

**MIDLAND CITY COUNCIL
MINUTES
October 08, 2019**

BRIEFING SESSION

The City Council convened in a Briefing Session in the basement conference room, City Hall, Midland, Texas, at ____ a.m. on October 08, 2019.

Council Members present: Mayor Jerry F. Morales, Mayor Pro Tem John B. Love III (District 2), Council Member Spencer Robnett (At-Large), Council Member Michael Trost (At-Large), Council Member Scott Dufford (District 1), 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 Robert Patrick, Assistant City Manager Morris Williams, Assistant to the City Manager Marcia Bentley-German, City Secretary Amy Turner, Police Chief Seth Herman, Fire Chief Chuck Blumenauer, Utilities Director Carl Craigo, Administrative Services Director Mark Widmann, 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 Jennifer Frescaz, Solid Waste Director Jeffery Ahrlett, Planning Division Manager Cristina Odenborg, Building Official Steve Thorpe, and Public Information Officer Erin Bailey.

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

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

REGULAR SESSION

The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., October 08, 2019.

Council Members present: Mayor Jerry F. Morales, Mayor Pro Tem John B. Love III (District 2), Council Member Spencer Robnett (At-Large), Council Member Michael Trost (At-Large), Council Member Scott Dufford (District 1), 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 and Assistant City Manager Morris Williams.

The Agenda Items were heard in the following order:

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

OPENING ITEMS

cto 10:02 a.m.

1. Invocation - Minister Ryan Chivington, Golf Course Road Church of Christ
2. Pledge of Allegiance

PRESENTATIONS

- a. Mayor Morales presented proclamation for Texas Sized Garage Sale.
- b. Council Member Trost presented proclamation for National Cyber Security Awareness month.

Justice Keith Stretcher 5000 Chappel Hill Drive, Midland TX, feels like being home. Thanked Council for allowing 11th court of appeals sit in Wed and Thur first time in Midland. 40% of cases from Midland Odessa need to come and sit here. second time in Midland in Odessa once. Most complicated cases from Midland, most controversy in Midland all O7G. Cannot state how happy cooperation from Council. Morales can public sit in. Keith yes.

Mayor recognized Judge Sharon Hatten retirement thanked her for her years of service to Midland. Helped get new construction courthouse open. 27 years on bench. Sorely missed. Always enjoyed working with her.

Entire Council recognized Tina Jauz wrote beautiful story of her personal story.

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Presentation of proclamation for Texas Size Garage Sale Days
 - b. Presentation of a proclamation for National Cyber Security Awareness Month
 - c. Announcement from representative(s) of the Eleventh District Court of Appeals, Eastland, Texas.

CONSENT AGENDA

4. Approved a motion approving the following minutes:

Council Member Lacy moved to approve Consent Agenda items 4 - 19 excluding 6, 10, 13, 14, 15; seconded by Council Member Robnett.

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

a. Regular meeting of September 24, 2019

Council Member Lacy moved to approve Consent Agenda items 4 - 19 excluding 6, 10, 13, 14, 15; seconded by Council Member Robnett.

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

b. Special meeting of September 26, 2019 at 4:30 p.m.

Council Member Lacy moved to approve Consent Agenda items 4 - 19 excluding 6, 10, 13, 14, 15; seconded by Council Member Robnett.

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

c. Special meeting of September 26, 2019 at 5:00 p.m.

Council Member Lacy moved to approve Consent Agenda items 4 - 19 excluding 6, 10, 13, 14, 15; seconded by Council Member Robnett.

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

5. Approved a resolution nominating Bob McNaughton for the Midland Central Appraisal District Board of Directors. (FINANCE)

RESOLUTION NO. 2019 - 306

RESOLUTION NOMINATING ROBERT MCNAUGHTON FOR THE MIDLAND CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; AND DIRECTING THE CITY MANAGER TO DELIVER A COPY OF THIS RESOLUTION TO THE MIDLAND CENTRAL APPRAISAL DISTRICT

Council Member Lacy moved to approve Consent Agenda items 4 - 19 excluding 6, 10, 13, 14, 15; seconded by Council Member Robnett.

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

6. Approved a resolution authorizing the issuance of a request for proposals for an affordable housing property development for the General Services Department. (PURCHASING)

RESOLUTION NO. 2019 - 307

RESOLUTION AUTHORIZING THE ADVERTISEMENT OF A REQUEST FOR PROPOSALS FROM NONPROFIT ORGANIZATIONS FOR THE DEVELOPMENT OF CITY-OWNED PROPERTY DESCRIBED AS AN 11.72 ACRE TRACT LOCATED IN

SECTION THIRTEEN (13), BLOCK THIRTY-NINE (39), TOWNSHIP 1 SOUTH, T&P RR CO. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, AS AUTHORIZED BY CHAPTER 253 OF THE TEXAS LOCAL GOVERNMENT CODE

Lacy clarification not tie self int dollar amount contribute. t rying to do for aaffordable housing. Patrick not pinned to any for affordable housing project that will serve needs for employees. Dufford all services already over there just 11 are piece of property. Patrick on Lamesa south of loop utilities inclose prox. Dufford donating property to somebody? Courtney if non profit for low income or affordable can consider donating. Robnett it doesn't necessary have to be affordable housing developer others can qulify can we iamend to include ffor profits. John special statute for non profit cand city ability to convey property. A For profit entity doesn't have same exceptions to notice, bidding etc and taylor. John have to redraw up RFP taylored. Dufford less inclined to donate for for-profit. Morales approved 50M water tower for connections on north side of town have provided infrastructure. Dufford if we don't like what we are saying can do something else. Lacy if do x amounth reserved for City Employees.

Council Member Robnett moved to adopt Resolution No. 2019 - 307; seconded by Council Member Lacy.

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

7. Approved a resolution approving the award of Wadley-Hogan Elevated Storage Tank Improvements for the not to exceed amount of \$1,207,425.00 to the sole bidder Garney Companies, Inc. for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2019 - 308

RESOLUTION AWARDDING A CONTRACT FOR THE HOGAN-WADLEY ELEVATED STORAGE TANK IMPROVEMENT PROJECT TO THE SOLE BIDDER, GARNEY COMPANIES, INC., FOR AN AMOUNT NOT TO EXCEED \$1,207,425.00; AND APPROPRIATING FUNDS FOR SAID PROJECT

Council Member Lacy moved to approve Consent Agenda items 4 - 19 excluding 6, 10, 13, 14, 15; seconded by Council Member Robnett.

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

8. Approved a resolution approving the issuance of a request for proposals for a Citywide Access Control System for the Communications and Information Systems Department. (PURCHASING)

RESOLUTION NO. 2019 - 309

RESOLUTION AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS FOR A CITYWIDE ACCESS CONTROL SYSTEM FOR THE COMMUNICATIONS AND INFORMATION SYSTEMS DEPARTMENT

Council Member Lacy moved to approve Consent Agenda items 4 - 19 excluding 6, 10, 13, 14, 15; seconded by Council Member Robnett.

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

9. Approved a resolution approving the purchase of a replacement recording solution for the Communications Dispatch Center from VistaCom in the amount of \$180,460.00 via HGACBuy (Houston-Galveston Area Council) contract RP07-17 for the Communications and Information Systems Department. (PURCHASING)

RESOLUTION NO. 2019 - 310

RESOLUTION APPROVING THE PURCHASE OF A REPLACEMENT EVENTIDE RECORDING SOLUTION FROM DIGITALMARKETS, INC., D/B/A VISTA COM, THROUGH THE HOUSTON-GALVESTON AREA COUNCIL AT A TOTAL COST OF \$180,460.00

Council Member Lacy moved to approve Consent Agenda items 4 - 19 excluding 6, 10, 13, 14, 15; seconded by Council Member Robnett.

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

10. Approved a resolution authorizing the execution of a contract with Senior Life of Midland for consulting and management services and to conduct the operation of the Midland Senior Center and Midland Southeast Senior Center for the Community Services Department. (PURCHASING)

RESOLUTION NO. 2019 - 311

RESOLUTION AUTHORIZING THE EXECUTION OF A MANAGEMENT SERVICES CONTRACT WITH THE SOLE PROPOSER, SENIOR LIFE OF MIDLAND FOR CONSULTING AND MANAGEMENT SOLUTIONS REGARDING SENIOR SERVICES FOR THE HEALTH DEPARTMENT

Robnett pulled for clarification why amount of \$600,000 GF exp more info. Tina Jauz after received prop from senior life of midland had meetings with them discussing the future of senior center and facility maintenance. Mainly on programming end of things they do want to increase programming for seniors . They would like to hire additional staff to put in place additional programs. Robnett no plan in place as to where funds spent. Tina way agreement works contract with senior life they hire staff and administeer ont heir own and we pay them quarterly. \$550,000 broken quarterly and additional \$50,000 for EZ Rider.

Council Member Lacy moved to adopt Resolution No. 2019 - 311; seconded by Council Member Robnett.

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

11. Approved a resolution approving the purchase of one (1) Caterpillar 836K Wheel Dozer (trash compactor) from Warren Power & Machinery, Inc. dba Warren Cat through Buyboard contract 515-16 for a cost of \$1,076,580.00 for the General Services Department. (PURCHASING)

RESOLUTION NO. 2019 - 312
RESOLUTION APPROVING THE PURCHASE OF A CATERPILLAR 836K WHEEL
DOZER AT A TOTAL COST OF \$1,076,580.00 THROUGH BUYBOARD

Council Member Lacy moved to approve Consent Agenda items 4 - 19 excluding 6, 10, 13, 14, 15; seconded by Council Member Robnett.

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

12. Approved a resolution approving the purchase of one (1) F550 Aerial Versalift Truck from Grande Truck Center through Buyboard contract 521-16 for a cost of \$138,375.00 for the General Services Department. (PURCHASING)

RESOLUTION NO. 2019 - 313
RESOLUTION APPROVING THE PURCHASE OF AN F-550 AERIAL VERSALIFT
TRUCK FROM GRANDE TRUCK CENTER AT A TOTAL COST OF \$138,375.00
THROUGH BUYBOARD

Council Member Lacy moved to approve Consent Agenda items 4 - 19 excluding 6, 10, 13, 14, 15; seconded by Council Member Robnett.

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

13. Approved a resolution awarding the project described as New Terminal Vehicle Parking Lots at MAF to Onyx General Construction, LLC, and appropriate necessary funds. (AIRPORTS)

RESOLUTION NO. 2019 - 314
RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH ONYX
GENERAL CONSTRUCTION, LLC, IN THE AMOUNT OF \$7,646,971.00 FOR THE
VEHICLE PARKING IMPROVEMENTS PROJECT AT MIDLAND INTERNATIONAL AIR
& SPACE PORT; AND APPROPRIATING FUNDS FOR SAID PROJECT

Lacy just so Justine tell what doing. does not cost midland taxpayer one center paid for by people who use airport. Moraales where parking if having to move around and why not garage. Justine parking in grass lots parking one at a time. phase it smaller lot first right after christmas second lot 4 months later. REason not doing garage right now is it is 25M. Lacy to do parking garage use existing lots. Lacy also include resurface existing lots and traffic arms. Built 1999. Total price tag almost 10M. Lacy before o7g only reason in black was because of parking.

Council Member Lacy moved to adopt Resolution No. 2019 - 314; seconded by Council Member Robnett.

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

14. Approved a resolution allocating \$450,000.00 of Hotel/Motel Occupancy Tax funds to Museum of the Southwest as a matching grant for Fredda Turner Durham Children's Museum for arts programming, marketing activities and arts related equipment. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2019 - 315

Resolution authorizing the execution of a promotional services contract with the Museum of the Southwest; said contract shall provide for the promotion of the tourism and the convention and hotel industry in the City of Midland by using the Fredda Turner Children's Museum for the purpose of sponsoring, advertising, and promoting artistic and cultural activities and offering arts-related programs that also promote tourism and local hotel and convention activities, as described in Texas Tax Code § 351.101(a)(4); and appropriating funds therefore.

Lacy clarification this request coming after hotel/motel committee did not present request timely curious why doing af. Amy Turner . This grant would get cery close 880,000 about 120,000 several gifts pending Dan Eck. Robnett 450,000 does not get matching grant. Dan Eck about 120,000 short but on way very close. Morales verification of when reach that point. Dan Eck Exec direct 1705 W Mlssour MSW. Record of that. Dufford just like keep up to date. Robnett resolution ties it to grant. Dan eck 1.4 M to date. Trost brought up yesterday with Mr. Patrick suggested promotion of Midland how worded to promote hotel/motel look at MDC request some of money for that promotion. Might be able to access Patrick yesterday asked if permissible to use MDC funds for expense of this type. not legal authority could be permissible use. John just have to Taylor agreement to fit under MDC statute. MDC has expended funds for advertising Midland. Trost suggested want to come up with whole amount . Look at MDC if needed. Robnett \$1 m match get to 50% of project. Dan little over. Hotchkiss received only one letter questioning want to make sure for person in audience money not from tax money it comes out off hotel/motel taxes and reason they exist to fulfill requests such as this veyr pleased cna help.

Council Member Robnett moved to adopt Resolution No. 2019 - 315; seconded by Council Member Lacy.

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

15. Approved a resolution approving the issuance of permit to COG Operating LLC, for the drilling of oil and gas well, being Mask HZ Unit No 1007AH located 230 feet from the north line and 2,627 feet from the east line, Section 10, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Said well generally located 2,627 feet west of North A Street and 215 feet north of Green Tree Boulevard Extension.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2019 - 316

RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO COG OPERATING LLC ("OPERATOR") TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 230 FEET FROM THE NORTH LINE AND 2,627 FEET FROM THE EAST LINE, SECTION 10, BLOCK X, H.P. HILLIARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED 2,627 FEET WEST OF NORTH A

STREET AND 215 FEET NORTH OF GREEN TREE BOULEVARD EXTENSION); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT

Council Member Lacy moved to adopt Resolution No. 2019 - 316; seconded by Council Member Dufford.

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

16. Approved a resolution approving the issuance of permit to Permian Deep Rock Oil Co., LLC, for the drilling of oil and gas well, being Charger #H160UH located 110 feet from the south line and 525 feet from the west line, Section 3, Block 39, T-2-S, T&P RR. CO. Survey, City and County of Midland, Texas. (Said well is generally located 587 feet east of South Garfield Street and 323 feet north of West County Road 111.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2019 - 317

RESOLUTION GRANTING A VARIANCE FOR AN OIL AND GAS WELL TO BE LOCATED 110 FEET FROM THE SOUTH LINE AND 525 FEET FROM THE WEST LINE, SECTION 3, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED 587 FEET EAST OF SOUTH GARFIELD STREET AND 323 FEET NORTH OF WEST COUNTY ROAD 111) BY ALLOWING SAID OIL AND GAS WELL TO BE NO CLOSER THAN 168 FEET OF AN OCCUPIED RESIDENCE OR COMMERCIAL STRUCTURE; APPROVING THE ISSUANCE OF A PERMIT TO PERMIAN DEEP ROCK OIL CO., LLC ("OPERATOR") TO DRILL SAID OIL AND GAS WELL WITHIN THE CITY LIMITS; AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT

Council Member Lacy moved to approve Consent Agenda items 4 - 19 excluding 6, 10, 13, 14, 15; seconded by Council Member Robnett.

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

17. Approved a resolution authorizing and executing a Right-of-Way License between the City of Midland and Lucid Energy Delaware 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 two natural gas pipelines, one not to exceed 12 inches (12") in diameter and line 2 not to exceed 8 inches in diameter to have the right to ingress and egress at convenient points for such purpose; the pipelines are located within City of Midland property, Sections 21, 22, and 23, Block C23, Public School Land Survey, Winkler County, Texas. (UTILITIES)

RESOLUTION NO. 2019 - 318

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND LUCID ENERGY DELAWARE, LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 21, 22 AND 23, BLOCK C23, PUBLIC SCHOOL LAND SURVEY, WINKLER COUNTY, TEXAS

Council Member Lacy moved to approve Consent Agenda items 4 - 19 excluding 6, 10, 13, 14, 15; seconded by Council Member Robnett.

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

18. Approved a resolution authorizing and executing a Right-of-Way License between the City of Midland and Navitas Midstream Midland Basin LLC. Said Right-of-Way License is for entering the City of Midland's property for the purpose of placing, installing, constructing, operating, repairing, maintaining and removing one private gas transportation pipeline, not to exceed sixteen (16) inches in diameter. The pipeline will be located on City of Midland owned real property in Section 21, Block 37, Township 3 South, Midland County, Texas. (UTILITIES)

RESOLUTION NO. 2019 - 319

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND NAVITAS MIDSTREAM MIDLAND BASIN, LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 21, BLOCK 37, TOWNSHIP 3 SOUTH, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS

Council Member Lacy moved to approve Consent Agenda items 4 - 19 excluding 6, 10, 13, 14, 15; seconded by Council Member Robnett.

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

19. Approved a resolution authorizing and executing a Right-of-Way License between the City of Midland and Baker Hughes, a GE Company, 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 multiple two (2) inch private water pipelines. Pipelines are located within an alley of the City of Midland Ranchland Acres subdivision, Section 7, Block 39, Township 2 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES)

RESOLUTION NO. 2019 - 320

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND BAKER HUGHES OILFIELD OPERATIONS LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 7, BLOCK 39, TOWNSHIP 2 SOUTH, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS

Council Member Lacy moved to approve Consent Agenda items 4 - 19 excluding 6, 10, 13, 14, 15; seconded by Council Member Robnett.

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

SECOND READINGS

20. Consider an ordinance on a second reading on a request by JC Chavez Construction, for a zone change from RR, Regional Retail District, to SF-3, Single Family Dwelling District, on the south 50 feet of Lot 1, Block 14, Original Town Addition, City and County of Midland, Texas, (generally located on the west side of North Mineola Street, approximately 144-feet south of East Tennessee Avenue). (DEVELOPMENT)

SERVICES) (First reading held on September 24, 2019)

ORDINANCE NO. 9980

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE THE SOUTH 50 FEET OF LOT 1, BLOCK 14, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM RR, REGIONAL RETAIL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF NORTH MINEOLA STREET, APPROXIMATELY 144 FEET SOUTH OF EAST TENNESSEE AVENUE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9980.

Council Member Robnett moved to approve the second and final reading of Ordinance No. 9980 in accordance with the Charter of the City of Midland; seconded by Council Member Hotchkiss.

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

21. Consider an ordinance on a second reading on a request by JC Chavez Construction, for a zone change from MF-22, Multiple Family Dwelling District, to SF-3, Single Family Dwelling District, on Lot 14, Block 59, Park Avenue Heights, City and County of Midland, Texas, (generally located on the northwest corner of the intersection of South Tyler Street and East California Avenue). (DEVELOPMENT SERVICES) (First reading held on September 24, 2019)

ORDINANCE NO. 9981

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 14, BLOCK 59, PARK AVENUE HEIGHTS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF SOUTH TYLER STREET AND EAST CALIFORNIA AVENUE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9981.

Council Member Robnett moved to approve the second and final reading of Ordinance No. 9981 in accordance with the Charter of the City of Midland; seconded by Council Member Hotchkiss.

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

22. Consider an ordinance on a second reading on a request by Carrasco Homes LLC., for

a zone change from MF-22, Multiple Family Dwelling District, to SF-3, Single Family Dwelling District, on Lots 1 and 2, Block 7, Homestead Addition, Section 12, City and County of Midland, Texas, (generally located on the southeast corner of the intersection of Mississippi Avenue and North Weatherford Street). (DEVELOPMENT SERVICES) (First reading held on September 24, 2019)

ORDINANCE NO. 9982

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 1 AND 2, BLOCK 7, HOMESTEAD ADDITION, SECTION 12, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF MISSISSIPPI AVENUE AND NORTH WEATHERFORD STREET); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9982.

Council Member Robnett moved to approve the second and final reading of Ordinance No. 9982 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

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

23. Consider an ordinance on a second reading on a request by Carrasco Homes LLC., for a zone change from LI, Light Industrial District, in part, and MH, Manufactured Housing District, in part, to SF-3, Single Family Dwelling District, on Lot 16, Block 121, and a previously vacated .03-acre portion of east/west alley right-of-way adjacent to said lot, Southern Addition, City and County of Midland, Texas, (generally located on the east side of South Dallas Street, approximately 141-feet south of East Washington Avenue). (DEVELOPMENT SERVICES) (First reading held on September 24, 2019)

ORDINANCE NO. 9983

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 16, BLOCK 121, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM LI, LIGHT INDUSTRIAL DISTRICT, IN PART, AND MH, MANUFACTURED HOUSING DISTRICT, IN PART, TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF SOUTH DALLAS STREET, APPROXIMATELY 141 FEET SOUTH OF EAST WASHINGTON AVENUE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9983.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9983 in accordance with the Charter of the City of Midland; seconded by Council Member Hotchkiss.

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

24. Consider an ordinance on a second reading on a request by Vicente Carrasco, for a zone change from RR, Regional Retail District, to SF-3, Single Family Dwelling District, on the east 50 feet of Lots 19 through 24, Block 145, Southern Addition, City and County of Midland, Texas, (generally located on the northwest corner of the intersection of South Weatherford Street and East Pennsylvania Avenue). (DEVELOPMENT SERVICES) (First reading held on September 24, 2019)

ORDINANCE NO. 9984

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE THE EAST 50 FEET OF LOTS 19 THROUGH 24, BLOCK 145, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM RR, REGIONAL RETAIL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF SOUTH WEATHERFORD STREET AND EAST PENNSYLVANIA AVENUE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9984.

Council Member Dufford moved to approve the second and final reading of Ordinance No. 9984 in accordance with the Charter of the City of Midland; seconded by Council Member Hotchkiss.

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

25. Consider an ordinance on a second reading on a request by Robert Martinez for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lots 7, 10, and 11, Block 13, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of South Clay Street and Washington Avenue and on the east side of South Clay Street, approximately 160-feet north of Washington Avenue.) (DEVELOPMENT SERVICES) (First reading held on September 24, 2019)

ORDINANCE NO. 9985

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 7, 10, AND 11, BLOCK 13, GREENWOOD ADDITION, THIRD, FOURTH AND FIFTH SECTIONS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF SOUTH CLAY STREET AND WASHINGTON AVENUE AND ON THE EAST SIDE OF SOUTH CLAY STREET, APPROXIMATELY 160 FEET NORTH OF WASHINGTON AVENUE) ; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9985.

Council Member Dufford moved to approve the second and final reading of Ordinance No. 9985 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

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

26. Consider an ordinance on a second reading on a request by Robert Martinez for a zone change from a C, Commercial District to SF-3, Single-Family Dwelling District on Lot 12, Block 26, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of East Washington Avenue and South Stonewall Street.) (DEVELOPMENT SERVICES) (First reading held on September 24, 2019)

ORDINANCE NO. 9986

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 12, BLOCK 26, GREENWOOD ADDITION, THIRD, FOURTH AND FIFTH SECTIONS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM C, COMMERCIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF EAST WASHINGTON AVENUE AND SOUTH STONEWALL STREET); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9986.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9986 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

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

27. Consider an ordinance on a second reading on a request by Cruz Marquez for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 4, Block 21, Moody Addition, City and County of Midland, Texas. (Generally located on the west side of North Carver Street, approximately 111-feet north of Texas Avenue.) (DEVELOPMENT SERVICES) (First reading held on September 24, 2019)

ORDINANCE NO. 9987

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 4, BLOCK 21, MOODY ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF NORTH CARVER STREET, APPROXIMATELY 111 FEET NORTH OF EAST TEXAS AVENUE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A

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

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9987.

Council Member Dufford moved to approve the second and final reading of Ordinance No. 9987 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

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

28. Consider an ordinance on a second reading on a request by Louis Clay for a zone change from a C, Commercial District to SF-3, Single-Family Dwelling District on Lot 11, Block 26, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas. (Generally located on the east side of South Stonewall Street, approximately 61-feet south of East Washington Avenue.) (DEVELOPMENT SERVICES) (First reading held on September 24, 2019)

ORDINANCE NO. 9988

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 11, BLOCK 26, GREENWOOD ADDITION, THIRD, FOURTH AND FIFTH SECTIONS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM C, COMMERCIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF SOUTH STONEWALL STREET, APPROXIMATELY 61 FEET SOUTH OF EAST WASHINGTON AVENUE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9988.

Council Member Robnett moved to approve the second and final reading of Ordinance No. 9988 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

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

29. Consider an ordinance on second reading on a request by Charles Nelson for a zone change from MF-16, Multiple Family-Dwelling District to an SF-3, Single Family-Dwelling District on Lot 10, Block 6, Crestlawn Addition, City and County of Midland, Texas, (generally located on the west side of North Carrizo Street, approximately 318 feet south of West Nobles Avenue). (DEVELOPMENT SERVICES) (First reading held on September 24, 2019)

ORDINANCE NO. 9989

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 10, BLOCK 6, CRESTLAWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-16, MULTIPLE-FAMILY DWELLING

DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF NORTH CARRIZO STREET, APPROXIMATELY 318 FEET SOUTH OF WEST NOBLES AVENUE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9989.

Council Member Hotchkiss moved to approve the second and final reading of Ordinance No. 9989 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

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

30. Consider an ordinance on second reading establishing intersection stops at various locations within the City of Midland, Texas; authorizing and directing the Traffic Engineer to install appropriate signs and markings at the designated locations; 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) (First reading held on September 24, 2019)

ORDINANCE NO. 9990

AN ORDINANCE ESTABLISHING INTERSECTION STOPS AT VARIOUS LOCATIONS WITHIN THE CITY OF MIDLAND, TEXAS; AUTHORIZING AND DIRECTING THE TRAFFIC ENGINEER TO INSTALL APPROPRIATE SIGNS AND MARKINGS AT THE DESIGNATED LOCATIONS; 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 SueAnn Reyes read the caption of Ordinance No. 9990.

Council Member Hotchkiss moved to approve the second and final reading of Ordinance No. 9990 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

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

PUBLIC HEARINGS

31. Hold a public hearing and consider an ordinance on a request by COG, Realty, LLC. for a vacation of the 0.20 - acre portion of right-of-way, located adjacent to Block 50, Homestead Addition, City and County of Midland, Texas. (Generally located at the southeast corner of the intersection of North A Street and West Ohio Avenue.) (DEVELOPEMENT SERVICES)

ORDINANCE NO. 9991

AN ORDINANCE VACATING AND ABANDONING A 0.20-ACRE PORTION OF RIGHT-OF-WAY LOCATED ADJACENT TO BLOCK 50, HOMESTEAD ADDITION, CITY AND

COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF NORTH A STREET AND WEST OHIO AVENUE); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$17,424.00; AND ORDERING RECORDATION BY THE CITY SECRETARY

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9991.

Development Services Director Chuck Harrington gave a brief overview of the item noting vacate row for future development of campus. \$2 square foot 17,240 area. retain accessible easements for all utilities until moved or abandoned. staff reviewed no issues. staff rec approval subj cond a-c no loj.

Mayor Morales opened the public hearing at 10:48 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Hotchkiss moved approval of the first of two readings of Ordinance No. 9991 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

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

32. Hold a public hearing and consider an ordinance on a request by COG, Realty, LLC. for a vacation of the 0.15-acre portion of alley right-of-way, located in Block 50, Homestead Addition, City and County of Midland, Texas. (Generally located on the south side of West Ohio Avenue, approximately 218–feet east of North A Street, and on the west side of Carrizo Street, approximately 179 feet north of West Illinois Avenue.). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9992

AN ORDINANCE VACATING AND ABANDONING A 0.15-ACRE PORTION OF ALLEY RIGHT-OF-WAY LOCATED IN BLOCK 50, HOMESTEAD ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST OHIO AVENUE AND THE WEST SIDE OF CARRIZO STREET, APPROXIMATELY 218 FEET EAST OF NORTH A STREET); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$13,068.00; AND ORDERING RECORDATION BY THE CITY SECRETARY

rco 9992. Chuck future abaon \$2 13,068 dollars future exp of campus rev by all util and dept rec approvbl subj cond a-c as of 10/2 no loj.

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 Lacy moved approval of the first of two readings of Ordinance No. 9992 in accordance with the Charter of the City of Midland; seconded by Council Member Trost.

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

33. Hold a public hearing regarding the proposed granting of oil and gas well permits to Fasken Oil and Ranch, Ltd, for the drilling of oil and gas wells, being Manor Park No. 7H located 1,775 feet from the south line and 1,484 feet from the west line and Manor Park No. 8H located 1,760 feet from the south line and 1,484 feet from the west line, Section 30, Block 39, T-1-S, T&P RR CO Survey, City and County of Midland, Texas, (said wells are generally located 1,484 feet east of North Loop 250 West and between 125 feet and 140 feet north of Network Drive extension). This is a public hearing only. (DEVELOPMENT SERVICES)

Oil & Gas Compliance Officer Ron Jenkins gave a brief overview of the item noting permit for application in area 6 other wells. Fasken do everything like to see sound wall quiet frac no complaints on other sin past.

Mayor Morales opened the public hearing at 10:52 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

34. Hold a public hearing regarding the proposed granting of an oil and gas well permit to Fasken Oil and Ranch, Ltd, for the drilling of an oil and gas well, being Manor Park No. 9H located 463 feet from the north line and 309 feet from the west line, Section 30, Block 39, T-1-S, T&P RR CO Survey, City and County of Midland, Texas, (said well is generally located 453 feet south of Andrews Highway and 272 feet east of North Loop 250 West). This is a public hearing only. (DEVELOPMENT SERVICES)

Oil & Gas Compliance Officer Ron Jenkins gave a brief overview of the item noting another pad site to north of where drilled sound wals already there variance for commecial structure same in past.

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

35. Hold a public hearing and consider an ordinance on a request for annexation of a 9.784-acre tract of land located in Section 5, Block 39, T-2-S, T&P RR. Survey Co. Midland County, Texas. (Generally located on the south side of West Industrial Avenue, approximately 454-feet east of South Midland Drive.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9993

AN ORDINANCE EXTENDING THE BOUNDARIES OF THE CITY OF MIDLAND, TEXAS, BY ADDING THERETO CERTAIN AREAS ADJOINING THE PRESENT CITY LIMITS, BEING A 9.784-ACRE TRACT OF LAND OUT OF SECTION 5, BLOCK 39, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST INDUSTRIAL AVENUE, APPROXIMATELY 454 FEET EAST OF SOUTH MIDLAND DRIVE); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9993.

Chujck back approved ?? rock water energy solutions wish to avail of utilities in order to do so have to annex volutnary annexat staf rec aproal.

Mayor Morales opened the public hearing at 10:54 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. 9993 in accordance with the Charter of the City of Midland; seconded by Council Member Hotchkiss.

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

36. Hold a public hearing and consider an ordinance on a request by Alejandro Quezada for a Specific Use Designation with term, for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 2,400 square foot portion of Lot 2B, Block 52, Belmont Addition, Section 21, City and County of Midland, Texas. (Generally located on the north side of West Longview Avenue, approximately 290 feet east of Belmont Street.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9994

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 2,400 SQUARE FOOT PORTION OF LOT 2B, BLOCK 52, BELMONT ADDITION, SECTION 21, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST LONGVIEW AVENUE, APPROXIMATELY 290 FEET EAST OF BELMONT STREET), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A RESTAURANT FOR ON-PREMISES CONSUMPTION; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9994.

Development Services Director Chuck Harrington gave a brief overview of the item noting requesting SUP for alcoholib bev sale sin rest 210 w longveiw tabascos restaurant no tin operation hours m-f 7-10 sat 8-10 sun 12-10. no church or schools 300 feet. p7z rev 9/6 and approved. meeets aal req staf rec approval. no loj 10/2. Lacy did advise applicant not advisable, yes.

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 Lacy moved approval of the first of two readings of Ordinance No. 9994 in accordance with the Charter of the City of Midland amend hours mon-sat 10-10 and sunday 12-10; seconded by Council Member Robnett.

Trost why change to 12. lacy does not allow al service before 10 a.m.

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

37. Hold a public hearing and consider an ordinance on a request by Robert Horton for approval of a Special Exception from the City of Midland's Zoning Ordinance, Section 5.04 - Residential Zoning District Dimensional Regulations Chart, concerning rear yard setback on Lot 3 and the north 40-feet of Lot 2, Block 8, Warwick Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of North 'L' Street and Humble Avenue.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9995

AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 3 AND THE NORTH 40 FEET OF LOT 2, BLOCK 8, WARWICK ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF NORTH L STREET AND HUMBLE AVENUE), BY PERMITTING A REDUCED MINIMUM REAR YARD SETBACK FOR A TWO-STORY STRUCTURE; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9995.

Development Services Director Chuck Harrington gave a brief overview of the item noting special exception to rear yard setback 1908 N L ssingle family zoning. a pp requ except to construct addition with 5 back setback. encroach in setback. However this situation fiarly unique, alley way behind property owns property adjacent his ability to acate alley and utility doesn't impact adjoining neighbors unqie not one you see everywhere. staff would like to support and rec approval. no loj. hotchkiss good with it. lacy asked.

oph 10:59 john hillman

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9995 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

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

38. Hold a public hearing and consider an ordinance on a request by Merced Rico for a zone change from a C, Commercial District to SF-3, Single-Family Dwelling District on Lots 10, 11 and 12, Block 167, Southern Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of South Atlanta Street and East California Avenue.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9996

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 10, 11 AND 12, BLOCK 167, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM C, COMMERCIAL DISTRICT TO

SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SOUTH ATLANTA STREET AND EAST CALIFORNIA AVENUE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9996.

Development Services Director Chuck Harrington gave a brief overview of the item noting similar to previous request for cumulative zoning had affect on. Properties proposing to build 801 803 805 s atlaanta st. staff reviewed reqeust in line with open to areas for single family. rev by all staff rec approval help create buffer res commer no loj.

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.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9996 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

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

39. Hold a public hearing and consider an ordinance on a request by Jose Chavez for a zone change from a RR, Regional Retail District to SF-3, Single-Family Dwelling District on Lot 9, Block 26, Moody Addition, City and County of Midland, Texas. (Generally located on the east side of North Lee Street, approximately 100-feet north of East Wall Street.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9997

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 9, BLOCK 26, MOODY ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM RR, REGIONAL RETAIL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF NORTH LEE STREET, APPROXIMATELY 100 FEET NORTH OF EAST WALL STREET); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9997.

Development Services Director Chuck Harrington gave a brief overview of the item noting same reasons stated previous jose chavez build homes on property staff rec approval.

Mayor Morales opened the public hearing at 11:02 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Robnett moved approval of the first of two readings of Ordinance No. 9997 in accordance with the Charter of the City of Midland; seconded by Council

Member Hotchkiss.

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

40. Hold a public hearing and consider an ordinance on a request by Jose Chavez for a zone change from a LI, Light Industrial District to SF-3, Single-Family Dwelling District on Lot 1, Block 3, Moody Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of South Street and North Madison Street.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9998

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1, BLOCK 3, MOODY ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM LI, LIGHT INDUSTRIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SOUTH STREET AND NORTH MADISON STREET); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9998.

Chuk jose chaves 511 n madison currently vacant sfh staff rec approval.

Mayor Morales opened the public hearing at 11:04 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Trost moved approval of the first of two readings of Ordinance No. 9998 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

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

41. Hold a public hearing and consider an ordinance on a request by Jose Chavez for a zone change from a C, Commercial District to SF-3, Single-Family Dwelling District on Lot 18, Block 132, Southern Addition, City and County of Midland, Texas. (Generally located on the east side of South Forth Worth Street, approximately 75-feet north of East Washington Avenue.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9999

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 18, BLOCK 132, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM C, COMMERCIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF SOUTH FORTH WORTH STREET, APPROXIMATELY 75 FEET NORTH OF EAST WASHINGTON AVENUE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9999.

Development Services Director Chuck Harrington gave a brief overview of the item noting similar to previous case distinction this case lot width does not meet standards of sf lot under rules city platted prior to zoning ord reg can still be dev he has shown plans to meet set back requires. staaff rec approval app p7z no loj.

Mayor Morales opened the public hearing at 11:06 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9999 in accordance with the Charter of the City of Midland; seconded by Council Member Dufford.

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

42. Hold a public hearing and consider an ordinance a request by Carlos Martin Guillen Flores for a Specific Use Designation with term, for the sale of beer and wine, for on-premises consumption, in a restaurant, on the north half of Lot 11 and all of Lot 12, Block 187, Southern Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of South Baird Street and East Florida Avenue.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 10000

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR THE NORTH HALF OF LOT 11 AND ALL OF LOT 12, BLOCK 187, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SOUTH BAIRD STREET AND EAST FLORIDA AVENUE), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF BEER AND WINE IN A RESTAURANT FOR ON-PREMISES CONSUMPTION; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 10000

Development Services Director Chuck Harrington gave a brief overview of the item noting SUP to sell beer wine rest 200 E Florida proposed use Jalisco not in operation taquiliz previous there. mon sat 8-12 sun 12-12. no church schools in 300 feet. Meets all req staff rec approval of sud for sale of alco bev approved 9/3 p7z no loj.

Mayor Morales opened the public hearing at 11:08 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

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

10000 in accordance with the Charter of the City of Midland change hours mon sat 10-12 Sun 12-12; seconded by Council Member Robnett.

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

MISCELLANEOUS

43. Approved a resolution appointing Timothy Meek as the interim presiding judge of the City of Midland Municipal Court. (ADMINISTRATIVE SERVICES)

RESOLUTION NO. 2019 - 321

RESOLUTION APPOINTING TIMOTHY MEEK AS THE INTERIM PRESIDING JUDGE OF THE CITY OF MIDLAND MUNICIPAL COURT

Council Member Robnett moved to adopt Resolution No. 2019 - 321; seconded by Council Member Trost.

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

44. Recess and reconvene in the basement conference room immediately following Executive Session to consider a motion making appointments to various boards and commissions.

Mayor noted will reconvene downstairs recess and reconvene downstairs. no executive session. Recessed at 11:23 a.m.

PUBLIC COMMENT

45. 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.)

Ernest Modkins, 509 S Stonemont? Here about loud music disabled most time present in bed. They play loud base music shakes house can't sleep. Just wondering anything can do about. Church on New York and Stonewall. going on for 10 years. playing outside? No old church his house old. Can't rest just want to relax. Patrick this has been called in do shut down prescribed ours at 10 p.m. do not believe it has exceed noise hours of ordinance. Dufford actually gone out and done decibel meter here. Modkins shows 85 and on County it was 75. Nothing else done. Robnett tried talking to church. Ernest yes. playing loud music just want to relax in his house disabled. Dufford how many nights started wed and sunday but progressed. talked to homeland security constable went everywhere don't know what to do. Mayor see what can do.

Terrie Reed, 5509 Lajolla, mobile food vendors parking in residential areas. here to propose establish new ord to prohibit mobile food vendor from parking in residential areas. mobile food vendors becoming fixture in Midland. in 2014 welcomed food vendors here nice. its just that things have happened culminated in pushing in

residential areas unintentionally. Draft ord to ensure demand for food truck but balance with concern of residential property owners. City Council here to protect property owners, values and safety. Food mobile parked in residential street moved off event areas during certain times in evening. If they don't have place to park or live in county forced to bring to residents. Provided most recent pictures. Mobile vendor remodeling, cleaning out leaves with grease and debris on road. wonderful person, great truck, sure its great food just concern about location. Problem occurred when tried to call code enforcement and asking if already in place. Went to Code Enforcement no one could tell me what codes were being provided. Did own research found 3 codes specifically 10-13-5 parking residential areas 10-13-14 motor vehicles parking ord 9270 5-10-1 section 5 to vehicular vehicles and equipment. when brought back to code enforcement and police department for last 3 years. This is just not right. Went to police finally had to go down personally told that it is not a priority but 3 years should be able to do a drive by finally did after personally came to see. Did send somebody out in 15 minutes. Took officer 10 minutes to survey and was gone. Problem resolved had coming in and going out depending on how much pressure by HOA. Asked Council to please look at make ord more specific so not a vagueness to current ord. That is one is not specific and tend to ignore until pressured. Please adopt ord directly affect where they go after hours. Morales bringing back housing for the night and take back out. Terries stays there maybe only out 1 per week. Do not vend in neighborhood. Dufford do you have hoa. Terrie yes and if on board of hoa you know also teeth very dull not a lot to stand. Why go through City. Lacy have been looking nothing in ord that specifically addresses they are working on it.

Hotchkiss not isolated all over town. all heard sometimes difficult to come up with equitable solution.

Isaac Garnett, 509 S White? Gentleman there is neighbor and will reach out to church and try to work out. Also want to let know meeting other individual in community appreciate number of clearance for development on south side of midland exciting to see what is going there. know that you've done tremendous job bring back community.

EXECUTIVE SESSION

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

a. Section 551.074, Personnel Matters

- a.1. Deliberate the appointment, employment, evaluation, and duties of the Interim Presiding Judge of the City of Midland Municipal Court.

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

PASSED AND APPROVED the __ day of ____, 2019.

Jerry F. Morales, Mayor

ATTEST:

Amy M. Turner, City Secretary