

**MIDLAND CITY COUNCIL
MINUTES
July 28, 2020**



The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., July 28, 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 10:00 a.m.

OPENING ITEMS

Mayor Payton read a letter received from Savannah Minor thanking Solid Waste for their help with a recent issue.

1. Invocation – Pastor Phil Allman, Grace Lutheran Church
2. Pledge of Allegiance

CONSENT AGENDA

Spencer Robnett moved to approve Consent Agenda item 3-13, excluding items 6, 7, and 13; 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

3. MOTION APPROVING THE FOLLOWING MINUTES:
 - a. REGULAR CITY COUNCIL MINUTES OF JULY 7, 2020

b. REGULAR CITY COUNCIL MINUTES OF JULY 14, 2020

4. 2020-124 – RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH MAXWELL ASPHALT, INC., IN THE AMOUNT OF \$1,275,240.00 FOR THE MAF AIRFIELD PAVEMENT MARKING IMPROVEMENTS PROJECT AT MIDLAND INTERNATIONAL AIR & SPACE PORT; AND APPROPRIATING FUNDS FOR SAID PROJECT (AIRPORTS)
5. 2020-125 – RESOLUTION APPROVING AN AMENDMENT TO THAT CERTAIN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND SUSIE'S SOUTH FORTY CONFECTIONS, INC., AS AUTHORIZED BY CHAPTER 501 OF THE TEXAS LOCAL GOVERNMENT CODE (CITY MANAGER'S OFFICE)
8. 2020-128 – RESOLUTION GRANTING A VARIANCE FOR LOT 6, BLOCK 2, LOST MOUNTAIN ADDITION, SECTION 3, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED APPROXIMATELY 1,800 FEET EAST OF NORTH MIDKIFF ROAD AND APPROXIMATELY 960 FEET NORTH OF PASSAGE WAY), BY PERMITTING CONSTRUCTION OF A RESIDENCE AND ACCESSORY STRUCTURES WHERE NO PORTION OF ANY STRUCTURE IS CLOSER THAN 135 FEET OF AN OIL AND GAS WELL; AND AUTHORIZING ISSUANCE OF BUILDING PERMITS (DEVELOPMENT SERVICES)
9. 2020-129 – RESOLUTION AUTHORIZING THE CITY MANAGER TO CONVEY A 0.0503-ACRE TRACT OF LAND AND A 0.0525-ACRE TRACT OF LAND OUT OF SECTION 25, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (THE "CONVEYED TRACTS"), TO THE OWNER OF PROPERTY ABUTTING THE CONVEYED TRACTS IN EXCHANGE FOR SAID ABUTTING PROPERTY OWNER CONVEYING TO THE CITY A 0.204-ACRE TRACT OF LAND OUT OF LOT 1, BLOCK 21, GRASSLAND ESTATES, SECTION 16, CITY AND COUNTY OF MIDLAND, TEXAS (THE "ACQUIRED TRACT"); AUTHORIZING THE CITY MANAGER TO ACCEPT THE ACQUIRED TRACT; AUTHORIZING THE CITY MANAGER TO NEGOTIATE, EXECUTE AND FILE ALL DOCUMENTS NECESSARY TO CONVEY THE CONVEYED TRACTS AND ACCEPT THE ACQUIRED TRACT, PURCHASE TITLE INSURANCE POLICIES AND HOLD THE CLOSINGS; ORDERING THE CITY SECRETARY TO RECORD, OR ENSURE THAT THE TITLE COMPANY RECORDS, THE INSTRUMENT CONVEYING TO THE CITY THE ACQUIRED TRACT (ENGINEERING SERVICES)
10. 081-2020 – MOTION ACCEPTING A 11.653-ACRE RIGHT OF WAY DEDICATION OUT OF SECTIONS 11 & 12, BLOCK 40, T-2-S, T & P RR. CO SURVEY, MIDLAND COUNTY, TEXAS, FROM THE KENNETH HUSEMAN FAMILY PARTNERSHIP, L.P; A COPY OF THE RIGHT OF WAY DEDICATION DEED 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 INSTRUMENT IN THE OFFICIAL REAL PROPERTY RECORDS OF MIDLAND COUNTY, TEXAS (ENGINEERING SERVICES)

11. 2020-130 – RESOLUTION SUPPORTING THE 2021 UNIFIED TRANSPORTATION PLAN (ENGINEERING SERVICES)
12. 2020-131 – RESOLUTION ACCEPTING A GRANT AWARD FROM THE TEXAS “J” REGIONAL ADVISORY COUNCIL IN THE AMOUNT OF \$13,559.00; SAID FUNDS TO BE USED BY THE MIDLAND FIRE DEPARTMENT FOR TRAINING, EQUIPMENT, AND SUPPLIES (FIRE)

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

6. 2020-126 – RESOLUTION APPROVING AND ADOPTING THE CITY OF MIDLAND’S ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE FOR FISCAL YEARS 2020 THROUGH 2024 (DEVELOPMENT SERVICES)

Council Member Trost reported the theme seems to be attainable housing and had concern about discrimination noting that HUD has not received any reports. CDBG Manager Isaac Garnett agreed that homelessness and affordable housing were issues that have been exacerbated by a growing population. They have encouraged local non-profits to pursue tax credits for that purpose but the issue cannot be resolved overnight. He noted they are moving in the right direction but have limited resources. He briefly discussed Emergency Shelter Grants noting that is not something he has staff to pursue. Council Member Trost asked if discrimination was an issue. Mr. Garnett noted it is a problem they are working on and working with legal aid to address particular issues, but they have a ways to go. Right now their greatest challenge is infrastructure. The number of housing units has not increased in the last two decades, but the population has doubled. They need to work on finding resources and partnering with non-profits and the private sector to increase their capacity.

Spencer Robnett moved to approve Resolution No. 2020-126 ; 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

7. 2020-127 – RESOLUTION ADOPTING THE CITY OF MIDLAND CONSOLIDATED PLAN FOR COMMUNITY DEVELOPMENT AND HOUSING FUNDS FOR FISCAL YEARS 2020 THROUGH 2024 (OCTOBER 2020 TO SEPTEMBER 2024) AND THE 2020-2021 ACTION PLAN TO SAID CONSOLIDATED PLAN; AND AUTHORIZING THE EXECUTION OF AN APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (DEVELOPMENT SERVICES)

Council Member Robnett asked about moving the paving project scheduled in this plan to another fund and wondered if that would be beneficial. CDBG Manager Isaac Garnett reported it was much easier to leave it in this project and allow HUD to approve the funds,

otherwise they will miss their application deadline. He added that street projects help to spur housing development.

Lori Blong moved to approve Resolution No. 2020-127; 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

Mayor Payton asked Mr. Garnett to let him know what the target number was for affordable housing. That way he has a realistic number when he is advocating for affordable housing.

13. 082-2020 – MOTION AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO NON-POTABLE WATER SUPPLY AGREEMENT BETWEEN THE CITY OF MIDLAND AND MABEE WATER RESOURCES, LLC. (UTILITIES)

Council Member Robnett asked for an update and wondered how the contract and pricing are working. Utilities Manager Carl Craigo reported on the changes in the contract noting they lowered the numbers required. The water source is for emergency purposes and this contract allows the wells to be used and maintained so that they are in working order if the City needs to use the water. Council Member Robnett asked if the rates are at the right price. Mr. Craigo reported that the rates are half of what is charged for their treated water clarifying the water they are purchasing is untreated water. He added that the contract provides money which allows them to do updates which keeps all of the wells serviceable and provides money for other water plant improvements.

Council Member Ladd inquired if the water is replenishable. Staff responded that it is not but that 20 years ago they said there was about 20 years of water left. They expect there is about 50 years of life left and added that we will be the last one to have water in the aquifer.

Michael Trost moved to approve Motion No. 082-2020 ; seconded by Scott Dufford.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

SECOND READINGS

14. 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 Jan Hamilton read the caption of Ordinance No. 10090.

Spencer Robnett moved to approve the second and final reading of Ordinance No. 10090; 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

15. 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 Jan Hamilton read the caption of Ordinance No. 10092.

Spencer Robnett moved to approve the second and final reading of Ordinance No. 10092; 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:

16. 10093 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 2,508-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 (DEVELOPMENT SERVICES)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10093.

Mayor Payton opened the public hearing at 10:32 a.m.

Melisha Mills, 4700 Polo Parkway, was present. She was asked if she would be okay with changing the alcohol service hours on Sunday to 11:00 a.m. She indicated she was okay with that change.

There being no one else wishing to speak, the public hearing was closed at 10:34 a.m.

Spencer Robnett moved to approve the first of two readings of Ordinance No. 10093 with the amendment to change the beginning of alcohol service hours on Sundays from 10:00 a.m. to 11:00 a.m.; 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

17. 10094 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR LOTS 7 AND 8, BLOCK 11A, HIGHLAND ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST PARKER AVENUE AND NORTH MAIN STREET), WHICH IS PRESENTLY ZONED SF-2, SINGLE-FAMILY DWELLING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR A CHILD CARE: DAY CARE CENTER; 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 Jan Hamilton read the caption of Ordinance No. 10094.

Development Services Director Chuck Harrington gave a brief overview of the item noting the applicant is proposing to convert an old church into a day care center. The item has been reviewed by staff and their only issue is that the kids cannot be discharged on the street. Council Member Ladd asked if it was typical to have this type of business in a residential area. Mr. Harrington noted it was not out of character noting daycare centers prefer to be closer to residential areas. Mayor Payton asked if they would be taking over the entire property. Mr. Harrington confirmed they were and that no letters of objection have been received.

Mayor Payton opened the public hearing at 10:37 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Norman moved to approve the first of two readings of Ordinance No. 10094; 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

18. 10095 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR LOT 26, BLOCK 5, NORTH PARK ADDITION, SECTION 18, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF WHITMAN DRIVE, APPROXIMATELY 165 FEET NORTH OF WEST LOOP 250 NORTH), 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)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10095.

Mayor Payton opened the public hearing at 10:38 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. 10095; 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. 10096 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 3, BLOCK 5, GREENWOOD ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF SOUTH CLAY STREET, APPROXIMATELY 110 FEET SOUTH OF EAST INDIANA 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 Jan Hamilton read the caption of Ordinance No. 10096.

Mayor Payton opened the public hearing at 10:39 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Norman moved to approve the first of two readings of Ordinance No. 10096; 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. 10097 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 10, 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 CLAY STREET, APPROXIMATELY 110 FEET SOUTH OF EAST WASHINGTON AVENUE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DEVELOPMENT SERVICES)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10097.

Mayor Payton opened the public hearing at 10:40 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Norman moved to approve the first of two readings of Ordinance No. 10097; 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

21. 2020-132 – RESOLUTION RECORDING A VOTE ON A PROPOSAL TO CONSIDER AN AD VALOREM TAX RATE FOR THE FISCAL YEAR 2020-2021 AND TO ESTABLISH A DATE TO HOLD A PUBLIC HEARING ON THE PROPOSED TAX RATE; ESTABLISHING DATES WHEN THERE WILL BE A RECORD VOTE ON THE TAX RATE; AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO POST ALL APPROPRIATE NOTICES (FINANCE)

Budget Manager Jamie Radcliff provided a PowerPoint presentation noting that based on values received last week, the assessed valuation that would bring in the same amount of money as the previous year is \$.343988 per \$100 of valuation. Staff is proposing a rate of \$.364027 which is a 3.5% increase above the M&O rate and adding in debt service. Council Member Dufford noted that historically the City has adopted a 3% increase each year. Ms. Radcliff clarified that this is not the final rate, but it will be the maximum rate that Council can adopt. August 25th will be the public hearing for the tax rate followed by the first reading of the Ordinances for the budget and for the tax rate. The second reading of both ordinances will be held on September 8th.

Spencer Robnett moved to approve Resolution No. 2020-132 with a proposed tax rate of .364027 per \$100.00 of valuation; 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

22. 083-2020 – MOTION REGARDING THE ESTABLISHMENT, ADMINISTRATION, AND FUNDING OF THE MIDLAND DEVELOPMENT CORPORATION'S SMALL BUSINESS ASSISTANCE PROGRAM (CITY ATTORNEY'S OFFICE)

Council Member Robnett reported he was in opposition to the Midland Development Corporation's small business assistance program for the following reasons: it is not in the scope of what the MDC was established to do; there was over \$100 billion in payroll protection available to be loaned from the federal government; the money is coming from a promotional account over which the Council has no oversight; the program was instituted with no discussion with the Council; and oil and gas loans are excluded from the program. He noted he would rather partner with Midland College BEDC to help applicants apply for funds from the federal government instead of taking \$1 million out of the MDC budget.

Council Member Blong reported she is the liaison to the MDC board and agrees that Council should have more oversight over the promotional budget and that \$1 million was probably too much, but there are businesses such as salon and boutique owners that are ineligible for PPP (Paycheck Protection Program) funding and therefore advocates for this program.

Council Member Ladd agreed that Council should have more oversight and clarified that if someone has already received a loan from the federal government, they will not qualify for this program.

John Trischitti reported on the vetting process noting they are working with CMD Bank to process the applications. They have received to date 23 applications with 2 pending approval. About 2/3 of the applicants are ineligible because they are outside of the ETJ or have already received a loan from the PPP. Discussion ensued noting that the PPP process is too onerous for some small businesses. Staff added that some of these funds could be recouped from the federal government from funds made available to the

City through the CARES Act. Council Member Ladd added that there are some businesses who took the PPP loans but are still hurting and thought this type of program could help them as well. Mr. Trischitti noted he would look into that.

City Attorney John Ohnemiller reported that Council set a threshold of any agreement over \$300,000 has to come before Council for their approval. All of the promotional agreements will be capped at \$25,000 and therefore are not required to come to Council for approval.

Council Member Trost asked what the bank was charging for administering the program. Mr. Trischitti reported the bank gets 5% per transaction. Mayor Payton asked for an update prior to the next meeting on how the program is going.

No action was taken on this item.

23. 2020-133 – RESOLUTION APPROVING THE FISCAL YEAR 2020-2021 BUDGET OF THE MIDLAND DEVELOPMENT CORPORATION, A TYPE A CORPORATION AS AUTHORIZED BY CHAPTER 504 OF THE TEXAS LOCAL GOVERNMENT CODE (CITY MANAGER'S OFFICE)

John Trischitti gave a brief overview of the the MDC budget for the next fiscal year highlighting some of their programs and noting changes to their requested budget.

Jack Ladd moved to approve Resolution No. 2020-133; seconded by Scott Dufford.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

24. 084-2020 – MOTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE A DEVELOPMENT AGREEMENT REGARDING THE VAUGHN BUILDING (CITY ATTORNEY'S OFFICE)

Council Member Trost reported that in February a discussion was held with the principals and they are still interested. He reviewed what they needed to make the project work. Brief discussion ensued about cash incentives and tax abatements.

Spencer Robnett moved to approve Motion No. 084-2020; 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

25. 085-2020 – MOTION SETTING A DATE FOR A CITY COUNCIL RETREAT TO BE HELD IN AUGUST 2020 (CITY ATTORNEY'S OFFICE)

Council Member Trost understands the reason for canceling the retreat but felt it was still important especially to help new Council Members understand the needs of each department. Mayor Payton clarified that the retreat was not canceled, but postponed. Council Member Dufford added that it might be better to wait until next March stating he felt the window of opportunity to set priorities has already been missed for the next fiscal year.

Council Member Trost moved to approve Motion No. 085-2020. The motion died for the lack of a second.

Mayor Payton noted that before we adjourn Council Member Norman wanted to make a few comments.

Council Member Norman noted that although we do not have authority over the school board and school systems, he wanted it to be known that he was in full support and thanked the board members who agreed to changing the name of Lee High School. He thinks it is the right thing and it makes a huge statement for MISD and the City of Midland. It says we are moving forward with inclusiveness and quality for all citizens. He is proud to say that he was born and raised in Midland, Texas.

Mayor Payton echoed that support of MISD, noting that even though everyone does not agree, we can disagree well. He added that Council Member Norman shared with him that the Mayor had no idea what it felt like to go to battle on the school football field under a flag that represented people who went to battle to keep his ancestors enslaved.

All the business at hand having been completed, the meeting adjourned at 11:36 a.m.

PASSED AND APPROVED August 11, 2020.

Patrick Payton, Mayor

ATTEST:

Amy M. Turner, City Secretary