

**Effective March 16, 2020, Governor Greg Abbott authorized the temporary suspension of certain statutory provisions of the Texas Open Meetings Act. This meeting of the City Council of the City of Midland is being held pursuant to such authorization and will limit face-to-face interactions for the purpose of slowing the spread of the coronavirus (COVID-19).**

**AGENDA FOR CITY COUNCIL MEETING  
300 North Loraine  
Midland, Texas  
May 12, 2020  
Council Chamber - City Hall**

Videoconference Information

Please click the link below to join the webinar:

<https://zoom.us/j/96611492856?pwd=dkJFKzllbFVZMkZ6N3E2M3ZZQWpmUT09>

Password: 139670

Or iPhone one-tap :

US: +13462487799,,96611492856# or +12532158782,,96611492856#

Or Telephone:

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US: +1 346 248 7799 or +1 253 215 8782 or +1 669 900 9128 or +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656

Webinar ID: 966 1149 2856

International numbers available: <https://zoom.us/u/acemLSQsWK>

**BRIEFING SESSION AGENDA  
May 12, 2020 - 9:30 A.M.  
CITY HALL - COUNCIL CHAMBER**

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 and discuss with the Mayor and Council the 2020 rate study for water and wastewater.

**AGENDA FOR CITY COUNCIL MEETING**  
**May 12, 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 – Mayor Patrick Payton
2. Pledge of Allegiance

**CONSENT AGENDA**

3. Consider a motion approving the following minutes:
  - a. Regular City Council Meeting of April 28, 2020
4. Consider a resolution awarding a contract for the Thomason Drive Water Main Replacement Utility Bond Project to Edgardo Madrid & Associates, LLC of Midland, Texas, at a total cost of \$2,154,636.46; allocating funds; and authorizing payment. (PURCHASING) (2020 - 081)
5. Consider a motion authorizing the execution of a memorandum of understanding between the Midland Development Corporation and the City of Midland; said memorandum of understanding to provide for the marketing of certain City-owned real property located at the Midland International Air & Space Port. (CITY MANAGER'S OFFICE) (052 - 2020)
6. Consider a resolution authorizing the adoption of the 2020 Voluntary Employee Retirement Incentive Program; authorizing the City Manager to take all action necessary for the implementation of the program; and authorizing the City Manager to execute all associated documents and agreements. (ADMINISTRATIVE SERVICES) (2020 - 082)
7. Consider a resolution authorizing the Mayor, City Manager, and City Attorney to accept and execute the Coronavirus Aid, Relief, and Economic Security (CARES) Act Grant for the Community Development Block Grant in the amount of \$570,875.00. (DEVELOPMENT SERVICES) (2020 - 083)

8. Consider a resolution authorizing the execution of a Capital Improvements Development Agreement with THF Midland Leased Housing Associates II, Limited Partnership for the construction of certain capital improvements related to the development of Riverbend Addition, City and County of Midland, Texas; and authorizing payment in the amount of \$177,444.90; said agreement being authorized by Chapter 212, Subchapter C, and Chapter 395, Subchapter B of the Texas Local Government Code. (ENGINEERING SERVICES) (2020 - 084)
9. Consider a 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 Sections 4 and 9, Block 39, Township 2 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES) (053 - 2020)
10. Consider a resolution of the City Council of the City of Midland, Texas, nominating Plains All American Pipeline, L.P., to the Office of the Governor, Economic Development and Tourism, through the Economic Development Bank as an enterprise project pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code; providing an effective date; and designating a liaison for the communication with interested parties. (DEVELOPMENT SERVICES) (2020 - 085)

## **SECOND READINGS**

11. 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 5,460-square foot portion of Lot 2, Block 1, Corporate Plaza, 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 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 April 28, 2020)(10074)
12. 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 4,472-square foot portion of Lot 1, Block 8, Polo Park, Section 3, City and County of Midland, Texas (generally located southeast of the intersection of North Garfield Street and Castleford 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)(First reading April 28, 2020)(10075)

13. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to rezone Lot 14, Block 1, Eastover 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 North Adams Street, approximately 80 feet south of East Illinois 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 April 28, 2020)(10076)
14. 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 Lot 2A, Block 3, Westridge Park Addition, Section 10, City and County of Midland, Texas (generally located on the west side of Tradewinds Boulevard, approximately 300 feet south of Andrews Highway), 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 bar 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 April 28, 2020)(10078)
15. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to rezone Lots 13 and 14, Block 145, Southern 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 South Baird Street, approximately 110 feet north of East Pennsylvania 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 April 28, 2020)(10079)
16. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to rezone Lots 19 through 31, Block 5, Lots 1 through 16, Block 8, Lots 1 through 9, Block 9, and Lots 1 through 4, Block 10, Quail Ridge Addition, Section 6, Lots 10 through 20, Block 9, Lots 5 through 18, Block 10, and Lots 1 through 14, Block 11, Quail Ridge Addition, Section 7, a 7.432-acre tract of land out of Lot 1, Block 1, Quail Ridge Addition, and a 0.004-acre tract of land out of Quail Ridge Addition, Section 2, City and County of Midland, Texas, from PD, Planned Development District for a Housing Development to an Amended PD, Planned Development District for a Housing Development (generally located at the northwest corner of the intersection of Chukar Lane and Beachwood 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 April 28, 2020)(10080)

17. Consider an ordinance on second reading establishing intersection stops at various locations within the City of Midland, Texas; authorizing and directing the Traffic Engineer to install appropriate signs and markings at the designated locations; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two hundred dollars (\$200.00); and ordering publication. (ENGINEERING SERVICES)(First reading April 28, 2020)(10081)

## **PUBLIC HEARINGS**

18. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lots 2 and 3, Block 1, Jaden Kate Addition, City and County of Midland, Texas, from AE, Agricultural Estate District to PD, Planned Development District for a Housing Development (generally located at the northwest corner of the intersection of North Elkins Road and Arapahoe 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) (10082)
19. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 2A, Block 1, Corporate Plaza, Section 20, City and County of Midland, Texas, from PD, Planned Development District for an Office Center to PD, Planned Development District for a Housing Development (generally located on the north side of Corporate Drive, approximately 550 feet east of North Big Spring 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) (10083)
20. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 12, Block 30, Moody 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 southeast corner of the intersection of South Carver Street and 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) (10084)

## **MISCELLANEOUS**

21. Consider a resolution authorizing the execution of an untreated groundwater supply contract between the City of Midland and Fort Stockton Holdings, L.P. (UTILITIES) (2020 - 086)
22. Consider a resolution authorizing the execution of an Interlocal Agreement between the City of Midland, the City of Abilene, and the City of San Angelo. (UTILITIES) (2020 - 087)
23. Consider a motion authorizing the City Manager to develop and implement temporary hotel occupancy tax collection payment rules and regulations so as to permit hotels (as defined in the Midland City Code) to make such collection payments to the City of Midland in an untimely manner without incurring penalties or interest. (CITY MANAGER'S OFFICE) (054 - 2020)
24. Consider an ordinance appointing a new City of Midland Municipal Court Associate Judge effective May 26, 2020; and authorizing the Mayor to execute an employment agreement with the new Associate Judge. (CITY MANAGER'S OFFICE) (10085)
25. Consider a resolution authorizing the conveyance of certain City-owned real property described as an 11.72-acre tract located in Section thirteen (13), Block thirty-nine (39), Township 1 South, T&P RR Co. Survey, City of Midland, Midland County, Texas; authorizing the City Manager to negotiate, execute, and file all agreements and documents necessary for the conveyance of said property; and ordering the City Secretary to record, or ensure that the title company records, all instruments of conveyance. (PURCHASING) (2020 - 088)

## **EXECUTIVE SESSION**

26. 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 551.072, Deliberation Regarding Real Property
    - a.1. Discuss the purchase, exchange, lease, or value of real property described as an 11.72-acre tract located in Section 13, Block 39, T1-S, T&P RR Co. Survey, City and County of Midland, Texas.

b. Section 551.074, Personnel Matters

- b.1. Deliberate the appointment and duties of the Municipal Court Associate Judge and interview candidates for said position.

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.