

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).

CITY OF MIDLAND, TEXAS
AGENDA FOR CITY COUNCIL MEETING
September 22, 2020 - 10:00 AM
300 North Loraine
Midland, Texas
Council Chamber - City Hall



Videoconference Information

Please click this URL to join.

<https://zoom.us/j/99306233143?pwd=ZkJlMURTM0FmdTJjOW9vUXpzNEhldz09>

Passcode: 630366

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

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

Webinar ID: 993 0623 3143

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

The City Council may discuss, consider, and take action on any item listed on this agenda.

OPENING ITEMS

1. Invocation – Dr. Darin Wood, First Baptist Church
2. Pledge of Allegiance

CONSENT AGENDA

3. MOTION APPROVING THE FOLLOWING MINUTES:
 - a. SPECIAL CITY COUNCIL MEETING OF SEPTEMBER 3, 2020
 - b. REGULAR CITY COUNCIL MEETING OF SEPTEMBER 8, 2020
4. 2020-148 – RESOLUTION AWARDED A CONTRACT FOR THE TRADEWINDS BOULEVARD ROUNDABOUT AND MEDIAN IMPROVEMENTS PROJECT TO ONYX GENERAL CONTRACTORS LLC OF MIDLAND, TEXAS, AT A TOTAL COST OF \$436,399.00; AND AUTHORIZING PAYMENT (GENERAL SERVICES)

5. 2020-149 – RESOLUTION AWARDDING A CONTRACT FOR THE UTILITY EXTENSION PROGRAM 04 TO BOLER EQUIPMENT SERVICE, INC. OF MIDLAND, TEXAS, AT A TOTAL COST NOT TO EXCEED \$1,750,000.00; TRANSFERRING FUNDS; AND AUTHORIZING PAYMENT (GENERAL SERVICES)
6. 106-2020 – MOTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT BETWEEN THE CITY OF MIDLAND, TEXAS, AND TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) TO PROVIDE FOR THE CITY OF MIDLAND’S PARTICIPATION IN THE 2021 ROUTINE AIRPORT MAINTENANCE PROGRAM (RAMP); AND AUTHORIZING THE APPROPRIATION OF \$25,000.00 FROM THE AIRPORT OPERATING FUND (500) UNAPPROPRIATED FUND BALANCE (35650) TO THE TXDOT RAMP AGREEMENT PROJECT (700288) (AIRPORTS)
7. 107-2020 – MOTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH SILVERWING ENTERPRISES, LLC, TO PROVIDE PROFESSIONAL SERVICES IN SUPPORT OF THE OPERATION OF THE SPACEPORT LOCATED AT MIDLAND INTERNATIONAL AIR AND SPACE PORT (AIRPORTS)
8. 2020-150 – RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH MID-TEX OF MIDLAND, INC., IN THE AMOUNT OF \$585,500.00 FOR THE MAF GATE 6 PASSENGER BOARDING BRIDGE INFRASTRUCTURE PROJECT AT MIDLAND INTERNATIONAL AIR & SPACE PORT; AND APPROPRIATING FUNDS FOR SAID PROJECT (AIRPORTS)
9. 108-2020 – MOTION AUTHORIZING THE EXECUTION OF AMENDMENT NO. 14 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PARKHILL, SMITH & COOPER, INC., FOR IMPROVEMENTS CONTAINED IN THE AIRPORT CAPITAL IMPROVEMENT PROGRAM; SAID AMENDMENT TO PROVIDE FOR THE FOLLOWING PROJECTS: (I) MAF AIRFIELD WILDLIFE FENCE IMPROVEMENTS; (II) MAF AIRFIELD LIGHTING REHABILITATION; (III) MAF AIRPORT WILDLIFE MANAGEMENT IMPROVEMENTS; (IV) MAF PASSENGER FACILITY CHARGE APPLICATIONS AND AMENDMENTS; AND (V) MAF PREPARE FBO RFP AND EVALUATE PROPOSALS; AND AUTHORIZING THE APPROPRIATION OF FUNDS FOR SAID PROJECTS (AIRPORTS)
10. 109-2020 – MOTION TO APPROPRIATE THE SUM OF \$157,420.00 FROM THE AIRPORT OPERATING FUND (500) UNAPPROPRIATED FUND BALANCE (35650) TO THE DEVELOPMENT PARK PROGRAMMATIC ENVIRONMENTAL PROJECT (900111) (AIRPORTS)
11. 110-2020 – MOTION TO APPROPRIATE THE SUM OF \$800,000.00 FROM THE FISCAL YEAR 2020 PARKS OPERATING BUDGET (001090) TO THE PLAYGROUND REPLACEMENT PROJECT (COMMUNITY SERVICES)
12. 111-2020 – MOTION TO APPROPRIATE THE SUM OF \$28,600.00 FROM THE FISCAL YEAR 2020 PARKS OPERATING BUDGET (001090-54015) TO THE BMX TRACK IMPROVEMENT PROJECT (COMMUNITY SERVICES)

13. 112-2020 – MOTION ACCEPTING MATCHING FUNDS IN THE AMOUNT OF \$16,000.00 FROM THE MIDLAND JUNIOR BASEBALL ASSOCIATION; SAID FUNDS SHALL BE MATCHED BY THE CITY OF MIDLAND FOR THE CONSTRUCTION OF NEW BATTING CAGES AT HOGAN PARK; AND APPROPRIATING THE SUM OF \$16,000.00 FROM THE FISCAL YEAR 2020 PARKS OPERATING BUDGET (001090-54015) TO THE HOGAN PARK BATTING CAGE PROJECT (COMMUNITY SERVICES)
14. 113-2020 – MOTION APPROVING A PROPOSED PRELIMINARY PLAT OF COYOTE RUN INDUSTRIAL SUBDIVISION, BEING A PLAT OF A 183.693-ACRE TRACT OF LAND LOCATED IN SECTION 35, BLOCK 38, T-1-N, T&P. RR CO. SURVEY, CITY OF MIDLAND AND MARTIN COUNTY, TEXAS, (GENERALLY LOCATED ON THE EAST SIDE OF NORTH COUNTY ROAD 1150, APPROXIMATELY 8,437 FEET NORTH OF CROWNRIDGE DRIVE - EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)
15. 114-2020 – MOTION APPROVING A PROPOSED PRELIMINARY PLAT OF PIONEER INDUSTRIAL PARK, BEING A PLAT OF A 43.196-ACRES TRACT OF LAND LOCATED IN SECTION 25, BLOCK 39, T-2-S, T&P. RR. CO. SURVEY, MIDLAND COUNTY, TEXAS, (GENERALLY LOCATED ON THE WEST SIDE OF FARM TO MARKET ROAD 715, APPROXIMATELY 456 FEET SOUTH OF EAST COUNTY ROAD 140 - EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)
16. 2020-151 – RESOLUTION AUTHORIZING MIDLAND COUNTY, TEXAS TO PERFORM PAVING SERVICES (1) ON BUTTERFIELD TRAIL, FROM INTERSTATE 20 TO THE SOUTHERN BOUNDARY OF THE CITY OF MIDLAND, (2) ON SANTA FE TRAIL, FROM INTERSTATE 20 TO THE SOUTHERN BOUNDARY OF THE CITY OF MIDLAND, (3) ON CHISOLM TRAIL, FROM INTERSTATE 20 TO THE SOUTHERN BOUNDARY OF THE CITY OF MIDLAND, AND (4) GOODNIGHT TRAIL, FROM PEASE TRAIL TO THE SOUTHERN BOUNDARY OF THE CITY OF MIDLAND, IN ACCORDANCE WITH THE CITY - COUNTY INTERLOCAL COOPERATION CONTRACT AUTHORIZED BY RESOLUTION NO. 2013-401; REAPPROPRIATING FUNDS; AND AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED \$651,536.00 (ENGINEERING SERVICES)
17. 103-2020 – MOTION ACCEPTING A 23.25-ACRE PUBLIC UTILITY EASEMENT OUT OF SECTIONS 3, 4, 9 & 10, BLOCK 39, T-1-S, T & P RR. CO SURVEY, MIDLAND COUNTY, TEXAS, FROM OCCIDENTAL PERMIAN LTD; A COPY OF THE PUBLIC UTILITY EASEMENT 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 (UTILITIES) (DEFERRED FROM SEPTEMBER 8, 2020)
18. 2020-152 – RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS, IN SUPPORT OF MAYOR PATRICK PAYTON'S COMMENTS REGARDING MIDLAND OPENING FOR BUSINESS

SECOND READINGS

19. 10112 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 15.70-ACRE TRACT OF LAND OUT OF SECTION 7, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-3, SINGLE-FAMILY DWELLING DISTRICT TO PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE SOUTH SIDE OF TIN TRAIL, APPROXIMATELY 130 FEET EAST OF NORTH FAIRGROUNDS 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) (FIRST READING HELD SEPTEMBER 8, 2020)
20. 10113 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 2 THROUGH 10, BLOCK 1, AND LOTS 1 THROUGH 7, BLOCK 2, LONE STAR BUSINESS PARK, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS, FROM O-1, OFFICE DISTRICT TO LR, LOCAL RETAIL DISTRICT (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF NORTH STATE HIGHWAY 349 AND OCCIDENTAL PARKWAY); 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 SEPTEMBER 8, 2020)
21. 10114 – AN ORDINANCE AMENDING TITLE X, “TRAFFIC REGULATIONS”, CHAPTER FOUR, “TRAFFIC CONTROL DEVICES”, SECTION 11, “SCHOOL ZONES”, OF THE MIDLAND CITY CODE, SO AS TO DESIGNATE EACH SCHOOL ZONE WITHIN THE CITY AND REGULATE THE SPEED AND MOVEMENT OF TRAFFIC THEREIN; AUTHORIZING AND DIRECTING THE TRAFFIC ENGINEER TO INSTALL APPROPRIATE SIGNS AND MARKINGS; REPEALING ORDINANCE NO. 9961; 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 HELD SEPTEMBER 8, 2020)

PUBLIC HEARINGS

The City Council will hold public hearings on the following items:

22. 10115 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR THE WEST HALF OF LOT 1, BLOCK 4, MOODY ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF SOUTH STREET, APPROXIMATELY 95 FEET WEST OF NORTH TYLER STREET), BY PERMITTING (1) A REDUCED MINIMUM LOT AREA, (2) A REDUCED MINIMUM LOT WIDTH, AND (3) A REDUCED MINIMUM LOT DEPTH IN THE EVENT THAT THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND IS AMENDED TO REZONE THE PROPERTY FROM LI, LIGHT INDUSTRIAL DISTRICT TO RR, REGIONAL RETAIL DISTRICT; 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)

23. 2020-153 – RESOLUTION APPROVING THE ISSUANCE OF AN ORDER FINDING THE UNCOMPLETED RESIDENTIAL STRUCTURE LOCATED ON LOT 3, BLOCK 2, SOLOMON ESTATES ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED 5117 ALYSHEBA LANE, MIDLAND, TEXAS 79705) TO BE A SUBSTANDARD BUILDING AND ORDERING THE OWNER(S) OF SAID BUILDING AND LIENHOLDER(S) AND MORTGAGEE(S) HAVING AN INTEREST IN SAID BUILDING, IF ANY, TO TAKE ABATEMENT ACTION AS SPECIFIED IN THE ORDER, AND, IF SAID ABATEMENT ACTION IS NOT TAKEN, AUTHORIZING THE CITY OF MIDLAND TO TAKE ABATEMENT ACTION (DEVELOPMENT SERVICES)

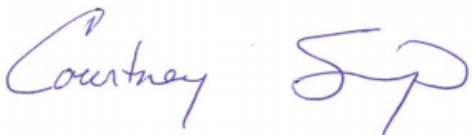
MISCELLANEOUS

24. MOTION MAKING APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS (CITY SECRETARY'S OFFICE)
25. 115-2020 – MOTION APPOINTING AN INTERIM CITY MANAGER, AND AUTHORIZING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF MIDLAND AND THE INTERIM CITY MANAGER

EXECUTIVE SESSION

26. Pursuant to Texas Government Code § 551.101, the City Council will hold an Executive Session, which is closed to the public, to discuss the following matters as permitted under the following sections of the Texas Government Code:
- a. Section 551.074, Personnel Matters
 - a.1. Deliberate the employment, evaluation, and duties of the Interim City Manager, City Attorney, and City Secretary

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.