

**MIDLAND CITY COUNCIL
MINUTES
October 22, 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 22, 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 22, 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

1. Invocation - Pastor Daniel Hernandez, Mid-Cities 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 Robnett moved to approve Approved a motion approving the following minutes;; seconded by Council Member Hotchkiss.

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

- a. Regular City Council meeting of October 8, 2019

Council Member Robnett moved to approve Approved a motion approving the following minutes;; seconded by Council Member Hotchkiss.

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

5. Approved a resolution consenting to the issuance of Midland County Fresh Water Supply District No. 1 Revenue Refunding Bonds (City of Midland Project), Taxable Series 2019, authorizing the Mayor, the City Manager and City Attorney to execute all documents in connection therewith and resolving other matters incident and related thereto. (FINANCE)

RESOLUTION NO. 2019 - 322

RESOLUTION CONSENTING TO THE ISSUANCE OF MIDLAND COUNTY FRESH WATER SUPPLY DISTRICT NO. 1 REVENUE REFUNDING BONDS (CITY OF MIDLAND PROJECT), TAXABLE SERIES 2019; AUTHORIZING THE MAYOR, THE CITY ATTORNEY, AND THE CITY MANAGER TO EXECUTE ALL DOCUMENTS IN CONNECTION THEREWITH; AND RESOLVING OTHER MATTERS RELATED THERETO

Trost current refunding taxable advantages would like to hear about. Jennifer Fung agenda item to approve the Midland County Fresh water supply district to issue refunded bond. By doing that we can achieve savings of 600,000 refunding about 88.6 million of 2012 and 2012 a bond. because refunding interest rate of 5 % and current about 2-3% will be able to achieve savings of 600,000 per year. Currently doing 5 going down to 2. George Wolford 2017 tax reform act eliminated ability to do what is called advanced refunding which means more than 90 days in advance of the call rate. Interest rates have fallen now it makes sense to consider advance refunding call date for 2012 issues is in 2022 so always run a break even analysis is it better to take advantage of saving or wait until call date. break even around 100 points waiting to 2022 if increase by 1% worse off then doing now. It seems to be a recommendable option to approve district to proceed with taxable advanced refunding. proj saving 550 to 600,000 over term 11m of savings realized. Love on 2017 tax they don't allow refunding before 90 days or after 90 days. George tax exempt interest rate refunding issue more than 90 days in advance of call dates. Trost any advantage when call dates come in 2022 any possibility of it going down again. Wolford can't speculate. This maturity of 88 M some have slightly lower rates don't make sense to include. This advance funding will have an opportunity in about 10 years. Major once call the bonds will be terminated? George replaced by refunding issue. the week before Thanksgiving November 19. District is controlling the process. Cities issues will start process in January for early February. Courtney this is just for ebt issues for the water project. John O because of relationship with district have to consent to their funding.

Courtney Jennifer stepped in from metroplex from 20 plus years.

Council Member Lacy moved to adopt Resolution No. 2019 - 322; seconded by Council Member Love.

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

6. Approved a resolution approving the purchase of Environmental Compliance Laboratory Remodel from Henthorne Commercial Construction LLC through Buyboard Contract 520-16 for the cost of \$180,195.64 plus \$27,029.36 for a total cost of \$207,225.00 for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2019 - 323

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT IN THE AMOUNT OF \$180,195.64 WITH HENTHORN COMMERCIAL CONSTRUCTION, LLC, FOR THE ENVIRONMENTAL COMPLIANCE LABORATORY REMODEL; AND APPROVING \$27,029.36 FOR CONTINGENCIES

Council Member Love moved to approve Consent Agenda items 6 - 18 excluding 4, a, 5; seconded by Council Member Hotchkiss.

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

7. Approved a resolution approving the purchase of an 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; tons of powered 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 2020 for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2019 - 324

RESOLUTION AUTHORIZING THE PURCHASE OF AN ESTIMATED ANNUAL SUPPLY OF CHEMICALS NEEDED FOR THE TREATMENT OF DRINKING WATER FOR FISCAL YEAR 2020 FROM MULTIPLE BIDDERS, FOR A TOTAL COST OF \$1,661,425.00

Council Member Love moved to approve Consent Agenda items 6 - 18 excluding 4, a, 5; seconded by Council Member Hotchkiss.

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

8. Approved a resolution approving a purchase of thirty-five (35) Tahoes with upfitting from Caldwell County Chevrolet through Buyboard contract 521-16 for the cost of \$1,217,525.00 for the General Services Department. (PURCHASING)

RESOLUTION NO. 2019 - 325

RESOLUTION APPROVING THE PURCHASE AND UPFITTING OF THIRTY-FIVE (35) POLICE VEHICLES FOR THE GARAGE DIVISION FROM CALDWELL COUNTY CHEVROLET THROUGH BUYBOARD AT A TOTAL COST OF \$1,217,525.00

Council Member Love moved to approve Consent Agenda items 6 - 18 excluding 4, a, 5; seconded by Council Member Hotchkiss.

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

9. Approved a resolution approving a purchase of a John Deere Cab Tractor and Shulte mower deck from Deer & Company through the Buyboard contract 529-17 for a cost of \$159,853.26 for the General Services Department. (PURCHASING)

RESOLUTION NO. 2019 - 326

RESOLUTION APPROVING THE PURCHASE OF A JOHN DEERE 6155M CAB TRACTOR AND A SHULTE 5026 MOWER DECK FROM DEERE & COMPANY AT A TOTAL COST OF \$159,853.26 THROUGH BUYBOARD

Council Member Love moved to approve Consent Agenda items 6 - 18 excluding 4, a, 5; seconded by Council Member Hotchkiss.

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

10. Approved a resolution calling a special election on January 28, 2020 to fill the unexpired Council Member District 2 term. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2019 - 327

RESOLUTION CALLING A SPECIAL ELECTION FOR CITY COUNCIL MEMBER DISTRICT 2; PROVIDING FOR USE OF ACCESSIBLE VOTING SYSTEMS; ESTABLISHING ELECTION PRECINCTS FOR SAID ELECTION; AND ESTABLISHING VOTE CENTERS FOR SAID ELECTION

Council Member Love moved to approve Consent Agenda items 6 - 18 excluding 4, a, 5; seconded by Council Member Hotchkiss.

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

11. Approved a resolution authorizing the City Manager to convey on behalf of the City of Midland, Lot 4, Block 137, Southern Addition, City and County of Midland Texas. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2019 - 328

RESOLUTION AUTHORIZING THE TRANSFER OF LOT 4, BLOCK 137, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND TO GARY KAHLER MEMORIAL SCHOLARSHIP FUND INC., AS AUTHORIZED BY CHAPTER 253 OF THE TEXAS LOCAL GOVERNMENT CODE; AUTHORIZING THE EXECUTION OF AN AFFORDABLE HOUSING DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIDLAND AND GARY KAHLER MEMORIAL SCHOLARSHIP FUND INC.; AUTHORIZING THE CITY MANAGER TO NEGOTIATE, EXECUTE AND FILE ALL DOCUMENTS NECESSARY FOR SAID TRANSFER; AND ORDERING THE CITY SECRETARY TO RECORD, OR ENSURE THAT THE TITLE COMPANY RECORDS, THE INSTRUMENT OF CONVEYANCE

Council Member Love moved to approve Consent Agenda items 6 - 18 excluding 4, a, 5; seconded by Council Member Hotchkiss.

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

12. Approved a motion authorizing the execution of a Community Development Block Grant contract with Casa de Amigos for the Home Cleaning Program in the amount of \$34,000.00. (DEVELOPMENT SERVICES)

Council Member Love moved to approve Consent Agenda items 6 - 18 excluding 4, a, 5; seconded by Council Member Hotchkiss.

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

13. Approved a motion 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)

Council Member Love moved to approve Consent Agenda items 6 - 18 excluding 4, a, 5; seconded by Council Member Hotchkiss.

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

14. Approved a motion authorizing the appropriation of Community Development Block Grant funds for the following purposes in the following amounts: Minor Repair Project in the amount of \$50,000.00; Greenwood Infrastructure Project in the amount of \$500,000.00; Home Buyers Assistance Project in the amount of \$100,000.00; and Administration Project in the amount of \$30,000.00. (COMMUNITY SERVICES)

Council Member Love moved to approve Consent Agenda items 6 - 18 excluding 4, a, 5; seconded by Council Member Hotchkiss.

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

15. Approved a motion authorizing the execution of a Community Development Block Grant contract with Senior Life Midland for the S.E. Senior Center and Casa De Amigos lunch program in the amount of \$68,000.00. (DEVELOPMENT SERVICES)

Council Member Love moved to approve Consent Agenda items 6 - 18 excluding 4, a, 5; seconded by Council Member Hotchkiss.

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

16. Approved a motion approving a proposed Preliminary Plat of Grassland Estates West, Section 12 being a plat of 30.307 acre tract of land out of Section 35, Block 40, T-1-S, T&P RR. Co. Survey, Midland County, Texas, generally located approximately 722 feet west of the intersection of State Highway 158 and State Highway 191 - Extraterritorial Jurisdiction. (DEVELOPMENT SERVICES)

Council Member Love moved to approve Consent Agenda items 6 - 18 excluding 4, a, 5; seconded by Council Member Hotchkiss.

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

17. Approved a resolution to apply for the EL-Emergency Law Enforcement Assistance Grant Program. (POLICE)

RESOLUTION NO. 2019 - 329

RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE EL-EMERGENCY LAW ENFORCEMENT ASSISTANCE GRANT PROGRAM; SAID GRANT SHALL BE USED TO REIMBURSE THE POLICE DEPARTMENT AND FIRE DEPARTMENT FOR OVERTIME, VEHICLE DAMAGE, AND SUPPLY COSTS ASSOCIATED WITH THE ACTIVE-SHOOTER EVENT ON AUGUST 31, 2019

Council Member Love moved to approve Consent Agenda items 6 - 18 excluding 4, a, 5; seconded by Council Member Hotchkiss.

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

18. Approved a resolution authorizing and executing a right-of-way license between the City of Midland and ONEOK Westex Transmission L.L.C., 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 an access road and building a 3,840 square foot surface valve site on an existing OneOk pipeline, road and surface site are located within City of Midland Spraberry Farm property, Section 16, Block 37, Township 3 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES)

RESOLUTION NO. 2019 - 330

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND ONEOK WESTEX TRANSMISSION, L.L.C., REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 16, BLOCK 37, TOWNSHIP 3 SOUTH, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS

Council Member Love moved to approve Consent Agenda items 6 - 18 excluding 4, a, 5; seconded by Council Member Hotchkiss.

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

SECOND READINGS

19. Consider an ordinance on second reading 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). (DEVELOPMENT SERVICES) (First reading held on October 8, 2019)

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 Jan Hamilton read the caption of Ordinance No. 9991.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9991 in accordance with the Charter of the City of Midland; seconded by Council Member Love.

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

20. Consider an ordinance on second reading 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) (First reading held on October 8, 2019)

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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 9992.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9992 in accordance with the Charter of the City of Midland; seconded by Council Member Love.

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

21. Consider an ordinance on second reading 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) (First reading held on October 8, 2019)

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 Jan Hamilton read the caption of Ordinance No. 9993.

Council Member Lacy moved to approve the second and final reading 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, Love, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

22. Consider an ordinance on second reading 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) (First reading held on October 8, 2019)

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 Jan Hamilton read the caption of Ordinance No. 9994.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9994 in accordance with the Charter of the City of Midland; seconded by Council Member Love.

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

23. Consider an ordinance on second reading 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) (First reading held on October 8, 2019)

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 Jan Hamilton read the caption of Ordinance No. 9995.

Council Member Hotchkiss moved to approve the second and final reading of Ordinance No. 9995 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, Love, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

24. Consider an ordinance on second reading 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) (First reading held on October 8, 2019)

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 Jan Hamilton read the caption of Ordinance No. 9996.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9996 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, Love, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

25. Consider an ordinance on second reading 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) (First reading held on October 8, 2019)

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 Jan Hamilton read the caption of Ordinance No. 9997.

Council Member Lacy moved to approve the second and final reading 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, Love, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

26. Consider an ordinance on second reading 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) (First reading held on October 8, 2019)

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 Jan Hamilton read the caption of Ordinance No. 9998.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9998 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, Love, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

27. Consider an ordinance on second reading 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) (First reading held on October 8, 2019)

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 Jan Hamilton read the caption of Ordinance No. 9999.

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

9999 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, Love, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

28. Consider an ordinance on second reading on 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) (First reading held on October 8, 2019)

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 Jan Hamilton read the caption of Ordinance No. 10000

Council Member Lacy moved to approve the second and final reading of Ordinance No. 10000 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, Love, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

PUBLIC HEARINGS

29. Hold a public hearing and consider a resolution of no objection on Palladium West Francis, Ltd.'s application to the Texas Department of Housing and Community Affairs for 2020 Housing Tax Credits for Palladium at West Francis at 1707 West Francis Avenue. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2019 - 331

RESOLUTION OF NO OBJECTION TO PALLADIUM WEST FRANCIS, LTD., APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR 2020 4% NON-COMPETITIVE HOUSING TAX CREDITS FOR PALLADIUM AT WEST FRANCIS

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

noting applicant opened a dev off lamesa close to I-20 went through same process. anytime TDHCA changed regulations required to hold public information to entertain requests for speaking. fairly undeveloped good opportunity to provide affordable housing providing tax credit housing. Love Palladium did wonderful job hasn't had chance to look at it could be the best apt complex in Midland asked Palladium during ph to do brief presentation about what going to do.

Mayor MORales oph 10:25 a.m.

Mria Saeriz, rep Midland County housing authority 5008 ? on behalf of board of directors and staff want mayor and Council to know represent upgrade affordable look forward to seeing their expansion. ONE has negative connotation different between subsidized. section 8 voucher program do for lower income families different from public housing have to live on property and so we do look forward to this expansion where can put more families in apt communities. Love sometimes section 8 gets bad name leaves to negative connotation look forward to expand to put more properties in. Dufford come fully furnished. No only refrigerator and stove.

Tom Hoof 13330 Noel Road Dallas, president and ceo made presentation to Council Member Love asked what would look like said it would look exactly like deal sitting in now. started in 2014 when oil prices 1.10 barrel closed about 48 barrel so equity investors say ever seen downturn like this said sir 130 years old 6 countries 2 ww conflict in Korea Vietnam, middle east I think we got this. we like this site discussion about who will live combination of market rate and affordable. own mgt company vet residents closely run tight ship good at what do adamant about how property is managed will own for 40 years. presentation would like to quickly run through. Shared Powerpoint of existing complex operate 6 counties, 50M dev 240 units 207,000 per unit to construct, balance sheet healthy own in house property management team no one can overlook better than owner. great finish out vinyl plank flooring, no carpet one resident want hard floor and when turn units less to do. with hard plank don't have to. we have full appliance package microwave dishwasher washer drier hook up storage unit every patio/balcony sports court, walking trail, dog park, if look at existing build exactly the same except for swimming pool, it is too large because maintenance have to get inside pool to clean it. We need to shrink the pool a little bit. Location on W Francis like location for several reasons most product has been on east side like on west side close to shopping, W Almart and Starbucks. off street on top. 6 acres at top kept for future commercial back off street afford another use in front. computer lab fitness center, kids playroom tiles move in playroom. 9 foot ceiling 42 inch up cabinets modern lighting cabinets no wire all wood in closets balcony and storage units, shared picture of kitchens Palladium West Francis. Love explain relation between org and Midland County housing. Tom try to find what are the needs Midland County housing auth does similar role providing great housing as we do they share developer fees and cash flow. accomplish both missions. Already had bond resolution pass, love what other for profit org shares with non-profit. Lacy awarded housing credits, apply in Nov. Lacy what competition do we feel competitive, tom 9% and 4% program 9% very competitive there is one deal done every year in 9% highest points wins. this is under 4% program not competitive but spend a lot of money up front know whether we get deal or not. Closed deal in Dallas last week out of pocket 1.6 M very good at knowing what have to do. They change the requirements every year and have to figure out how it works. This program provides more housing than 9% program.

There being no one else wishing to speak, the public hearing was closed at 10:37 a.m.

Council Member Love moved to adopt Resolution No. 2019 - 331; seconded by Council Member Lacy.

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

30. Hold a public hearing and consider an ordinance on a request by Terramark, LP for the initial zoning 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. 10001

AN ORDINANCE ESTABLISHING THE INITIAL ZONING CLASSIFICATION OF THE AREA INDICATED AS 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, AS AN HI, HEAVY INDUSTRIAL DISTRICT; SAID TRACT BEING GENERALLY LOCATED ON THE SOUTH SIDE OF WEST INDUSTRIAL AVENUE, APPROXIMATELY 454 FEET EAST OF SOUTH MIDLAND 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 Jan Hamilton read the caption of Ordinance No. 10001.

Development Services Director Chuck Harrington gave a brief overview of the item noting requesting initial zoning for property recently annexed. allow to cont to operate to get utilities important to bus in compl with comp plan rec by p7z for approval. staff rec approve no loj. Love do they own land.

Mayor Morales opened the public hearing at 10:40 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. 10001 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, Love, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

31. Hold a public hearing and consider an ordinance on a request by Vine Pizza, LLC, for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on premises consumption in a restaurant, on a 5,800 - square foot portion of Block 1, less the 250 x 150 NW corner and less the 224 x 150 SW corner, re-plat of Block 1 and 2, Imperial Heights Addition, City and County of Midland, Texas, (generally located on the south side of West Wadley Avenue, approximately 310 feet east of North Midkiff Road). (DEVELOPMENT SERVICES)

ORDINANCE NO. 10002

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 5,800-SQUARE FOOT PORTION OF BLOCK 1, LESS THE 250-FOOT BY 150-FOOT NORTHWEST CORNER AND LESS THE 224-FOOT BY 150-FOOT SOUTHWEST CORNER, REPLAT OF BLOCKS 1 AND 2, IMPERIAL HEIGHTS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON SOUTH SIDE OF WEST WADLEY AVENUE APPROXIMATELY 310 FEET EAST OF NORTH MIDKIFF ROAD), 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 Jan Hamilton read the caption of Ordinance No. 10002.

Development Services Director Chuck Harrington gave a brief overview of the item noting 3211 W Wadley 16 b oned regional retail permits sale of alco. floor plan show sq fot 4840 sq ft. ap req hours for serv alco hours t-s 4-10 no church or schools 300 feet request in compl with com plan p7zx rec approval. staff reviewed in compl rec approval. noloj.

Mayor Morales opened the public hearing at 10:42 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. 10002 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, Love, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

32. Hold a public hearing and consider an ordinance on a request by Brian Levy dba Fat Bird, LLC, 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 5A, Block 1A, Midkiff Plaza, Section 16, City and County of Midland, Texas, (generally located on the south side of Courtyard Drive, approximately 865 feet east of North Midkiff Road). (DEVELOPMENT SERVICES)

ORDINANCE NO. 10003

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 5A, BLOCK 1A, MIDKIFF PLAZA, SECTION 16, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF COURTYARD DRIVE, APPROXIMATELY 865 FEET EAST OF NORTH MIDKIFF ROAD), WHICH IS PRESENTLY ZONED PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER, 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 Jan Hamilton read the caption of Ordinance No. 10003.

Development Services Director Chuck Harrington gave a brief overview of the item noting SUDd also bev in prm in restaundtat fat burg 3209 Courtyard st L. srvcable area 11-12 moon -sat sun 11-10 no schools or churches 300 feet. Meets all req of ord staf rec approval of req one loj.

Mayor Morales opened the public hearing at 10:44 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. 10003 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, Love, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

33. Hold a public hearing and consider an ordinance on a request by Gonzalo Ornelas, for a zone change from MF-22, Multiple Family Dwelling District, to SF-3, Single Family Dwelling District, on Lots 3 and 11, Block 63, Park Avenue Heights, Section 2, City and County of Midland, Texas, (generally located on the west side of Bunche Street, approximately 114 feet south of East California Avenue, and on the northeast corner of the intersection of South Madison Street and Cloverdale Road). (DEVELOPMENT SERVICES)

ORDINANCE NO. 10004

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 3 AND 11, BLOCK 63, PARK AVENUE HEIGHTS, SECTION 2, 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 BUNCHE STREET, APPROXIMATELY 114 FEET SOUTH OF EAST CALIFORNIA AVENUE, AND AT THE NORTHEAST CORNER OF THE INTERSECTION OF SOUTH MADISON STREET AND CLOVERDALE ROAD); 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 Jan Hamilton read the caption of Ordinance No. 10004.

Development Services Director Chuck Harrington gave a brief overview of the item noting people want to dev single family residential and allow them to cont wiht prop. applicant request change to sf3 both lots vacant. researching and found request in compl with neighborhood is developed. because of characters of sur neighbor staff rec approval. no loj. Love comments looking at map carver eastern boundary and lamesa

western area is dead spot with request to infrastructure this is in the city of Midland streets unpaved some sewer in some places and very little water so Council Member Lacy, Isaac Garnett and Love focus to try to use those funds for infrastructure for funds in that area helps with affordable housing fills in where infrastructure should be. Thanked Lacy for his work and being in favor of using funds to help improve this neighborhood. do own 2 lots as well but this application and subsequent people want to build building without water and sewer if we provide then can help with housing situation. Trost was that part of Greenwood passed? Isaac in Park Heights addition just across the way. Chuck agree area neglected for number of reasons if you look at set up for residential new school a lot of things. Lacy new sidewalks number one issue don't know how can charge property tax when no paved streets. Courtney lots platted a long time ago policy says infrastructure has to be in place prior to platting. this will be issue and try to address through CDBG program. They already platted so no mechanism to require utilities. That block is 2 blocks south of his grandmother's house lived there since the 50s and because new developers come in sitting like that.

Mayor Morales identify if any other areas like that. Dufford ongoing program can't get to them. Love more important is water and sewer. Mayor Morales opened the public hearing at 10:51 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. 10004 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, Love, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

34. Hold a public hearing and consider an ordinance on a request by Danny Harris for a zone change from MF-22, Multiple Family Dwelling District, to SF-3, Single Family Dwelling District, on Lot 23, Block 56, Park Avenue Heights, City and County of Midland, Texas, (generally located on the north side of East Pennsylvania Avenue, approximately 216 feet east of South Lamesa Road). (DEVELOPMENT SERVICES)

ORDINANCE NO. 10005

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 23, BLOCK 56, 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 ON THE NORTH SIDE OF EAST PENNSYLVANIA AVENUE, APPROXIMATELY 216 FEET EAST OF SOUTH LAMESA ROAD); 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 Jan Hamilton read the caption of Ordinance No. 10005.

Development Services Director Chuck Harrington gave a brief overview of the item noting similar situation with new ord people wanted to dev infil want to keep it moving. Dufford how many, Chuck a lot of people looking at infil lots. Dufford how fast churning out. Chuck last month about 30. Morales infil discussion ignited a fire. Chuck may

have been able to build before but restricted .

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.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 10005 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: Love. ABSENT: None.

35. Hold a public hearing and consider an ordinance on a request by Danny Harris for a zone change from MF-22, Multiple Family Dwelling District, to SF-3, Single Family Dwelling District, on Lot 2, Block 63, Park Avenue Heights, Section 2, City and County of Midland, Texas, (generally located on the west side of Bunche Street, approximately 56-feet south of East California Avenue). (DEVELOPMENT SERVICES)

ORDINANCE NO. 10006

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 2, BLOCK 63, PARK AVENUE HEIGHTS, SECTION 2, 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 BUNCHE STREET, APPROXIMATELY 56 FEET SOUTH OF 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 Jan Hamilton read the caption of Ordinance No. 10006.

Development Services Director Chuck Harrington gave a brief overview of the item noting much like previous two cases definately in line with like to see rec approval.

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 Robnett moved approval of the first of two readings of Ordinance No. 10006 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: Love. ABSENT: None.

36. Hold a public hearing and consider an ordinance on a request by Jesus Jurado, for a zone change from C, Commercial District, to SF-3, Single Family Dwelling District, on Lots 11-13, Block 118, Southern Addition, City and County of Midland, Texas, (generally located on the north side of East New York Avenue, approximately 164 feet east of South Baird Street). (DEVELOPMENT SERVICES)

ORDINANCE NO. 10007

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 11 THROUGH 13, BLOCK 118, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM C, COMMERCIAL DISTRICT TO SF-3, SINGLE FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF EAST NEW YORK AVENUE, APPROXIMATELY 164 FEET EAST OF SOUTH BAIRD 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 Jan Hamilton read the caption of Ordinance No. 10007.

Development Services Director Chuck Harrington gave a brief overview of the item noting requesting changemuch like prev cases. did have on loj provided this morning don't know why opposed to project.

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. 10007 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, Love, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

37. Hold a public hearing and consider an ordinance on a request by Scott A. Mommer for a Zone Change from a PD, Planned District for a Shopping Center to an Amended PD, Planned Development District for a Shopping Center on Lot 6, Block 45, Fairmont Park, Section 15, City and County of Midland, Texas, (generally located approximately 809 feet south of West Loop 250 North and approximately 643 feet west of North Midland Drive). (DEVELOPMENT SERVICES)

ORDINANCE NO. 10008

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 6, BLOCK 45, FAIRMONT PARK, SECTION 15, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER (GENERALLY LOCATED APPROXIMATELY 809 FEET SOUTH OF WEST LOOP 250 NORTH AND APPROXIMATELY 643 FEET WEST OF NORTH MIDLAND 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 Jan Hamilton read the caption of Ordinance No. 10008.

Development Services Director Chuck Harrington gave a brief overview of the item noting 4009 N Midland drive home depot proposing to dev tool rental center on site.

2225 sq ft enclosure 1245 sq ft. Staff reviewed found meets all requirements staff rec approval. no loj. Love tool rental home depot rents vehicles also for the day will they be allowed to do that here with this application. Chuck curious question forgotten do rent trucks maybe applicant here. love will this allow them to rent. chuck pd gives flexibility. Chcuk can see it tied together but for council.

Mayor Morales opened the public hearing at 10:59 a.m.

Ashley Newlight Anderson and assoc Fresno CA Love renting trucks. Ashley no trucks compact power rental equipment skid steerers aerial equipment.

There being no one else wishing to speak, the public hearing was closed at 11:00 a.m.

Council Member Robnett moved approval of the first of two readings of Ordinance No. 10008 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, Love, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

38. Hold a public hearing and consider an ordinance on a request by Jose Mendez for a zone change from a C, Commercial District to SF-3, Single-Family Dwelling District on Lot 2, Block 28, Greenwood Addition Third, Fourth, and Fifth Sections, City and County of Midland, Texas, (generally located on the west side of South Stonewall Street, approximately 50 feet south of East New York Avenue). (DEVELOPMENT SERVICES)

ORDINANCE NO. 10009

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 2, BLOCK 28, 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 WEST SIDE OF SOUTH STONEWALL STREET, APPROXIMATELY 50 FEET SOUTH OF EAST NEW YORK 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 Jan Hamilton read the caption of Ordinance No. 10009.

Development Services Director Chuck Harrington gave a brief overview of the item noting back to other cases 602 S Stonewall staff reviewed find support by comp plan and existing neighborhood charact 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 Hotchkiss moved approval of the first of two readings of Ordinance No. 10009 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, Love, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

39. Hold a public hearing and consider an ordinance on a request by Weldon Carter for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 5, Block 23, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas, (generally located on the east side of South Benton Street, approximately 60-feet north of East New York Avenue). (DEVELOPMENT SERVICES)

ORDINANCE NO. 10010

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 5, BLOCK 23, 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 ON THE EAST SIDE OF SOUTH BENTON STREET, APPROXIMATELY 60 FEET NORTH OF EAST NEW YORK 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 Jan Hamilton read the caption of Ordinance No. 10010.

Development Services Director Chuck Harrington gave a brief overview of the item noting this and 2 following located 508 S Denton another one looked staff find in line with comp plan rec approval.

Mayor Morales opened the public hearing at 11:03 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. 10010 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, Robnett. NAY: None. ABSTAIN: Love. ABSENT: None.

40. Hold a public hearing and consider an ordinance on a request by Weldon Carter for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lots 5 and 6, Block 12, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas, (generally located on the northwest corner of the intersection of South Webster Street and Washington Avenue). (DEVELOPMENT SERVICES)

ORDINANCE NO. 10011

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 5 AND 6, BLOCK 12, 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 NORTHWEST CORNER OF THE INTERSECTION OF SOUTH WEBSTER STREET AND 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 Jan Hamilton read the caption of Ordinance No. 10011.

Development Services Director Chuck Harrington gave a brief overview of the item noting (love rthis area south of rr and easat of lee sstreet at time segregated and had a lot of aa americans east texas to midland relatives friends staying Council at that time made a lot of that area multi family a lot of multi family nothing but just couple . Chuck an area that big couldn't absorb that much multi family. comment about history not about this item sabstaining from. just like previous doe simprove charater of neighborhood.

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 Lacy moved approval of the first of two readings of Ordinance No. 10011 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: Love. ABSENT: None.

41. Hold a public hearing and consider an ordinance on a request by Weldon Carter for a zone change from RR, Regional Retail District to SF-3, Single-Family Dwelling District on Lots 1 and 2, Block 7, Greenwood Addition, Second Section, City and County of Midland, Texas, (generally located on the southwest corner of the intersection of Indiana Avenue and South Webster Street). (DEVELOPMENT SERVICES)

ORDINANCE NO. 10012

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 1 AND 2, BLOCK 7, GREENWOOD ADDITION, SECOND SECTION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM RR, REGIONAL RETAIL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF EAST INDIANA AVENUE AND SOUTH WEBSTER 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 Jan Hamilton read the caption of Ordinance No. 10012.

Development Services Director Chuck Harrington gave a brief overview of the item noting similar to last item.

Mayor Morales opened the public hearing at 11:07 A.M.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 10012 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, Robnett. NAY: None. ABSTAIN: Love. ABSENT: None.

42. Hold a public hearing and consider an ordinance on request by City of Midland for a zone change from a RR, Regional Retail District and C, Commercial District to SF-3, Single-Family Dwelling District on Lots 1, 2 and 4, Block 137, Southern Addition, City and County of Midland, Texas, (generally located on the southwest corner of the intersection of South Lamesa Road and East New York Avenue and on the west side of South Lamesa Road, approximately 216 feet south of East New York Avenue). (DEVELOPMENT SERVICES)

ORDINANCE NO. 10013

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 1, 2 AND 4, BLOCK 137, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM RR, REGIONAL RETAIL DISTRICT, IN PART, AND C, COMMERCIAL DISTRICT, IN PART, TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SOUTH LAMESA ROAD AND EAST NEW YORK AVENUE, AND ON THE WEST SIDE OF SOUTH LAMESA ROAD APPROXIMATELY 216 FEET SOUTH OF EAST NEW YORK 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 Jan Hamilton read the caption of Ordinance No. 10013.

Development Services Director Chuck Harrington gave a brief overview of the item noting SOMETIMES city gets cuaght too interested in developing wokring with pb builders assoc and got reigned ord changed. Love do you have something in place before move ahead. Love against this is because city intiaded city owns property street to right is lames and lacks is businesses. this is currently commercial retail if city initiates change it will be sf1 or 2 and make it difficult to go back to build something. respectively ask withdrawing application until something pop up and say purchase and do commercail busines simpossible to change it back it mighteven being spot zoning. from staff stand point didn't look at lames as Atlanta but really should of been addressed off of Atlanta from perspective one house vacant between greens a house building already try to provide more lots for affordable housing. Council priviledge . Love two things houses and businesses. lets let it play out if housing comes yay lets do it then but if business want opportunity to ddo it. Chuck house already.

Trost area that coould easily be some retail. Ask to leave it alone. Love nothing between Front and Florida except to northern side where old hot dog stand used to be one opportunity to have some retail. If going to be housing when application comes zone change can be made at that time. Mayor Morales opened the public hearing at 11:12 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Chuck talked to builders association to help put affordable housing fololowing through on what being told. Doing what was instructed lacy.

Council Member Love moved to deny; seconded by Council Member Trost.

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

Council Member Lacy moved to reconsider; seconded by Council Member Robnett.

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

Council Member Robnett moved approval of the first of two readings of Ordinance No. 10013 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

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

43. Hold a public hearing and consider an ordinance on a request by Mike Massey to vacate a 0.14-acre tract, 0.07-acre tract and a 0.20-acre tract of land all out of Section 26, Block 39, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas, (generally located approximately 227 feet, 425 feet, and 585 feet east of North 'A' Street, approximately 218 feet, 166 feet and 166 feet north of Douglas Avenue respectively). (DEVELOPMENT SERVICES)

ORDINANCE NO. 10014

AN ORDINANCE VACATING AND ABANDONING A 0.14-ACRE PORTION OF CLUB DRIVE RIGHT-OF-WAY, A 0.07-ACRE PORTION OF ALLEY RIGHT-OF-WAY, AND A 0.20-ACRE PORTION OF RIDGLEA DRIVE RIGHT-OF-WAY, ALL OUT OF SECTION 26, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED APPROXIMATELY 227 FEET, 425 FEET AND 585 FEET EAST OF NORTH A STREET, AND APPROXIMATELY 218 FEET, 166 FEET AND 166 FEET NORTH OF DOUGLAS AVENUE, RESPECTIVELY); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$31,199.00; AND ORDERING RECORDATION BY THE CITY SECRETARY

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10014.

Development Services Director Chuck Harrington gave a brief overview of the item noting Mike Massey proposing to redevelop property. Some row that needs to be vacated total values 31199. rev by all depts and approved staff rec approval. one loj to request.

Mayor MOrales opened the public hearing at 11:17 a.m.

Mike Massey 24 ?? Midland Highria. orig bough 5 years ago form 2 owners purpose is to create some affordable houses. Some may not be aware that these platted in 1906 no streets or alleys back then andd this is similar to previous property. City and County paved all streets in 30, 40 and 50 some reason didn't get upgraded. paving stops at bottom of map invest in property spoke to dept heads about 5 years ago and according to city code platted to 1979 should be grandfatehred in. when went to get building

permits on one of lots and looking at all new faces and policies have changed came up with half dozen problems. House on one lot that had access off a street. Mr Pacelli voices concern about traffic backing out of driveway on A Street watching traffic flow and traffic agree. spent 300,000 on property to try to satisfy health and safety concerns but his request to abandon to pay city \$1 for property. It doesn't appraise for 31,000 its on tax roles request city vacate property for \$1. Club drive used mainly as alley not really a street so if I don't use avenue A forced to use Club drive and not acceptable bottom line redeveloping this is based of city presented me with problem of either having unsafe condition for traffic or redeveloping. built 7 foot wall on property only way to come out economy is private subdivision. Even if charge what on tax roles not 32,000. Hotchkiss been walking back and forth for years. itsc hagne special condition makes it difficult surrounded by cemetery he 's invested a lot of money in fence closing off and making a nice little neighborhood an area of infill other wise undeveloped is a district win for 3. Asset support the request to reduce to \$1. Acquires avenue from County original build wood fence and build 7 foot double wall to make cemetery happy people that take care of cemetery. Didn't intend to rezone or replat. spent so much money on now don't feel right to pay for vacated streets and alleys never paid no investment in. Dufford the townhomes on boueie did they back out on alley. Created alley on douglas. Dufford subdivision will access on A street through road been there all along fence off alley nice gate just private come out on A no one backing out. Robnett on cemetery side and south side backyards. Mrr. Massey trying to do is clean up property hard to develop off A and by cemetery. Massey Jeff and Christopher and code enforcement working on that. City's most basic function is basic and not let somebody turn property into junk yard. Now have some people working trying to get a handle on it.

There being no one else wishing to speak, the public hearing was closed at 11:27 a.m.

Council Member Robnett moved approval of the first of two readings of Ordinance No. 10014 in accordance with the Charter of the City of Midland with changing price to \$1; seconded by Council Member Lacy.

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

MISCELLANEOUS

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

Hotchkiss EZ Rider Board new by laws suggested to Board by City Attorney of Odessa suggested wait to fill positions to know what by laws will request changing .

dies lack of second.

Council Member Lacy moved to appoint Calr Craig to IMpact Advisory Committee ; seconded by Council Member Robnett.

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

Council Member Love moved to appoint Joseph Sanchez to MOUTD; seconded by Council Member .

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.)

Dan Corrales 4604 W Illinois, discuss preliminary plat of grasslands estate West 158 and 191. with about a decade of constructed unbuilt shopping center had meeting with residents to get feedback and other concerns question meeting with developer and residents of grasslands pertaining to that project. Is there a traffic study done. Lacy state highway widened in all ways listen 11:33 dev going on est portion of that side will slow traffic getting widened all way because of all roads in that area. Dan brought son to Bynum every day multiple lanes people are not as informed think its going to stay 2 lanes. Lacy widened to 5 lanes briarwood idened to five lanes with jose ortiz median guess 158 require center medians as well to slow traffic down to minimiz.e similar to 349 almost guarantee same. Love to first point city can encourage developer to have neighborhood meetins but citizens opportunity to part in ph process.

Shirley Howard require people to be board and committes when some came off we lost members all given thank you previously there was plaque or certificate of apprciate more than just a wording. still cherish a plaque. ask to please bring forth and encourage to give something of appreciation. LEtter and certificate to every person. Be nice to let the board tha tis present to give that.

adj 11:36 a.m.

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