

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
October 6, 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/97282774495?pwd=bEpDaFZwTDhZK1d3c3orUmN2WGNhdz09>

Passcode: 107389

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: 972 8277 4495

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

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

OPENING ITEMS

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

PRESENTATIONS

3. PROCLAMATION FOR 2020 ARTS COUNCIL OF MIDLAND DAY

CONSENT AGENDA

4. MOTION APPROVING THE FOLLOWING MINUTES:
 - 4a. REGULAR CITY COUNCIL MEETING OF SEPTEMBER 22, 2020

5. 2020-154 – RESOLUTION APPROVING THE SOLE-SOURCE MASTER AGREEMENT FOR NEPTUNE WATER METERS AND ASSOCIATED PARTS FOR THE CUSTOMER SERVICE DIVISION OF THE FINANCE DEPARTMENT FROM CORE & MAIN, LP, AT A TOTAL COST NOT TO EXCEED \$2,999,933.85 (GENERAL SERVICES)
6. 2020-155 – RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC., FOR THE ANALYSIS AND DESIGN FOR THE REPLACEMENT OF THE WATER SOURCE FOR THE MIDLAND INTERNATIONAL AIR AND SPACE PORT WATER SYSTEM FOR THE UTILITIES DEPARTMENT FOR A COST OF \$323,296.00; AND APPROVING \$64,660.00 FOR CONTINGENCIES (GENERAL SERVICES)
7. 116-2020 – MOTION AUTHORIZING THE EXECUTION OF A COMMERCIAL HANGAR LEASE AGREEMENT BETWEEN THE CITY OF MIDLAND, TEXAS AND PAUL ARMSTRONG DBA SKYWEST AVIATION, INC., REGARDING HANGAR S-14 LOCATED ON CITY-OWNED PROPERTY DESCRIBED AS TRACT 2-B OF LOT 1A, BLOCK 13, INDUSTRIAL PARK REGIONAL AIR TERMINAL, UNIT 12, MIDLAND, MIDLAND COUNTY, TEXAS (AIRPORTS)
8. 117-2020 – MOTION AUTHORIZING THE EXECUTION OF A COMMERCIAL HANGAR LEASE AGREEMENT BETWEEN THE CITY OF MIDLAND, TEXAS AND EMPIRE AIRLINES, INCORPORATED, REGARDING HANGAR S-13 LOCATED ON CITY-OWNED PROPERTY DESCRIBED AS TRACT 2-B OF LOT 1A, BLOCK 13, INDUSTRIAL PARK REGIONAL AIR TERMINAL, UNIT 12, MIDLAND, MIDLAND COUNTY, TEXAS (AIRPORTS)
9. 118-2020 – MOTION APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND FREESE AND NICHOLS, INC., FOR ENGINEERING SERVICES, LAND SURVEYING SERVICES, AND OTHER SERVICES RELATED TO CERTAIN MIDLAND DEVELOPMENT CORPORATION PROJECTS (CITY MANAGER’S OFFICE)
10. 119-2020 – MOTION APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND KIMLEY-HORN AND ASSOCIATES, INC., FOR ENGINEERING SERVICES, LAND SURVEYING SERVICES, AND OTHER SERVICES RELATED TO CERTAIN MIDLAND DEVELOPMENT CORPORATION PROJECTS (CITY MANAGER’S OFFICE)
11. 120-2020 – MOTION APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND PARKHILL, SMITH & COOPER, INC., FOR ENGINEERING SERVICES, LAND SURVEYING SERVICES, AND OTHER SERVICES RELATED TO CERTAIN MIDLAND DEVELOPMENT CORPORATION PROJECTS (CITY MANAGER’S OFFICE)
12. 2020-156 – RESOLUTION AUTHORIZING THE EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT WITH CASA DE AMIGOS FOR THE CASA DE AMIGOS HOME CLEANING PROJECT IN THE AMOUNT OF \$40,000.00; THE

PURPOSE OF THIS PROJECT IS TO PROVIDE HOME CLEANING SERVICES TO PROMOTE THE ENVIRONMENTAL AND PHYSICAL HEALTH OF SENIOR CITIZENS AND INDIVIDUALS WITH DISABILITIES; THE PROJECT WILL BEGIN ON OCTOBER 1, 2020, AND END ON SEPTEMBER 30, 2021 (DEVELOPMENT SERVICES)

13. 2020-157 – RESOLUTION AUTHORIZING THE EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT WITH MISSION HEALTH CARE, INC., FOR THE MISSION CENTER TAKE HOME TERRIFIC PROJECT IN THE AMOUNT OF \$30,000.00; THE PURPOSE OF THIS PROJECT IS TO PROVIDE DELIVERED EVENING MEALS TO SENIOR CITIZENS AND INDIVIDUALS WITH DISABILITIES; THE PROJECT WILL BEGIN ON OCTOBER 1, 2020, AND END ON SEPTEMBER 30, 2021 (DEVELOPMENT SERVICES)
14. 2020-158 – RESOLUTION AUTHORIZING THE EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT WITH SENIOR LIFE MIDLAND, INC., FOR THE SENIOR NUTRITION PROGRAM IN THE AMOUNT OF \$68,000.00; THE PURPOSE OF THIS PROJECT IS TO PROMOTE THE NUTRITIONAL AND PHYSICAL HEALTH OF PROGRAM PARTICIPANTS; THE PROJECT WILL BEGIN ON OCTOBER 1, 2020, AND END ON SEPTEMBER 30, 2021 (DEVELOPMENT SERVICES)
15. 2020-159 – RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF MIDLAND AND WEST TEXAS FOOD BANK FOR THE CARES WEST TEXAS FOOD BANK PROJECT (DEVELOPMENT SERVICES)
16. 2020-160 – RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF MIDLAND AND CASA DE AMIGOS OF MIDLAND, TEXAS, INC., FOR THE CASA DE AMIGOS - CARES CITYWIDE COMMUNITY SERVICES PROJECT (DEVELOPMENT SERVICES)
17. 2020-161 – 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 \$1,441,115.00 (DEVELOPMENT SERVICES)
18. 121-2020 – MOTION APPROVING A PROPOSED PRELIMINARY PLAT OF HANKS SOUTH INDUSTRIAL PARK, BEING A PLAT OF AN 80-ACRE TRACT OF LAND LOCATED IN BLOCK 38, T-2-S, B.F. WALCOTT SURVEY, ABSTRACT 1156, AND A 75-ACRE TRACT OF LAND LOCATED IN BLOCK 38, T-2-S, C.A. WINBORN SURVEY, ABSTRACT 511, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF SOUTH COUNTY ROAD 1160 AND EAST COUNTY ROAD 150 (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)
19. 2020-162 – RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR A LOCAL ON-SYSTEM IMPROVEMENT PROJECT WITH THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION (“TXDOT”), FOR THE DESIGN AND CONSTRUCTION OF U-TURN LANES AND LEFT-

TURN LANES ON THE EASTBOUND FRONTAGE ROAD AND THE WESTBOUND FRONTAGE ROAD OF LOOP 250 AT MIDKIFF ROAD; AND AUTHORIZING AND DIRECTING THE CITY SECRETARY TO CERTIFY A COPY OF THIS RESOLUTION TO TXDOT (ENGINEERING SERVICES)

20. 2020-163 – RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE AN APPROXIMATE 20-ACRE TRACT OF LAND OUT OF SECTION 2, BLOCK 40, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS, LOCATED AT OR ABOUT 6400 WEST U.S. HIGHWAY 80; AUTHORIZING THE CITY MANAGER TO NEGOTIATE, EXECUTE AND FILE ALL DOCUMENTS NECESSARY TO PURCHASE SAID TRACT, PURCHASE A TITLE INSURANCE POLICY AND HOLD THE CLOSING; APPROPRIATING FUNDS; AND ORDERING THE CITY SECRETARY TO RECORD, OR ENSURE THAT THE TITLE COMPANY RECORDS, THE INSTRUMENT OF CONVEYANCE (ENGINEERING SERVICES)
21. 122-2020 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND BETA CRUDE CONNECTOR, LLC. REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 8, BLOCK 38, TOWNSHIP 1 SOUTH, T&P RR CO. SURVEY, MIDLAND AND MARTIN COUNTIES, TEXAS (UTILITIES)
22. 123-2020 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND BETA CRUDE CONNECTOR, LLC. REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 7 AND 18, BLOCK 38, TOWNSHIP 1 SOUTH, T&P RR CO. MIDLAND COUNTY, TEXAS (UTILITIES)
23. 124-2020 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND BETA CRUDE CONNECTOR, LLC. REGARDING CITY-OWNED PROPERTY LOCATED IN SECTION 22, BLOCK 40, TOWNSHIP 1 SOUTH, T&P RR CO. SURVEY A-1391, MIDLAND COUNTY, TEXAS (UTILITIES)
24. 2020-164 – RESOLUTION AUTHORIZING THE ACCEPTANCE OF A 4.91-ACRE UTILITY EASEMENT OUT OF SECTION 8, BLOCK 39, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AT A COST NOT TO EXCEED \$122,850.00; AND ORDERING RECORDATION BY THE CITY SECRETARY (UTILITIES)

SECOND READINGS

25. 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) (FIRST READING HELD SEPTEMBER 22, 2020)

26. 10091 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE THE WEST HALF OF LOT 1, BLOCK 4, MOODY ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM LI, LIGHT INDUSTRIAL DISTRICT TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED ON THE SOUTH SIDE OF SOUTH STREET, APPROXIMATELY 95 FEET WEST OF NORTH 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 JULY 14, 2020)

PUBLIC HEARINGS

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

27. 125-2020 – THE PROPOSED GRANTING OF OIL AND GAS WELL PERMITS TO DIAMONDBACK E&P LLC FOR THE DRILLING OF THE FOLLOWING OIL AND GAS WELLS: MISSOULA UNIT 806LS; MISSOULA UNIT 817MS; BUTTE UNIT 805LS; AND BUTTE UNIT 816MS; SAID WELLS BEING GENERALLY LOCATED 409 FEET NORTH OF GREEN TREE BOULEVARD EXTENSION AND BETWEEN 2,062 FEET AND 2,122 FEET WEST OF NORTH MIDKIFF ROAD EXTENSION (DEVELOPMENT SERVICES)
28. 126-2020 – RECEIVE PUBLIC COMMENTS REGARDING THE DEVELOPMENT OF THE CITY’S (COVID) COMMUNITY DEVELOPMENT PROGRAM RELIEF PROJECTS FUNDS (DEVELOPMENT SERVICES)
29. 10116 – AN ORDINANCE AMENDING TITLE III, “DEPARTMENTS”, CHAPTER 1, “WATER DEPARTMENT”, SECTION 2, “RATES”, OF THE CITY CODE OF MIDLAND, TEXAS; CONTAINING A CUMULATIVE CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF FIVE HUNDRED DOLLARS (\$500.00); CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND ORDERING PUBLICATION (UTILITIES)

MISCELLANEOUS

30. 2020-165 – RESOLUTION AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AGREEMENT FOR COMMERCIAL SALTWATER DISPOSAL OPERATIONS AT T-BAR RANCH (GENERAL SERVICES)

EXECUTIVE SESSION

31. 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 551.072, Deliberation Regarding Real Property
 - a.1. Discuss the purchase, exchange, lease, or value of real property

Respectfully Submitted,

Robert Patrick
Interim 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.