

**MIDLAND CITY COUNCIL
MINUTES
September 08, 2015**

BRIEFING SESSION

The City Council convened in a Briefing Session in the basement conference room, City Hall, Midland, Texas, at ____ a.m. on September 08, 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., September 08, 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:

OPENING ITEMS

10:06

1. Invocation - Pastor Jon Slayden, Second Baptist Church
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
4. Presentation of a retirement commendation for Sylvester Cantu.

Mayor presented Sylvester

Sparks presented proc for relay for life proclamation.

Sept 16-20 relay for life week

PUBLIC COMMENT

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.)

Ray Kirk, 3012 SCR 1213, concern about safety for people using UBER. The app Uber uses closest driver gets customer and price is already set and paid for so driver when takes fare the price is already set and less than a taxi. Think animosity form taxi companies is jealousy. People like Uber or they wuld not be where they are today.

Daniel King, A1 taxi last meeting said would be on agenda however noticed were not put on agenda want to know reason. J.Ross put on when public hearing held. City attorney office working on Ordinance. Daniel wanted to discuss have they been approved as UBER drivers making taxi drivers not have no fares each day. Lacy can't have qand a. Morales have legal counsel give call and answer questions.

BUDGET- SECOND READING

6. Consider an ordinance on second reading providing funds for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016. (FINANCE) (September 1, 2015)

ORDINANCE NO. 9474

AN ORDINANCE OF THE CITY OF MIDLAND PROVIDING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015, AND ENDING SEPTEMBER 30, 2016, BY APPROVING THE BUDGET FOR SAID PERIOD AND APPROPRIATING AND SETTING ASIDE THE NECESSARY FUNDS OUT OF THE GENERAL AND OTHER REVENUES AND UNAPPROPRIATED FUND BALANCE OF THE CITY OF MIDLAND FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF THE

VARIOUS DEPARTMENTS AND FOR VARIOUS ACTIVITIES AND IMPROVEMENTS TO THE CITY; AND ORDERING PUBLICATION

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9474.

Council Member Love moved to approve the second and final reading of Ordinance No. 9474 in accordance with the Charter of the City of Midland; seconded by Council Member Dufford.

changes reflected since last meeting.

Lacy went through every page and got into weeds. significant increase 1/2 m to affordable health care act. people wonder why increases. tax rate decreased and cut another 1.6 M out of budget 1.5% of overall budget. info and cisd lagging and seen substantial increases to get first responders and dispatchers updated to better serve community and is mandated by state. After looking at it very satisfied. appreciate economy will be significant weaker. commend staff. comm very prudent with tax money.

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

7. Consider an ordinance on second reading fixing the Tax Levy for the City of Midland, Texas, for the Fiscal Year 2016. (FINANCE) (September 1, 2015)

ORDINANCE NO. 9475

AN ORDINANCE FIXING THE TAX LEVY FOR THE CITY OF MIDLAND, TEXAS, FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2015 AND ENDING ON SEPTEMBER 30, 2016

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9475.

Council Member Love moved to approve the second and final reading of Ordinance No. 9475 in accordance with the Charter of the City of Midland; seconded by Council Member Sparks.

Courtney effective .3697 adopting effective plus 3% .38048. Love read motion property tax rate be increased by .38048 per \$100 valuation effective 3% over effective rate of 3694.

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

write in what said./

CONSENT AGENDA

Council Member Robnett moved to approve Consent Agenda items 8 - 49 excluding 14, 17, 28, 38, 45, 46, 50, 51, 52; seconded by Council Member Dufford.

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

8. Approved a motion approving the following minutes:
 - a. Special City Council meeting of August 18, 2015.
 - b. Regular City Council meeting of August 25, 2015.
 - c. Regular City Council meeting of September 1, 2015.

9. Approved a resolution approving the Fiscal Year 2015-2016 budget of the Midland Development Corporation. (FINANCE)

RESOLUTION NO. 2015 - 264
RESOLUTION APPROVING THE FISCAL YEAR 2015-2016 BUDGET OF THE MIDLAND DEVELOPMENT CORPORATION, A TYPE A CORPORATION AS AUTHORIZED BY CHAPTER 504 OF THE TEXAS LOCAL GOVERNMENT CODE

10. Approved a resolution approving the Fiscal Year 2015-2016 budget of the Midland Football/Soccer and Baseball Complex Development Corporation. (FINANCE)

RESOLUTION NO. 2015 - 265
RESOLUTION APPROVING THE FISCAL YEAR 2015-2016 ANNUAL BUDGET FOR THE MIDLAND FOOTBALL/SOCCER AND BASEBALL COMPLEX DEVELOPMENT CORPORATION, A TYPE B CORPORATION AS AUTHORIZED BY CHAPTER 505 OF THE TEXAS LOCAL GOVERNMENT CODE

11. Approved a resolution allocating one hundred and thirty-five thousand dollars to the Emergency Medical Dispatch System Project (9136). (FINANCE)

RESOLUTION NO. 2015 - 266
RESOLUTION ALLOCATING \$135,000.00 TO THE EMERGENCY MEDICAL DISPATCH SYSTEM PROJECT (9136)

12. Approved a resolution authorizing a contract for the renovation of two (2) elevators at the Police and Communication building with the sole bidder, ThyssenKrupp Elevator Corporation, for a total cost of \$312,468.00 which includes the additive alternate of \$45,699.00 for providing and installing new geared machines on both elevators in lieu of motor replacement only for the General Services Department. (PURCHASING)

RESOLUTION NO. 2015 - 267
RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE RENOVATION OF TWO (2) ELEVATORS AT THE POLICE AND COMMUNICATIONS BUILDING TO THE SOLE BIDDER, THYSSENKRUPP ELEVATOR CORPORATION, AT A TOTAL COST OF \$312,468.00

13. Approved a resolution approving the selection of a third party administrator for self-insured medical and dental claims administration, large case management/precertification, preferred provider organization, pharmacy benefit manager retail/mail order, voluntary long term disability/short term disability, voluntary vision program, basic life insurance, accidental death & dismemberment, and voluntary

term life, and Section 125 claims administration for the Administrative Services Department. (PURCHASING)

RESOLUTION NO. 2015 - 268

RESOLUTION ACCEPTING THE PROPOSAL SUBMITTED BY THE TEXAS MUNICIPAL LEAGUE MULTISTATE INTERGOVERNMENTAL EMPLOYEE BENEFITS POOL FOR GROUP HEALTH PLAN ADMINISTRATIVE SERVICES, PHARMACY SERVICES, VISION COVERAGE, AND LONG TERM DISABILITY, BASIC LIFE, AND VOLUNTARY LIFE INSURANCE; AND AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONTRACT

15. Approved a resolution authorizing a contract for the Cured-in-Place Sewer Manhole Rehabilitation Project - Phase 2 with the sole bidder, Infrastructure Rehabilitation USA, Inc., for a total cost of \$305,750.00 for the Engineering Services Department; and appropriating funds therefore. (PURCHASING)

RESOLUTION NO. 2015 - 270

RESOLUTION AWARDING A CONTRACT FOR THE CURED-IN-PLACE SEWER MANHOLE REHABILITATION PROJECT - PHASE TWO TO THE SOLE BIDDER, INFRASTRUCTURE REHABILITATION USA, INC. OF SHREVEPORT, LOUISIANA, AT A TOTAL COST OF \$305,750.00; AND AUTHORIZING PAYMENT THEREFOR

16. Approved a resolution approving an annual contract for the lease of roll-off sludge filter containers from the sole proposer, Aqua-Zyme Disposal Systems, Inc., for a total cost of \$91,800.00 for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2015 - 271

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE LEASE OF ROLL-OFF SLUDGE FILTER CONTAINERS TO THE SOLE BIDDER, AQUA-ZYME DISPOSAL SYSTEMS, INCORPORATED, OF VAN VLECK, TEXAS, AT A TOTAL COST OF \$91,800.00

18. Approved a resolution authorizing the Mayor, City Manager and City Attorney to accept and execute FAA Grant #55 in the amount of \$673,545.00, and appropriate necessary funds. (AIRPORTS)

RESOLUTION NO. 2015 - 273

RESOLUTION AUTHORIZING THE MAYOR, CITY MANAGER, AND THE CITY ATTORNEY TO ACCEPT AND EXECUTE FEDERAL AVIATION ADMINISTRATION GRANT NUMBER 55 IN THE AMOUNT OF \$673,545.00; AND APPROPRIATING NECESSARY FUNDS

19. Approved a resolution for a Change Order on Orbital Outfitter's Contract with N.C. Sturgeon. (CITY MANAGER'S OFFICE)

RESOLUTION NO. 2015 - 274

RESOLUTION APPROVING A CHANGE ORDER TO THE DESIGN BUILD CONTRACT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND N.C. STURGEON, LP REGARDING THE CONSTRUCTION OF THE ORBITAL OUTFITTERS LTD. FACILITY AT THE MIDLAND INTERNATIONAL AIR & SPACE PORT; AND APPROVING THE MIDLAND DEVELOPMENT CORPORATION'S

APPROPRIATION OF ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED \$300,000.00 THEREFOR

20. Approved a resolution approving a Mutual Termination and Release Agreement between the Midland Development Corporation and the City of Midland for the extension of Tradewinds Boulevard. (CITY MANAGER'S OFFICE)

RESOLUTION NO. 2015 - 275

RESOLUTION APPROVING A MUTUAL TERMINATION AND RELEASE AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND THE CITY OF MIDLAND FOR THE EXTENSION OF TRADEWINDS BOULEVARD; AND TRANSFERRING UNEXPENDED FUNDS TO THE MIDLAND DEVELOPMENT CORPORATION

21. Approved a resolution accepting the second amendment to the Economic Development Agreement between the Midland Development Corporation and the City of Midland the Briarwood Project (CITY MANAGER'S OFFICE)

RESOLUTION NO. 2015 - 276

RESOLUTION APPROVING A SECOND AMENDMENT TO THE ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND THE CITY OF MIDLAND FOR IMPROVEMENTS TO BRIARWOOD AVENUE, AS AUTHORIZED BY CHAPTER 501 OF THE TEXAS LOCAL GOVERNMENT CODE; AND APPROPRIATING FUNDS THEREFOR

22. Approved a resolution authorizing a contract with Midland Crime Stoppers, Inc. in the amount of \$35,000 for the operation of a Crime Stoppers Program. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 277

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH CRIME STOPPERS OF MIDLAND, INCORPORATED, FOR THE OPERATION OF A CRIME STOPPERS PROGRAM WHICH WILL ALLOW CITIZENS TO ASSIST IN THE DETECTION AND RESOLUTION OF CRIMES

23. Approved a resolution authorizing a contract with Keep Midland Beautiful in the amount of \$100,000 for litter reduction, education, and beautification programs in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 278

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH KEEP MIDLAND BEAUTIFUL, INCORPORATED, FOR LITTER REDUCTION, EDUCATION, AND BEAUTIFICATION PROGRAMS

24. Approved a resolution authorizing a contract with Midland Teen Court, Inc. in the amount of \$27,500 for a Teen Court Program. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 279

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH MIDLAND TEEN COURT, INCORPORATED, FOR THE OPERATION OF A TEEN COURT

PROGRAM

25. Approved a resolution authorizing a contract with Permian Basin Community Centers in the amount of \$75,000 for mental health, mental retardation and substance abuse services. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 280

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE PERMIAN BASIN COMMUNITY CENTERS FOR MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE SERVICES.

26. Approved a resolution authorizing a contract with Midland College in the amount of \$100,000 to promote growth and development in the City. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 281

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH MIDLAND COLLEGE TO PROMOTE ECONOMIC GROWTH AND DEVELOPMENT

27. Approved a resolution authorizing a contract with University of Texas Permian Basin Small Business Development Center (UTPB-SBDC) in the amount of \$22,500 to promote growth and development in the City. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 282

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH UNIVERSITY OF TEXAS PERMIAN BASIN - SMALL BUSINESS DEVELOPMENT CENTER TO PROMOTE ECONOMIC GROWTH AND DEVELOPMENT

29. Approved a resolution authorizing a contract with COM Aquatics in the amount of \$27,000 for advertising, promotion and solicitation of aquatic activities in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 284

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH COM AQUATICS, INCORPORATED, FOR ADVERTISING, PROMOTION AND SOLICITATION OF AQUATIC ACTIVITIES IN MIDLAND

30. Approved a resolution authorizing a contract with the High Sky Wing of Commemorative Air Force in the amount of \$50,000 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 285

RESOLUTION AUTHORIZING AN AGREEMENT WITH COMMEMORATIVE AIR FORCE, INCORPORATED, HIGH SKY WING, TO PROMOTE TOURISM AND THE CONVENTION AND HOTEL INDUSTRY IN THE CITY; AND THE CITY SHALL PROVIDE A MAXIMUM OF \$50,000.00 IN FUNDING FROM THE CITY'S HOTEL/MOTEL FUND

31. Approved a resolution authorizing a contract with the George W. Bush Childhood Home, Inc. in the amount of \$15,000 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 286

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE GEORGE W. BUSH CHILDHOOD HOME, INCORPORATED, TO PROMOTE TOURISM AND THE CONVENTION AND HOTEL INDUSTRY IN THE CITY OF MIDLAND

32. Approved a resolution authorizing a contract with I-20 Wildlife Preserve & Jenna Welch Nature Study Center Inc. in the amount of \$15,000 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 287

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH I-20 WILDLIFE PRESERVE AND JENNA WELCH NATURE STUDY CENTER, INCORPORATED, TO PROMOTE TOURISM AND THE CONVENTION AND HOTEL INDUSTRY IN THE CITY; AND THE CITY SHALL PROVIDE A MAXIMUM OF \$15,000.00 IN FUNDING FROM THE CITY'S HOTEL/MOTEL FUND

33. Approved a resolution authorizing a contract with Midland Chamber of Commerce in the amount of \$824,000 for the Management of the Midland Center and Centennial Plaza. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 288

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE MIDLAND CHAMBER OF COMMERCE FOR THE MANAGEMENT OF THE MIDLAND CENTER AND CENTENNIAL PLAZA

34. Approved a resolution authorizing a contract with Midland Chamber of Commerce in the amount of \$1,718,978 to promote tourism, convention, and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 289

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE MIDLAND CHAMBER OF COMMERCE TO PROMOTE TOURISM AND THE CONVENTION AND HOTEL INDUSTRY IN THE CITY

35. Approved a resolution authorizing a contract with Midland Community Theatre in the amount of \$20,000 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 290

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE MIDLAND COMMUNITY THEATRE, INCORPORATED FOR THE PROMOTION OF THE THEATRE ARTS IN THE CITY

36. Approved a resolution authorizing a contract with Midland County Fair, Inc. in the amount of \$20,000 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 291

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE

MIDLAND COUNTY FAIR, INCORPORATED, TO PROMOTE TOURISM AND THE CONVENTION AND HOTEL INDUSTRY IN THE CITY OF MIDLAND

37. Approved a resolution authorizing a contract with Midland County Public Library Foundation in the amount of \$85,532 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 292

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE MIDLAND COUNTY PUBLIC LIBRARY FOUNDATION TO PROMOTE TOURISM AND THE CONVENTION AND HOTEL INDUSTRY IN THE CITY; AND THE CITY SHALL PROVIDE A MAXIMUM OF \$85,532.00 IN FUNDING FROM THE CITY'S HOTEL/MOTEL FUND

39. Approved a resolution authorizing a contract with Midland Softball Association in the amount of \$113,750 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 294

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE MIDLAND SOFTBALL ASSOCIATION FOR THE PROMOTION AND SOLICITATION OF UNITED STATES SPECIALTY SPORTS ASSOCIATION (USSSA) ACTIVITIES

40. Approved a resolution authorizing a contract with Midland United Girls Softball in the amount of \$45,040 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 295

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH MIDLAND UNITED GIRLS SOFTBALL FOR THE PROMOTION AND SOLICITATION OF SOFTBALL ACTIVITIES

41. Approved a resolution authorizing a contract with Museum of the Southwest in the amount of \$42,500 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 296

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE MUSEUM OF THE SOUTHWEST TO PROMOTE TOURISM AND THE CONVENTION AND HOTEL INDUSTRY IN THE CITY OF MIDLAND

42. Approved a resolution authorizing a contract with Permian Basin Petroleum Museum in the amount of \$28,416 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 297

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE PERMIAN BASIN PETROLEUM MUSEUM, LIBRARY AND HALL OF FAME, INCORPORATED, FOR ADVERTISING, PROMOTION AND SOLICITATION OF OIL INDUSTRY ACTIVITIES IN THE CITY OF MIDLAND

43. Approved a resolution authorizing a contract with Restoration Farm Ministries in the amount of \$7,500 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 298

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH RESTORATION FARM MINISTRIES TO PROMOTE TOURISM AND THE CONVENTION AND HOTEL INDUSTRY IN THE CITY OF MIDLAND

44. Approved a resolution authorizing a contract with Sibley Environmental Learning Center Foundation, Inc. dba Sibley Nature Center in the amount of \$1,500 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 299

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH SIBLEY ENVIRONMENTAL LEARNING CENTER FOUNDATION, INCORPORATED, DBA SIBLEY NATURE CENTER, TO PROMOTE TOURISM AND THE CONVENTION AND HOTEL INDUSTRY IN THE CITY; AND THE CITY SHALL PROVIDE A MAXIMUM OF \$1,500.00 IN FUNDING FROM THE CITY'S HOTEL/MOTEL FUND

14. Approved a resolution ratifying the emergency purchase of one (1) Compellant Storage System replacement Server, one (1) FX2 Blade Chassis and two (2) FC Blade Servers from Dell Marketing, L.P. through Texas Department of Information Resources (DIR) contract DIR-SDD-1951 for a cost of \$83,894.23; and ratifying the emergency purchase of switches and remote services from Solid IT Networks, Inc. through Texas Department of Information Resources (DIR) contract DIR-TSO-2668 for a cost of \$69,894.40; for a total cost of \$153,788.63 to replace the failing public safety servers for the Communication and Information Systems Department. (PURCHASING)

RESOLUTION NO. 2015 - 269

RESOLUTION RATIFYING EMERGENCY PURCHASES FOR THE REPLACEMENT OF PUBLIC SAFETY SERVERS FROM DELL MARKETING, L.P. AND SOLID IT NETWORKS AT A TOTAL COST OF \$153,788.63

Love pulled curious what emergency required to pay \$153,000 what happened and if it happened does seem like might not be doing good job monitoring. Jennifer lost componenet and hardware lost all redundancy. tried replacing one componenet unsuccessfull. considered emergency. Replacement was part of planned replacement for after first of year failed before could get to it. John why costing \$153,000 for item that failed. why all new. Jennifer fasttracking replacement that scheduled months ahead of time. doing it sooner have to. Tommy fast track is for public safety dispatching side.

Council Member Love moved to adopt Resolution No. 2015 - 269; seconded by Council Member Robnett.

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

17. Approved a resolution rejecting all bids received for the construction of Fire Station 6

and authorizing re-advertisement for bids. (PURCHASING)

RESOLUTION NO. 2015 - 272

RESOLUTION REJECTING ALL BIDS RECEIVED FOR THE CONSTRUCTION OF FIRE STATION #6; AND AUTHORIZING THE CITY MANAGER TO RE-ADVERTISE FOR COMPETITIVE SEALED BIDS FOR THE CONSTRUCTION OF FIRE STATION #6

Lacy pulled why reflecting how much over budget still haven't begun construction of fire station needed. Fred bid came in \$1M over budget cut to make close to budget. difficult to cut without changing scope of project. Fred PSC invited to allow regional contractors plan for each out to bigger cities and see if can get a more competitive bid. Lacy who reach out current. Fred regional. Lacy is there a history with these five that come in over cost. Is project over engineered. Fred suggested would like to see if fire station. probably have to eliminate some items for next bid.

Lacy when do we anticipate advertising for new bids? Morales what is difference on design? Fred additional 1400 sq ft and other is generator installed and that cost of about 2-300k for gen. cutting sq footage. looked at retention pond and engineering to reduce cost.

Council Member Love moved to adopt Resolution No. 2015 - 272; seconded by Council Member Robnett.

Regina as soon as reengineered. Fred should be done by next week change pond not as deep but wider should cost less. Lacy why does this need generator? frustration. Morales on flip side thank them for looking out for tax payer dollars.

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

28. Approved a resolution authorizing a contract with the Arts Council of Midland in the amount of \$150,000 for the encouragement, promotion, improvement, and education of arts in the City. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 283

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE ARTS COUNCIL OF MIDLAND FOR THE ENCOURAGEMENT, PROMOTION, IMPROVEMENT AND APPLICATION OF THE ARTS IN THE CITY

Council Member Love moved to adopt Resolution No. 2015 - 283; seconded by Council Member Dufford.

Pulled this 28 and 38 and explain sub granting with DMMD. Courtney gave allocated funds in years past to DMMD to address some of local downtown events from emx tx 4th july tall city blues fest. felt like since demo was going to occur with courthouse starting to be constructed centennial plaza was not going to be avail. took in house until centennial plaza wont be downtown. Love do you then plan on putting it back through DMMD? Courtney will take a look at see 4th of july event. Morales would like to visit before make decision. Sparks would around construction and sit down with them and scaled down foot print of where can be unless planning on closing whole block looks like

be able to get something in there. Courtney had meeting last week met with developers and city staff will be able to have event in cent plaza 2017 is questionable.

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

38. Approved a resolution authorizing a contract with Midland Hispanic Chamber of Commerce in the amount of \$27,500 to promote tourism and the hotel industry. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 293

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE MIDLAND HISPANIC CHAMBER OF COMMERCE TO PROMOTE TOURISM AND THE CONVENTION AND HOTEL INDUSTRY IN THE CITY

Council Member Love moved to adopt Resolution No. 2015 - 293; seconded by Council Member Robnett.

Love same reason

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

45. Approved a resolution authorizing a contract with Promising Projects, Inc. for Tall City Blues Fest in the amount of \$17,500 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2015 - 300

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH PROMISING PROJECTS, INCORPORATED; SAID FUNDS WILL BE USED TO PROMOTE TOURISM IN MIDLAND THROUGH THE TALL CITY BLUES FEST

Lacy pulled unaware set rpecedence last of supportin for profit org pulled because by precedent set last eyar cannot in good faith vote for this year. Mayor changed source of funding. Lisa Grissom 5501 Sherwood drive. if open deal for profit inundated with unbeleiveable request. Lacy ntoing against your event.

Lisa dont' recall in tenure dont' recall if that was the case. Hls personal policy.

Council Member Dufford moved to adopt Resolution No. 2015 - 300; seconded by Council Member Robnett.

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

46. Approved a resolution authorizing the execution of a Professional Services Agreement between the City of Midland, Texas, and Midland Sports, Incorporated, in the amount of \$98,000, for professional marketing, promotion, and management services at the Scharbauer Sports Complex. (COMMUNITY SERVICES)

RESOLUTION NO. 2015 - 301

RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MIDLAND, TEXAS AND MIDLAND SPORTS, INCORPORATED, IN THE AMOUNT OF \$98,000.00, FOR PROFESSIONAL MARKETING, PROMOTION, AND MANAGEMENT SERVICES AT THE SCHARBAUER SPORTS COMPLEX

Mayor brought in mgmt internally overall programs working great 4b comfortable with this process? Tina 4b saw item last month and approved moving forward to Co8uncil for rec of approval. Morales new football team west texas pride with driller and prdie are they required to bring x amt of marketing dollars to table. We promot ein general. Tina they in charge of prom of their events. Tiant his is for rocikhounds to coordinate events on calendar and collect rent and really booking agent. All doing is collecting rent and getting agreements signed and insurance collected.

Council Member Hotchkiss moved to adopt Resolution No. 2015 - 301; seconded by Council Member Lacy.

Lacy what is return? Dufford icnreased revenue of having Rockhounds. Tina prior to rockhounds were with Chamber and on small scale since rockhounds entered into agreement really got ahold of what charging for events and making sure fees collected in timely manner. sseen increase in bookings.

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

47. Approved a resolution approving the transfer of the Oil and Gas Well Permits issued under City Code 6-1-2, Ordinance No. 8498 to Patriot Resources, Inc. (Current Operator). The following permits MCC #6, MCC #7 and MCC #8 will be transferred to High Sky Partners LLC. The MCC permitted wells are located in Section 11, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located on the West side of State Hwy 349 and North of Mockingbird Lane.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2015 - 302

RESOLUTION APPROVING PATRIOT RESOURCES, INC.'S ("OPERATOR") TRANSFER OF CERTAIN OIL AND GAS WELL PERMITS TO HIGH SKY PARTNERS, LLC ("TRANSFeree"); THE OIL AND GAS WELLS ARE MCC #6, MCC #7, AND MCC #8; SAID OIL AND GAS WELLS ARE LOCATED IN SECTION 11, BLOCK X, H.P. HILLIARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF STATE HIGHWAY 349 AND NORTH OF MOCKINGBIRD LANE)

Council Member Robnett moved to approve Consent Agenda items 8 - 49 excluding 14, 17, 28, 38, 45, 46, 50, 51, 52; seconded by Council Member Dufford.

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

48. Approved a resolution accepting an Electrical Easement by Carlos and Anabell Urias property east of Antelope Trail and south of West IH 20 for the purpose of constructing

an electrical facility as part of the Southwest Crossing Development Project; authorizing the execution of said Electrical Easement; and ordering recordation by the City Secretary. (City of Midland ETJ, Midland County) (ENGINEERING SERVICES)

RESOLUTION NO. 2015 - 303

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A 4,030-SQUARE FOOT GENERAL UTILITY EASEMENT LOCATED IN SECTION 12, BLOCK 40, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS; AND ORDERING RECORDATION BY THE CITY SECRETARY

Council Member Robnett moved to approve Consent Agenda items 8 - 49 excluding 14, 17, 28, 38, 45, 46, 50, 51, 52; seconded by Council Member Dufford.

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

49. Approved a resolution approving the transfer of funds from the Transportation Division FY 2015 operation budget (4240) to the FY 2016 Mill and Overlay project (9135) in the amount of \$2,028,011. (ENGINEERING SERVICES)

RESOLUTION NO. 2015 - 304

RESOLUTION TRANSFERRING THE SUM OF \$2,028,011.57 FROM THE GENERAL FUND (001) ENGINEERING (080) TRANSPORTATION (0085) MILL AND OVERLAY (4240) BUDGET TO THE FY 2016 MILL AND OVERLAY PROJECT (9135); AND AUTHORIZING PAYMENT TO JONES BROS. DIRT AND PAVING CONTRACTORS, INC. IN ACCORDANCE WITH THE CONTRACT FOR THE FY 2015 MILL AND INLAY PROJECT (ALSO KNOWN AS THE 2015 MILL AND OVERLAY PROJECT).

Council Member Robnett moved to approve Consent Agenda items 8 - 49 excluding 14, 17, 28, 38, 45, 46, 50, 51, 52; seconded by Council Member Dufford.

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

50. Approved a resolution approving the transfer of funds from the Transportation Division FY 2015 operation budget (4240) to the Briarwood Avenue Extension Project (9017) in the amount of \$1,500,000. (ENGINEERING SERVICES)

RESOLUTION NO. 2015 - 305

RESOLUTION TRANSFERRING THE SUM OF \$1,500,000.00 FROM THE GENERAL FUND (001) ENGINEERING (080) TRANSPORTATION (0085) MILL AND OVERLAY (4240) BUDGET TO THE BRIARWOOD AVENUE EXTENSION PROJECT (9017)

Love pulled what is justification of pulling \$1.5 M from mill and overlay from project? Jose basically with bids that came in for Briarwood trying to find funds for project. Chose Briarwood because have maintenance issue old chip seal road it is falling apart. our guys they are already good seeing dollars go to Briarwood. ONE reason early on budgeting Midkiff was proejct from Ind to I-20 yhad delays with Midkiff water ext found more appopr lot so Midkiff will happen next year is reason can find funds. Love not substantially effect because fund wiwill be relocated next year. Lacy express

consistents Briarwood one of most pothole infested roads. Road beyond repair should be priority for City. This is using to ext not repair. put in 5 lane road all the way to 158. Sparks extending wider road where small road already is just making it wider. expanding not extending. Love if recall made inquiry to roll concrete process on Lamesa Road and whether getting better road rather than create terrible roads that have to fix. Really like staff and Engineering to see if it makes more sense to continue doing that. Jose reason didn't go with roll pack concrete it is already built out. Briarwood would see a lot of developments still a chance see trenching along Briarwood in event we do more acceptable on asphalt than concrete and oddly enough it is much cheaper in that area.

Council Member Lacy moved to adopt Resolution No. 2015 - 305; seconded by Council Member Robnett.

Jose always cons concrete as option.

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

51. Approved a resolution awarding a contract for the emergency repair of the Exeter Lift Station to TEC Excavation Inc. (UTILITIES)

RESOLUTION NO. 2015 - 306

RESOLUTION RATIFYING AND APPROVING A CONTRACT WITH TEC EXCAVATION, INC., FOR THE EMERGENCY REPAIR OF THE EXETER LIFT STATION AT A TOTAL COST NOT TO EXCEED \$125,000.00; AND AUTHORIZING PAYMENT THEREFOR

Council Member Sparks moved to adopt Resolution No. 2015 - 306; seconded by Council Member Lacy.

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

52. Approved a resolution amending the current Water Conservation Plan for the City of Midland. (UTILITIES)

RESOLUTION NO. 2015 - 307

RESOLUTION AMENDING THE WATER CONSERVATION PLAN FOR THE CITY OF MIDLAND, TEXAS

Love amendments are cosmetic. Laura defer to Holly. Holly basically water conservation plan last updated 2009. Wanted to put in most current plans so up to date and up to speed. If look through water conservation plan all updated in that plan and shows what doing in present to promote water conservation. Just an update to numbers. Morales is there requirement by state to do? Holly required to do 5 years.

Council Member Love moved to adopt Resolution No. 2015 - 307; seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales,

Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

SECOND READINGS

53. Consider an ordinance on second reading on a request by Maria Medina for a Specific Use Permit with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on Lot 6, Block 2, South 349 Acres, City and County of Midland, Texas (Generally located on the northwest corner of the intersection of Rankin Highway and Iris Lane.) (DEVELOPMENT SERVICES) (First reading held on August 25, 2015)

ORDINANCE NO. 9468

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS LOT 6, BLOCK 2, SOUTH 349 ACRES, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF RANKIN HIGHWAY AND IRIS LANE), WHICH IS PRESENTLY ZONED C-3, COMMERCIAL DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A RESTAURANT FOR ON-PREMISES CONSUMPTION; 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. 9468.

Council Member Hotchkiss moved to approve the second and final reading of Ordinance No. 9468 in accordance with the Charter of the City of Midland; seconded by Council Member Love.

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

54. Consider an ordinance on second reading on a request by Leslie Dean for a Specific Use Permit with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 4,175-square foot portion of Lots 1C through 1J, Block 5, Correction Plat of Colony Place, Section 5, City and County of Midland, Texas (Generally located on the south side of West Wadley Avenue, approximately 400-feet east of North Garfield Street.) (DEVELOPMENT SERVICES) (First reading held on August 25, 2015)

ORDINANCE NO. 9469

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS A 4,175-SQUARE FOOT PORTION OF LOTS 1C-1J, BLOCK 5, CORRECTION PLAT OF COLONY PLACE, SECTION 5, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST WADLEY AVENUE, APPROXIMATELY 400 FEET EAST OF NORTH GARFIELD STREET), WHICH IS PRESENTLY ZONED LR-2, LOCAL RETAIL DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A

RESTAURANT FOR ON-PREMISES CONSUMPTION; 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. 9469.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9469 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, Morales, Dufford, Lacy, Robnett. NAY: Sparks. ABSTAIN: None. ABSENT: None.

55. Consider an ordinance on second reading on a request by The Bosquet Group, Inc. for a zone change from PD, Planned District for a Shopping Center, to an Amended Planned District, on Lot 17A, Block 26, Wydeewood Addition, Section 25, City and County of Midland, Texas (Generally located on the east side of North Loop 250 West, approximately 200-feet north of Sunshine Parkway.) (DEVELOPMENT SERVICES) (First reading held on August 25, 2015)

ORDINANCE NO. 9470

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 17A, BLOCK 26, WYDEWOOD ADDITION, SECTION 25, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A SHOPPING CENTER, TO BE USED AS AN AMENDED PLANNED DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF NORTH LOOP 250 WEST, APPROXIMATELY 200 FEET NORTH OF SUNSHINE PARKWAY); 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. 9470.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9470 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

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

56. Consider an ordinance on second reading on a request by Manor Park, Inc. for the vacation of the 0.132-acre portion of the alley right-of-way located in Section 19, Block 39, T-1-S, T&P RR Company Survey, City and County of Midland, Texas (Generally located on the south side of Sunshine Parkway, approximately 300-feet west of Idlewilde Drive.) (DEVELOPMENT SERVICES) (First reading held on August 25, 2015)

ORDINANCE NO. 9471

AN ORDINANCE VACATING AND ABANDONING A 0.132-ACRE PORTION OF

ALLEY RIGHT-OF-WAY LOCATED IN SECTION 19, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF SUNSHINE PARKWAY, APPROXIMATELY 300 FEET WEST OF IDLEWILDE DRIVE); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$14,374.80; RETAINING A GENERAL UTILITY EASEMENT; AND ORDERING RECORDATION BY THE CITY SECRETARY

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9471.

Council Member Hotchkiss moved to approve the second and final reading of Ordinance No. 9471 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

lacy deferral for payment included. John section 2

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

57. Approve an ordinance on second reading amending Ordinance No. 9422 which established new fees and charges for Hogan Park Golf Course. (COMMUNITY SERVICES)

ORDINANCE NO. 9472

AN ORDINANCE AMENDING FEES AND CHARGES FOR HOGAN PARK GOLF COURSE; AND REPEALING PRIOR ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH SUCH FEES AND CHARGES ESTABLISHED HEREIN

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9472.

Council Member Love moved to approve the second and final reading of Ordinance No. 9472 in accordance with the Charter of the City of Midland; seconded by Council Member Dufford.

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

58. Consider an ordinance on second reading amending Title X, "Traffic Regulations", Chapter Four, "Traffic Control Devices", Section 11, "School Zones and Crossings", of the Midland City Code, so as to designate each school zone and school crossing within the City and regulate the speed and movement of traffic therein; authorizing and directing the Traffic Engineer to install appropriate signs and markings; repealing Ordinance No. 9455; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two hundred dollars (\$200.00); and ordering publication. (ENGINEERING SERVICES)

ORDINANCE NO. 9473

AN ORDINANCE AMENDING TITLE X, "TRAFFIC REGULATIONS", CHAPTER FOUR, "TRAFFIC CONTROL DEVICES", SECTION 11, "SCHOOL ZONES AND CROSSINGS", OF THE MIDLAND CITY CODE, SO AS TO DESIGNATE EACH SCHOOL ZONE AND SCHOOL CROSSING WITHIN THE CITY AND REGULATE THE SPEED AND MOVEMENT OF TRAFFIC THEREIN; AUTHORIZING AND DIRECTING

THE TRAFFIC ENGINEER TO INSTALL APPROPRIATE SIGNS AND MARKINGS; REPEALING ORDINANCE NO. 9455; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO HUNDRED DOLLARS (\$200.00); AND ORDERING PUBLICATION

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9473.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9473 in accordance with the Charter of the City of Midland; seconded by Council Member Love.

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

PUBLIC HEARINGS

59. Consider the following:

- a. Hold a public hearing and consider a resolution of the City Council of Midland, Texas, making a finding, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, that there is no feasible and prudent alternative to the change in use of approximately 0.5 acres located on the northwest portion of Washington Park (approximately 64 feet south of Wall Street and 54 feet east of Adams Street) from tennis courts to a parking lot for public use.

RESOLUTION NO. 2015 - 308

RESOLUTION OF THE CITY COUNCIL OF MIDLAND, TEXAS MAKING A FINDING, PURSUANT TO CHAPTER 26 OF THE TEXAS PARKS AND WILDLIFE CODE, THAT THERE IS NO FEASIBLE AND PRUDENT ALTERNATIVE TO THE CHANGE IN USE OF AN APPROXIMATE 0.5-ACRE TRACT OF LAND LOCATED ON THE NORTHWEST PORTION OF WASHINGTON PARK (APPROXIMATELY 64 FEET SOUTH OF WALL STREET AND 54 FEET EAST OF ADAMS STREET) FROM PUBLIC PARK USE AS TENNIS COURTS TO A PARKING LOT FOR PUBLIC USE AND TO SERVE WASHINGTON PARK

Tina process go through to make changes at Washington Park. received funds to complete renovation. Next thing residents told at a public meeting is more parking at park. Did have funds to renov and resurface tennis court it was clear much rather have parking lot than tennis court. this process go thorough. Lacy any curb and gutter. Tina cuts into parking lot. In parking lot only stops. can drive off parking lot. curb stops all the way around. be able to create approx 30 with handicap. Spark's discussion about turnign to basketball court. Laurie wiollimas went to have multi purp wanted parking and additional shade structures. Love number one additional shade structure. We did redo replace of pavillion already done.

Council Member Love moved to adopt Resolution No. 2015 - 308; seconded by Council Member Lacy.

Sparks shame to take playing surface and make a parking lot of it. Hate fact that taking CDBG money for this when can use it for housing that is desperately needed. Love on committee in 2013 concern if didn't allow to go through that area would not be renovated so another example of why need to take a look at 4B. Ratehr spend on housing.

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 how many people there. Laurie 25 citizens well advertised and took poll of what wanted. Still on track 2017 for pool? Tina made request for CO funding see at a later date.

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

- b. Approved a resolution approving plans and specifications and authorizing advertisement for bids for the Washington Park Tennis Court to Parking Lot Renovation Project for the Parks Division.

RESOLUTION NO. 2015 - 309

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE WASHINGTON PARK TENNIS COURT TO PARKING LOT RENOVATION PROJECT

Council Member Love moved to adopt Resolution No. 2015 - 309; seconded by Council Member Lacy.

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

60. Hold a public hearing and consider a resolution authorizing the intent of the City of Midland to use Community Development Block Grant funds to acquire fee simple title to real property for the development of affordable housing; said real property described as all of Block 71, East Midland Addition, City and County of Midland; declaring a public purpose; authorizing the City Attorney to determine ownership of said real property; and authorizing the City Manager to procure professional services for the appraisal services associated with the purchase of said real property. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2015 - 310

RESOLUTION AUTHORIZING THE INTENT OF THE CITY OF MIDLAND TO USE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO ACQUIRE FEE SIMPLE TITLE TO REAL PROPERTY FOR THE DEVELOPMENT OF AFFORDABLE RESIDENTIAL HOUSING, SAID REAL PROPERTY DESCRIBED AS ALL OF BLOCK 71, EAST MIDLAND ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS; DECLARING A PUBLIC PURPOSE; AUTHORIZING THE CITY ATTORNEY TO DETERMINE OWNERSHIP OF SAID REAL PROPERTY; AND AUTHORIZING THE CITY MANAGER TO PROCURE PROFESSIONAL SERVICES FOR THE APPRAISAL SERVICES ASSOCIATED WITH THE PURCHASE OF SAID REAL PROPERTY

Lacy clarification focus is finding target areas instead of select lots and making impact that is our focus correct? Sylvester yes, if it all works out have .5M used for acquisition

and any leftover for infrastructure. Have upcoming grant money or new fiscal year 450,000 set aside for affordable housing dev that can be used on this development. We do acquisition on voluntary basis. Lacy add 60 to 65 new lots for affordable housing to community. Love thank Mayor for incorporated their funds.

Mayor Morales opened the public hearing at 11:05 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Love moved to adopt Resolution No. 2015 - 310; 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.

61. Hold a public hearing and consider an ordinance on a request by Jimmy Webb for a vacation of the 0.11-acre portion of alley right-of-way, located adjacent to Lot 4, Block 27, Greenwood Addition, City and County of Midland, Texas (Generally located west of South Fairgrounds Road and approximately 200-feet south of New York Avenue.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9476

AN ORDINANCE VACATING AND ABANDONING A 0.1073-ACRE PORTION OF ALLEY RIGHT-OF-WAY ADJACENT TO LOT 4, BLOCK 27, GREENWOOD ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED WEST OF SOUTH FAIRGROUNDS ROAD, APPROXIMATELY 200 FEET SOUTH OF NEW YORK AVENUE); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$5,842.49; WAIVING THE FEE FOR THE COST OF THE RIGHT-OF-WAY; AND ORDERING RECORDATION BY THE CITY SECRETARY

Development Services Director Chuck Harrington gave a brief overview of the item noting request made to put all parcels together for superlot. Related to next item which is portion of row is being considered. value 5842.49. Mr. Webb in this appraisal is proposing give row for Fairgrounds as well as turnaround at end of alley to continue to use alley for services. He had total value of \$13183.25 asking those two vacations be made in a trade for the row that is going to be dedicating to City. No loj rec approval.

Mayor Morales opened the public hearing at 11:08 a.m.

Brett Stevens 4001 Angelina Drive rep Jimmy Webb areas in green are areas dedicated to City. areas in red is alleyway. has not historically beused as alleyway. Pennsylvania avenue fence line along property line don't know how long beent here bee there but noth historically used for alley. Requesting as land swap. Love this mainly residential area most of area is MF what concern is look at pictures is all residential it borders City and County as well. High traffic area. Appreciate the dedication of row on Fairgrounds. Wish Mr. Webb had reached out to him to talk about what he is doing. He doesn't have to and would still like to visit. Sensitie area most ly residentil curious as to what intentions are with property. Brett current tenant make equipment for power line isntallations. No plans to do anything different at this time. NOt requesting zone change. Trying to plat to get city water and sewer access so can run water and sewer to all of his buildings. Currently on septic and bring in 5000 gallon water each mm onth. Love that is info looking for. current tenant does not plan to leav ein enar future.

There being no one else wishing to speak, the public hearing was closed at 11:12 a.m.

Council Member Love moved approval of the first of two readings of Ordinance No. 9476 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

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

62. Hold a public hearing and consider an ordinance on a request by Jimmy Webb for the vacation of the 0.065-acre portion of the right-of-way adjacent to Lot 11, Block 28, and Lot 1, Block 41, Greenwood Addition, City and County of Midland, Texas (Generally located on the east end of Pennsylvania Avenue, approximately 190-feet east of Webster Street.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9477

AN ORDINANCE VACATING AND ABANDONING A 0.0645-ACRE PORTION OF PENNSYLVANIA AVENUE RIGHT-OF-WAY ADJACENT TO LOT 11, BLOCK 28, AND LOT 1, BLOCK 41, GREENWOOD ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST END OF PENNSYLVANIA AVENUE, APPROXIMATELY 190 FEET EAST OF WEBSTER STREET); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$5,619.24; WAIVING THE FEE FOR THE COST OF THE RIGHT-OF-WAY; AND ORDERING RECORDATION BY THE CITY SECRETARY

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9477.

Development Services Director Chuck Harrington gave a brief overview of item noting really disc as part of previous item. Lacy is that a City road? yes.

Mayor Morales opened the public hearing at 11:14 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. 9477 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

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

63. Hold a public hearing and consider an ordinance on a request by BDC Family Limited Partnership for the vacation of the 0.138-acre portion of the alley right-of-way adjacent to Lots 1 through 12, Block 41, Belmont Addition, City and County of Midland, Texas (Generally located on the south side of Stokes Avenue, approximately 140-feet west of Belmont Street.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9478

AN ORDINANCE VACATING AND ABANDONING A 0.1378-ACRE PORTION OF ALLEY RIGHT-OF-WAY ADJACENT TO LOTS 1-12, BLOCK 41, BELMONT ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON

THE SOUTH SIDE OF STOKES AVENUE, APPROXIMATELY 140 FEET WEST OF BELMONT STREET); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$12,005.14; AND ORDERING RECORDATION BY THE CITY SECRETARY.

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9478.

Development Services Director Chuck Harrington gave a brief overview of the item noting asking for vacation of portion of row that runs through block. They want to combine prop to make one large developable lot. ONLY utility Oncor who has granted utility easement. Total value of land is 12,005.14 no loj.

Mayor Morales opened the public hearing at 11:16 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. 9478 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

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

64. Hold a public hearing and consider an ordinance on a request by Steve Sanchez for a vacation of the 65.10 square foot portion of East Wadley Avenue adjacent to the south of Lot 13, Block 1, Tanglewood Addition, City and County of Midland, Texas (Generally located on the north side of E. Wadley Avenue, approximately 850-feet east of Edwards Street.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9479

AN ORDINANCE VACATING AND ABANDONING A 65.10-SQUARE FOOT PORTION OF EAST WADLEY AVENUE RIGHT-OF-WAY ADJACENT TO LOT 13, BLOCK 1, TANGLEWOOD ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF EAST WADLEY AVENUE, APPROXIMATELY 850 FEET EAST OF EDWARDS STREET); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$122.20; AND ORDERING RECORDATION BY THE CITY SECRETARY

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9479.

Development Services Director Chuck Harrington gave a brief overview of the item noting vacate portion of row for east wadley 65.01 feet 3 foot section 21.7 feet long in front of home that has been built there. issues related to surveyor put wrong pins before. This house now encroaches in row only other option is row use agreement which is not good for home to be located. tied to next item app asking for special exception to 20 foot front yard.

Sparks was that not caught at building inspection. Chuck when went back and survey relocated pins where should have been. Lacy don't have concern for public safety that house close to busy road. Lacy doesn't have setback pretty much right on Wadley. Chuck lucky excess row. Hotchkiss only other choice is tear house down. Sparks go back to building inspection if have inspector out there before the pour. Chuck there was a flag that wasn't flagged in the right place. What some cities require a foundation

survey which shows exactly where forms are set so before inspector goes out knows it is exact. We look at lot pins and base it on that. Love this is a 23 foot mistake. Don't understand how someone makes 23 foot mistake. Chuck can't speak for ubilder.

Mayor Morales opened the public hearing at 11:21 a.m.

Steve Sancehz 220 Carroll lane. as gentleman work for survey. Surveyor set front pins in wrong place. When went to do work the pins were not there any more were going to have City set pins again and they were set in different place. Surveyor set pins in wrong spot. Courtney we do based on professional surveyor setting the pins. Love shouldn't surveyor have recourse in this matter. Can probalby look at surveyor. This is easiest method to go down. Steve house still 30 feet back. SEtback was 20 went 30 so basis wrong form beginning. built 80-90 homes this is first issue. Love did not pursue any recourse with surveyor. Lacy can't close yet because of issue. Robnett what kind of City might the City bear. John no liability issue for the City in this instance. Mayor will homes be built to east or west. Steve 2 or 3 lots to west he does not own. there are lots further down those are closer to street as well. Lacy staff not to look at this surveyors work and make a formal complaint with state of Texas if have ability to do so. Htochkiss made City have to do something that not very happy with. If widen road have space to put in at least one more lane. Lacy dont' see that would widen Wdley there.

There being no one else wishing to speak, the public hearing was closed at 11:25 a.m.

Council Member Sparks moved approval of the first of two readings of Ordinance No. 9479 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

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

Lacy need to do something. that is mans job. Love could not approve and have him go after that guy. sparks could take years.

65. Hold a public hearing and consider an ordinance on a request by Steve Sanchez / Summit Homes and Construction for a Special Exception to the zoning code concerning the front yard setback, on Lot 13, Block 1, Tanglewood Addition, City and County of Midland, Texas (Generally located on the north side of East Wadley Avenue, approximately 850-feet east of Edwards Street.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9480

AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 13, BLOCK 1, TANGLEWOOD ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF EAST WADLEY AVENUE, APPROXIMATELY 850 FEET EAST OF EDWARDS STREET), BY PERMITTING A REDUCED FRONT YARD SETBACK; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9480.

Development Services Director Chuck Harrington gave a brief overview of the item noting this is required front yard exception because of previous item. Lacy do make sure

Steve made a procedural change to ask for front yard setback so no further field mistakes.

Mayor Morales opened the public hearing at 11:27 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Dufford moved approval of the first of two readings of Ordinance No. 9480 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

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

66. Hold a public hearing and consider a resolution on a request by Robert Ahola for approval of a Temporary Land Use Permit for a Tent Sale on Lot 7, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas (Generally located on the south side of West Loop 250 North, approximately 500-feet west of North Midkiff Road.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2015 - 311

RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR A TENT SALE ON LOT 7, BLOCK 17, SKYLINE TERRACE ADDITION, UNIT 7, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST LOOP 250 NORTH, APPROXIMATELY 500 FEET WEST OF NORTH MIDKIFF ROAD); 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 request for approval of tent sale at mall parking lot. similar request in February. PROposing Nov 5 -26 9 a.m. to 10 ;.m. daily. no impact on sight triangle but does displace y68 spaces. same duration as seen in Febru. no loj.

Mayor Morales opened the public hearing at 11:29 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Love moved to adopt Resolution No. 2015 - 311; seconded by Council Member Robnett.

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

67. Hold a public hearing regarding a proposed oil and gas permit to High Sky Partners LLC (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Mask Hz Unit No 1031WA) located 275 feet from the north line and 1,240 feet from the east line located in Section 10, Block X, H.P. Hilliard Survey, City of Midland and County of

Midland, Texas (Generally located 1,240 feet west of North A Street extension and approximately 1,754 feet north of Silverton Drive.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES)

Ron Jenkins gave a brief overview noting first of four wells on same pad. new tank batter been to o7g approved with rec of making sure travel route doesn't cut through ?? cut through 349 by county no problem in city street. variance for larger pit size one large instead of one for each well and var for 24 hour fracing. high sky owns property. no loj.

Mayor Morales opened the public hearing at 11:31 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

68. Hold a public hearing regarding a proposed oil and gas permit to High Sky Partners LLC (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Mask Hz Unit No 1032LS) located 275 feet from the north line and 1,190 feet from the east line located in Section 10, Block X, H.P. Hilliard Survey, City of Midland and County of Midland, Texas (Generally located 1,190 feet west of North A Street extension and approximately 1,754 feet north of Silverton Drive.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES)

Ron Jenkins gave a brief overview noting 2 of 4 wells same info as previous item

Mayor Morales opened the public hearing at 11:32 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

69. Hold a public hearing regarding a proposed oil and gas permit to High Sky Partners LLC (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Mask Hz Unit No 1033MS) located 275 feet from the north line and 1,140 feet from the east line located in Section 10, Block X, H.P. Hilliard Survey, City of Midland and County of Midland, Texas (Generally located 1,140 feet west of North A Street extension and approximately 1,754 feet north of Silverton Drive.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES)

Ron Jenkins gave a brief overview noting 3 of 4 wells same info as previous item tank batter to west.

Mayor Morales opened the public hearing at 11:33 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

70. Hold a public hearing regarding a proposed oil and gas permit to High Sky Partners LLC (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Mask Hz Unit No 1034WB) located 275 feet from the north line and 1,090 feet from the east line located in Section 10, Block X, H.P. Hilliard Survey, City of Midland and County of Midland, Texas (Generally located 1,090 feet west of North A Street extension and approximately 1,754 feet north of Silverton Drive.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES)

Ron Jenkins gave a brief overview noting 4 of 4 wells same info as previous item.

Mayor Morales opened the public hearing at 11:34 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

71. Hold a public hearing and consider an annexation of a 29.22-acre tract of land out of Section 24, Block 40, T-1-S, T & P RR. Co. Survey, Midland County, Texas (Generally located on the southwest corner of the intersection of Mockingbird and Holiday Hill Road.) This is a public hearing only. No action will be taken. (DEVELOPMENT SERVICES)

Development Services Director Chuck Harrington gave a brief overview of the item noting request of second ph of annexation for Bynum School Site. received no comments from public.

Mayor Morales opened the public hearing at 11:34 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

MISCELLANEOUS

72. Approved a motion appealing the Building Official's denial of a sign permit application by The Kent Companies located on 6101 Andrews Highway, Midland, Texas (Generally located on the southeast corner of the intersection of Avalon Drive and Andrews Highway.) (DEVELOPMENT SERVICES)

Chuck app orig made for this site 418.71 sq ft max allowed 360. Additiona 249.1 sq ft applied for any ind sign 180 ft. after reviewing info staff reised app reduced overall to 406.7 and other sign reduced it to 180 sq ft to stay within req left one other sign at 240 sq ft looking for reasonable visibility. This is a standard no hardhsip and staff cannot rec approval. Morales the 240 was orig? Chuck 249 other they reduced to . Lacy another eason need to update our sign ord app not asking for anything unreasonable. whole heartedly support granting variance. Love he does too.

Mr. Bill Kent asking for bigger sign to be visible. same as one on Midkiff.

Council Member Lacy moved to approve a motion appealing the Building Official's denial of a sign permit application by The Kent Companies located on 6101 Andrews Highway, Midland, Texas (Generally located on the southeast corner of the intersection of Avalon Drive and Andrews Highway.); seconded by Council Member Love.

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

73. Approved a motion making appointments to various boards and commissions.
- no appointments

EXECUTIVE SESSION

recess to Executive Session at 11:39 a.m.

74. Pursuant to Texas Government Code §551.101, the Council will hold an Executive Session which is closed to the public to discuss the following matters as permitted under the following Texas Government Code Sections:

a. Section 551.087 Deliberate Economic Development Negotiations.

- a.1. Discuss business prospects that the City seeks to have, locate, stay, or expand in or near the City of Midland, Texas, and discuss possible incentives.

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