

**CITY OF MIDLAND, TEXAS  
BRIEFING SESSION AGENDA  
October 22, 2019 - 9:30 am**

300 North Loraine  
Midland, Texas

These items, as well as any other items on the regular posted agenda for the City Council Meeting on this date, may be discussed:

1. Receive a presentation from Elaine Magruder regarding the I-20 Wildlife Preserve.
2. Receive an update from the Downtown Park Conservancy.

AGENDA FOR CITY COUNCIL MEETING  
October 22, 2019 – 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 Daniel Hernandez, Mid-Cities Church
2. Pledge of Allegiance

**PRESENTATIONS**

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:

**CONSENT AGENDA**

4. Consider a motion approving the following minutes:
  - a. Regular City Council meeting of October 8, 2019
5. Consider a resolution consenting to the issuance of Midland County Fresh Water Supply District No. 1 Revenue Refunding Bonds, (City of Midland Project), Taxable Series 2019; authorizing the Mayor, the City Attorney, and the City Manager to execute all documents in connection therewith; and resolving other matters related thereto. (FINANCE) (2019 - 322)
6. Consider a resolution authorizing the execution of a contract in the amount of \$180,195.64 with Henthorn Commercial Construction, LLC, for the Environmental Compliance Laboratory Remodel; and approving \$27,029.36 for contingencies. (PURCHASING) (2019 - 323)
7. Consider a resolution authorizing the purchase of an estimated annual supply of chemicals needed for the treatment of drinking water for Fiscal Year 2020 from multiple bidders, for a total cost of \$1,661,425.00. (PURCHASING) (2019 - 324)

8. Consider a resolution approving the purchase and upfitting of thirty-five (35) police vehicles for the Garage Division from Caldwell County Chevrolet through Buyboard at a total cost of \$1,217,525.00. (PURCHASING) (2019 - 325)
9. Consider a resolution approving the purchase of a John Deere 6155M Cab Tractor and a Shulte 5026 Mower Deck from Deere & Company at a total cost of \$159,853.26 through Buyboard. (PURCHASING) (2019 - 326)
10. Consider a resolution calling a special election for City Council Member District 2; providing for use of accessible voting systems; establishing election precincts for said election; and establishing vote centers for said election. (CITY SECRETARY'S OFFICE) (2019 - 327)
11. Consider a resolution authorizing the transfer of Lot 4, Block 137, Southern Addition, City and County of Midland to Gary Kahler Memorial Scholarship Fund Inc., as authorized by Chapter 253 of the Texas Local Government Code; authorizing the execution of an Affordable Housing Development Agreement between the City of Midland and Gary Kahler Memorial Scholarship Fund Inc.; authorizing the City Manager to negotiate, execute and file all documents necessary for said transfer; and ordering the City Secretary to record, or ensure that the title company records, the instrument of conveyance. (DEVELOPMENT SERVICES) (2019 - 328)
12. Consider a motion authorizing the execution of a Community Development Block Grant contract with Casa de Amigos for the Home Cleaning Program in the amount of \$34,000.00. (DEVELOPMENT SERVICES) (067-2019)
13. Consider a motion authorizing the execution of a Community Development Block Grant contract with Mission Health Care. Inc. for the Take Home Terrific Meal Program in the amount of \$35,000.00. (DEVELOPMENT SERVICES) (068-2019)
14. Consider a motion authorizing the appropriation of Community Development Block Grant funds for the following purposes in the following amounts: Minor Repair Project in the amount of \$50,000.00; Greenwood Infrastructure Project in the amount of \$500,000.00; Home Buyers Assistance Project in the amount of \$100,000.00; and Administration Project in the amount of \$30,000.00. (COMMUNITY SERVICES) (069-2019)
15. Consider a motion authorizing the execution of a Community Development Block Grant contract with Senior Life Midland for the S.E. Senior Center and Casa De Amigos lunch program in the amount of \$68,000.00. (DEVELOPMENT SERVICES) (070-2019)
16. Consider a motion approving a proposed Preliminary Plat of Grassland Estates

West, Section 12 being a plat of 30.307 acre tract of land out of Section 35, Block 40, T-1-S, T&P RR. Co. Survey, Midland County, Texas, generally located approximately 722 feet west of the intersection of State Highway 158 and State Highway 191 - Extraterritorial Jurisdiction. (DEVELOPMENT SERVICES) (071-2019)

17. Consider a resolution authorizing the submission of an application for the EL-Emergency Law Enforcement Assistance Grant Program; said grant shall be used to reimburse the Police Department and Fire Department for overtime, vehicle damage, and supply costs associated with the active-shooter event on August 31, 2019. (POLICE) (2019 - 329)
18. Consider a resolution authorizing the execution of a right-of-way license between the City of Midland and ONEOK Westex Transmission, L.L.C., regarding City-owned property described as Section 16, Block 37, Township 3 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES) (2019 - 330)

## **SECOND READINGS**

19. Consider an ordinance on second reading vacating and abandoning a 0.20-acre portion of right-of-way located adjacent to Block 50, Homestead Addition, City and County of Midland, Texas, (generally located at the southeast corner of the intersection of North A Street and West Ohio Avenue); adopting the appraisal by the City Manager of \$17,424.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (First reading held on October 8, 2019) (9991)
20. Consider an ordinance on second reading vacating and abandoning a 0.15-acre portion of alley right-of-way located in Block 50, Homestead Addition, City and County of Midland, Texas, (generally located on the south side of West Ohio Avenue and the west side of Carrizo Street, approximately 218 feet east of North A Street); adopting the appraisal by the City Manager of \$13,068.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (First reading held on October 8, 2019) (9992)
21. Consider an ordinance on second reading extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City limits, being a 9.784-acre tract of land out of Section 5, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas, (generally located on the south side of West Industrial Avenue, approximately 454 feet east of South Midland Drive); ordering publication; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (First reading held on October 8, 2019) (9993)
22. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to grant a Specific Use Designation with Term for a 2,400 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) (First reading held on October 8, 2019) (9994)

23. Consider an ordinance on second reading granting a special exception for Lot 3 and the north 40 feet of Lot 2, Block 8, Warwick Addition, City and County of Midland, Texas, (generally located at the southeast corner of the intersection of North L Street and Humble Avenue), by permitting a reduced minimum rear yard setback for a two-story structure; 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) (First reading held on October 8, 2019) (9995)
24. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to rezone Lots 10, 11 and 12, Block 167, Southern Addition, City and County of Midland, Texas, from C, Commercial District to SF-3, Single-Family Dwelling District, (generally located at the southeast corner of the intersection of South Atlanta Street and East California 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 on October 8, 2019) (9996)
25. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to rezone Lot 9, Block 26, Moody Addition, City and County of Midland, Texas, from RR, Regional Retail District to SF-3, Single-Family Dwelling District, (generally located on the east side of North Lee Street, approximately 100 feet north of East 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. (DEVELOPMENT SERVICES) (First reading held on October 8, 2019) (9997)
26. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to rezone Lot 1, Block 3, Moody Addition, City and County of Midland, Texas, from LI, Light Industrial District to SF-3, Single-Family Dwelling District, (generally located at the southwest corner of the intersection of South Street and North Madison 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 on October 8, 2019) (9998)

27. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to rezone Lot 18, Block 132, Southern Addition, City and County of Midland, Texas, from C, Commercial District to SF-3, Single-Family Dwelling District, (generally located on the east side of South Forth Worth Street, approximately 75 feet north 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) (First reading held on October 8, 2019) (9999)
28. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to grant a Specific Use Designation with Term for the north half of Lot 11 and all of Lot 12, Block 187, Southern Addition, City and County of Midland, Texas, (generally located at the southeast corner of the intersection of South Baird Street and East Florida Avenue), which is presently zoned RR, Regional Retail District, allowing said property to be used for the sale of beer and wine 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 on October 8, 2019) (10000)

### **PUBLIC HEARINGS**

29. Hold a public hearing and consider a resolution of no objection to Palladium West Francis, LTD., application to the Texas Department of Housing and Community Affairs for 2020 4% Non-Competitive Housing Tax Credits for Palladium at West Francis. (DEVELOPMENT SERVICES) (2019 - 331)
30. Hold a public hearing and consider an ordinance establishing the initial zoning classification of the area indicated as being a 9.784-acre tract of land out of Section 5, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas, as an HI, Heavy Industrial District; said tract being generally located on the south side of West Industrial Avenue, approximately 454 feet east of South Midland 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) (10001)
31. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to grant a Specific Use Designation with Term for a 5,800-square foot portion of Block 1, less the 250-foot by 150-foot northwest corner and less the 224-foot by 150-foot southwest corner, replat of Blocks 1 and 2, Imperial Heights Addition, City and County of Midland, Texas, (generally located on south side of West Wadley Avenue approximately 310 feet east of North Midkiff Road), 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) (10002)

32. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to grant a Specific Use Designation with Term for a 2,400-square foot portion of Lot 5A, Block 1A, Midkiff Plaza, Section 16, City and County of Midland, Texas, (generally located on the south side of Courtyard Drive, approximately 865 feet east of North Midkiff Road), which is presently zoned PD, Planned Development District for a Shopping Center, 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) (10003)
33. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lots 3 and 11, Block 63, Park Avenue Heights, Section 2, 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 Bunche Street, approximately 114 feet south of East California Avenue, and at the northeast corner of the intersection of South Madison Street and Cloverdale 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) (10004)
34. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 23, Block 56, Park Avenue Heights, City and County of Midland, Texas, from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District, (generally located on the north side of East Pennsylvania Avenue, approximately 216 feet east of South Lamesa 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) (10005)
35. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 2, Block 63, Park Avenue Heights, Section 2, 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 Bunche Street, approximately 56 feet south of East California 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) (10006)

36. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lots 11 through 13, Block 118, Southern Addition, City and County of Midland, Texas, from C, Commercial District to SF-3, Single Family Dwelling District, (generally located on the north side of East New York Avenue, approximately 164 feet east of South Baird 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) (10007)
37. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 6, Block 45, Fairmont Park, Section 15, 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 approximately 809 feet south of West Loop 250 North and approximately 643 feet west of North Midland 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) (10008)
38. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 2, Block 28, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas, from C, Commercial District to SF-3, Single-Family Dwelling District, (generally located on the west side of South Stonewall Street, approximately 50 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. (DEVELOPMENT SERVICES) (10009)
39. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 5, 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 Benton Street, approximately 60 feet north 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. (DEVELOPMENT SERVICES) (10010)
40. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lots 5 and 6, Block 12, 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 at the northwest corner of the intersection of South Webster Street and 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) (10011)

41. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lots 1 and 2, Block 7, Greenwood Addition, Second Section, City and County of Midland, Texas, from RR, Regional Retail District to SF-3, Single-Family Dwelling District, (generally located at the southwest corner of the intersection of East Indiana Avenue and South Webster 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) (10012)
42. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lots 1, 2 and 4, Block 137, Southern Addition, City and County of Midland, Texas, from RR, Regional Retail District, in part, and C, Commercial District, in part, to SF-3, Single-Family Dwelling District, (generally located at the southwest corner of the intersection of South Lamesa Road and East New York Avenue, and on the west side of South Lamesa Road approximately 216 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. (DEVELOPMENT SERVICES) (10013)
43. Hold a public hearing and consider an ordinance vacating and abandoning a 0.14-acre portion of Club Drive right-of-way, a 0.07-acre portion of alley right-of-way, and a 0.20-acre portion of Ridglea Drive right-of-way, all out of Section 26, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, (generally located approximately 227 feet, 425 feet and 585 feet east of North A Street, and approximately 218 feet, 166 feet and 166 feet north of Douglas Avenue, respectively); adopting the appraisal by the City Manager of \$31,199.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (10014)

### **MISCELLANEOUS**

44. Consider a motion making appointments to various boards and commissions.

### **PUBLIC COMMENT**

45. 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.)

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.