

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
January 12, 2021 - 10:00 AM
300 North Loraine
Midland, Texas
Council Chamber - City Hall



Videoconference Information

Please click this URL to join. [https://zoom.us/j/98282705960?
pwd=b3hOcWJlc3hQaGJzQURWSDM1TXp2dz09](https://zoom.us/j/98282705960?pwd=b3hOcWJlc3hQaGJzQURWSDM1TXp2dz09)

Passcode: 665969

Or join by phone:

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

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

Webinar ID: 982 8270 5960

International numbers available: <https://zoom.us/u/as0wv49kw>

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

OPENING ITEMS

1. Invocation – Pastor Bob Pase, Grace Lutheran Church
2. Pledge of Allegiance

CONSENT AGENDA

3. MOTION APPROVING THE FOLLOWING MINUTES:
 - a. REGULAR CITY COUNCIL MEETING OF DECEMBER 15, 2020
4. 2021-001 – RESOLUTION APPROVING THE CITY OF MIDLAND’S FISCAL YEAR 2021 INVESTMENT POLICY (FINANCE)
5. 2021-002 – RESOLUTION AWARDDING A CONTRACT FOR THE MARIENFELD TRAFFIC

SIGNAL IMPROVEMENTS PROJECT TO ONYX GENERAL CONTRACTORS, LLC OF MIDLAND, TEXAS, AT A TOTAL COST OF \$815,643.92; TRANSFERRING FUNDS; AND AUTHORIZING PAYMENT (GENERAL SERVICES)

6. 2021-003 – RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS VEHICLES FOR THE GENERAL SERVICES DEPARTMENT FOR A TOTAL COST OF \$497,883.00 (GENERAL SERVICES)
7. 2021-004 – RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MAVERICK CIVIL & SURVEY, LLC, DBA MAVERICK ENGINEERING, INC., FOR THE ANALYSIS AND DESIGN FOR THE REPLACEMENT/REHABILITATION OF THREE WASTEWATER LINES UNDER LOOP 250 FOR THE UTILITIES DEPARTMENT FOR A COST OF \$140,300.00; AND APPROVING \$35,075.00 FOR CONTINGENCIES (GENERAL SERVICES)
8. 2021-005 – RESOLUTION AWARDED A CONTRACT FOR THE FISCAL YEAR 2021 MICRO-SURFACING AND SLURRY SEAL PROJECT TO INTERMOUNTAIN SLURRY SEAL, INC. OF LEWISVILLE, TEXAS, AT A TOTAL COST OF \$2,922,726.96; TRANSFERRING FUNDS; AND AUTHORIZING PAYMENT (GENERAL SERVICES)
9. 2021-006 – RESOLUTION AWARDED A CONTRACT FOR THE ANETTA DRIVE MILL AND INLAY BOND PROJECT TO JONES BROS. DIRT & PAVING CONTRACTORS, INC. OF ODESSA, TEXAS, AT A TOTAL COST OF \$1,415,493.50; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT (GENERAL SERVICES)
10. 2021-007 – RESOLUTION AWARDED A CONTRACT FOR THE “A” STREET STORM DRAIN AND UTILITIES PROJECT TO BOLER EQUIPMENT SERVICE, INC. OF MIDLAND, TEXAS, AT A TOTAL COST OF \$1,862,799.00; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT (GENERAL SERVICES)
11. 2021-008 – RESOLUTION APPROVING THE PURCHASE OF TWO (2) ROLL-OFF REFUSE TRUCK BODIES ON INTERNATIONAL CAB AND CHASSIS AND FIVE (5) KANN REFUSE TRUCK BODIES ON INTERNATIONAL CAB AND CHASSIS FROM ROBERTS TRUCK CENTER OF TEXAS LLC DBA SUMMIT TRUCK GROUP THROUGH SOURCEWELL FOR THE GARAGE DIVISION AT A TOTAL COST OF \$1,303,038.99 (GENERAL SERVICES)
12. 2021-009 – RESOLUTION AWARDED A CONTRACT TO TEC EXCAVATION, INC., FOR THE WATER AND SEWER SYSTEM IMPROVEMENTS - BRIARWOOD AVENUE UTILITY IMPROVEMENTS PROJECT FOR A COST OF \$273,979.00; AND APPROVING CONTINGENCIES IN THE AMOUNT OF \$68,494.00 (GENERAL SERVICES)
13. 2021-010 – RESOLUTION AWARDED A CONTRACT FOR THE FISCAL YEAR 2021 MISCELLANEOUS CONCRETE PROGRAM TO DESERT PAVING, INC. OF ODESSA, TEXAS, AT A TOTAL COST NOT TO EXCEED \$1,250,000.00; AND AUTHORIZING PAYMENT (GENERAL SERVICES)

14. 2021-011 – RESOLUTION AWARDING A CONTRACT FOR THE CITYWIDE PAVEMENT MARKING PROJECT TO WEST TEXAS BARRICADES, LLC, DOING BUSINESS AS BARRICADES UNLIMITED, OF LUBBOCK, TEXAS, AT A TOTAL COST NOT TO EXCEED \$174,070.00; AND AUTHORIZING PAYMENT (GENERAL SERVICES)
15. 001-2021 – MOTION ACCEPTING A GRANT AWARD OF \$95,632.00 FROM THE FISCAL YEAR 2021 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM; AND AUTHORIZING THE APPROPRIATION OF SAID FUNDS TO THE POLICE JUSTICE GRANT FUND (074) (POLICE)
16. 002-2021 – 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 5, 8, 9 AND 10, BLOCK 38, TOWNSHIP 2 SOUTH, T&P RR CO. SURVEY, MIDLAND COUNTY TEXAS (UTILITIES)

SECOND READINGS

17. 10129 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR LOT 22 AND THE WEST 97.3 FEET OF LOT 23, BLOCK 81, PERMIAN ESTATES ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST WALL STREET, APPROXIMATELY 383 FEET WEST OF THOMASON DRIVE), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR A MOBILE FOOD VENDOR PARK; 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 NOVEMBER 17, 2020)
18. 10138 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 15A, BLOCK 133, SOUTHERN ADDITION, SECTION 18, CITY AND COUNTY OF MIDLAND, TEXAS, FROM LI, LIGHT INDUSTRIAL DISTRICT, IN PART, AND SF-3, SINGLE-FAMILY DWELLING DISTRICT, IN PART, TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF SOUTH WEATHERFORD DRIVE, 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 DECEMBER 15, 2020)

PUBLIC HEARINGS

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

19. 003-2021 – THE PROPOSED GRANTING OF AN OIL AND GAS WELL PERMIT TO PARSLEY ENERGY OPERATIONS, LLC FOR THE DRILLING OF THE FOLLOWING OIL

AND GAS WELL: HOGAN 1-24-H-2415HZ; SAID WELL BEING GENERALLY LOCATED 1,840 FEET NORTH OF EAST LOOP 250 NORTH AND 1,381 FEET WEST OF NORTH FAIRGROUNDS ROAD EXTENSION (DEVELOPMENT SERVICES)

20. 10139 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 42.30-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 EAST SIDE OF CARRIAGE ROAD, APPROXIMATELY 1,740 FEET SOUTH OF 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)
21. 10140 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 14 AND 15, BLOCK 1, WADLEY HEIGHTS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR AN OFFICE CENTER TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR AN OFFICE CENTER (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF MOGFORD STREET AND WEST WADLEY 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)
22. 10141 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 15-ACRE TRACT OF LAND OUT OF SECTION 12, BLOCK 40, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM BP, I-20 BUSINESS PARK DISTRICT, IN PART, RR, REGIONAL RETAIL DISTRICT, IN PART, AND LI, LIGHT INDUSTRIAL DISTRICT, IN PART, TO BP, I-20 BUSINESS PARK DISTRICT (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF LOTE BUSH DRIVE AND WEST INTERSTATE 20); 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)
23. 10142 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 5,295-SQUARE FOOT PORTION OF LOT 3, LESS THE EAST 2.14 ACRES, BLOCK 15A, OXFORD HEIGHTS, SECTION 7, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST ILLINOIS AVENUE, APPROXIMATELY 800 FEET EAST OF NORTH MIDLAND DRIVE), 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)

24. 10143 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 9,357-SQUARE FOOT PORTION OF LOT 2A, BLOCK 1A, MIDKIFF PLAZA ADDITION, SECTION 8, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST 250 LOOP NORTH, APPROXIMATELY 1,036 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)
25. 10144 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 4, BLOCK 194, SOUTHERN ADDITION, AND LOT 3, BLOCK 2, SOUTH PARK ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-2, SINGLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF SOUTH JEFFERSON STREET, APPROXIMATELY 150 FEET SOUTH OF EAST FLORIDA 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)
26. 2021-012 – RESOLUTION AMENDING THE CITY OF MIDLAND CONSOLIDATED PLAN FOR COMMUNITY DEVELOPMENT AND HOUSING FUNDS FOR FISCAL YEARS 2020 THROUGH 2024 (OCTOBER 2020 TO SEPTEMBER 2024) AND THE 2020-2021 ACTION PLAN TO SAID CONSOLIDATED PLAN; AND AUTHORIZING THE ALLOCATION OF FUNDS (DEVELOPMENT SERVICES)

MISCELLANEOUS

27. 004-2021 – DISCUSS THE EXPENDITURE OF CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT FUNDS OR OTHER SUCH GRANT FUNDS IN RELATION TO VACCINATIONS, INCLUDING FACILITIES, AND OTHER MATTERS INCIDENT AND RELATED THERETO. THE CITY COUNCIL MAY TAKE ACTION ON THIS MATTER (CITY MANAGER)
28. 005-2021 – MOTION APPROVING A CITY COUNCIL RETREAT CURRENTLY SCHEDULED FOR MARCH 18TH, 2021 (CITY MANAGER)
29. 006-2021 – MOTION AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO NEGOTIATE AND EXECUTE A PURCHASE AND SALE AGREEMENT AND ANY

OTHER DOCUMENT NECESSARY AND APPROPRIATE FOR THE PURCHASE OF LOTS 1-12, BLOCK 66, ORIGINAL TOWN, MIDLAND, MIDLAND COUNTY TEXAS (CITY MANAGER)

30. MOTION MAKING APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS (CITY SECRETARY'S OFFICE)

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 551.071, Consultation with the City Attorney
 - a.1. Discuss matters in which the duty of the attorney(s) to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code

 - b. Section 551.087, Deliberate Economic Development Negotiations
 - b.1. Discuss business prospects that the City seeks to have locate, stay, or expand in or near the City of Midland, Texas, and discuss possible incentives

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.