MIDLAND CITY COUNCIL
MINUTES
September 25, 2018

BRIEFING SESSION

The City Council convened in a Briefing Session in the basement conference room, City Hall, Midland, Texas, at ___ a.m. on September 25, 2018.

Council Members present: Mayor Jerry F. Morales, Mayor Pro Tem Spencer Robnett (At-Large), Council Member Scott Dufford (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, Assistant City Manager Frank Salvato, Assistant City Manager Robert Patrick, City Secretary Amy Turner, Police Chief Steve Henry, Fire Chief Chuck Blumenauer, Utilities Director Laura Wilson, Administrative Services Director __, Finance Director Pam Simecka, Development Services Director Charles Harrington, Community Services Director Tina Jauz, Engineering Services Director Jose Ortiz, Director of Airports Justine Ruff, General Services Director Fred Reyes, Chief Information Officer Willie Resto, Solid Waste Director Morris Williams, Planning Division Manager Jessica Carpenter, Building Official Steve Thorpe, and Public Information Officer Elana Ladd.

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

REGULAR SESSION

The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., September 25, 2018.

Council Members present: Mayor Jerry F. Morales, Mayor Pro Tem Spencer Robnett (At-Large), Council Member Scott Dufford (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 at the annex table: City Manager Courtney Sharp, City Attorney John Ohnemiller, Assistant City Manager Frank Salvato, and Assistant City Manager Robert Patrick.

The Agenda Items were heard in the following order:

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

OPENING ITEMS

cto 10:02 a.m.

1. Invocation - Pastor Jon Slaydon, Second Baptist Church

2. Pledge of Allegiance

PRESENTATIONS

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

CONSENT AGENDA

4. Approved a motion approving the following minutes:

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

a. Regular meeting of September 11, 2018

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

5. Approved a resolution approving the purchase of Cisco switches from Johnston Technical Services, Inc. through Department of Information Resources (DIR) contract DIR-TSO-3965 for the City Traffic and Network Microwave Ring for the Communication and Information Systems Department. (PURCHASING)

RESOLUTION NO. 2018 - 360

RESOLUTION APPROVING THE PURCHASE OF CISCO SWITCHES FROM JOHNSTON TECHNICAL SERVICES, INC., OF DALLAS, TEXAS, THROUGH THET EXAS DEPARTMENT OF INFORMATION RESOURCES, FOR THE COMMUNICATION AND INFORMATION SYSTEMS DEPARTMENT AT A TOTAL COST OF $91,020.42; AND AUTHORIZING PAYMENT THEREFOR

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

6. Approved a resolution ratifying the issuance of an emergency contract to clean Digester #2 at the Water Pollution Control Plant with Ace Pipe Cleaning for a total cost of $135,891.94 for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2018 - 361

RESOLUTION RATIFYING THE EXECUTION OF A CONTRACT WITH ACE PIPE CLEANING, INC. FOR THE EMERGENCY CLEANING OF DIGESTER #2 AT THE WATER POLLUTION CONTROL PLANT; AND AUTHORIZING PAYMENT THEREFOR IN AN AMOUNT NOT TO EXCEED $135,891.94

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

7. Approved a resolution approving an extension of the lease agreement with D.K. Boyd for grazing rights at the T Bar Ranch in Winkler and Loving counties for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2018 - 362

RESOLUTION AUTHORIZING THE EXECUTION OF A FIVE-YEAR LEASE RENEWAL AGREEMENT BETWEEN THE CITY OF MIDLAND, TEXAS, AND D.K. BOYD LAND AND CATTLE CO., FOR GRAZING RIGHTS AT THE T-BAR RANCH IN WINKLER AND LOVING COUNTIES

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

8. Approved a resolution awarding an agreement for the Parks Master Plan Update for the Community Services Department. (PURCHASING)

RESOLUTION NO. 2018 - 363

RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HALFF ASSOCIATES, INC., FOR CONSULTING SERVICES TO PROVIDE AN ANALYSIS AND UPDATE OF THE PARKS, RECREATION, AND OPEN SPACE MASTER PLAN FOR THE COMMUNITY SERVICES DEPARTMENT IN AN AMOUNT NOT TO EXCEED $78,255.00

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

9. Approved a resolution ratifying the issuance of an emergency contract for emergency infrastructure repair work at the Vehicle Services Building with Blackmon Mooring of

Texas, Inc. for a total cost of $100,898.40 for the General Services Department. (PURCHASING)

RESOLUTION NO. 2018 - 364

RESOLUTION RATIFYING AND APPROVING AN EMERGENCY CONTRACT WITH BLACKMON MOORING OF TEXAS, INC., FOR THE INFRASTRUCTURE REPAIR WORK AT THE VEHICLE SERVICES BUILDING FOR A TOTAL COST OF $100,898.40

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

10. Approved a resolution approving the sale of a 0.035 acre tract located in Elmwood Addition, Sec. 2, City and County of Midland, Texas and being a portion of Block 15, Lot 2 for the General Services Department. (PURCHASING)

RESOLUTION NO. 2018 - 365

RESOLUTION AUTHORIZING THE SALE OF A 0.035-ACRE TRACT OF LAND OUT OF LOT 2, BLOCK 15, ELMWOOD ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS, TO THE ADJACENT PROPERTY OWNER; ADOPTING THE APPRAISAL BY THE CITY MANAGER OF $3,811.00; AUTHORIZING THE CITY MANAGER TO NEGOTIATE, EXECUTE AND FILE ALL DOCUMENTS NECESSARY FOR THE SALE OF SAID PROPERTY; AND ORDERING RECORDATION

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

11. Approved a resolution approving the purchase of and estimated annual supply of 600,000 pounds and 40 - 150 pound cylinders of Chlorine; 320,000 gallons of Liquid Ammonium Sulfate 40%; 2,000 tons of Aluminum Sulfate; 20,000 gallons of Polymer ; 4,400 gallons of Polymer for dewatering; 25 tons of Powdered Activated Carbon; 10,000 gallons of Liquid Copper Sulfate Pentahydrate 25%; 10,000 pounds of Potassium Permanganate and 75,000 pounds of Sodium Permanganate for the treatment of drinking water for Fiscal Year 2019 for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2018 - 366

RESOLUTION AUTHORIZING THE PURCHASE OF AN ESTIMATED ANNUAL SUPPLY OF CHEMICALS NEEDED FOR THE TREATMENT OF DRINKING WATER FOR FISCAL YEAR 2019 FROM MULTIPLE BIDDERS, FOR A TOTAL COST OF $1,649,710.90

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

12. Approved a resolution authorizing the issuance of a request for proposals for Agronomic Compliance Consulting Services for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2018 - 367

RESOLUTION AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS FOR AGRONOMIC COMPLIANCE CONSULTING SERVICES FOR THE UTILITIES DEPARTMENT

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

13. Approved a resolution ratifying the cleaning of the secondary clarifiers at the Water Pollution Control Plant in preparation of the Pioneer Project for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2018 - 368

RESOLUTION RATIFYING THE PROCUREMENT OF CLEANING SERVICES FROM MEYER ENERGY SERVICES, LLC FOR THE CLEANING OF THE SECONDARY CLARIFIERS AT THE WATER POLLUTION CONTROL PLANT AND AUTHORIZING PAYMENT THEREFOR IN AN AMOUNT NOT TO EXCEED $100,125.00

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

14. Approved a resolution approving a contract between the City of Midland, Texas and SilverWing Enterprises (SWE). (AIRPORTS)

RESOLUTION NO. 2018 - 369

RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH SILVERWING ENTERPRISES, LLC, TO PROVIDE PROFESSIONAL SERVICES IN SUPPORT OF THE OPERATION OF THE SPACEPORT LOCATED AT MIDLAND INTERNATIONAL AIR AND SPACE PORT; AND APPROPRIATING FUNDS THEREFOR

Council Member Lacy moved to adopt Resolution No. 2018 - 369; seconded by Council Member Love.

robnett pulled to renew consulting silverwing to ext spaceport another 5 yearss. good time to have cconversation. position clear spent a lot of time and money chasing spaceport put to end. understand cost to reneew is nominal compared ot what spend to spaceport to date. Not nec build it and they will come. put behind and move to other project. support diverssification but shouldn't be spent on emergency technology and speculative. Sparks have gotten money in getting license andd stay in hangar and improvements made which can be used for space or regular avionics. Dry hole but still prospect extention on lease. We;'ve got it, nom inal fee gives another 5 years to take a look at what might happen. hinted at having different branch of military in 5 years know if it takes place or not. Too many jnknows will vote in favor.

Lacy disagree over $10M is tnagible assets in contorl today. company in town moving into town wouldn't move here without hangar. funding from gov office building infrastructure for business park for whole city. shouldn't give up .

Morales aappreciate stance think its tooo early in process to remove somethign that alls aid at one time wnat to continue to support that was direction gave MDC. UPgraded hangar space, infrastructure improving, other spaceports in nation now do more than launch pads. As stated from his return to space symposium in april if in place tody you are ahead of $35 B industry. Midland in good position. Spent money on project that learned from. Our airports offers a lot of opportunity to satellite industry in addition to militarry. setting self up for success. Robnett space business will cotninue to evolve don't think it will happen in Midland.

love disagree.

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

15. Approved a resolution approving an amendment to the Ground Lease Agreement between the City of Midland and the Permian Basin Regional Planning Commission. (CITY ATTORNEY'S OFFICE)

RESOLUTION NO. 2018 - 370

RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THAT CERTAIN GROUND LEASE AGREEMENT BETWEEN THE CITY OF MIDLAND AND THE PERMIAN BASIN REGIONAL PLANNING COMMISSION REGARDING CERTAIN CITY-OWNED REAL PROPERTY DESCRIBED AS AN APPROXIMATE 0.22 ACRE TRACT OF LAND LOCATED IN SECTION 4, BLOCK 38, TOWNSHIP 2 SOUTH, MIDLAND COUNTY, TEXAS.

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

16. Approved a resolution approving the Midland Development Corporation's funding of the Avalon Drive right-of-way project in the amount of $400,000.00, as contemplated by that certain Economic Development Agreement between the City of Midland and the Midland Development Corporation for the purpose of combining funds to provide for the expansion of various infrastructure improvements to state and local highways and related facilities in and around the corporate limits of the City of Midland, as authorized by Chapter 501 of the Texas Local Government Code. (CITY MANAGER'S OFFICE)

RESOLUTION NO. 2018 - 371

RESOLUTION AUTHORIZING THE FUNDING OF THE AVALON DRIVE RIGHT-OF-WAY PROJECT IN THE AMOUNT OF $400,000.00, AS CONTEMPLATED BY THAT CERTAIN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIDLAND AND THE MIDLAND DEVELOPMENT CORPORATION FOR THE PURPOSE OF COMBINING FUNDS TO PROVIDE FOR THE EXPANSION OF VARIOUS INFRASTRUCTURE IMPROVEMENTS TO STATE AND LOCAL HIGHWAYS AND RELATED FACILITIES IN AND AROUND THE CORPORATE LIMITS OF THE CITY OF MIDLAND, AS AUTHORIZED BY CHAPTER 501 OF THE TEXAS LOCAL GOVERNMENT CODE; AND APPROVING THE APPROPRIATION OF FUNDS THEREFOR

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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 authorizing the City Manager to negotiate, acquire, and purchase on behalf of the City of Midland, any real property interests necessary or appropriate, by any instruments of conveyance necessary or appropriate, for the use and benefit of the public for street, road, pedestrian access, drainage and public utility purposes, and for any other ancillary public use as is usual and customary in connection therewith along Avalon Drive from BI 20 to Thomason Drive. The scope includes: to seek an appraisal (when necessary), to execute any documents, paperwork, titles, deeds, etc. necessary to complete the Right-of-Way acquisition; and ordering recordation by the City Secretary. (ENGINEERING SERVICES)

RESOLUTION NO. 2018 - 372

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACQUIRE, ON BEHALF OF THE CITY OF MIDLAND, ANY REAL PROPERTY INTERESTS NECESSARY OR APPROPRIATE, BY ANY INSTRUMENTS OF CONVEYANCE NECESSARY OR APPROPRIATE, FOR THE USE AND BENEFIT OF THE PUBLIC FOR STREET, ROAD, PEDESTRIAN ACCESS, DRAINAGE AND PUBLIC UTILITY PURPOSES, AND FOR ANY OTHER ANCILLARY PUBLIC USE AS IS USUAL AND CUSTOMARY IN CONNECTION THERE WITH ALONG AVALON DRIVE FROM A POINT AT OR NEAR THE INTERSECTION OF AVALON DRIVE AND BUSINESS INTERSTATE 20 TO A POINT APPROXIMATELY AT OR NEAR THE INTERSECTION OF AVALON DRIVE AND THOMASON DRIVE; AUTHORIZING THE CITY MANAGER TO OBTAIN APPRAISALS, NEGOTIATE, EXECUTE AND FILE ALL DOCUMENTS NECESSARY, INCLUDING PURCHASE AND SALE AGREEMENTS OR OTHERSUCH AGREEMENTS, TO ACQUIRE SAID REAL PROPERTY INTERESTS, PURCHASE TITLE INSURANCE POLICIES AND HOLD THE CLOSINGS FOR SAID ACQUISITIONS; AUTHORIZING PAYMENT FOR SAID APPRAISALS, REAL PROPERTY INTERESTS, TITLE INSURANCE POLICIES AND CLOSING COSTS; AND ORDERING THE CITY SECRETARY TO RECORD, OR ENSURE THAT THE TITLE COMPANY RECORDS, ALL INSTRUMENTS OF CONVEYANCE

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

18. Approved a resolution authorizing the execution of an Economic Development Agreement with Midland Development Corporation (MDC) for funding for ROW acquisition along Fairgrounds Road from Loop 250 to Arapaho. (ENGINEERING SERVICES)

RESOLUTION NO. 2018 - 373

RESOLUTION AUTHORIZING THE EXECUTION OF AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND THE CITY OF MIDLAND FOR THE EXTENSION OF FAIRGROUNDS ROAD, AS AUTHORIZED BY CHAPTER 501 OF THE TEXAS LOCAL GOVERNMENT CODE

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

19. Approved a resolution authorizing the City Manager to negotiate, acquire, and purchase on behalf of the City of Midland, any real property interests necessary or appropriate, by any instruments of conveyance necessary or appropriate, for the use and benefit of the public for street, road, pedestrian access, drainage and public utility purposes, and for any other ancillary public use as is usual and customary in connection therewith along Fairgrounds Road from LP 250 to Arapahoe. The scope includes: to seek an appraisal (when necessary), to execute any documents, paperwork, titles, deeds, etc. necessary to complete the Right-of-Way acquisition; and ordering recordation by the City Secretary. (ENGINEERING SERVICES)

RESOLUTION NO. 2018 - 374

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACQUIRE, ON BEHALF OF THE CITY OF MIDLAND, ANY REAL PROPERTY INTERESTS NECESSARY OR APPROPRIATE, BY ANY INSTRUMENTS OF CONVEYANCE NECESSARY OR APPROPRIATE, FOR THE USE AND BENEFIT OF THE PUBLIC FOR STREET, ROAD, PEDESTRIAN ACCESS, DRAINAGE AND PUBLIC UTILITY PURPOSES, AND FOR ANY OTHER ANCILLARY PUBLIC USE AS IS USUAL AND CUSTOMARY IN CONNECTION THEREWITH ALONG FAIRGROUNDS ROAD FROM A POINT AT OR NEAR THE INTERSECTION OF FAIRGROUNDS ROAD AND NORTH LOOP 250 TO A POINT APPROXIMATELY AT OR NEAR THE INTERSECTION OF FAIRGROUNDS ROAD AND ARAPAHOE ROAD; AUTHORIZING THE CITY MANAGER TO OBTAIN APPRAISALS, NEGOTIATE, EXECUTE AND FILE ALL DOCUMENTS NECESSARY, INCLUDING PURCHASE AND SALE AGREEMENTS OR OTHER SUCH AGREEMENTS, TO ACQUIRE SAID REAL PROPERTY INTERESTS, PURCHASE TITLE INSURANCE POLICIES AND HOLD THE CLOSINGS FOR SAID ACQUISITIONS; APPROPRIATING FUNDS; AUTHORIZING PAYMENT FOR SAID APPRAISALS, REAL PROPERTY INTERESTS, TITLE INSURANCE POLICIES AND CLOSING COSTS; AND ORDERING THE CITY SECRETARY TO RECORD, OR ENSURE THAT THE TITLE COMPANY RECORDS, ALL INSTRUMENTS OF CONVEYANCE

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14;

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.

20. Approved a motion approving a contract with Midland Tennis Center dba Bush Tennis Center in the amount of $20,000.00 to promote tennis activities in the City of Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE)

    Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

21. Approved a motion approving a contract with I-20 Wildlife Preserve in the amount of $8,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/None Departmental). (CITY SECRETARY'S OFFICE)

    Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

22. Approved a motion approving a contract with Mac's BBQ & Catering (Mac's Music Fest) in the amount of $12,500.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE)

    Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

23. Approved a motion approving a contract with Midland Community Theatre in the amount of $20,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE)

    Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

24. Approved a motion approving a contract with Midland County Fair in the amount of $50,000.00 to promote tourism and the hotel industry in Midland from funds available

and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE)

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

25. Approved a motion approving a contract with Midland United Girls Softball in the amount of $54,299.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE)

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

26. Approved a motion approving a contract with Promising Projects, Inc. (Tall City Blues Fest) in the amount of $12,500.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE)

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

27. Approved a resolution authorizing the execution of an agreement with Rock the Desert Ministries, Inc. to promote tourism and the convention/hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2018 - 375

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ROCK THE DESERT MINISTRIES, INC., AS AUTHORIZED BY CHAPTER 351 OF THE TEXAS TAX CODE; FINDING THAT SAID AGREEMENT IS FOR THE PROMOTION OF TOURISM AND THE HOTEL AND MOTEL INDUSTRY; FINDING THAT THE FUNDS PROVIDED UNDER SAID AGREEMENT SHALL BE EXPENDED IN A MANNER DIRECTLY ENHANCING AND PROMOTING TOURISM AND THE HOTEL AND MOTEL INDUSTRY; AND PROVIDING THAT APPROVAL OF THE AGREEMENT IS NOT TO BE CONSTRUED OR INTERPRETED AS ENDORSING THE MESSAGE OR ACTIVITIES PROMOTED BY ROCK THE DESERT MINISTRIES, INC.

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

28. Approved a motion approving a contract with Sibley Environmental Learning Center Foundation, Inc. dba Sibley Nature Center in the amount of $5,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE)

    Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

29. Approved a motion approving a contract with Tall City Oilman's Basketball Tournament Association in the amount of $12,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel/Non Departmental). (CITY SECRETARY'S OFFICE)

    Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

30. Approved a resolution authorizing the execution of a Community Development Block Grant contract with Parker Place Apartments for HVAC replacements in the amount of $70,000. (DEVELOPMENT SERVICES)

    RESOLUTION NO. 2018 - 376

    RESOLUTION AUTHORIZING THE EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT WITH MIDLAND PARKER PLACE, INC., FOR THE MIDLAND PARKER PLACE PROJECT IN THE AMOUNT OF $70,000.00; THE PURPOSE OF THIS PROJECT IS TO UPGRADE THE CURRENT HVAC SYSTEMS; THE PROJECT WILL BEGIN ON OCTOBER 1, 2018, AND END ON SEPTEMBER 30, 2019

    Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

31. Approved a resolution authorizing the execution of a Community Development Block Grant contract with Casa de Amigos for parking lot resurfacing in the amount of $49,768.00. (DEVELOPMENT SERVICES)

    RESOLUTION NO. 2018 - 377

    RESOLUTION AUTHORIZING THE EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT WITH CASA DE AMIGOS FOR THE CASE DE AMIGOS PARKING LOT PROJECT IN THE AMOUNT OF $49,768.00; THE PURPOSE OF THIS

PROJECT IS TO IMPROVE ACCESS TO THE FACILITY AND PHYSICAL HEALTH OF SENIOR AND DISABLED PARTICIPANTS; THE PROJECT WILL BEGIN ON OCTOBER 1, 2018, AND END ON SEPTEMBER 30, 2019

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

32. Approved a resolution authorizing the execution of a Community Development Block Grant contract with Midland Community Development Corporation for the Cuthbert and Main Ave infrastructure project to include sewer, gas, and water lines in the amount of $150,000.00. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 378

RESOLUTION AUTHORIZING THE EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT WITH THE MIDLAND COMMUNITY DEVELOPMENT CORPORATION FOR THE MIDLAND COMMUNITY DEVELOPMENT CORPORATION PROJECT IN THE AMOUNT OF $150,000.00; THE PURPOSE OF THIS PROJECT IS TO PROVIDE INFRASTRUCTURE TO PROMOTE NEW AFFORDABLE SINGLE FAMILY HOUSING DEVELOPMENT; THE PROJECT WILL BEGIN ON OCTOBER 1, 2018, AND END ON SEPTEMBER 30, 2019

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

33. Approved a resolution authorizing the execution of a Community Development Block Grant contract with Casa de Amigos for the Home Cleaning Program in the amount of $33,000.00. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 379

RESOLUTION AUTHORIZING THE EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT WITH CASA DE AMIGOS FOR CASA DE AMIGOS HOME CLEANING PROJECT IN THE AMOUNT OF $33,000.00; THE PURPOSE OF THIS PROJECT IS TO PROVIDE HOME CLEANING SERVICES TO PROMOTE THE ENVIRONMENTAL AND PHYSICAL HEALTH OF SENIOR CITIZENS AND INDIVIDUALS WITH DISABILITIES; THE PROJECT WILL BEGIN ON OCTOBER 1, 2018, AND END ON SEPTEMBER 30, 2019

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

34. Approved a resolution authorizing the execution of a Community Development Block Grant contract with Mission Health Care, Inc. for the Take Home Terrific Meal Program

in the amount of $35,000.00. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 380

RESOLUTION AUTHORIZING THE EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT WITH MISSION HEALTH CARE, INC., FOR THE MISSION CENTER TAKE HOME TERRIFIC PROJECT, IN THE AMOUNT OF $35,000.00; THE PURPOSE OF THIS PROJECT IS TO PROVIDE DELIVERED EVENING MEALS TO SENIOR CITIZENS AND INDIVIDUALS WITH DISABILITIES; THE PROJECT WILL BEGIN ON OCTOBER 1, 2018, AND END ON SEPTEMBER 30, 2019

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

35. Approved a resolution authorizing the execution of a Community Development Block Grant contract with Senior Link Midland for the Senior Nutrition Program in the amount of $75,000.00. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 381

RESOLUTION AUTHORIZING THE EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT WITH SENIOR LINK MIDLAND, FOR THE SENIOR LINK SE CENTER PROJECT IN THE AMOUNT OF $75,000.00; THE SERVICE WILL BE PROVIDED DAILY IN COORDINATION WITH OTHER ACTIVITIES; THE PURPOSE OF THIS PROJECT IS TO PROMOTE BETTER MENTAL AND PHYSICAL HEALTH FOR SENIORS THROUGH NUTRITIOUS MEALS AND SOCIALIZATION; THE PROJECT WILL BEGIN ON OCTOBER 1, 2018, AND END ON SEPTEMBER 30, 2019

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

36. Approved a resolution appropriating the sum of $250,000.00 from the General Fund (001) Unappropriated Fund Balance Account (35650) to the Florida and Lamesa Signal Project (900275). (ENGINEERING SERVICES)

RESOLUTION NO. 2018 - 382

RESOLUTION APPROPRIATING THE SUM OF $250,000.00 FROM THE GENERAL FUND (001) UNAPPROPRIATED FUND BALANCE ACCOUNT (35650) TO THE FLORIDA AND LAMESA SIGNAL PROJECT (900275)

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

37. Approved a resolution on request by Cary Patteson, Owner, 4C Stables, Inc., to terminate a Public Improvement Development Agreement for water improvements at the Lost Mountain Addition, Section 4 between 4C Stables, Inc. and the City of Midland, Texas, dated January 15, 2014, as authorized by the City Council in Resolution No. 2014-011. (ENGINEERING SERVICES)

RESOLUTION NO. 2018 - 383

RESOLUTION AUTHORIZING THE EXECUTION OF AN INSTRUMENT TERMINATING THE PUBLIC IMPROVEMENT DEVELOPMENT AGREEMENT WITH 4C STABLES, INC. FOR PAVING IMPROVEMENTS TO PASSAGE WAY AND WATER DISTRIBUTION IMPROVEMENTS TO LOST MOUNTAIN ADDITION, SECTION 4, MIDLAND COUNTY, TEXAS

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

38. Approved a resolution accepting a Utility Easement from Transtelco Inc., located in Section 31, Block 40, T-1-S, T&P RR. Co. Survey, Midland County, Texas, for the purpose of Public Utilities installation associated with an industrial development, authorizing the execution of said Utility Easement; and ordering recordation by the City Secretary. (ENGINEERING SERVICES)

RESOLUTION NO. 2018 - 384

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A 0.139-ACRE UTILITY EASEMENT LOCATED IN SECTION 31, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS; AND ORDERING RECORDATION BY THE CITY SECRETARY

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

39. Approved a resolution accepting a Utility Easement from Arun Chopra and Sneha Chopra., located in Section 31, Block 40, T-1-S, T&P RR. Co. Survey, Midland County, Texas, for the purpose of Public Utilities associated with an industrial development, authorizing the execution of said Utility Easement; and ordering recordation by the City Secretary. (ENGINEERING SERVICES)

RESOLUTION NO. 2018 - 385

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A 0.011-ACRE UTILITY EASEMENT LOCATED IN SECTION 31, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS; AND ORDERING RECORDATION BY THE CITY SECRETARY

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

40. Approved a resolution accepting a Drainage Easement from the Midland Independent School District (MISD)., located in Section 26, Block 40, T-1-S, T&P RR. Co. Survey, Midland County, Texas, for the purpose of Public Utilities associated with the Briarwood Road widening project, authorizing acceptance of said Drainage Easement; and ordering recordation by the City Secretary (City of Midland, Midland County). (ENGINEERING SERVICES)

RESOLUTION NO. 2018 - 386

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A 0.596-ACRE DRAINAGE EASEMENT LOCATED IN SECTION 26, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS; AND ORDERING RECORDATION BY THE CITY SECRETARY

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

41. Approved a resolution accepting a Right of Way Dedication from the Midland Independent School District (MISD)., located in Section 48, Block 40, T-1-S, T&P RR. Co. Survey, Midland County, Texas, for the purpose of Public Utilities associated with the Avalon Drive road widening project, authorizing acceptance of said Right of Way; and ordering recordation by the City Secretary (City of Midland, Midland County). (ENGINEERING SERVICES)

RESOLUTION NO. 2018 - 387

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A 6.624-ACRE RIGHT-OF-WAY LOCATED IN SECTION 48, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS; AND ORDERING RECORDATION BY THE CITY SECRETARY

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

42. Approved a resolution authorizing and executing a Right-of-Way License between the City of Midland and Buchannan Oilfield Services LLC., said Right-of-Way License is for entering the City of Midland's property for the purpose of placing, installing, constructing, operating, repairing, maintaining and removing a disposal water pipeline, not to exceed ten (10) inches in diameter, and to have the right to ingress and egress at convenient points for such purpose; the pipeline is located within City of Midland property, Section 47, Block 38, T-1S and Section 15, Block 37 T-1S, Public Land Survey, Midland County, Texas. (UTILITIES)

RESOLUTION NO. 2018 - 388

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND BUCHANAN OILFIELD SERVICES, LLC REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 15, BLOCK 37 AND SECTION 47, BLOCK 38, TOWNSHIP 1 SOUTH, PUBLIC LAND SURVEY, MIDLAND COUNTY, TEXAS

Council Member Lacy moved to approve Consent Agenda items 4 - 42 excluding 14; 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.

SECOND READINGS

43. Consider an ordinance on second reading on a request by Nicholas P. Leschke for a Zone Change from a PD, Planned District for a Shopping Center, to an Amended PD, Planned District for a Shopping Center on Lot 4, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas, (generally located on the west side of North Midkiff Road, approximately 1,030-feet south of Loop 250 North). (DEVELOPMENT SERVICES) (First reading held September 11, 2018)

ORDINANCE NO. 9818

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 4, BLOCK 17, SKYLINE TERRACE, UNIT 7, 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 WEST SIDE OF NORTH MIDKIFF ROAD, APPROXIMATELY 1,030 FEET SOUTH OF LOOP 250 NORTH); 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 Misty Cryer read the caption of Ordinance No. 9818.

Council Member Love moved to approve the second and final reading of Ordinance No. 9818 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, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

44. Consider an ordinance on second reading on a request by Kimley-Horn and Associates, Inc. for a Zone Change from a PD, Planned District for a Shopping Center to a PD, Planned District for a Housing Development on a 17.84-acre tract of land out of Section 24, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, (generally located on the north side of Briarwood Avenue, approximately 737-feet east of Avalon Drive). (DEVELOPMENT SERVICES) (First reading held September 11, 2018)

ORDINANCE NO. 9819

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING A 17.84-ACRE TRACT OF LAND OUT OF SECTION 24, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A SHOPPING CENTER, TO BE USED AS A PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE NORTH SIDE OF BRIARWOOD AVENUE, APPROXIMATELY 737 FEET EAST OF AVALON DRIVE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary Misty Cryer read the caption of Ordinance No. 9819.

Council Member Robnett moved to approve the second and final reading of Ordinance No. 9819 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, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

45. Consider an ordinance on second reading on a request by Midland Community College District for a Special Exception to the Site Plan Review Standards concerning the building material requirements on a 215.22 Acre Tract of Land out of, Section 15, Block 39, T-1-S, T.&P., R.R. Co. Survey City and County of Midland, Texas, (generally located on the east side of North Garfield Street, approximately 580 Feet north of West Wadley Avenue). (DEVELOPMENT SERVICES) (First reading held September 11, 2018)

ORDINANCE NO. 9822

AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR AN APPROXIMATE 215.22-ACRE TRACT OF LAND OUT OF SECTION 15, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF NORTH GARFIELD STREET, APPROXIMATELY 580 FEET NORTH OF WEST WADLEY AVENUE), BY PERMITTING A BUILDING CONSTRUCTED OF PRE-ENGINEERED METAL (R-PANEL OR SIMILAR STYLE) WITH LESS THAN 75 PERCENT OF THE PRIMARY AND SECONDARY ELEVATIONS, EXCLUDING DOORS AND WINDOWS, FINISHED IN ONE OR MORE OF THE MATERIALS LISTED IN SECTION 11-10-2.B.2.(C) OF THE CITY CODE; 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 Misty Cryer read the caption of Ordinance No. 9822.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9822 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, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

46. Consider an ordinance on second reading on a request by Family Promise of Midland, for a zone change from 2F, Two-Family Dwelling District, to MF-1, Multiple-Family Dwelling District on the south half of Block 23, Gardens Addition, City and County of Midland, Texas, (generally located on the northwest corner of Ward Street and West Ohio Street). (DEVELOPMENT SERVICES) (First reading held September 11, 2018)

ORDINANCE NO. 9823

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING THE SOUTH HALF OF BLOCK 23, GARDENS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED 2F, TWO-FAMILY DWELLING DISTRICT, TO BE USED AS AN MF-1, MULTIPLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF WARD STREET AND WEST OHIO AVENUE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary Misty Cryer read the caption of Ordinance No. 9823.

Council Member Robnett moved to approve the second and final reading of Ordinance No. 9823 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

47. Hold a public hearing and consider an ordinance on a request by Maverick Engineering for approval of a site plan on a 10.18-acre tract of land located in Section 19, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, (generally located on the north side of Andrews Highway, approximately 930-feet west of North Midland Drive). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9826

AN ORDINANCE ADOPTING A SITE PLAN FOR A 10.18-ACRE TRACT OF LAND OUT OF SECTION 19, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF ANDREWS HIGHWAY, APPROXIMATELY 930 FEET WEST OF NORTH MIDLAND DRIVE); SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary Misty Cryer read the caption of Ordinance No. 9826.

Development Services Director Chuck Harrington gave a brief overview of the item noting site plan approval northern portion mariposa gardens apt north side of Andrews. site plan has been reviewed by all city depts and approved. Transportation deals may require traffic impact analysis prior to approval of construction. adequate parking , build mat meet code. meets max height. Received on loj for p&z other objections listed involve souths ide. staff rec approval subj to cond a and b.

Mayor Morales opened the public hearing at 10:19 a.m.

Richard Case, 4602 Andrews Highway, use as office and hobby house it is located 26 feet from property line of development. expressed concern about site considerations. The traffic problem aat Andrews and MIdland addressed by study. A part is to be used for local retail suggests fast food etc but don't know at this point what iss going to go in. Fast food estab in general area east and west supply front yard with ample amounts of trash that he picks up daily to keep lot clean. Finally, at present time, lot is completely grass except for one residence on site. Enjoyed looking at grass for more than 20 years. shared passion with neighbors across street whose property was acquired for mariposa south. Does not want to see that change.

There being no one else wishing to speak, the public hearing was closed at 10:22 a.m.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9826 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.

48. Hold a public hearing and consider an ordinance on a request by Maverick Engineering, for a zone change from O-1, Office District, in part, and PD, Planned District for a Housing Development, in part, to PD, Planned District for a Housing Development, on Lot 8, Block 3, Gateway Plaza, Section 2, and Lot 7B, Block 3, Gateway Plaza, Section 10, City and County of Midland, Texas, (generally located on the northeast corner of South Tradewinds Boulevard and Starboard Drive). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9827

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 8, BLOCK 3, GATEWAY PLAZA, SECTION 2, AND LOT 7B, BLOCK 3, GATEWAY PLAZA, SECTION 10, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED O-1, OFFICE DISTRICT, IN PART, AND PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT, IN PART, TO BE USED AS A PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF TRADEWINDS BOULEVARD AND STARBOARD DRIVE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary Misty Cryer read the caption of Ordinance No. 9827.

Development Services Director Chuck Harrington gave a brief overview of the item noting zone change to amended pd for housing development to allow 7 apt builds 204 units with clubhouse, pool, and pavillion. building 3 stories. site plan 408 parking space and meet requirements of city code. currently in prel plat stage. part of prop that will be submitted to tx dpt of housing comm affairs for tax financing. Ond condition of note transportaiton depending on nature aand scale may require traffic impact analysis. no loj. Lacy why would tiaa be required for apartment complex? Seems ridiculous with completion of Tradewinds boulevard. Mike may be standard form comment goes in on all these proejcts so if need to ask for have ability.

Morales how many units? Chuck 22.49 iunits per acre.

Mayor Morales opened the public hearing at 10:26 a.m.

Andrew Mellen, Maverick Engineering, 1909 W Wall, rep cleint, this hud proejct much eneded 36 1 84 2 84 3 split in decent manner, many ammenities. total construction cost $27 M niice addition to area. Mayor outdoor bbq and others, apt complex got a lot of calls went to wrist band system so only those lived there had access maybe mention that. Love compliment them on project probably one of best apt complexes as far as ammenities. Love not HUD its affordable housing. great work excited about these proejcts.

There being no one else wishing to speak, the public hearing was closed at 10:28 a.m.

Council Member Love moved approval of the first of two readings of Ordinance No. 9827 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.

49. Hold a public hearing and consider a resolution on a request by The Bar for approval of a Temporary Land Use for an Outdoor Concert on Lots 7 through 9, Block 61, and a 0.21-acre portion of Carrizo Street right-of-way adjacent to Lot 4, Block 60 ½, and Lots 7 through 9, Block 61; all out of Original Town Addition, City and County of Midland, Texas.,(generally located on the north side of West Missouri Avenue, approximately 20 feet east of South A Street). (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 389

RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR AN OUTDOOR CONCERT ON LOTS 7-9, BLOCK 61, AND A 0.21-ACRE PORTION OF SOUTH CARRIZO STREET RIGHT-OF-WAY ADJACENT TO SAID LOTS AND LOT 4, BLOCK 60 1/2, ALL OUT OF ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST MISSOURI AVENUE, APPROXIMATELY 20 FEET EAST OF SOUTH A STREET); 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 tlup for concert hours t 10/16 5-1130. live music outside bar and tables alcohol is proposed on prem consumption min off 15 restrooms and 10-12 security guards avail. staff rev and finds in compliance with regs and note items A-J as requirements. No loj but did received one and given this morning. staff rec approval. Love any incidents last year? Chuck nothing in 2016 in 2014 did run numbers did include 2016 approx time period would have been but did not have tlu that year. Dufford if do some of these complaint about trash, when had these requests in past made whoever clean up mess and police entire enighborhood think need to put that in there as well. Chuck do in item J that person appleid will ensure that all conditions are met.

Sparks looking at letter and it says ran over signs and thre rocks of windows of building, that is more than trash. Lacy think ongoing problem with establishment being destructive to his property not nec this event. Hotchkiss letter specific to fact that objecting to outdoor concert.

Mayor Morales opened the public hearing at 10:32 a.m.

David Diaz 208 S Marienfeld, do support downtown events do share concern about trash. their office is one black away to south and trassh is a problem, sometimes that can be correct if all for it.

There being no one else wishing to speak, the public hearing was closed at 10:33 a.m.

robnett require police officer and require to pick up all trash. Love when evenets are at stadium are required to do a trash bond why can't we do saame thing if pick up trash get money back. Chuck do require a deposit, if they clean up. Love didn't work llast year. MOrales need ot enforce make sure police. Sparks required to ahve peace officer in parking lot. john 10 not specify aprking lot. .

Council Member Robnett moved to adopt Resolution No. 2018 - 389 with amendment to require applicant to pick up trash annd two officers to patrol outside of event; 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.

50. Hold a public hearing and consider an ordinance on a request by Serenity Hotels, LLC for a Special Exception to Section 11-1-6 of the Zoning Code concerning the height regulations on Lot 13, Block 8, Correction Plat of Westridge Park Addition, Section 27, City and County of Midland, Texas, (generally located on the southwest corner of Windhaven Drive and Tradewinds Boulevard). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9828

AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 13, BLOCK 8, CORRECTION PLAT OF WESTRIDGE PARK ADDITION, SECTION 27, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WINDHAVEN DRIVE AND TRADEWINDS BOULEVARD), BY PERMITTING AN INCREASED BUILDING HEIGHT; 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 Misty Cryer read the caption of Ordinance No. 9828.

Development Services Director Chuck Harrington gave a brief overview of the item noting prop hotel special except to hgt reg of lr2 45 foot height alolowance instead of 2.5 sttory 28 ft 9 inch that code allows. Requested 45 feet will match existing buildings in area . In this case talk about hardships not hardhsip per say but special sitaution. zoning in future looking at regional retail allows 50 foott height to begin with and hotel is regional retail. unique situation that around them and behind apartments that are much taller. From staff standpoitnw hile not hardship it is unique. Sparks why wouldn't they ask for change in zoning? Chuck setting public eharing now to come back to council. Sparks do have other orjdinances that allow for that height. This seems to be incorrect procedurally. Love echo his comments. Main concern, support it all maeks sense but setting precedence to ask for exception in lr2 that is main concern. there are other ways to accomplish this. Chuck there other ways looked at zoning, moving away form PD, could put in O-2 but if put O-2 would stick out. long range goal won't be LR2. Love get that bbut betwween now and whenever new plan coome in could have flood of people asking for exception of LR2. Sparks looking for consistency. IF you change this to a planned district it fits everything else out there. We can get away from it when get new ordinances in place. In support of this but procedurally should be going for a change in zoning so don't have to do a sepcial exception. Theey both require coming in front of council foor PH. Dufford don't midn granting special exceptions when look around and see what is around. A special exception in this case is not a big deal. Will eventually have new ordinance that will address all of these, in meantime ok when area warrants special exception. Love average applicant doesn't understand tthat.

Mayor Morales opened the public hearing at 10:43 a.m.

Robert Rendall, 6 Desta Drive, think fororm what hear 45 foot doesn't seem to be big concern. Did consult with staff and jointly came up this is way to address. Apologize trying to find simplest method. Feel like a good buffer to residences to south.

Love don't have jproblem with supporting as long as council and future body understands.

There being no one else wishing to speak, the public hearing was closed at 10:45 a.m.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9828 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

Mayor as adopt new zoning tall city will have to be readjustd or updated. Frank comp plan has to meet zoning ord. Supposed to amend comp plan first then amend zoning.

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

51. Hold a public hearing and consider an ordinance on a request by Skyline Civil Group, for a zone change from PD, Planned District for Office Center, to IP-3, Industrial Park District on Lot 3, Block 2, Industrial Park Regional Air Terminal, Unit 7, City and County

of Midland, Texas, (generally located on the west side of Earhart Drive, approximately 634-feet south of Banks Drive). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9829

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 3, BLOCK 2, INDUSTRIAL PARK REGIONAL AIR TERMINAL ADDITION, UNIT 7, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR AN OFFICE CENTER, TO BE USED AS AN IP-3, INDUSTRIAL PARK DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF EARHART DRIVE, APPROXIMATELY 634 FEET SOUTH OF BANKS DRIVE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary Misty Cryer read the caption of Ordinance No. 9829.

Development Services Director Chuck Harrington gave a brief overview of the item noting property vacant zone change to ip3 to dev one story office wholesale 3600 sq ft office 7200 sq ft warehouse. Will be req to meet area regulations and materials comply with city req. Staff reviewed no obj and rec approval. NO loj. Robnett explain aoz process. Chuck when something ocmes in make sure write requeest to airpor tthey review, send to consultant to review and respond back yah or nay. Robnett is there a cost to applicant for additional? Chuck no. Love that is what 14 is about pay consultaant to do tha. Robnett instances of having to passbaack fee to consumer is that what we are looking at? Frank never charged, airport pays it to protect aoz. Last eyar mdc funding.

Mayor Morales opened the public hearing at 10:50 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. 9829 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.

52. Hold a public hearing and consider an ordinance on a request by Family Promise of Midland, TX Inc., for a site plan approval on the south half of Block 23, Gardens Addition, City and County of Midland, Texas, (generally located on the northwest corner of Ward Street and West Ohio Street). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9830

AN ORDINANCE ADOPTING A SITE PLAN FOR THE SOUTH HALF OF BLOCK 23, GARDENS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF WARD STREET AND WEST OHIO AVENUE); SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary Misty Cryer read the caption of Ordinance No. 9830.

Development Services Director Chuck Harrington gave a brief overview of the item noting last erading zone change now approving site plan 5 duplex buildings adequate access and circulate found 22 pakring space adequte for staff. pop serve typically only have one vehicle per houshold. applicant require to adherer to standards in compl with comp plan approved by p87z staff rec approval no loj. Morales renderings is what look like? yes similaar. facade is brick.

Mayor Morales opened the public hearing at 10:52 a.m.

Tom Miller 4311 Valley, Family Promise will always be excited to bring transitionaal housing also bringing case management to teach people how to prosper. exicted with housing and case mgmt but possible revitalization in that area of town. Believe this will give lift to area. Sparks do to and apprec. Love only regret is that not in his district. Hotchkiss glad in her.

Tom, not just family promise community, united way and possible oil companies partnership. several approached are very open to assisting in project.

There being no one else wishing to speak, the public hearing was closed at 10:54 a.m.

Council Member Hotchkiss moved approval of the first of two readings of Ordinance No. 9830 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.

53. Hold a public hearing and consider an ordinance on a request by Furniture Row USA for a vacation of the 0.17-acre portion of Faulkner Drive located in a 2.23-acre tract of land out of Section 4, Block X, HP Hilliard Survey, City and County of Midland, Texas, (generally located west of Whitman Drive, approximately 356-feet north of West Loop 250 North). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9831

AN ORDINANCE VACATING AND ABANDONING A 0.17-ACRE PORTION OF FAULKNER DRIVE RIGHT-OF-WAY LOCATED IN SECTION 4, BLOCK X, H.P. HILLIARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF WHITMAN DRIVE, APPROXIMATELY 356 FEET NORTH OF WEST LOOP 250 NORTH); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF $24,067.00; AND ORDERING RECORDATION BY THE CITY SECRETARY

Deputy City Secretary Misty Cryer read the caption of Ordinance No. 9831.

Development Services Director Chuck Harrington gave a brief overview of the item noting requesting vacation of row never been used to dev property for more retail uses. appraisal district 3.25 per sq ft $24,067 for property to be vacated. Staff reviewed and all depts and franch util rec approval of vacaiton ssubj to cond a and b no loj. Love context of what is going on furniture row is across street. are they buying and expanding. Chuck restarant and other types of retail.

Sparks does row go any further? No drainage ditch no bridge.

Mayor Morales opened the public hearing at 10:56 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. 9831 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, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

MISCELLANEOUS

54. Approved a resolution granting a variance to Ordinance 8769, (January 1, 2010 Oil and Gas Well Drilling Ordinance), for Roper Addition, Section 4, an 18.435 acre tract of land out of Section 23, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, (generally located north-east of the intersection of Briarwood Avenue and North County Road 1250), by permitting construction of permanent buildings where no portion of any structure is closer than 278 feet of an existing oil and gas wells (Pecan Acres #23). (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 390

RESOLUTION GRANTING A VARIANCE FOR AN 18.435-ACRE TRACT OF LAND OUT OF SECTION 23, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF BRIARWOOD AVENUE AND NORTH COUNTY ROAD 1250), BY PERMITTING CONSTRUCTION OF PERMANENT BUILDINGS WHERE NO PORTION OF ANY STRUCTURE IS CLOSER THAN 278 FEET OF AN OIL AND GAS WELL; AND AUTHORIZING ISSUANCE OF BUILDING PERMITS

Building OFficial Steve Thorpe gave a brief overview of the item noting reqquest form owner of 18 plus acre variance to prev permitted well owned and operated by Callon. NO agreement between op and land owner callon aware of request and Mr. Mellen here on behalf of dev no formal site plan submitted.

Sparks well been drilled. steve yes permitted and drilled.

Council Member Love moved to adopt Resolution No. 2018 - 390; seconded by Council Member Sparks.

Sparks there will sitlll be waay to ingress and egress to well site. Ron did contact Callon rep and let them know a week ago and thy were mulling over and no rep here. E mail and call nno response.

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

55. Approved a resolution of No Objection of the City Council of the City of Midland for the Texas Housing Foundation's application to the Texas Department of Housing and Community Affairs for Housing Tax Credits, (generally located near the northwest corner of Business I-20 and Loop 250). (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 391

RESOLUTION OF NO OBJECTION TO THE TEXAS HOUSING FOUNDATION'S APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR HOUSING TAX CREDITS IN THE NAME OF THF MIDLAND LEASED HOUSING ASSOCIATES I, LP, A TEXAS LIMITED PARTNERSHIP FOR THE CONSTRUCTION OF TWO HUNDRED FOUR UNITS OF MULTIFAMILY HOUSING NEAR THE NORTHWEST CORNER OF BUSINESS I-20 AND LOOP 250 IN MIDLAND, TEXAS, TO BE NAMED VENTURA AT TRADEWINDS APARTMENTS

Development Services Director Chuck Harrington gave a brief overview of the item noting related to 48 zoning first and follow up to that saying city no obj to request.,

Council Member Lacy moved to adopt Resolution No. 2018 - 391; 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.

56. Approved a motion making appointments to various boards and commissions.

Dennis Bade 2610 Cimarron Ave, chair the Comm on HOusing for MIdland and have a number of people hopefully appoint one to be new person ehr ein support of Jim Blischke former member served wwith great expertise and do need his expertise now on board, knows how it operate, budgeetary skills very important. HOpe appointt him to fill vacant position.

PUBLIC COMMENT

57. Receive public comments where individuals may address the City Council on City related issues and projects not on the present agenda. Any deliberation of or decision by the City Council regarding the item being discussed shall be limited to a motion to place the item on the agenda for a subsequent meeting.(Please limit comments to three minutes or less.)

There were no citizens present wishing to speak.

EXECUTIVE SESSION

Recess meeting to Executive Session at 11:04 a.m.

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

a. Section 551.087, Deliberate Economic Development Negotiations a.1. Discuss business prospects that the City seeks to have locate, stay, or expand in or near the City of Midland, Texas, and discuss possible incentives.

b. Section 551.072, Deliberation Regarding Real Property

b.1. Discuss the purchase, exchange, lease, or value of real property described as Sections 1-4, Block C-24, Sections 10-14 and 17-27, Block C-23, and Sections 8-11 and 27, Block 74, in Winkler and Loving Counties, Texas.

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

PASSED AND APPROVED the __ day of ____, 2018.

____
Jerry F. Morales, Mayor

ATTEST:

____
Amy M. Turner, City Secretary