

AGENDA FOR CITY COUNCIL MEETING
300 North Loraine
Midland, Texas
November 6, 2018 – 10:00 AM
Council Chamber - City Hall

The Midland City Council agenda is posted for public notice at least 72 hours prior to the Tuesday meetings. All requests to be placed on the Council agenda by the public must be submitted to the City Manager, in writing, at least one week before the Council meetings. Such written requests must be in sufficient detail to identify the subject matter as well as the contact person who will represent the matter before the Council. The City Council reserves the right to not consider matters over which the City has no jurisdiction.

OPENING ITEMS

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

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Receive an Excellence and Financial Reporting Award from Government Finance Officers Association.
 - b. Presentation of a Proclamation to Municipal Court for Municipal Court Week.

CONSENT AGENDA

4. Consider a motion approving the following minutes:
 - a. Regular City Council meeting of October 23, 2018.
5. Consider a resolution forgiving the loan from the Garage Fund and the advance from the General Fund that were previously approved to pay for improvements to the Hogan Park Golf Course; and authorizing the Finance Director to write off the balances of said loan and said advance. (FINANCE) (2018 - 454)
6. Consider a resolution authorizing the execution of a contract in the amount of \$618,940.96 with Fieldturf USA, Inc., for the purchase and installation of artificial field turf at Grande Stadium; approving \$62,000.00 for contingencies; and allocating funds therefor. (PURCHASING) (2018 - 455)

7. Consider a resolution approving the purchase of forty-five bunker coats and forty-five bunker pants for the Fire Department from Dooley Tackaberry, Inc. through Buyboard at a total cost of \$100,228.50. (PURCHASING) (2018 - 456)
8. Consider a resolution approving the purchase of a trailer-mounted trash pump from Mersino Dewatering, Inc., dba Global Pump through the Houston-Galveston Area Council at a total cost of \$81,671.25. (PURCHASING) (2018 - 457)
9. Consider a resolution authorizing a contract in the amount of \$139,094.54 with Tommy Klein Construction, Inc., for the purchase and installation of a boiler at City Hall, through Buyboard. (PURCHASING) (2018 - 458)
10. Consider a resolution awarding a contract for Agronomic Compliance Consulting Services to Agri-Waste Technology, Inc. in the amount of \$165,000.00. (PURCHASING) (2018 - 459)
11. Consider a resolution approving the plans and specifications and authorizing advertisement for bids for the Midway Lift Station and Force Main Project. (PURCHASING) (2018 - 460)
12. Consider a resolution establishing the dates of the regular City Council meetings to be held during the calendar year 2019. (CITY MANAGER'S OFFICE) (2018 - 461)
13. Consider a resolution authorizing the execution of a second amendment to that certain Commercial Hangar Lease Agreement with the Midland Development Corporation regarding certain real property located at Midland International Air & Space Port and described as Hangars S-11A and S-11B, and Tracts 4-A and 4-B, located in Lot 1, Block 13, Industrial Park Regional Air Terminal, Unit 12, Midland, Midland County, Texas. (CITY MANAGER'S OFFICE) (2018 - 462)
14. Consider a motion authorizing the acceptance of reimbursement funds from the Texas Department of State Health Services in the following amounts for the following purposes. \$5,921.00 to assist the City of Midland Health and Senior Services Division (City) with delivery of Refugee Immunization Services; \$150,358.00 to assist the City with delivery of Immunizations Services; \$102,190.00 to assist the City with delivery of Public Health Emergency Preparedness Services; authorizing the City Manager or his designee to execute all necessary acceptance documents; and authorizing and directing the City Treasurer to deposit the funds into the General Fund. (COMMUNITY SERVICES) (130 – 2018)
15. Consider a motion approving a proposed Preliminary Plat of PNR Midland Park, being a plat of a 75.4 Acre Tract of land out of the S/2 of the SE/4 of Section 28, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located at the southwest corner of the intersection of North County

Road 1140 and East Loop 250 North - Extraterritorial Jurisdiction). (DEVELOPMENT SERVICES) (131 – 2018)

16. Consider a motion on request by Wilshire Park Baptist Church, to defer paving improvements for Western Hills, Section 13, and to waive the corresponding financial security guarantee valued at \$61,515.00, an amount equal to the estimated cost of construction. The subject property is generally located on northeast corner of Bentwood Drive and Pleasant Drive, in the City of Midland, Midland County, Texas. (ENGINEERING SERVICES) (132 – 2018)
17. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Navitas Midstream Midland Basin, LLC, regarding City-owned property described as Section 10, Block 37, Township 3 South, B.W. Floyd Survey, A-902, Midland County, Texas. (UTILITIES) (2018 - 463)

SECOND READINGS

18. Consider an ordinance on second reading changing the zoning use classification of the property described as a 10,250-square foot portion of Lot 1, Block 8, Polo Park, Section 3, City and County of Midland, Texas (generally located at the northeast corner of the intersection of North Garfield Street and West Loop 250 North), which is presently zoned PD, Planned District for a Shopping Center, by permitting said property to be used under a Specific Use Permit with Term for the sale of all alcoholic beverages in a restaurant for on-premises consumption; making said permit 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) (9835)
19. Consider an ordinance on second reading vacating and abandoning a 0.31-acre portion of right-of-way out of Hillcrest Acres located in the northeast quarter of Section 30, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (generally located approximately 610 feet south of Andrews Highway and approximately 804 feet west of Midland Drive); adopting the appraisal by the City Manager of \$4,650.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9836)
20. Consider an ordinance on second reading of the City of Midland, Texas, designating a 0.79-acre tract of land out of Lots 5, 6, 7 and 8 and the rights-of-way adjacent thereto, Block 35, Original Town Addition, City and County of Midland, Texas (generally located at the northeast corner of the intersection of North Big Spring Street and West Texas Avenue), as Tax Abatement Reinvestment Zone Number 2018-01, for commercial and industrial tax abatement, as authorized by Chapter 312 of the Texas Tax Code; establishing the boundaries thereof and other matters relating thereto; declaring findings of

fact; providing a savings and severability clause; and providing an effective date of December 1, 2018. (DEVELOPMENT SERVICES) (9837)

PUBLIC HEARINGS

21. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lots 11 and 12, Block 26, Original Town Addition, and a previously vacated 0.032-acre portion of West Ohio Avenue right-of-way located adjacent to Lot 12, Block 26, Original Town Addition, City and County of Midland, Texas (generally located southeast of the intersection of North Colorado Street and West Ohio Avenue), which is presently zoned C-1, Central Area District, by permitting said property to be used under a Specific Use Permit with Term for the sale of all alcoholic beverages in a parking Lot with seating for on-premises consumption; making said permit 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) (9838)
22. Hold a public hearing and consider a resolution authorizing the Temporary Use of Land for a Christmas Tree Lot on Lot 1, Block 1, Scotsdale Addition, Section 2, City and County of Midland, Texas (generally located on the west side of North Midland Drive, approximately 180 feet south of West Dengar Avenue); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2018 - 464)
23. Hold a public hearing and consider an ordinance granting a special exception for Lot 1A, Block, 19, South Park Addition, Section 5, City and County of Midland, Texas (generally located on the south side of East New Jersey Avenue, approximately 300 feet west of South Lamesa Road), by exempting said property from the requirements of Section 11-9-3, "Landscape Design Standards" of the City Code; 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. (DEVELOPMENT SERVICES) (9839)
24. Hold a public hearing and consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City limits, being a 9.75-acre tract of land out of the northeast quarter of Section 48, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas (generally located at the northwest corner of the intersection of Tradewinds Boulevard and Thomason Drive); approving a Public Service Plan; ordering publication; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9840)

25. Hold a public hearing and consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City limits, being a 16.386-acre tract of land out of Section 48, Block 40, T-1-S, T&P RR Co. Survey, and Section 1, Block 40, T-2-S, T&P RR Co. Survey, and a 4.487-acre tract of land out of the northeast quarter of Section 48, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas (generally located at the intersection of Tradewinds Boulevard and Thomason Drive); approving a public service plan; ordering publication; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9841)
26. Hold a public hearing and consider an annexation of a 123.28-acre tract located in Sections 37 and 48, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, (generally located approximately 703 feet west of the intersection of Tradewinds Boulevard and Thomason Drive - Extraterritorial Jurisdiction). This is a public hearing only. (DEVELOPMENT SERVICES) (133 – 2018)
27. Hold a public hearing and consider an annexation of a 25.410-acre tract located in Section 38, Block 40, T-1-S, T&P RR Co Survey, Midland County, Texas, (generally located approximately 896 feet south of State Highway 191 and 1,020 feet west of Avalon Drive - Extraterritorial Jurisdiction). This a public hearing only. (DEVELOPMENT SERVICES) (134 – 2018)
28. Hold a public hearing and consider an ordinance vacating and abandoning a 0.058-acre portion of alley right-of-way located adjacent to Lot 1, Block 1, Midkiff Heights Addition, Section 2, City and County of Midland, Texas (generally located approximately 207 feet east of Austin Street and approximately 397 feet north of Bedford Avenue); adopting the appraisal by the City Manager of \$7,579.44; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9842)
29. Hold a public hearing and consider an ordinance changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Lots 1 and 2, Block 162, the south 3.138 acres out of Lot 1, Block 163, and the previously vacated 0.51-acre portion of Executive Drive right-of-way located adjacent to Lot 2, Block 162, and Lot 1, Block 163, all out of Wilshire Park Addition, Section 9, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, to be used as a PD, Planned District for a Housing Development (generally located at the northeast corner of the intersection of South Loop 250 West and Leisure 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. (DEVELOPMENT SERVICES) (9843)
30. Hold a public hearing and consider an ordinance changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Lot 4A, Block 8, Whitburn Estates Addition, Section 6, City

and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, to be used as an Amended Planned District (generally located on the west side of Whitmire Boulevard, approximately 250 feet south of West Loop 250 North frontage 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. (DEVELOPMENT SERVICES) (9844)

31. Hold a public hearing and consider an ordinance vacating and abandoning a 0.10-acre portion of West Texas Avenue right-of-way located adjacent to Lots 1 through 6, Block 77, West End Addition, City and County of Midland, Texas (generally located on the south side of West Texas Avenue between North N Street and North M Street); adopting the appraisal by the City Manager of \$17,040.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9845)
32. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 4,633-square foot portion of Lot 2, Block 1, Corporate Plaza Addition, Section 21, City and County of Midland, Texas (generally located on the south side of Spring Park Drive, approximately 685 feet east of North Big Spring Street), which is presently zoned LR-2, Local Retail District, by permitting said property to be used under a Specific Use Permit with Term for the sale of all alcoholic beverages in a restaurant for on-premises consumption; making said permit 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) (9846)
33. Hold a public hearing and consider a resolution authorizing the Temporary Use of Land for a Holiday Event on Lot 3B, Block 6, Park Place, Section 5, City and County of Midland, Texas (generally located approximately 173 feet south of Princeton Avenue and approximately 158 feet west of Ward Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2018 - 465)
34. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot 1, Block 1, replat of Blocks 1 and 2, Hollandale Heights, City and County of Midland, Texas (generally located on the north side of East Dormard Avenue, approximately 516 feet east of North Lamesa Road), which is presently zoned O-1, Office District, by permitting said property to be used under a Specific Use Permit without Term for a mobile home park; making said permit 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) (9847)

35. Hold a public hearing and consider a resolution authorizing the Temporary Use of Land for a Christmas Festival on a 15,185.5 square foot portion of Block 64, Original Town Addition, City and County of Midland, Texas (generally located at the southeast corner of the intersection of Big Spring Street and West Wall Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2018 - 466)

MISCELLANEOUS

36. Consider an ordinance amending Title II, "Commissions and Boards", Chapter 6, "Building Code Review Committee", of the City Code of Midland, Texas, so as to rename said Chapter "Building and Fire Codes Review Committee and to set forth the duties and representatives of said Committee and other matters related thereto; containing a cumulative clause; containing a savings and severability clause; and ordering publication. (DEVELOPMENT SERVICES) (9848)

PUBLIC COMMENT

37. 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

38. 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 Texas Government Code Sections:
 - 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.

Respectfully Submitted,

Courtney B. Sharp
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.