

**CITY OF MIDLAND, TEXAS
AGENDA FOR CITY COUNCIL MEETING
April 11, 2023 - 10:00 AM
300 North Loraine
Midland, Texas
Council Chamber - City Hall**



A quorum of the City Council intends to be physically present at the aforementioned location.

The City Council may discuss, consider, and take action on any item listed on this agenda.

OPENING ITEMS

1. Invocation – Monsignor Larry Droll, St. Ann’s Catholic Church
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - 3a. Presentation of Proclamation for “National Child Abuse Awareness Month” and “National Sexual Assault Awareness Month”

CONSENT AGENDA

4. MOTION APPROVING THE FOLLOWING MINUTES:
 - 4a. BRIEFING SESSION OF MARCH 28, 2023
 - 4b. REGULAR SESSION OF MARCH 28, 2023
6. 028-2023 – MOTION APPROVING SPECIFICATIONS FOR DRY CLEANING AND LAUNDRY SERVICES FOR VARIOUS CITY DEPARTMENTS, SAID SPECIFICATIONS BEING ON FILE IN THE CITY SECRETARY’S OFFICE REFERENCED BY THE NUMBER AND DATE OF THIS MOTION, AND AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER’S DESIGNEE TO ADVERTISE FOR COMPETITIVE BIDS FOR SAID SERVICES PURSUANT TO THE STATUTES OF THE STATE OF TEXAS FOR ACCOMPLISHING THE WORK SET FORTH IN SAID SPECIFICATIONS (DISTRICT: ALL) (GENERAL SERVICES)
7. 2023-052 – RESOLUTION RATIFYING AND APPROVING THE PAYMENT FOR THE

EMERGENCY SEWER MAIN MANHOLE REPAIRS ALONG THE MIDLAND DRAW BY RED DEER CONSTRUCTION, LLC, FOR A TOTAL COST OF \$128,851.10 (DISTRICT 2) (GENERAL SERVICES)

8. 2023-053 – RESOLUTION ADOPTING A NEW PURCHASING POLICY AND RESCINDING ALL PRIOR CONFLICTING RESOLUTIONS (DISTRICT: NONE) (GENERAL SERVICES)
9. 2023-054 – RESOLUTION APPROVING THE PURCHASE OF ONE (1) INTERNATIONAL HV607 4X2 CHASSIS WITH TEN-FOOT DUMP BED, ONE (1) INTERNATIONAL HV607 6X4 CHASSIS WITH FOURTEEN-FOOT DUMP BED, ONE (1) INTERNATIONAL HV607 6X4 CHASSIS WITH TWENTY-TON CRANE, ONE (1) INTERNATIONAL HV507 6X4 CHASSIS, AND THREE (3) INTERNATIONAL HV607 6X4 CHASSIS WITH ROLL-OFF BODIES FROM BDR PREFERRED HOLDING LLC DBA ROBERTS TRUCK CENTER THROUGH SOURCEWELL FOR A TOTAL COST OF \$1,231,546.84 (DISTRICT: NONE) (GENERAL SERVICES)
10. 2023-055 – RESOLUTION AWARDING A CONTRACT FOR THE ENVIRONMENTAL COMPLIANCE SAMPLING PROJECT IN THE AMOUNT OF \$83,354.00 TO TALON/LPE, LTD.; AND APPROVING \$20,838.50 FOR CONTINGENCIES (DISTRICT: NONE) (GENERAL SERVICES)
11. 029-2023 – MOTION AUTHORIZING THE EXECUTION OF A NON-FEDERAL REIMBURSABLE AGREEMENT BETWEEN THE CITY OF MIDLAND, TEXAS, AND THE DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION FOR CERTAIN SERVICES RELATED TO THE RECONSTRUCT RUNWAY 16R BLAST PAD, REMOVE RUNWAY 34L CONCRETE BLAST PAD, AND ADD ASPHALT SHOULDERS TO RUNWAY 10 BLAST PAD PROJECT (900413) AT MIDLAND INTERNATIONAL AIR & SPACE PORT; AND APPROPRIATING \$102,851.06 FOR SAID PROJECT (DISTRICT 4) (AIRPORTS)
12. 030-2023 – MOTION AUTHORIZING THE EXECUTION OF AMENDMENT NO. 6 TO THE PROFESSIONAL SERVICES AGREEMENT DATED MARCH 23, 2021, BETWEEN THE CITY OF MIDLAND, TEXAS, AND PARKHILL, SMITH & COOPER, INC., DBA PARKHILL; SAID AMENDMENT PROVIDING FOR CERTAIN SCOPE CHANGES TO THE RECONSTRUCT RUNWAY 16R BLAST PAD, REMOVE RUNWAY 34L CONCRETE BLAST PAD, AND ADD ASPHALT SHOULDERS TO RUNWAY 10 BLAST PAD PROJECT (900413) AT MIDLAND INTERNATIONAL AIR & SPACE PORT; AND APPROPRIATING \$25,000.00 FOR SAID PROJECT (DISTRICT 4) (AIRPORTS)
13. 031-2023 – MOTION AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF \$455,206.00 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO ASSIST THE CITY OF MIDLAND HEALTH SERVICES DIVISION WITH SUPPORT FOR PUBLIC HEALTH INFRASTRUCTURE AND WORKFORCE NECESSITIES; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL NECESSARY ACCEPTANCE DOCUMENTS; AND AUTHORIZING AND DIRECTING THE CITY TREASURER TO DEPOSIT SAID GRANT FUNDS INTO THE GENERAL FUND

(DISTRICT: ALL) (COMMUNITY SERVICES)

14. 032-2023 – MOTION AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF \$114,222.32 FROM THE U.S. COMMITTEE FOR REFUGEES AND IMMIGRANTS TO ASSIST THE CITY OF MIDLAND HEALTH SERVICES DIVISION WITH THE FUNDING AND DELIVERY OF REFUGEE IMMUNIZATION SERVICES; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL NECESSARY ACCEPTANCE DOCUMENTS; AND AUTHORIZING AND DIRECTING THE CITY TREASURER TO DEPOSIT SAID GRANT FUNDS INTO THE GENERAL FUND (DISTRICT: ALL) (COMMUNITY SERVICES)
15. 033-2023 – MOTION APPROVING WITH STAFF'S RECOMMENDED CONDITIONS A PROPOSED PRELIMINARY PLAT OF WESTRIDGE PARK ADDITION, SECTION 47, BEING A PLAT OF A 37.62-ACRE TRACT OF LAND OUT OF THE NORTHEAST QUARTER OF SECTION 48, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF LEISURE DRIVE AND SOUTH LOOP 250 WEST) (DISTRICT 4) (DEVELOPMENT SERVICES)
16. 034-2023 – MOTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH MIDLAND COUNTY PROVIDING (1) THAT THE CITY OF MIDLAND SHALL ACQUIRE REAL PROPERTY INTERESTS NECESSARY TO EXTEND OCCIDENTAL PARKWAY TO ELKINS ROAD AND SHALL DESIGN SAID EXTENSION OF OCCIDENTAL PARKWAY, AND (2) THAT MIDLAND COUNTY SHALL CONSTRUCT SAID EXTENSION OF OCCIDENTAL PARKWAY (DISTRICT 1) (ENGINEERING SERVICES)
17. 035-2023 – MOTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH MIDLAND COUNTY PROVIDING (1) THAT THE CITY OF MIDLAND SHALL CONSTRUCT HARRIS ROAD, FROM MIDKIFF ROAD TO GARFIELD STREET, AND (2) THAT MIDLAND COUNTY SHALL REIMBURSE THE CITY FOR THE COST OF THE CONSTRUCTION THAT OCCURS OUTSIDE OF THE BOUNDARIES OF THE CITY, WHICH IS ESTIMATED TO BE \$1,350,335.00 (DISTRICT 2) (ENGINEERING SERVICES)
18. 2023-056 – RESOLUTION AUTHORIZING THE CITY OF MIDLAND IN CONJUNCTION WITH MIDLAND COUNTY TO ACCEPT THE FISCAL YEAR 2022 JUSTICE ASSISTANCE GRANT FUNDS TOTALING \$30,063.00; THE CITY OF MIDLAND WILL RECEIVE \$18,037.00 (60%) AND MIDLAND COUNTY WILL RECEIVE \$12,026.00 (40%) OF THE GRANT FUNDS; AUTHORIZING THE EXECUTION OF ACCEPTANCE DOCUMENTS; AND APPROPRIATING GRANT FUNDS (DISTRICT: NONE) (POLICE)
19. 036-2023 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (23-329-015) BETWEEN THE CITY OF MIDLAND AND MATTERHORN EXPRESS PIPELINE, LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 4, 9, 16, AND 21, BLOCK 37, T-3-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (DISTRICT: NONE) (UTILITIES)

20. 037-2023 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (23-329-016) BETWEEN THE CITY OF MIDLAND AND MATTERHORN EXPRESS PIPELINE, LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 9, BLOCK 37, T-3-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (DISTRICT: NONE) (UTILITIES)
21. 038-2023 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (23-329-017) BETWEEN THE CITY OF MIDLAND AND MATTERHORN EXPRESS PIPELINE, LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 9, BLOCK 37, T-3-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (DISTRICT: NONE) (UTILITIES)
22. 039-2023 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (23-329-018) BETWEEN THE CITY OF MIDLAND AND MATTERHORN EXPRESS PIPELINE, LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 4, BLOCK 37, T-3-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (DISTRICT: NONE) (UTILITIES)

The following item(s) were pulled from consent agenda and considered individually.

5. 2023-051 – RESOLUTION APPROVING THE PURCHASE OF FURNITURE AND ASSOCIATED EQUIPMENT FOR THE CITY OF MIDLAND UTILITIES SERVICE CENTER FROM SEWCO, INC., DBA OFFICEWISE FURNITURE AND EQUIPMENT THROUGH THE PURCHASING ASSOCIATION OF COOPERATIVE ENTITIES AND OMNIA PARTNERS FOR A TOTAL COST OF \$318,654.49 (DISTRICT: NONE) (GENERAL SERVICES)

SECOND READINGS

23. 10386 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 10, BLOCK 29, 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 BENTON STREET, APPROXIMATELY 110 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 (DISTRICT 2) (DEVELOPMENT SERVICES) (FIRST READING HELD MARCH 28, 2023)
24. 10390 – AN ORDINANCE VACATING AND ABANDONING A 1.584-ACRE PORTION OF CHAMPIONS DRIVE RIGHT-OF-WAY LOCATED ADJACENT TO LOT 4, BLOCK 5, WESTRIDGE PARK ADDITION, SECTION 6, AND LOTS 3A AND 3B, BLOCK 6, WESTRIDGE PARK ADDITION, SECTION 44, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF THE INTERSECTION OF CHAMPIONS DRIVE AND LOOP 250); THE CITY OF MIDLAND BEING THE OWNER OF ALL ABUTTING PROPERTY; AND ORDERING RECORDATION BY THE CITY

SECRETARY (DISTRICT 4) (DEVELOPMENT SERVICES) (FIRST READING HELD MARCH 28, 2023)

25. 10391 – AN ORDINANCE VACATING AND ABANDONING A 0.042-ACRE PORTION OF THE ALLEY RIGHT-OF-WAY LOCATED ADJACENT TO LOTS 1 THROUGH 3, BLOCK 11, ELMWOOD ADDITION, AND LOT 1, BLOCK 15, ELMWOOD ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF NORTH MARIENFIELD STREET, APPROXIMATELY 250 FEET SOUTH OF WEST CUTHBERT AVENUE); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$7,232.00; RETAINING A NONEXCLUSIVE UTILITY EASEMENT; AND ORDERING RECORDATION BY THE CITY SECRETARY (DISTRICT 3) (DEVELOPMENT SERVICES) (FIRST READING HELD MARCH 28, 2023)
26. 10392 – AN ORDINANCE VACATING AND ABANDONING A 2,080-SQUARE FOOT PORTION OF WEST INDUSTRIAL LOOP RIGHT-OF-WAY LOCATED ADJACENT TO LOT 1, BLOCK 3, MIDKIFF INDUSTRIAL CENTER, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF WEST INDUSTRIAL LOOP, APPROXIMATELY 250 FEET SOUTH OF COMMERCIAL DRIVE); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$1,040.00; AND ORDERING RECORDATION BY THE CITY SECRETARY (DISTRICT 2) (DEVELOPMENT SERVICES) (FIRST READING HELD MARCH 28, 2023)
27. 10393 – AN ORDINANCE VACATING AND ABANDONING A 1,200-SQUARE FOOT SANITARY SEWER EASEMENT LOCATED ADJACENT TO LOTS 2 AND 3, BLOCK 6, WARWICK ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF NORTH L STREET, APPROXIMATELY 185 FEET SOUTH OF WINFIELD ROAD); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$5,400.00; AND ORDERING RECORDATION BY THE CITY SECRETARY (DISTRICT 3) (DEVELOPMENT SERVICES) (FIRST READING HELD MARCH 28, 2023)
28. 10394 – AN ORDINANCE AMENDING TITLE X, “TRAFFIC REGULATIONS”, CHAPTER FOUR, “TRAFFIC CONTROL DEVICES”, SECTION 11, “SCHOOL ZONES”, OF THE MIDLAND CITY CODE, SO AS TO DESIGNATE EACH SCHOOL ZONE WITHIN THE CITY AND REGULATE THE SPEED AND MOVEMENT OF TRAFFIC THEREIN; AUTHORIZING AND DIRECTING THE TRAFFIC ENGINEER TO INSTALL APPROPRIATE SIGNS AND MARKINGS; REPEALING ORDINANCE NO. 10345; 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 (DISTRICT 3) (ENGINEERING SERVICES) (FIRST READING HELD MARCH 28, 2023)

PUBLIC HEARINGS

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

29. 10395 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1B, BLOCK 33, NORTHGATE ADDITION, SECTION 24, 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 AT THE SOUTHWEST CORNER OF THE INTERSECTION OF NORTH MIDLAND DRIVE AND BRIARWOOD 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 (DISTRICT 1) (DEVELOPMENT SERVICES)

30. 10396 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 2, BLOCK 1, W. P. KNIGHT ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR AN OFFICE CENTER TO PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF SOUTH POWELL STREET AND WEST 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 (DISTRICT 2) (DEVELOPMENT SERVICES)
31. 10397 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR LOT 4, BLOCK 2, COUNTRY VILLA ESTATES, SECTION 7, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF WEST WALL STREET AND BRINSON LANE), WHICH IS PRESENTLY ZONED C, COMMERCIAL DISTRICT, IN PART, AND TP, TECHNOLOGY PARK DISTRICT, IN PART, ALLOWING SAID PROPERTY TO BE USED FOR AUTOMOBILE OR OTHER MOTORIZED VEHICLE SALES AND SERVICE; 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 (DISTRICT 2) (DEVELOPMENT SERVICES)

MISCELLANEOUS

32. 2023-057 – RESOLUTION OF THE CITY OF MIDLAND, TEXAS, AUTHORIZING THE CREATION OF A SPACEPORT DEVELOPMENT CORPORATION IN CONJUNCTION WITH MIDLAND COUNTY, TEXAS, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, CHAPTER 507; AND SETTING FORTH OTHER MATTERS RELATED THERETO (DISTRICT: NONE) (CITY MANAGER)
33. 040-2023 – MOTION APPOINTING INDIVIDUALS TO SERVE ON THE BOARD OF DIRECTORS OF THE MIDLAND SPACEPORT DEVELOPMENT CORPORATION (DISTRICT: NONE) (CITY MANAGER)

PUBLIC COMMENT

34. 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.)

EXECUTIVE SESSION

35. 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 551.071, Consultation with Attorney
 - a.1. Discuss pending or contemplated litigation.
 - a.2. Discuss a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code.
 - b. Section 551.072, Deliberation Regarding Real Property
 - b.1. Discuss the purchase, exchange, lease, or value of real property.

Respectfully Submitted,

Robert Patrick
City Manager

MEETING ASSISTANCE INFORMATION: The Midland City Hall and Council Chamber are wheelchair accessible. If you need special assistance to participate in this meeting, please contact the City Secretary's Office at (432) 685-7430. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.