

**MIDLAND CITY COUNCIL
MINUTES
July 14, 2020**



The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., July 14, 2020.

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

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

The meeting was called to order at 10:05 a.m.

OPENING ITEMS

1. Invocation
2. Pledge of Allegiance

CONSENT AGENDA

Jack Ladd moved to approve the Consent Agenda, excluding items 4, 5, 9, 16, 18, 19, 20, 23, 24; 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

3. CONSIDER A MOTION APPROVING THE FOLLOWING MINUTES:
 - a. BRIEFING CITY COUNCIL MEETING OF JUNE 23, 2020
 - b. REGULAR CITY COUNCIL MINUTES OF JUNE 23, 2020

6. 072-2020 – MOTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NUMBER ONE WITH JONES BROS. DIRT & PAVING CONTRACTORS, INC. REGARDING THE FISCAL YEAR 2020 MILL AND INLAY PROJECT; SAID CHANGE ORDER TO BE IN THE AMOUNT OF \$660,508.50 AND TO PROVIDE FOR THE PAVING OF (1) WHITTLE WAY BETWEEN SUNSHINE PARKWAY AND WADLEY AVENUE AND (2) TARLETON STREET BETWEEN GOLF COURSE ROAD AND WADLEY AVENUE (GENERAL SERVICES)
7. 2020-111 – RESOLUTION APPROVING THE PURCHASE OF 750 TONS OF ALL SEASON PRE-COATED PATCHING MIXTURE FOR THE TRANSPORTATION DIVISION FROM CSA MATERIALS, INC. OF SAN ANGELO, TEXAS, AT A TOTAL COST OF \$102,645.00 (GENERAL SERVICES)
8. 2020-112 – RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE OF 7,000 TONS OF FLEXIBLE BASE CALICHE FOR THE TRANSPORTATION DIVISION TO CALICHE PLUS, LLC OF MIDLAND, TEXAS, AT A TOTAL COST OF \$85,820.00; AND AUTHORIZING PAYMENT (GENERAL SERVICES)
10. 2020-114 – RESOLUTION AWARDING A TWO YEAR CONTRACT FOR ENVIRONMENTAL COMPLIANCE TESTING TO HICKS & COMPANY ENVIRONMENTAL/ARCHEOLOGICAL CONSULTANTS FOR \$41,400.73 FOR YEAR 2020 AND FOR \$89,121.94 FOR YEAR 2021 FOR A PROJECTED TOTAL COST OF \$130,522.67 (GENERAL SERVICES)
11. 2020-115 – RESOLUTION AWARDING A CONTRACT FOR THE DRILLING AND TESTING OF FOUR PLANT FARM MONITORING WELLS TO C&S LEASE SERVICE, L.C., FOR A TOTAL COST NOT TO EXCEED \$110,514.95 (GENERAL SERVICES)
12. 2020-116 – RESOLUTION APPROVING THE PURCHASE OF DIESEL FREIGHTLINER SPRINTER CARGO VAN WITH ASSOCIATED SEWER EQUIPMENT FROM AUSTIN TRUCK & EQUIPMENT, LTD., DBA FREIGHTLINER OF AUSTIN, THROUGH BUYBOARD, AT A TOTAL COST OF \$272,327.00; AND RESCINDING RESOLUTION 2020-056 (GENERAL SERVICES)
13. 073-2020 – MOTION AUTHORIZING THE DIRECTOR OF AIRPORTS TO ADVERTISE A REQUEST FOR BIDS FOR THE GATE 6 – PASSENGER BOARDING BRIDGE INFRASTRUCTURE PROJECT AT MIDLAND INTERNATIONAL AIR & SPACE PORT (AIRPORTS)
14. 2020-117 – RESOLUTION APPOINTING SHARLA HOTCHKISS TO THE MIDLAND DOWNTOWN PARK CONSERVANCY BOARD OF DIRECTORS; AND DIRECTING THE CITY MANAGER TO DELIVER A COPY OF THIS RESOLUTION TO THE MIDLAND DOWNTOWN PARK CONSERVANCY (COMMUNITY SERVICES)
15. 2020-118 – RESOLUTION ADOPTING THE 2020 PARKS, RECREATION, AND OPEN SPACE MASTER PLAN (COMMUNITY SERVICES)

17. 2020-120 – RESOLUTION APPROVING THE ISSUANCE OF PERMITS TO PARSLEY ENERGY OPERATIONS, LLC FOR THE DRILLING OF THE FOLLOWING OIL AND GAS WELLS: HOGAN 1-24-E-2609H AND HOGAN 1-24-G-2613VH SAID WELLS BEING GENERALLY LOCATED BETWEEN 1900 FEET AND 1870 FEET NORTH OF EAST LOOP 250 NORTH AND 1,381 FEET WEST OF NORTH FAIRGROUNDS ROAD EXTENSION (DEVELOPMENT SERVICES)
21. 076-2020 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND TARGA PIPELINE MID-CONTINENT WESTEX LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 10, BLOCK 38, TOWNSHIP 2 SOUTH, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (UTILITIES)
22. 077-2020 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND CENTURION PIPELINE, LP, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 7, BLOCK 38, TOWNSHIP 1 SOUTH, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (UTILITIES)
25. 078-2020 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND CENTURION PIPELINE LP, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 31, BLOCK 38, TOWNSHIP 1 SOUTH, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (UTILITIES)
26. 079-2020 – MOTION ACCEPTING A 0.815 ACRE UTILITY EASEMENT OUT OF SECTIONS 7 & 8, BLOCK 40, T-2-S, T&P RR. CO. SURVEY, MIDLAND COUNTY, TEXAS, FROM YOUNGER PARTNERS, LTD.; A COPY OF THE EASEMENT INSTRUMENT BEING ON FILE IN THE CITY SECRETARY'S OFFICE REFERENCED BY THE DATE AND NUMBER OF THIS MOTION; AND ORDERING THE CITY SECRETARY TO RECORD SAID EASEMENT INSTRUMENT IN THE OFFICIAL REAL PROPERTY RECORDS OF MIDLAND COUNTY, TEXAS (UTILITIES)

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

4. 2020-109 – RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PIERCE GOODWIN ALEXANDER LINVILLE INC., DBA PGAL TO PROVIDE PROFESSIONAL SERVICES ASSOCIATED WITH THE DEVELOPMENT OF A SENIOR SERVICES MASTER PLAN FOR THE COMMUNITY SERVICES DEPARTMENT FOR A TOTAL COST OF \$91,940.00; AND APPROPRIATING SAID FUNDS TO THE SENIOR SERVICES MASTER PLAN PROJECT (GENERAL SERVICES)

Council Member Ladd noted that a lot of plans were being done but wasn't sure if they were being implemented. General Services Director Regina Stephenson reported that the majority are implemented. Council Member Ladd wondered if the money would be better spent updating the senior centers. Assistant City Manager Robert Patrick reported this is a continuation of what is in place in order to come up with a comprehensive plan to meet the needs of the seniors. Council Member Blong asked what the continuity would

be between the master plan and the consultant. Mr. Patrick ensured that the vetting has been done on the consultant and staff feels this is the best firm. Community Services Director Tina Jauz explained they went through the RFQ and chose this consultant with the top score because they had a lot of municipal experience especially with senior and recreation centers. Their goal is to do an overall assessment of the current centers, and then determine if we should continue on the current path, or look at implementing a new center. They will also get feedback from the community to ensure we are meeting the needs of the community. The consultant will determine if we have adequate space for current and future programming.

Mayor Payton noted that the conversation about whether or not to have a consultant is a debatable issue, the real question is if we decide against this, who will do the work? The responsibility falls on Council to ensure it is implemented. Council Member Dufford agreed noting it is a matter of priority of Council. Ms. Jauz noted we are not hiring a consultant to run the programming, that will be run in house.

Michael Trost moved to approve Resolution No. 2020-109; seconded by John Norman.

The motion passed by the following vote:

AYE: Payton, Trost, Dufford, Blong

NAY: Norman, Ladd

ABSTAIN: None

ABSENT: None

5. 2020-110 – RESOLUTION AWARDED A THREE YEAR CONTRACT TO PROVIDE DATA NETWORK AND INTERNET SERVICE TO GRANDE COMMUNICATIONS NETWORKS LLC FOR A TOTAL COST NOT TO EXCEED \$123,840.00 ANNUALLY (GENERAL SERVICES)

Council Member Ladd asked if we could combine forces with the school district to get a better price on internet. Chief Information Office Jennifer Frescaz reported they have met with Midland and Ector Counties and have been in contact with both school districts to do fiber projects. They will continue to combine forces whenever they can.

Council Member Trost asked if this is a continuation of an existing contract. Ms. Frescaz reported this went out for rebid. Grande will be providing better services and offered the best deal.

Lori Blong moved to approve Resolution No. 2020-110; 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

9. 2020-113 – RESOLUTION AWARDING A CONTRACT FOR THE A STREET UTILITY IMPROVEMENTS PROJECT TO BOLER EQUIPMENT SERVICE, INC. OF MIDLAND, TEXAS, AT A TOTAL COST OF \$1,897,167.00; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT (GENERAL SERVICES)

Council Member Ladd asked about the scope of the project. Utilities Director Carl Craig reported they will be doing all utilities: water, wastewater, and storm drains. This will tear up the whole street. Once awarded it will take at least two months to begin but likely about 3 months. When Council Member Ladd expressed concern about so many projects happening at once in his district, Engineering Services Director Jose Ortiz noted that some of the other projects will be finished prior to this one beginning. Their goal is to stagger projects to not have too big of an impact on constituents.

Jack Ladd moved to approve Resolution No. 2020-113; 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

16. 2020-119 – RESOLUTION APPROVING THE ISSUANCE OF PERMITS TO COG OPERATING LLC (“OPERATOR”) TO DRILL FOUR OIL AND GAS WELLS LOCATED IN SECTION 10, BLOCK X, H.P. HILLIARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED BETWEEN 2,260 FEET AND 2,380 FEET EAST OF NORTH GARFIELD STREET EXTENSION AND 243 FEET NORTH OF GREEN TREE BOULEVARD EXTENSION); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT (DEVELOPMENT SERVICES)

Council Member Robnett noted he will be abstaining from voting on this item.

Jack Ladd moved to approve Resolution No. 2020-119; seconded by Michael Trost.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: Robnett

ABSENT: None

18. 074-2020 – MOTION APPROVING A PROPOSED PRELIMINARY PLAT OF PARSELY ADDITION SECTION 2, BEING A PLAT OF A 30.42-ACRE TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 12, BLOCK 39, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF FM 715, APPROXIMATELY 1367 FEET NORTH OF EAST COUNTY ROAD 120 EXTRATERRITORIAL JURISDICTION (DEVELOPMENT SERVICES)

Council Member Ladd wanted to ensure that all of the recommendations or conditions have been agreed to by the Landgraff group. Development Services Director Chuck Harrington

noted that due to the size, a preliminary plat is required. All of those conditions will be captured in the final plat.

Lori Blong moved to approve Motion No. 074-2020; 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

19. 2020-121 – RESOLUTION APPROVING THE FISCAL YEAR 2020-2021 BUDGET FOR THE MIDLAND-ODESSA URBAN TRANSIT DISTRICT (DEVELOPMENT SERVICES)

Council Member Trost asked what was the total budget amount for the City of Midland. Development Services Director Chuck Harrington reported it is \$600,000.00, the same as last year.

Mayor Payton asked that the transit district consider placing bus shelters at their stop noting the people are sweltering in the heat waiting for the bus. He suggested looking into public/private partnerships. Council Member Trost suggested MDC money could be used. City Attorney John Ohnemiller noted he would need to look into that and dig into the details.

Michael Trost moved to approve Resolution No. 2020-121; 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

20. 075-2020 – MOTION ON REQUEST BY PARKHILL SMITH & COOPER, TO DEFER WATER, WASTEWATER, PAVING AND SIDEWALK IMPROVEMENTS FOR FIELD'S EDGE ADDITION, AND TO WAIVE THE CORRESPONDING FINANCIAL SECURITY GUARANTEE VALUED AT \$848,491.00, AN AMOUNT EQUAL TO THE ESTIMATED COST OF CONSTRUCTION. THE SUBJECT PROPERTY IS GENERALLY LOCATED ON THE SOUTH OF INTERSTATE 20 AND WEST OF SOUTH LOOP 250, INSIDE THE CORPORATE LIMITS OF THE CITY OF MIDLAND (ENGINEERING SERVICES)

Council Member Trost asked what was being waived. Engineering Services Director Jose Ortiz reported staff is recommending waiving improvements for this development as it is parallel to another development of an adjacent property. This applicant will be extending the water line and it doesn't make sense to extend other services at this time. Mayor Payton noted he had an opportunity to sit down with PSC and it is unreasonable to extend the sewer until future development shows up in the area. Council Member Ladd asked if the non profit will retain the ownership of the homes. Mayor Payton confirmed they would.

Lori Blong moved to approve Motion No. 075-2020; 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

23. 2020-122 – RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE RIGHT-OF-WAY LICENSE AGREEMENTS (UTILITIES)

Council Member Robnett noted that the City owns quite a bit of land that is considered rural and historically we have not had problems issuing right-of-way easements. He expressed concern for the loss of value in the land that may be needed for future development.

Council Member Ladd was in complete agreement and felt that at some point it is important to keep hold of the full use of the land.

Council Member Blong agreed, noting she did not want to tie future Council's hands in being able to fully develop in the future. Council Member Robnett asked staff to put together a map showing all easements going across rural lands owned by the City.

Spencer Robnett moved to approve Resolution No. 2020-122 ; seconded by Jack Ladd.

The motion failed by the following vote:

AYE: None

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

ABSTAIN: None

ABSENT: None

24. 2020-123 – RESOLUTION AMENDING THE WATER CONSERVATION PLAN FOR THE CITY OF MIDLAND, TEXAS (UTILITIES)

Council Member Ladd asked what is changing. Utilities Director Carl Craig reported that they nearly hit all goals from five years ago and now they are adjusting down the goals.

Council Member Trost reported he didn't see anything about increasing watering days to four days a week. Mr. Craig noted that the watering schedule is in the drought plan and can be adjusted at any time by the City Manager and is not a part of this plan. They will begin to push out more notifications of the changed schedule.

Jack Ladd moved to approve Resolution No. 2020-123; 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

SECOND READINGS

27. 10089 – AN ORDINANCE AMENDING TITLE I, “ADMINISTRATIVE”, CHAPTER 7, “MUNICIPAL COURT”, OF THE CITY CODE OF MIDLAND, TEXAS, BY ADDING SECTION 20, “REIMBURSEMENT FEE FOR CREDIT OR DEBIT CARD PAYMENTS”; CONTAINING A CUMULATIVE CLAUSE; AND CONTAINING A SAVINGS AND SEVERABILITY CLAUSE (MUNICIPAL COURT)

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 10089.

Michael Trost moved to approve the second and final reading of Ordinance No. 10089; 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

PUBLIC HEARINGS

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

28. 080-2020 – THE PROPOSED GRANTING OF OIL AND GAS WELL PERMITS TO PARSLEY ENERGY OPERATIONS, LLC FOR THE DRILLING OF THE FOLLOWING OIL AND GAS WELLS: HOGAN 1-13-D-2407H; HOGAN 1-24-F-2411H; AND HOGAN 1-24-H-2415H; SAID WELLS BEING GENERALLY LOCATED BETWEEN 320 FEET AND 380 FEET SOUTH OF SOLOMON LANE EXTENSION AND 1,541 FEET WEST OF NORTH FAIRGROUNDS ROAD EXTENSION (DEVELOPMENT SERVICES)

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

Chris Hamilton, Ft. Worth, representing Parsley Energy, was available to answer any questions.

There being no one else wishing to speak, the public hearing was closed at 10:58 a.m.

29. 10090 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 2, BLOCK 8, EASTOVER ADDITION, THIRD EXTENSION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE SOUTH SIDE OF EAST TEXAS AVENUE, APPROXIMATELY 50 FEET WEST OF NORTH TILDEN 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 (DEVELOPMENT SERVICES) (FIRST READING HELD JULY 14, 2020)

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 10090.

Mayor Payton opened the public hearing at 10:59 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Blong reported she received a question as to why the City of Midland does not allow anyone to build a mother-in-law suite or guest house and also noted that some people would like to offset their mortgage by being able to rent out a guest house. Development Services Director Chuck Harrington noted that in areas zoned single family, an accessory building can be built if it is absent one of the elements of housing: sleeping quarters, eating facilities or restrooms. For a true mother-in-law suite to take care of an ill or elderly family member, a person can apply for a specific use designation. He further clarified that single family zoning is designated in the code as one residential structure per lot.

Lori Blong moved to approve the first of two readings of Ordinance No. 10090; seconded by John Norman.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

30. 10091 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE THE WEST HALF OF LOT 1, BLOCK 4, MOODY ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM LI, LIGHT INDUSTRIAL DISTRICT TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED ON THE SOUTH SIDE OF SOUTH STREET, APPROXIMATELY 95 FEET WEST OF NORTH TYLER 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 (DEVELOPMENT SERVICES) (FIRST READING HELD JULY 14, 2020)

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 10091.

Mayor Payton opened the public hearing at 11:03 a.m.

Paola Ramirez, 3600 SCR 1230, reported her issue is the parking space. When they drive by there are plenty of businesses on Wall and Big Spring with small parking. Theirs is eight spaces. Their clients come by appointment and they have very few walk-ins.

Ramona Ruiz, 3600 SCR 1230, noted she has been renting for eight years and has saved money to buy her own shop. This is her opportunity.

Eleazor Sisneros, 509 Eugene Avenue, asked to have it changed back to commercial zoning so they can open their shop. He described several other businesses in the area that have similar parking. Council Member Ladd asked if they were asking for a parking exception. They said they were. Development Services Director Chuck Harrington clarified they have not made the official review of the site plan, but think that they can come back with a special exception for a reduction in the number of required parking spaces. It will

take at least three weeks from the time of the application to do the proper notice and bring back to Council for approval.

There being no one else wishing to speak, the public hearing was closed at 11:10 a.m.

John Norman moved to approve the first of two readings of Ordinance No. 10091 ; 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

31. 10092 – AN ORDINANCE VACATING AND ABANDONING 0.097 ACRES OF RIGHT-OF-WAY, BEING A PORTION OF PARKER STREET RIGHT-OF-WAY AND AN ADJACENT PORTION OF RIGHT-OF-WAY OUT OF LOT 6, BLOCK 28, COWDEN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF WEST PARKER STREET AND NORTH PECOS STREET); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$8,451.00; AND ORDERING RECORDATION BY THE CITY SECRETARY (DEVELOPMENT SERVICES) (FIRST READING HELD JULY 14, 2020)

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 10092.

Mayor Payton opened the public hearing at 11:13 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Development Services Director Chuck Harrington reported this was property that was originally transferred in from the County. The County needs the property back in order to fence in the cemetery.

Jack Ladd moved to approve the first of two readings of Ordinance No. 10092; 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

MISCELLANEOUS

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

Scott Dufford moved to appoint Council Members Jack Ladd and John Norman to the EZ Rider Board; seconded by Michael Trost.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Blong
NAY: None
ABSTAIN: Norman, Ladd
ABSENT: None

EXECUTIVE SESSION

33. Pursuant to Texas Government Code § 551.101, the Council will hold an Executive Session which is closed to the public, to discuss the following matters as permitted under the following sections 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 described as a 320.33-acre tract located in Section 4, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas

Mayor Payton noted that Executive Session would not be held.

All the business at hand having been completed, the meeting adjourned at 11:17 a.m.

PASSED AND APPROVED July 28, 2020

Patrick Payton, Mayor

ATTEST:

Amy M. Turner, City Secretary