencer Robnett (At-Large), Council Member Jeff Sparks (District 1), Council Member John B. Love, III (District 2), Council Member Sharla Hotchkiss (District 3), and Council Member J.Ross Lacy (District 4).

Staff members present at the annex table: City Manager Courtney Sharp, City Attorney John Ohnemiller, Deputy City Manager Tommy Hudson, Assistant City Manager Robert Patrick, and Assistant City Manager Frank Salvato.

The Agenda Items were heard in the following order:

EXECUTIVE SESSION

cto 9

rec 9

reg ses 10

1. 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 551.074, Personnel Matters.
 - a.1. Deliberate the employment, evaluation, compensation, and duties of the new Municipal Court Presiding Judge.
 - b. Section 551.071, Consultation with the City Attorney.
 - b.1. Discuss with the City Attorney and attorneys from the Cotton, Bledsoe, Tighe & Dawson law firm litigation styled Lockridge Outdoor Advertising, LLC v. City of Midland, in the 142nd Judicial District Court in Midland County, Texas, Cause No. CV-50,846.
 - c. Section 551.087, Deliberation Regarding Economic Development Negotiations.
 - c.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.
 - d. Section 551.072, Deliberation Regarding Real Property.
 - d.1. Discuss the purchase, exchange, lease, or value of Block 7, all lots, Original Town, Midland, Midland County, Texas.

REGULAR SESSION (Will begin at approximately 10:00 a.m.)

OPENING ITEMS

2. Invocation - Pastor Davis, Temple Baptist Church.
3. Pledge of Allegiance

PRESENTATIONS

4. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Presentation of a Proclamation for American Red Cross Month.
 - b. Presentation of a Proclamation to City Attorney Keith Stretcher .

PUBLIC COMMENT

none

5. Receive public comments where individuals may address the City Council on City related issues and projects. 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.)

CONSENT AGENDA

Council Member Robnett moved to approve Consent Agenda items 6 - 16 excluding 7, 11; seconded by Council Member Love.

The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Dufford.

6. Approved a motion approving the following minutes:
 - a. Regular meeting of February 10, 2015.
8. Approved a resolution approving plans and specifications and authorizing advertisement for bids for the Douglas Avenue and D Street Paving and Drainage Improvement Project for the Engineering Services Department. (PURCHASING)

RESOLUTION NO. 2015 - 052

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE DOUGLAS AVENUE AND D STREET PAVING AND DRAINAGE IMPROVEMENT PROJECT; SAID PROJECT WILL PROVIDE FOR STORM WATER SEWER AND PAVEMENT IMPROVEMENTS TO BE INSTALLED ON DOUGLAS AVENUE, FROM NORTH B STREET TO NORTH D STREET, AND ON NORTH D STREET, FROM DOUGLAS AVENUE TO STOREY AVENUE

9. Approved a resolution approving the purchase of one (1) ambulance remount on a Chevrolet 3500 chassis from Knapp Chevrolet through the Houston-Galveston Area Council (H-GAC) for the Garage Division. (PURCHASING)

RESOLUTION NO. 2015 - 053

RESOLUTION APPROVING THE PURCHASE OF ONE (1) AMBULANCE REMOUNT ON A CHEVROLET 3500 CHASSIS FROM KNAPP CHEVROLET, INCORPORATED THROUGH THE HOUSTON-GALVESTON AREA COUNCIL AT A TOTAL COST OF \$90,175.00; THIS ITEM WAS NOT BID BUT PURCHASED THROUGH A COUNCIL OF GOVERNMENTS

10. Approved a resolution approving the purchase of one (1) turf spray rig with boom and one (1) fairway mower from Professional Turf Products, L.P. through Buyboard contract 447-14 for the Garage Division. (PURCHASING)

RESOLUTION NO. 2015 - 054

RESOLUTION APPROVING THE PURCHASE OF ONE (1) TURF SPRAY RIG WITH

BOOM AND ONE (1) FAIRWAY MOWER FROM PROFESSIONAL TURF PRODUCTS, L.P., THROUGH BUYBOARD AT A TOTAL COST OF \$91,190.33; THIS ITEM WAS NOT BID BUT PURCHASED THROUGH A COOPERATIVE PURCHASING PROGRAM

12. Approved a resolution approving an amendment to the Economic Development Agreement between the Midland Development Corporation and XCOR Aerospace, Inc., for the construction of a Rocket Engine Test Stand Facility at Midland International Air and Space Port; and approving a Change Order to the Construction Agreement between the Midland Development Corporation, XCOR Aerospace, Inc., and N.C. Sturgeon, LP for said Purpose. (CITY MANAGER'S OFFICE)

RESOLUTION NO. 2015 - 056

RESOLUTION APPROVING AN AMENDMENT TO THE ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND XCOR AEROSPACE, INC. FOR THE CONSTRUCTION OF A ROCKET ENGINE TEST STAND FACILITY AT MIDLAND INTERNATIONAL AIR AND SPACE PORT; AND APPROVING A CHANGE ORDER TO THE CONSTRUCTION AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION, XCOR AEROSPACE, INC., AND N.C. STURGEON, LP FOR SAID PURPOSE

13. Approved a resolution authorizing the transfer of Lot 12A, Block 1, Glenn Frances Addition Section 2, City and County of Midland; Lots 3, 4 and 5, Block 6, Glenn Frances Addition Section 2, City and County of Midland to Midland Habitat for Humanity, Incorporated, in accordance with Section 253.011 and Section 272.001 of the Texas Local Government Code; and authorizing the City Manager and the City Attorney to execute all documents necessary to transfer ownership; the transfer of this property is not subject to the notice, bidding, and obtaining of fair market value requirements of State Law. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2015 - 057

RESOLUTION AUTHORIZING THE TRANSFER OF LOT 12A, BLOCK 1, GLEN FRANCES ADDITION SECTION 2, CITY AND COUNTY OF MIDLAND; LOTS 3, 4 AND 5, BLOCK 6, GLENN FRANCES ADDITION SECTION 2, CITY AND COUNTY OF MIDLAND TO MIDLAND HABITAT FOR HUMANITY, INCORPORATED, IN ACCORDANCE WITH SECTION 253.011 AND SECTION 272.001 OF THE TEXAS LOCAL GOVERNMENT CODE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO TRANSFER OWNERSHIP; THE TRANSFER OF THIS PROPERTY IS NOT SUBJECT TO THE NOTICE, BIDDING, AND OBTAINING FAIR MARKET VALUE REQUIREMENTS OF STATE LAW; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MIDLAND AND HABITAT FOR HUMANITY, INCORPORATED

14. Approved a resolution authorizing the transfer of Lot 3A, Block 4 Glenn Frances Addition Section 2, City and County of Midland; Lot 15, Block 6, Glenn Frances Addition Section 2, City and County of Midland to Midland Community Development Corporation, Incorporated, in accordance with Section 253.011 and Section 272.001 of the Texas Local Government Code; and authorizing the City Manager and the City Attorney to execute all documents necessary to transfer ownership; the transfer of this property is not subject to the notice, bidding, and obtaining of fair market value requirements of state law. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2015 - 058

RESOLUTION AUTHORIZING THE TRANSFER OF LOT 3A, BLOCK 4, GLENN FRANCES ADDITION SECTION 2, CITY AND COUNTY OF MIDLAND; LOT 15, BLOCK 6, GLEN FRANCES ADDITION SECTION 2, CITY AND COUNTY OF MIDLAND AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, TO MIDLAND COMMUNITY DEVELOPMENT CORPORATION, INCORPORATED, IN ACCORDANCE WITH SECTION 253.011 AND SECTION 272.001 OF THE TEXAS LOCAL GOVERNMENT CODE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO TRANSFER OWNERSHIP; THE TRANSFER OF THIS PROPERTY IS NOT SUBJECT TO THE NOTICE, BIDDING, AND OBTAINING FAIR MARKET VALUE REQUIREMENTS OF STATE LAW; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MIDLAND AND MIDLAND COMMUNITY DEVELOPMENT CORPORATION, INCORPORATED

15. Approved a resolution to accept the dedication of a pedestrian access easement, being a 0.05-acre tract of land located on Lot 5, Block 2, Grandview Addition, Section 5, City and County of Midland, Texas (Generally located on the west side of Culver Drive, at west end of Gulf Avenue.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2015 - 059

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A 0.05-ACRE PEDESTRIAN ACCESS EASEMENT LOCATED IN LOT 5, BLOCK 2, GRANDVIEW ADDITION, SECTION 5, MIDLAND, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF CULVER DRIVE, AT THE WEST END OF GULF AVENUE); AND ORDERING RECORDATION BY THE CITY SECRETARY

16. Approved a resolution authorizing and executing a Right-of-Way License between City of Midland, Texas and Atlas Pipeline Mid-Continental WestTex 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, replacing and removing a low pressure gas transportation pipeline, not to exceed six (6) inches in diameter, and to have the right to ingress and egress at convenient points for such purpose: the pipeline is located within the City of Midland property, Sections 5, 8, and 9, Block 38, T-2-S, T&P RR Survey, Midland County, TX. (ENGINEERING SERVICES)

RESOLUTION NO. 2015 - 060

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND, TEXAS AND ATLAS PIPELINE MID-CONTINENT WESTTEX, LLC; SAID RIGHT-OF-WAY LICENSE IS FOR ENTERING CITY OF MIDLAND PROPERTY FOR THE PURPOSE OF PLACING, INSTALLING, CONSTRUCTING, OPERATING, REPAIRING, MAINTAINING, REPLACING AND REMOVING A LOW PRESSURE GAS PIPELINE AND TO HAVE THE RIGHT OF INGRESS AND EGRESS AT CONVENIENT POINTS FOR SUCH PURPOSE; THE PROPERTY IS LOCATED IN MIDLAND COUNTY, TEXAS, BEING SECTIONS 5, 8, AND 9, BLOCK 38, TOWNSHIP 2 SOUTH, T&P RR CO. SURVEY; THE LICENSE TERM IS FOR FIVE (5) YEARS, COMMENCING WITH THE DATE OF THIS LICENSE AND SHALL AUTOMATICALLY RENEW AT THE END OF THE TERM FOR ONE ADDITIONAL FIVE (5) YEAR TERM UPON 120 DAYS WRITTEN REQUEST PRIOR TO EXPIRATION

7. Approved a resolution rescinding item 6 and item 7 of Resolution 2014-163 for the purchase of two (2) octagon gazebos and one (1) hexagon picnic shelter from Site Source, Inc. for the Community Services Department. (PURCHASING)

RESOLUTION NO. 2015 - 051

RESOLUTION RESCINDING ITEMS SIX (6) AND SEVEN (7) OF RESOLUTION NO. 2014-163; ITEM 6 FOR TWO (2) OCTAGON GAZEBOS (\$40,164.00), AND ITEM 7 FOR ONE (1) HEXAGON PICNIC SHELTER (\$17,264.00), BID BY SITE SOURCE INCORPORATED, SAID BID REQUIRED INSTALLATION SERVICES AND THEREFORE COMPELLED THE EXECUTION OF A PURCHASE AND INSTALLATION AGREEMENT

Council Member Robnett moved to adopt Resolution No. 2015 - 051; seconded by Council Member Lacy.

Lacy why awarded to someone who didn't have proper insurance. Regina send email when together took at word and then didn't. Love Site source Inc. but is a sole proprietor. confusing. Keith think she is which is why couldn't get insurance. love named co that but not incorporated. lacy in good standings? Regina usually check on state comptroller and make sure there.

Morales is this similar to Hogan Park. Laurie no mor elike wdley barron.

Morales describ epicnic. laurie small adjacent to pavillion and

The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Dufford.

11. Approved a resolution changing the 2015 City Council meeting calendar by adding three regular meetings on March 10, May 19 and September 01; three special meetings on July 7, August, 4 and August 18; and removing the May 12 and May 26 regular meetings. (CITY MANAGER'S OFFICE)

RESOLUTION NO. 2015 - 055

RESOLUTION ADDING THREE (3) SPECIAL CITY COUNCIL MEETINGS ON JULY 27, 2015, AUGUST 4, 2015, AND AUGUST 18, 2015; AND ADDING THREE (3) REGULAR CITY COUNCIL MEETINGS ON MARCH 10, 2015, MAY 19, 2015 AND SEPTEMBER 1, 2015, TO THE CITY COUNCIL MEETINGS SCHEDULED FOR THE 2015 CALENDAR YEAR; AND REMOVING THE MAY 12, 2015 AND MAY 26, 2015 REGULAR CITY COUNCIL MEETINGS

Council Member Lacy moved to adopt Resolution No. 2015 - 055 with amendment to remove June 16, add June 9, June 30 and add a special meetings on April 30 and May 1 for Council retreat; seconded by Council Member Robnett.

Love pulled have conflict for September 22 appeal to Council to move August 25 to another date. 15 or 29. alot of info to move around. Sparks had couple issues would like to talk about moving meetings instead of one in June consider making 2 meetings are regular scheduled 2 and 4th on 9 and 23 instead of 16th of June./ and add special meeting on April 30 and May 1. Mayor two months

The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Dufford.

SECOND READINGS

17. Consider an ordinance on second reading on a request by Lockridge Outdoor Advertising, LLC/Culver Building Contractor for a Specific Use Permit with Term for a Billboard on Lots R & S, Tract 1, Stockyard Acres, City and County of Midland, Texas (Generally located between West Industrial Avenue and West Florida Avenue, approximately 1,100 feet east of South Garfield Street.) (DEVELOPMENT SERVICES) (First reading held November 18, 2014.)

ORDINANCE NO. 9357

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS LOTS R AND S, TRACT 1, STOCKYARD ACRES, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED BETWEEN WEST INDUSTRIAL AVENUE AND WEST FLORIDA AVENUE, APPROXIMATELY 1,100 FEET EAST OF SOUTH GARFIELD STREET), WHICH IS PRESENTLY ZONED C-3, COMMERCIAL DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR A BILLBOARD; MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9357.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9357 in accordance with the Charter of the City of Midland; seconded by Council Member Sparks.

The motion carried by the following vote: AYE: Love, Sparks, Morales, Lacy. NAY: Hotchkiss, Robnett. ABSTAIN: None. ABSENT: Dufford.

18. Consider an ordinance on second reading on a request by DJK, Inc. for a zone change from LR-2, Local Retail District to LI, Light Industrial District on a 49.32-acre tract of land out of Section 48, Block 41, T-1-S, T&P RR Company Survey, City and County of Midland, Texas (Generally located on the south side of State Highway 191, approximately 0.5-miles west of South FM 1788.) (DEVELOPMENT SERVICES) (First reading held February 10, 2015)

ORDINANCE NO. 9408

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING A 49.32-ACRE TRACT OF LAND OUT OF SECTION 48, BLOCK 41, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED LR-2, LOCAL RETAIL DISTRICT, TO BE USED AS AN LI, LIGHT INDUSTRY DISTRICT (GENERALLY LOCATED ON THE SOUTH SIDE OF STATE HIGHWAY 191, APPROXIMATELY 0.5 MILES WEST OF SOUTH FARM TO MARKET ROAD 1788); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY

OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9408.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9408 in accordance with the Charter of the City of Midland; seconded by Council Member Sparks.

The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: Dufford.

PUBLIC HEARINGS

19. At approximately 10:30 A.M. hold a public hearing and consider an ordinance on a request by Lockridge Outdoor Advertising LLC / Kevin Plumlee for a Specific Use Permit with Term for a Billboard on Lot 10, Block 3, Plunk Addition, Section 8, City and County of Midland, Texas (Generally located on the south side of Garden City Highway, approximately 400 feet west of Henderson Boulevard.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9371

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS LOT 10, BLOCK 3, PLUNK ADDITION, SECTION 8, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF GARDEN CITY HIGHWAY, APPROXIMATELY 400 FEET WEST OF HENDERSON BOULEVARD), WHICH IS PRESENTLY ZONED LI, LIGHT INDUSTRY DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR A BILLBOARD; MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Development Services Director Chuck Harrington gave a brief overview of the item noting originally presented to Council in Dec appproposing instal of billboard under old reg on garden city hwy. in p7z proces srec approval 5-3 no loj. Hotchkiss thought there was from Tommy Whie Supply, chuck two letters of objection.

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9371.

Mayor Morales opened the public hearing at 10:30 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. 9371 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

Mayor question how many billboards within 1/2 mile or few blocks. chuck will have to look up.

The motion Failed by the following vote: AYE: Love, Lacy. NAY: Hotchkiss, Sparks,

Morales, Robnett. ABSTAIN: None. ABSENT: Dufford.

20. At approximately 10:33 A.M. hold a public hearing and consider an ordinance on a request by Lockridge Outdoor Advertising / Raymond Jenkins On Appeal for an Electronic Billboard on Lot 1A, Block 2A, Midkiff Plaza, Section 11, City and County of Midland, Texas (Generally located on the south side of West Loop 250 North, approximately 680-feet east of North Midkiff Road.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9375

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS LOT 1A, BLOCK 2A, MIDKIFF PLAZA, SECTION 11, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST LOOP 250 NORTH, APPROXIMATELY 680 FEET EAST OF NORTH MIDKIFF ROAD), WHICH IS PRESENTLY ZONED LR-2, LOCAL RETAIL DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR AN ELECTRONIC BILLBOARD; MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Development Services Director Chuck Harrington gave a brief overview of the item noting request for billboard under old regulations. this is an appeal. activity came forward for vote discussion was location was concerned about billboard on loop 250. Mayor he sells on long term contract and he gets compensated regardless of who owner is. chuck if he no longer owns property it would transfer.

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9375.

Love there is 1 or 2 billboard to the west of this on loop. are there any to the east. this will be first coming for east? chuck there may be some further east. Love are there any on south side. chuck yes further west.

Mayor Morales opened the public hearing at 10:35 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Sparks moved approval of the first of two readings of Ordinance No. 9375 in accordance with the Charter of the City of Midland; seconded by Council Member Love.

The motion Failed by the following vote: AYE: Love. NAY: Hotchkiss, Sparks, Morales, Lacy, Robnett. ABSTAIN: None. ABSENT: Dufford.

21. At approximately 10:36 A.M. hold a public hearing and consider an ordinance on a request by Lockridge Outdoor Advertising, LLC c/o Wicca Wisdom On Appeal for a Specific Use Permit with Term for a Billboard on the West 100-feet of the South Half of Block 16, Loma Linda Addition, Section 4, City and County of Midland, Texas (Generally located southeast of the intersection of North Big Spring Street and West Oak Avenue.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9387

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS THE WEST 100 FEET OF THE SOUTH HALF OF BLOCK 16, LOMA LINDA ADDITION, SECTION 4, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF NORTH BIG SPRING STREET AND WEST OAK AVENUE), WHICH IS PRESENTLY ZONED LR-2, LOCAL RETAIL DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR A BILLBOARD; MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Mayor abstain and left dais.

Development Services Director Chuck Harrington gave a brief overview of the item noting request is for billboard under old regs went to 07z in nov deferred until today. a p7z review request there was loj that p7z received. p7z voted to not approve by 8-0.

Love did you talk to person who wrot eletter. Chuck no sir. Hotchkiss were there others who came forward to speak. chuck yes at elast one other person spoke against. Hotchkiss that is what she recalled as well strongly opposed.

Hotchkiss close to residences. at that time 75 feet . chuck met requirements bu toposition.

Love did nto support originally because little to close to one across street. however understanding ord at time was written don't hav eobjection any more or concern.

Council Member Sparks opened the public hearing at 10:40 a.m.

Tom Lockridge 2110 Ranch Rd South, on ph with p7z commission there wasn't anyone in regard to specific location. most of conversations was on behalf of one across street dr mendez property. reason p7z rec denail, they kept referencing near intersection. He issued to them another approved digittla sign on rankin hghway that city council approved before. that was leading reason why p7z objected to.

sparks on big spring correct, yes.

There being no one else wishing to speak, the public hearing was closed at 10:42 a.m.

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9387.

motion dies lack fo second.

Council Member Love moved approval of the first of two readings of Ordinance No. 9387 in accordance with the Charter of the City of Midland; seconded by Council Member .

22. At approximately 10:39 A.M. hold a public hearing and consider an ordinance on a request by Lockridge Outdoor Advertising LLC / Industrial Oils Inc. for a Specific Use

Permit with Term for a Billboard on a 4.25-acre tract of land out of Section 4, Block 39, T-2-S, T&P RR Company Survey, City and County of Midland, Texas (Generally located approximately 280 feet north of Gist Avenue, between South Midkiff Road and West Industrial Loop.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9370

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS A 4.25-ACRE TRACT OF LAND OUT OF SECTION 4, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED APPROXIMATELY 280 FEET NORTH OF GIST AVENUE, BETWEEN SOUTH MIDKIFF ROAD AND WEST INDUSTRIAL LOOP), WHICH IS PRESENTLY ZONED C-3, COMMERCIAL DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR A BILLBOARD; MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Development Services Director Chuck Harrington gave a brief overview of the item noting request is under old regs reviewed by staff found to comply with regs, p7z rec approval 6-2 in november. came to Council in Dec and deferred to now. one letter of opposition. two letters of opposition. Love look at second loo says too close to existing billboards. what else is around there. Chuck measure all billboard according to ord it was 1000 foot spacing.

Mayor Morales opened the public hearing at 10:45 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9370.

Council Member Love moved approval of the first of two readings of Ordinance No. 9370 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

The motion Failed by the following vote: AYE: Love, Lacy. NAY: Hotchkiss, Sparks, Morales, Robnett. ABSTAIN: None. ABSENT: Dufford.

23. At approximately 10:42 A.M. hold a public hearing and consider an ordinance on a request by Lockridge Outdoor Advertising, LLC / Cliff Rowe On Appeal for a Specific Use Permit with Term for a Billboard on a 2.86-acre tract of land out of Section 7, Block 39, T-2-S, T&P RR Company Survey, City and County of Midland, Texas (Generally located on the south side of West Interstate Highway 20, approximately 1,600-feet east of South Loop 250 West.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9400

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS A 2.86-ACRE TRACT OF LAND LOCATED IN SECTION 7, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST INTERSTATE HIGHWAY 20, APPROXIMATELY 1,600 FEET EAST OF SOUTH LOOP 250 WEST),

WHICH IS PRESENTLY ZONED BP, I-20 BUSINESS PARK DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR A BILLBOARD; MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Development Services Director Chuck Harrington gave a brief overview of the item noting appeal made originally denied at p7z by 4-1 vote based conflict in spacing. ord says within 1000 feet of property line of exisitng permit. what happened there was billboard qualified to prohibit but found the other billboard permit had expired which made this one eligible. love denied by p7z and 4-1 vote. no just meeting with barely a quorum. Sparks this is where doing a lot of construction, a light going in. back all the way up queing so bad back up onto I-20 and getting ready to have a lot of development on corner correct? chuck yes.

Mayor Morales opened the public hearing at 10:49 a.m.

Tom Lockridge 2210 bee cave before on city council circling around when voting thought had to be based from other sign which is why p7z voted against it. he met ord criteria throughough location.

There being no one else wishing to speak, the public hearing was closed at 10:50 a.m.

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9400.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9400 in accordance with the Charter of the City of Midland; seconded by Council Member Love.

The motion Failed by the following vote: AYE: Love, Lacy. NAY: Hotchkiss, Sparks, Morales, Robnett. ABSTAIN: None. ABSENT: Dufford.

24. At approximately 10:45 A.M. hold a public hearing and consider an ordinance on a request by Lamar Advertising / Aggietech Energy Services for a Specific Use Permit with Term for a Billboard on a 33.49-acre tract of land out of Section 7, Block 39, T-2-S, T&P RR Company Survey, City and County of Midland, Texas (Generally located on the south side of West I-20, approximately 2,000-feet east of South Loop 250 West.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9409

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS A 33.49-ACRE TRACT OF LAND OUT OF SECTION 7, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST I-20, APPROXIMATELY 2,000 FEET EAST OF SOUTH LOOP 250 WEST), WHICH IS PRESENTLY ZONED BP, I-20 BUSINESS PARK DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR A BILLBOARD; MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A

SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Development Services Director Chuck Harrington gave a brief overview of the item noting this is other billboard in question on previous case applied for new permit. The way property is laid out. the eis property line meets 1500 feet requirement where other one didn't this request is being made to clean up their situation requesting to keep it there.

Mayor Morales opened the public hearing at 10:53 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9409.

Council Member Love moved approval of the first of two readings of Ordinance No. 9409 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

sparks remind everybody further from intersection same intersection that have traffic problems on and need to be aware until things changed out there could be inappropriate.

The motion Failed by the following vote: AYE: Love, Lacy. NAY: Hotchkiss, Sparks, Morales. ABSTAIN: None. ABSENT: Dufford, Robnett.

25. At approximately 10:48 A.M. hold a public hearing and consider an ordinance on a City-initiated request to amend Chapter 3 "Flood Hazard Areas" to Title XI, "Planning and Development" of the City Code. (DEVELOPMENT SERVICES)

ORDINANCE NO. 9410

AN ORDINANCE AMENDING TITLE XI, "PLANNING AND DEVELOPMENT", CHAPTER 3, "FLOOD HAZARD AREAS", OF THE CITY CODE OF MIDLAND, TEXAS, SO AS TO RENAME SAID CHAPTER "FLOOD DAMAGE PREVENTION CODE" AND TO MAKE COMPREHENSIVE REVISIONS PERTAINING TO THE REGULATION OF FLOOD HAZARD AREAS WITHIN THE CITY OF MIDLAND; SETTING FORTH VARIANCE AND APPEAL PROCEDURES; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND ORDERING PUBLICATION

Jeff Cohen gave a brief overview of the item noting Engineering Svcs Dept requesting amendment of Ch 3 as a participant in natl flood ins program required to keep our flood ord updated with urrent fema standards. it has been many years since updated. bulk of changes involve updates to comply with current fema language. less than 10 but more than 5 years. lacy what is reason for increasing penalty from \$500 to \$2,000. Jeff appropriate to add incentive of violating flood hazard ord can be serious and dangerous threatens life safety and property so strong incentive. love if violate and ubild in area won't city reuquire to tear down. Love hear what he is saying what would be more substantial is having to tear entire structure down. jueff to point when actually tear

down, have to see if there is auth that would allow city to raze structure. there is reuquirement that structure complies with flood ord requirements but every day that structure does not comply there is a penalty.

Mayor Morales opened the public hearing at 10:57 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9410.

Council Member Love moved approval of the first of two readings of Ordinance No. 9410 in accordance with the Charter of the City of Midland; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Lacy. NAY: None. ABSTAIN: None. ABSENT: Dufford, Robnett.

26. At approximately 10:51 A.M. hold a public hearing and consider a resolution on a request by Kandi Brem for a Temporary Land Use Permit for a private Outdoor Amusement Event on the south half of Lot 2 & Lot 3, Block 19, Cowden Addition, City and County of Midland, Texas (Generally located on the west side of North Big Spring Street, approximately 80-feet south of Hart Avenue.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2015 - 061

RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR A PRIVATE OUTDOOR AMUSEMENT EVENT ON THE SOUTH HALF OF LOT 2 AND LOT 3, BLOCK 19, COWDEN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF NORTH BIG SPRING STREET, APPROXIMATELY 80 FEET SOUTH OF HART AVENUE); AND MAKING SAID PERMIT SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS CONTAINED HEREIN

Development Services Director Chuck Harrington gave a brief overview of the item noting applicant is private business proposing to have birthday party in the rear of their property where open space. proposing live musick from 6 to 11 residential immediatley to west about a block away that could have impact. reviewed app and other than hours of operation and noise ord staff okay. Lacy don't normally shut down? chuck it depends. Lacy at 10 p.m. requiried to turn music down. chuck tha tis normally in mor eresidential neighborhood. Love reduce noise at 10 and continual until 11 if choose. Hotchkiss no one objected. Chuck felt like one City council should look at.

Mayor Morales opened the public hearing at 11:01 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Love even though didn't receive letters of objection someone will complain. letters often don't reach people. Htochkiss talked about fact of limiting hours or limiting noise level. Love have reduction. Lacy alcohol present. chuck private party alcohol not for sale. Lacy do we not require police? chuck not for private property. Lacy this facing public road. Hotchkiss band facing the toward building but don't know. Morales know neighbors well and everything will probably be okay.

Council Member Love moved to adopt Resolution No. 2015 - 061; seconded by Council

Member Lacy.

red7uce music at 10 already in reso.

The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Lacy.
NAY: None. ABSTAIN: None. ABSENT: Dufford, Robnett.

MISCELLANEOUS

27. Approved a motion directing staff to begin the annexation of a 1.53-acre tract of land out of Section 6, Block 38, T-2-S, T&P RR Company Survey, Midland County, Texas (Generally located on the south side of East State Highway 158, approximately 2,200-feet east of South Fairgrounds Road.) (DEVELOPMENT SERVICES)

Development Services Director Chuck Harrington gave a brief overview of the item noting this and next itme relate to same property to be developed as Pilot travel station. requested annexed into City. Sparks how far from utiltiies. love right next door. at applicant request.

Council Member Love moved to approve a motion directing staff to begin the annexation of a 1.53-acre tract of land out of Section 6, Block 38, T-2-S, T&P RR Company Survey, Midland County, Texas (Generally located on the south side of East State Highway 158, approximately 2,200-feet east of South Fairgrounds Road.); seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Lacy.
NAY: None. ABSTAIN: None. ABSENT: Dufford, Robnett.

28. Approved a motion directing staff to begin the annexation of a 9.15-acre tract of land out of Section 7, Block 38, T-2-S, T&P RR Company Survey, Midland County, Texas (Generally located on the south side of East State Highway 158, approximately 2,200-feet east of South Fairgrounds Road.) (DEVELOPMENT SERVICES)

Development Services Director Chuck Harrington gave a brief overview of the item noting same.

Council Member Lacy moved to approve a motion directing staff to begin the annexation of a 9.15-acre tract of land out of Section 7, Block 38, T-2-S, T&P RR Company Survey, Midland County, Texas (Generally located on the south side of East State Highway 158, approximately 2,200-feet east of South Fairgrounds Road.); seconded by Council Member Sparks.

The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Lacy.
NAY: None. ABSTAIN: None. ABSENT: Dufford, Robnett.

29. Consider an ordinance amending the City Code sections relating to the Airport Director. (CITY MANAGER'S OFFICE)

ORDINANCE NO. 9411

AN ORDINANCE AMENDING TITLE XIII, "AIRPORTS", CHAPTER 1, "AIRPORT REGULATIONS", SECTION 2, "AIRPORT MANAGER", SECTION 4, "ABSENCE OR

DISABILITY OF AIRPORT MANAGER", AND SECTION 13, "COMPENSATION OF AIRPORT MANAGER", OF THE CITY CODE OF MIDLAND, TEXAS, SO AS TO AUTHORIZE THE CITY MANAGER OF THE CITY OF MIDLAND TO APPOINT THE AIRPORT MANAGER AS THE ADMINISTRATIVE HEAD OF THE DEPARTMENT OF AIRPORTS UNDER THE DIRECTION AND SUPERVISION OF THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE, TO APPOINT A QUALIFIED PERSON TO PERFORM THE DUTIES OF THE AIRPORT MANAGER IN THE ABSENCE OR DISABILITY OF THE AIRPORT MANAGER, AND TO DETERMINE THE COMPENSATION OF THE AIRPORT MANAGER; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND ORDERING PUBLICATION

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9411.

Love don't think this ord makes sense because this is Midland TX conservative but here about to put layers of beurocracy in front of airport mgr. mgr understands faa rules and regulation and cm does excellent job but doesn't make sense to hav etha tindividually go through cm designee and themn cm with respect to faa requirements. Courtney this is ord that was approved in 1947 that spells out roles ad responsibility of airport mgr. the only chagnes making is to get consistant with other dept directors that report to cm. this is only one council was involved with everything else stays the same. Love it was a 1947 ord but reaffirmed in 1998? Morales acceptable to remove Council don't have experience to commenting advice to airport director. do believe need to remove should report directly to cm. this levels seems like we eliminate any other third partieis a srecently experienced. Courtney reason put designee is if acm direct report. almost impossible to report directly to cm so hav evarious acm that have their roles. Courtney when assign acm of various depts their not experts in those fields but they know how to hire folks that know how to do that. make sure director is reporting to person that is knowledgeable. love the faa is already nervous about what doing in midland tx and wnat to send a strong signal to faa that lets them know confidence in airport director and have ability and uathomy to do the job. believe they will either way. Mayor this being airport directors first year on his or her own. sparks does city council even have are we even considered on who gets hired. Lacy extremely important being first with spaceport can't mess this up. predecessor was about to report to Council. want to keep it with council. cna't be in all palces this needs to be made then not two days later. need to get answers and clarity moving forward while attracting millions of dollars for space companies. Morales what about have cm serve for first year and then bring back to Council. Mayor need airport director reporting to cm. Love this don't see as another dept of the city always seen as autonomous always in back successfully runairport that has ability to - faa is jsut waiting for us to mess up. Hotchkiss similar to solid waste own source, authomous own revenue stream. Love already exists ambigulously. htochkiss not knowledgable about airport and board seems to be running smoothly. lacy airport is advisory. fostered econ growth that have experienced. There is someone from airport board in aud

earl eardman moss drive been on airport for 12 years, ws director for 6 of those years. Mr. Lacy was first laiason ever for City Council. Hav ea lot of things going on at airport. thanked for putting on board. can't vote but can talk. father on airport 2 terms. learned how airports run from his fatherin law. at bush airport. John Midland is on radar received from outside sources. Mr. Lacy understand several opportunities coming to airport that will be big thing. courtney and Council needs to be involved. airport is one

of biggest revenue streams. airport board only there to advise. this first reading need to get it right. Courtney does a great job deputy director is liaison is very knowledgeable.

Love this is no way disparaging against cm or his staff. Just think have to get it right. Mayor way worded Council what part does Council have? does it ever go back to Council.. Keith answers to cm cm sets salary and approves budget. Mayor other way don't remember it coming to them. Keith but it was written that way. Sparks only if there was a problem. Hotchkiss can always request review. Sparks can always advise cm. Courtney puts in same status as other directors. Keith he will work for cm except for 4 people. Mayor remove designee so don't have several parties involved. Love can support that his chief concern is making sure director has ability to react and respond to faa as quickly as possible. believe cm will do that so can agree with that.

sparks feel uncomfortable with this.

John withdrew his motion. Mayor old way wasn't working airport director didn't know who to report to. Sparks understand where coming from but disagree think it was mishandled by CM and City Council disagree with but understand.

sparks abdicating auth to cm so didn't have to deal with problems themselves. should have dealt with the problem head on. Mayor if leave with who report to. Sparks can report to cm designee on day to day basis. if there is a problem that needs to be addressed the city council can address directly. this means can't directly address. Councils recourse is to fire a cm. lacy asked if city council and cm Keith yes would like to leave. Earl Erdman beg everyone to come to airport board meeting to see how busy and decisions have to be made. what happened is history forget it new era. don't even bring it up any more. important that city council if something that is very important, point getting at can't have him or her reporting to 6 different people. have liaison and he agrees to be there. the City council can be like the mother hen if Courtney get in bind he can come to you. Love talking about director of airport and trying to place in hierarchy under city manager and agree day to day operations yes cm should be in charge of but keep saying council doesn't have expert on faa neither does cm or designee meaning the person accountable is director of airports. the chief person responsible for faa compliance is director of airports. granted understand can manage without understanding faa which is why agreed with mr sparks about ?? Hotchkiss true with every dept. Sparks shared mayor is correct but want to have ability that if there is a disparagement to be able to step in and visit with both.

Sparks would like city council to have ability to not go through hiring/firing want to have say so in who gets hired. Mayor airport director 50/50 say so currently. Courtney never practiced that it was always defaulted to cm. Courtney what it does if ord says you will do perf eval and det level of compensation. Courtney can do perf eval and council approved budget that has comp of airport director is way run it. If want to stick with current

Lacy need to hire. dies

Council Member moved to defer until have full council ; seconded by Council Member .

30. Approved a motion interpreting Ordinance 9178, Section Two, regarding the paint color

restrictions specified for a multi-family development in a Planned District, on Lot 2A, Block 8, Westridge Park Addition, Section 26, City and County of Midland, Texas. (Generally located on the south side of Deauville Boulevard, approximately 650 feet west of Tradewinds Boulevard.) (DEVELOPMENT SERVICES)

Development Services Director Chuck Harrington gave a brief overview of the item noting supposed to be planned development which included exhibit a and b. including mfg of paint and color. subsequent to that happen arch went in and changed color schemes on building. notice that change stopped it and wanted to bring back to Council to see if intent was talk about ext of bldg for materials and not paint colors. don't normally get to level of paint colors. Sparks what color is that its kind of blue matching other buildings in area. Lacy does adjacent property owner have problem. chuck haven't heard anything.

Council Member Lacy moved to approve a motion interpreting Ordinance 9178, Section Two, regarding the paint color restrictions specified for a multi-family development in a Planned District, on Lot 2A, Block 8, Westridge Park Addition, Section 26, City and County of Midland, Texas. (Generally located on the south side of Deauville Boulevard, approximately 650 feet west of Tradewinds Boulevard.); seconded by Council Member Sparks.

sparks approving this int is not to dictate color.

The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Lacy. NAY: None. ABSTAIN: None. ABSENT: Dufford, Robnett.

31. Approved a motion making appointments to various Boards and Commissions, including appointing a Chairman to the Midland Tax Increment Reinvestment Zone No. 1 (TIRZ) Board of Directors. (CITY SECRETARY'S OFFICE)

Council Member Lacy moved to appoint Council Member Love Chairman of TIRZ Board ; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Sparks, Morales, Lacy. NAY: None. ABSTAIN: Love. ABSENT: Dufford, Robnett.

32. Approved a resolution appointing a new City of Midland Municipal Court Presiding Judge effective April 16, 2015; and authorizing the Mayor to execute an employment agreement with the new Presiding Judge. (CITY ATTORNEY'S OFFICE)

RESOLUTION NO. 2015 - 062

RESOLUTION APPOINTING A NEW CITY OF MIDLAND MUNICIPAL COURT PRESIDING JUDGE EFFECTIVE APRIL 16, 2015; AND AUTHORIZING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT WITH THE NEW PRESIDING JUDGE

Council Member Lacy moved to adopt Resolution No. 2015 - 062 appoint Sharon Hatton; seconded by Council Member Sparks.

The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Lacy. NAY: None. ABSTAIN: None. ABSENT: Dufford, Robnett.

33. Approved a resolution authorizing the posting of the City of Midland Municipal Court Associate Judge position; and authorizing the acceptance of applications or resumes for said position; the City of Midland Municipal Court Associate Judge position will become vacant on April 16, 2015. (CITY ATTORNEY'S OFFICE)

RESOLUTION NO. 2015 - 063

RESOLUTION AUTHORIZING THE POSTING OF THE CITY OF MIDLAND MUNICIPAL COURT ASSOCIATE JUDGE POSITION; AND AUTHORIZING THE ACCEPTANCE OF APPLICATIONS OR RESUMES FOR SAID POSITION; THE CITY OF MIDLAND MUNICIPAL COURT ASSOCIATE JUDGE POSITION WILL BECOME VACANT ON APRIL 16, 2015

Council Member Love moved to adopt Resolution No. 2015 - 063; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Lacy. NAY: None. ABSTAIN: None. ABSENT: Dufford, Robnett.

adjourn 11:39 a.m.

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

PASSED AND APPROVED the __ day of ____, 2015.

Jerry F. Morales, Mayor

ATTEST:

Amy M. Turner, City Secretary