

**AGENDA FOR CITY COUNCIL MEETING**  
**300 North Loraine**  
**Midland, Texas**  
**January 28, 2020 – 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 Robert Pase, Grace Lutheran 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. Special City Council meeting of January 13, 2020
  - b. Regular City Council meeting of January 14, 2020
5. Consider a resolution approving the City of Midland's Fiscal Year 2020 Investment Policy. (FINANCE) (2020 - 018)
6. Consider a resolution authorizing the City of Midland to participate in the Texas Cooperative Liquid Assets Securities System Trust. (FINANCE) (2020 - 019)
7. Consider a resolution awarding a contract for the Fiscal Year 2020 Mill and Inlay Project to Jones Bros. Dirt & Paving Contractors, Inc. of Odessa, Texas, at a total cost not to exceed \$5,757,575.85; and authorizing payment therefor. (PURCHASING) (2020 - 020)
8. Consider a resolution awarding a contract for the Fiscal Year 2020 Gilsonite

Sealer and Binder Friction Seal Project to the sole bidder, Pavement Restoration, Inc. of Boerne, Texas, at a total cost not to exceed \$3,325,380.31; and authorizing payment therefor. (PURCHASING) (2020 - 021)

9. Consider a resolution rejecting the sole bid received for the Fiscal Year 2020 Mastic Seal Project. (PURCHASING) (2020 - 022)
10. Consider a resolution authorizing the execution of the first amendment to the Professional Services Agreement for multiple projects between Stantec Consulting Services, Inc. and the City of Midland; said amendment extending the term of the agreement to August 15, 2020. (PURCHASING) (2020 - 023)
11. Consider a motion authorizing the issuance of a request for proposals for certain real estate broker services for the General Services Department, as authorized by Texas Local Government Code § 253.014. (PURCHASING) (006 - 2020)
12. Consider a motion approving plans and specifications and authorizing the advertisement of a request for proposals for the construction of Fire Station 5 and Fire Station 11 for the General Services Department. (PURCHASING) (007 - 2020)
13. Consider a resolution awarding a contract for two pivot irrigation systems and associated parts, for a total cost not to exceed \$177,145.08. (PURCHASING) (2020 - 024)
14. Consider a motion approving the issuance of a request for bids for the sale of real property described as a 26.906-acre tract of land out of Section 14, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (generally located on the west side of North Big Spring Street, approximately 1,320 feet south of Loop 250), for the General Services Department. (PURCHASING) (008 - 2020)
15. Consider a resolution authorizing the execution of a change order to the contract with Kevin Cook dba Kevin Cook Farms, of Stanton, Texas, regarding the plant farm labor contracting services; said change order to provide for additional work based on the unit prices in the contract; and authorizing payment therefor in an amount not to exceed \$115,319.00. (PURCHASING) (2020 - 025)
16. Consider a resolution authorizing the execution of a change order to the contract with Kevin Cook dba Kevin Cook Farms, of Stanton, Texas, regarding the Spraberry Farm labor contracting services; said change order to provide for additional work based on the unit prices in the contract; and authorizing payment therefor in an amount not to exceed \$275,000.00. (PURCHASING) (2020 - 026)
17. Consider a motion authorizing the approval of an interlocal agreement between Midland County and the City of Midland that provides for certain funding of the

new City of Midland Animal Services Facility; authorizing the acceptance and allocation of said funding to the Animal Shelter Design and Build Project. (900265) (COMMUNITY SERVICES) (009 - 2020)

18. Consider a resolution granting a variance for Lot 1, Block 2, Vista Del Pueblo Addition, City and County of Midland, Texas (generally located at the southeast corner of the intersection of Vista Del Pueblo Drive and Nueva Vida Circle), by permitting construction of residences 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) (2020 - 027)
19. Consider a resolution delegating to the City Manager the City Council's contracting authority regarding contracts to be paid entirely from drainage charge funds; authorizing the City Manager to acquire, on behalf of the City of Midland, any real property interests necessary or appropriate, by any instruments of conveyance necessary or appropriate, for the use and benefit of the public for drainage purposes, obtain appraisals, negotiate, execute and file all documents necessary to acquire said real property interests, purchase title insurance policies and hold the closings for said acquisitions if the funds expended in connection therewith are limited to drainage charge funds; ordering the City Secretary to record, or ensure that the title company records, instruments of conveyance; and authorizing the City Manager to execute change orders to contracts. (ENGINEERING SERVICES) (2020 - 028)
20. Consider a motion ratifying and approving the City Manager's execution of an interlocal agreement between Midland County and the City of Midland that provides certain funding for three (3) fire squad trucks for the Fire Department; and authorizing the acceptance and allocation of said funding to the Three Squad Trucks Project (900329). (FIRE) (010 - 2020)
21. Consider a resolution authorizing the City of Midland in conjunction with Midland County to accept the Fiscal Year 2019 Justice Assistance Grant Funds totaling \$29,036.00; the City of Midland will receive \$17,422.00 (60%) and Midland County will receive \$11,614.00 (40%) of the grant funds; authorizing the execution of acceptance documents; and appropriating funds. (POLICE) (2020 - 029)
22. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Wink to Webster Pipeline LLC regarding City-owned property described as Section 44, Block 38, Township 1 South and Sections 5 and 8, Block 38, Township 2 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES) (2020 - 030)
23. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Wink to Webster Pipeline LLC regarding City-owned property described as Section 9, Block 40, Township 2 South, T&P RR

Co. Survey, Midland County, Texas. (UTILITIES) (2020 - 031)

24. Consider a motion authorizing the execution of a five (5) year lease agreement between the City of Midland, Texas and Lubbock MPL Tower Holdings LLC through CCATT LLC, for the continued installation, maintenance and operation of a cellular tower site at Lake Peggy Sue. (UTILITIES) (011 - 2020)

## **SECOND READINGS**

25. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to rezone a 19.70-acre tract of land out of Section 30, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, from SF-1, Single-Family Dwelling District, in part, and MF-22, Multiple-Family Dwelling District, in part, to MF-16, Multiple-Family Dwelling District (generally located on the south side of Princeton Avenue, approximately 824 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)(First reading held on January 14, 2020)(10040)
26. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to rezone Lot 11, Block 59, Park Avenue Heights 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 south side of East Pennsylvania Avenue, approximately 99 feet west of South 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 January 14, 2020)(10041)
27. 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 3,210-square foot portion of Lot 33C, Block 3, Briarwood Addition, Section 16, City and County of Midland, Texas (generally located on the north side of Briarwood Avenue, approximately 185 feet west of North Midland Drive), 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 lounge 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 January 14, 2020)(10042)
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 a 3,985-

square foot portion of Lot 1A, Block 11, Kimber-Lea, Section 11, City and County of Midland, Texas (generally located at the northeast corner of the intersection of Maxwell Drive and 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)(First reading held on January 14, 2020)(10043)

29. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to rezone a 23.66-acre tract of land out of Section 11, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas, from AE, Agricultural Estate District to PD, Planned Development District for a Housing Development (generally located approximately 1,024 feet south of West Interstate 20 and approximately 2,083 feet west of South County Road 1235); 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 January 14, 2020)(10044)
30. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to rezone Lot 1, Block 43, South Park Addition, City and County of Midland, Texas, from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District (generally located at the southwest corner of the intersection of East Hicks Avenue and South Dallas 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 January 14, 2020)(10045)
31. Consider an ordinance on second reading granting a special exception for Lot 3, less the south 10 feet, Block 26, Moody Addition, City and County of Midland, Texas (generally located on the west side North Tyler Street, approximately 100 feet south of East Texas Avenue), by permitting a reduced minimum lot width; 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 January 14, 2020)(10046)
32. Consider an ordinance on second reading amending Title I, "Administrative", Chapter 5, "City Manager" of the City Code of Midland, Texas, by establishing Section 7, "authority to grant reasonable accommodations" so as to authorize the City Manager to grant reasonable accommodations as required by applicable

laws; providing an appeal procedure; containing a cumulative clause; containing a savings and severability clause; and ordering publication. (CITY MANAGER'S OFFICE)(First reading held on January 14, 2020)(10047)

33. Consider an ordinance on second reading changing the name of the portion of Ironwood Drive that is adjacent to Lot 12, Block 12, and Lot 1, Block 13, Grassland Estates West, Section 7, City and County of Midland, Texas (generally located on the south side of the intersection of Ironwood Drive and Mosswood Drive), to "Sinclair Avenue"; containing a cumulative clause; containing a savings and severability clause; and directing the City Secretary to send the Midland Emergency Communications District a certified copy of this ordinance. (ENGINEERING SERVICES)(First reading held on January 14, 2020)(10048)

### **PUBLIC HEARINGS**

34. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 1, Block 4, "A" Street Community Center, Section 4, City and County of Midland, Texas, from SF-1, Single-Family Dwelling District to PD, Planned Development District for an Office Center (generally located at the northwest corner of the intersection of North "A" Street and Ventura 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) (10049)
35. 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 114, West End Addition, City and County of Midland, Texas, from SF-1, Single-Family Dwelling District to SF-3, Single-Family Dwelling District (generally located at the southwest corner of the intersection of College Avenue and South L 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) (10050)
36. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 8, Block 32, Moody 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 east side of South Tyler Street, approximately 66 feet north of East Missouri 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) (10051)
37. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone a 0.780-acre tract of land out of Section 26,

Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, from SF-2, Single-Family Dwelling District, in part, and SF-3, Single-Family Dwelling District, in part, to TH, Townhouse (attached) Dwelling District (generally located at the southwest corner of the intersection of West Estes Avenue and North Main 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) (10052)

38. Hold a public hearing regarding the proposed granting of oil and gas well permits to Parsley Energy Operations, LLC, for the drilling of oil and gas wells, being Hogan 1-25-A-2601H located 755 feet from the south line and 389 feet from the west line, Massey Unit 2415H located 785 feet from the south line and 390 feet from the west line, Massey Unit 2614H located 815 feet from the south line and 390 feet from the west line, and Massey A Unit 2611H located 845 feet from the south line and 390 feet from the west line, Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Said wells are generally located between 755 feet and 845 feet north of East Loop 250 North and between 389 and 390 feet east of North Lamesa Road.) This is a public hearing only. (DEVELOPMENT SERVICES) (012 - 2020)

#### **MISCELLANEOUS**

39. Consider a motion making appointments to various Boards and Commissions.

#### **PUBLIC COMMENT**

40. 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.