

**MIDLAND CITY COUNCIL
MINUTES
January 26, 2021**



The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., January 26, 2021.

Council Members present: Patrick Payton, Spencer Robnett, Michael Trost, Scott Dufford, John Norman, Jack Ladd, Lori Blong

Council Members absent: None

Staff members present: City Attorney John Ohnemiller, Interim City Manager Robert Patrick, Assistant City Manager Morris Williams

The meeting was called to order at 10:00 a.m.

OPENING ITEMS

1. Invocation – Minister Josh Gatewood, Stonegate Fellowship
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Presentation of 2020 Management Awards

Council Member Dufford presented the following Management Awards: Becky Smith (Service delivery); Whitney Criag & Kiara Taylor (Organizational efficiency); Carlos Perez & Nathan Hernandez (Innovation); Laura Fernandez (Monetary Savings); Eddie Chavez & Priscilla Fernandez (Innovation); Facilities Services Division (Service Delivery); Purchasing Division (Organizational efficiency); Johnny Mancha (Monetary savings); Jesse Zamora (Monetary savings); Crystal Garcia (Organizational efficiency); Sara Gray (Organizational efficiency); Christy Fosse (Organizational efficiency); Midland Municipal Court (Innovation, Monetary savings, Organizational efficiency, Service delivery)

CONSENT AGENDA

Lori Blong moved to approve the Consent Agenda items 4-11, excluding items 6, 7, 9, 10; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

4. MOTION APPROVING THE FOLLOWING MINUTES:

4a. REGULAR CITY COUNCIL MEETING OF JANUARY 12, 2021

5. 2021-013 – RESOLUTION APPROVING THE PURCHASE OF ADDITIONAL STORAGE CAPACITY FOR DATA CENTER BACKUP HARDWARE AND MAINTENANCE FOR THE PRIMARY DATA CENTER FOR THE COMMUNICATIONS AND INFORMATION SYSTEMS DEPARTMENT FROM UNIQUE DIGITAL TECHNOLOGY, LLC, THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES AT A TOTAL COST OF \$264,000.00 (GENERAL SERVICES)
8. 008-2021 – MOTION APPROVING PLANS AND SPECIFICATIONS FOR THE GATE #6 ELEVATED WALKWAY INSTALLATION PROJECT (700244-505) AT MIDLAND INTERNATIONAL AIR & SPACE PORT, SAID PLANS AND SPECIFICATIONS BEING ON FILE IN THE CITY SECRETARY'S OFFICE REFERENCED BY THE NUMBER AND DATE OF THIS MOTION, AND AUTHORIZING THE INTERIM CITY MANAGER OR THE INTERIM CITY MANAGER'S DESIGNEE TO ADVERTISE FOR COMPETITIVE BIDS FOR SAID PROJECT PURSUANT TO THE STATUTES OF THE STATE OF TEXAS FOR ACCOMPLISHING THE WORK SET FORTH IN SAID PLANS AND SPECIFICATIONS (AIRPORTS)
11. 2021-017 – RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE OFFICE OF THE GOVERNOR, TEXAS CRIMINAL JUSTICE DIVISION, FOR THE FISCAL YEAR 2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM; AND AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS FOR THE ACCEPTANCE OF SAID GRANT FUNDS (POLICE)

The following items were pulled from consent agenda and considered individually.

6. 2021-014 – RESOLUTION APPROVING THE PURCHASE OF TWO (2) AMBULANCES FROM STERLING MCCALL FORD THROUGH THE HOUSTON-GALVESTON AREA COUNCIL AT A TOTAL COST OF \$800,000.00 (GENERAL SERVICES)

Council Member Trost asked why there was not more local participation. Fire Chief Blumenauer reported that only certain manufacturers sell a chassis that can be used for an ambulance and there are no local manufacturers.

Lori Blong moved to approve Resolution No. 2021-014; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Dufford, Ladd, Payton, Robnett, Trost, Norman, Blong

NAY: None

ABSTAIN: None

ABSENT: None

7. 007-2021 – MOTION AUTHORIZING THE INTERIM CITY MANAGER OR THE INTERIM CITY MANAGER'S DESIGNEE TO ADVERTISE A REQUEST OF QUALIFICATIONS FOR PROFESSIONAL ENGINEERING AND ARCHITECTURAL SERVICES ASSOCIATED WITH FUTURE CAPITAL IMPROVEMENT PLAN (CIP) PROJECTS AT MIDLAND INTERNATIONAL AIR & SPACE PORT AND MIDLAND AIRPARK AND TO NEGOTIATE A PROFESSIONAL SERVICES AGREEMENT FOR SAID SERVICES; PROVIDED, HOWEVER, THAT SAID AGREEMENT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE CITY COUNCIL (AIRPORTS)

Council Member Ladd reported he goes to MPO about once a month and sees that the CAF facility is overgrown and asked about the plans for that building. Airports Director Justine Ruff reported they plan to make it into a FBO, fixed based operator, which is like a gas station for airplanes. They have hired Parkhill to put together a RFP that will come out later this spring. As new projects are developed, the agreement with Parkhill will be amended.

Jack Ladd moved to approve Motion No. 007-2021; seconded by John Norman.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

9. 2021-015 – RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH FLAGSHIP AIRPORT SERVICES, INC., OF SOUTHLAKE, TEXAS, FOR JANITORIAL SERVICES AT MIDLAND INTERNATIONAL AIR AND SPACE PORT FOR A TOTAL COST OF \$6,352,258.00 (AIRPORTS)

Council Member Ladd understands that janitorial will get more expensive during a pandemic, but asked if it is reasonable for them to double. Deputy Director of Airports, Aaron Easton reported that due to the pandemic the last vendor grossly underestimated the cost. All of the estimates were in line with each other. He confirmed that the only local vendor had an incomplete bid packet that was missing bonds.

Council Member Robnett asked if there could be any overlap between other City facilities and the airport. Airports Director Justine Ruff reported contracts have to be separate for funding reasons.

Council Member Ladd asked why we went with a five year contract instead of three noting the pandemic may be over by then and prices could come down. Airports Director Justine Ruff reported they usually do a five year contract because of the amount of work that goes into putting this together. She also noted that there were additional requests added

because their building is getting older, such as requiring the contractor to have specific equipment and to keep it running.

Jack Ladd moved to approve Resolution No. 2021-015; seconded by Michael Trost.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

10. 2021-016 – RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY OF MIDLAND AND THE PERMIAN BASIN BICYCLE ASSOCIATION REGARDING A CERTAIN 135.285-ACRE TRACT OF LAND OUT OF TRACTS 11 AND 12, SECTION 44, BLOCK 38, TOWNSHIP-1-SOUTH, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (COMMUNITY SERVICES)

Council Member Robnett wanted to ensure that the City retains reasonable access and use.

Stephen Mitchell shared a brief slide show sharing what features will look like that have already been built at other locations. They will have bike races there and the area is good for the entire community in general for walking and biking. The Permian Basin Bicycle Association (PBBA) and the West Texas Trail Alliance (WTTA) will fundraise and build the trails with private money. When asked if he was okay with the City retaining access, Mr. Mitchell reported they were. When the City needs access to an area, they will just reroute the trails around the work that needs to be performed. He concluded that if this is approved, a professional trail builder will come out on March 1 and they should be ready for use by June.

Council Member Norman asked if there is a fee to use the trails. Stephen Mitchell noted that an individual membership is \$30 per year and a family membership is \$35 a year. The fees are used to cover the cost of insurance and to maintain the trails. He added that the fee will also give access to the Odessa trail.

Council Member Dufford asked why if this is City-owned facility, the applicant needs to carry insurance. Interim City Manager Robert Patrick reported the insurance is for their liability. They are also required to name the City of Midland as additional insured.

Council Member Ladd thanked the many people who worked on this project noting that he and Council Member Blong have been working on this since they were elected. He asked everyone to please donate generously to this project. Council Member Blong echoed Council Member Ladd's comments noting that contributions would benefit the City.

Spencer Robnett moved to approve Resolution No. 2021-016 with the amendment for the City to reserve the right to enter into agreements with third parties so long as they do not interfere with PBBA activities; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None
ABSTAIN: None
ABSENT: None

SECOND READINGS

12. 10139 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 42.30-ACRE TRACT OF LAND OUT OF SECTION 7, BLOCK 38, T-1-S, T& P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-3, SINGLE-FAMILY DWELLING DISTRICT TO PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE EAST SIDE OF CARRIAGE ROAD, APPROXIMATELY 1,740 FEET SOUTH OF OCCIDENTAL PARKWAY); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DEVELOPMENT SERVICES) (FIRST READING HELD JANUARY 12, 2021)

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 10139.

Dustin Eggleston, Lubbock, reported he was available to answer questions.

Lori Blong moved to approve the second and final reading of Ordinance No. 10139; seconded by Michael Trost.

The motion passed by the following vote:

AYE: Payton, Trost, Norman, Blong

NAY: Robnett, Dufford, Ladd

ABSTAIN: None

ABSENT: None

13. 10140 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 14 AND 15, BLOCK 1, WADLEY HEIGHTS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR AN OFFICE CENTER TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR AN OFFICE CENTER (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF MOGFORD STREET AND WEST WADLEY 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 (DEVELOPMENT SERVICES) (FIRST READING HELD JANUARY 12, 2021)

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 10140.

Scott Dufford moved to approve the second and final reading of Ordinance No. 10140; seconded by Lori Blong.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

14. 10141 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 15-ACRE TRACT OF LAND OUT OF SECTION 12, BLOCK 40, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM BP, I-20 BUSINESS PARK DISTRICT, IN PART, RR, REGIONAL RETAIL DISTRICT, IN PART, AND LI, LIGHT INDUSTRIAL DISTRICT, IN PART, TO BP, I-20 BUSINESS PARK DISTRICT (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF LOTE BUSH DRIVE AND WEST INTERSTATE 20); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DEVELOPMENT SERVICES) (FIRST READING HELD JANUARY 12, 2021)

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 10141.

Lori Blong moved to approve the second and final reading of Ordinance No. 10141; seconded by Spencer Robnett.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

15. 10142 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 5,295-SQUARE FOOT PORTION OF LOT 3, LESS THE EAST 2.14 ACRES, BLOCK 15A, OXFORD HEIGHTS, SECTION 7, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST ILLINOIS AVENUE, APPROXIMATELY 800 FEET EAST OF NORTH MIDLAND DRIVE), 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 (DEVELOPMENT SERVICES) (FIRST READING HELD JANUARY 12, 2021)

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 10142.

Angelina Govan, 4200 W. Illinois, reported they wanted their hours to go until midnight each night with the standard hours, seven days a week.

Spencer Robnett moved to approve the second and final reading of Ordinance No. 10142 with the amendment to change alcohol service hours from 11:00 a.m. to midnight seven days a week; seconded by Lori Blong.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

16. 10144 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 4, BLOCK 194, SOUTHERN ADDITION, AND LOT 3, BLOCK 2, SOUTH PARK ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-2, SINGLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF SOUTH JEFFERSON STREET, APPROXIMATELY 150 FEET SOUTH OF EAST FLORIDA 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 (DEVELOPMENT SERVICES) (FIRST READING HELD JANUARY 12, 2021)

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 10144.

Lori Blong moved to approve the second and final reading of Ordinance No. 10144; seconded by John Norman.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

PUBLIC HEARINGS

The City Council will hold public hearings on the following items:

17. 10145 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR LOT 2, BLOCK 11, CORRECTION PLAT OF WESTRIDGE PARK ADDITION, SECTION 27, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF TRADEWINDS BOULEVARD AND WINDHAVEN DRIVE), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A BAR 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 (DEVELOPMENT SERVICES)

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 10145.

Mayor Payton opened the public hearing at 10:56 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Spencer Robnett moved to approve the first of two readings of Ordinance No. 10145; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

18. 10146 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1B, BLOCK 56A, BELMONT ADDITION, SECTION 9, 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 ON THE SOUTH SIDE OF WEST LONGVIEW AVENUE, APPROXIMATELY 360 FEET EAST OF RANKIN HIGHWAY); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DEVELOPMENT SERVICES)

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 10146.

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

Jack Ladd moved to approve the first of two readings of Ordinance No. 10146; seconded by Lori Blong.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

19. 10147 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 316-SQUARE FOOT PORTION OF LOT 2E, BLOCK 4, CORPORATE PLAZA, SECTION 26, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED APPROXIMATELY 366 FEET EAST OF NORTH BIG SPRING STREET AND APPROXIMATELY 876 FEET NORTH OF CORPORATE DRIVE), WHICH IS PRESENTLY ZONED O-2, OFFICE DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF BEER AND WINE IN CONNECTION WITH A FOOD AND BEVERAGE SALES STORE FOR OFF-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 (DEVELOPMENT SERVICES)

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 10147.

Mayor Payton opened the public hearing at 10:58 a.m.

Catherine Chamblee, Austin, representing the applicant, reported this is for a beer and wine permit for on-premises consumption. Her and Luisa Alvarado were available for questions.

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

Michael Trost moved to approve the first of two readings of Ordinance No. 10147; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

20. 10148 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 0.08-ACRE TRACT OF LAND OUT OF TRACT 3, MIDKIFF HEIGHTS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-16, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART, AND RR, REGIONAL RETAIL DISTRICT, IN PART, TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED APPROXIMATELY 160 FEET WEST OF NORTH MIDKIFF ROAD AND APPROXIMATELY 250 FEET SOUTH OF ANDREWS HIGHWAY); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DEVELOPMENT SERVICES)

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 10148.

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

Lori Blong moved to approve the first of two readings of Ordinance No. 10148; seconded by Spencer Robnett.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

21. 10149 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 1.58-ACRE TRACT OF LAND LOCATED IN SECTION 31, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT TO LR, LOCAL RETAIL DISTRICT (GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF NORTH FAIRGROUNDS ROAD AND MAPLE 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 (DEVELOPMENT SERVICES)

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 10149.

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

Jack Ladd moved to approve the first of two readings of Ordinance No. 10149; seconded by Lori Blong.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

MISCELLANEOUS

22. 2021-018 – RESOLUTION AUTHORIZING CERTAIN MIDLAND DEVELOPMENT CORPORATION CONTRACTS (CITY MANAGER)

No action was taken on this item.

23. MOTION MAKING APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS (CITY SECRETARY'S OFFICE)

Spencer Robnett moved to appoint Robert Gray to the Zoning Board of Adjustments; seconded by Lori Blong.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

Staff was directed to advertise the vacant positions.

EXECUTIVE SESSION

Mayor Payton recessed the meeting at 11:04 a.m. to go to Executive Session.

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

a. Section 551.087, Deliberate Economic Development Negotiations

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

The Council met in Executive Session until 12:10 p.m. Mayor Payton reconvened the meeting in Regular Session at 12:11 p.m. with all Council Members present. No further actions were taken.

All the business at hand having been completed, the meeting adjourned at 12:11 p.m.

PASSED AND APPROVED February 9, 2021.

Patrick Payton, Mayor

ATTEST:

Amy M. Turner, City Secretary