

CITY OF MIDLAND, TEXAS
AGENDA FOR CITY COUNCIL MEETING
December 14, 2021 - 10:00 AM
300 North Loraine
Midland, Texas
Council Chamber - City Hall



Notice is hereby given that a public meeting will be held by the City Council of the City of Midland, in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas and via videoconference. A quorum of the City Council intends to be physically present at the aforementioned location.

Videoconference Information

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. <https://us06web.zoom.us/j/83759603711?pwd=OEJMbFBmZDNhRng3ckhMRWxEQithUT09>

Passcode: 380151

Or One tap mobile:

+13462487799,,83759603711# US (Houston)

+17207072699,,83759603711# US (Denver)

Or join by phone:

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

US: +1 346 248 7799 or +1 720 707 2699 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592

Webinar ID: 837 5960 3711

International numbers available: <https://us06web.zoom.us/j/83759603711>

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

OPENING ITEMS

1. Invocation – Minister Chase Gilbert, Stonegate Fellowship
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - 3a. Presentation of the 2021 Texas Downtown Association President’s Award for Best Public Improvement to Centennial Park

- 3b. Presentation of Proclamation proclaiming December 14, 2021 as “Greg Moore Day”

CONSENT AGENDA

4. MOTION APPROVING THE FOLLOWING MINUTES:
 - 4a. SPECIAL SESSION OF NOVEMBER 15, 2021
 - 4b. BRIEFING SESSION OF NOVEMBER 16, 2021
 - 4c. REGULAR SESSION OF NOVEMBER 16, 2021
5. 2021-167 – RESOLUTION CASTING THE CITY OF MIDLAND’S VOTES FOR DIRECTORS OF THE MIDLAND CENTRAL APPRAISAL DISTRICT FOR ROBERT MCNAUGHTON; AND DIRECTING THE CITY MANAGER TO FILE THE APPROPRIATE DOCUMENTS (DISTRICT: ALL) (FINANCE)
6. 2021-168 – RESOLUTION AUTHORIZING THE PURCHASE OF AN M2106 JET SEWER TRUCK FROM AUSTIN TRUCK & EQUIPMENT LTD DBA FREIGHTLINER OF AUSTIN THROUGH THE INTERLOCAL PURCHASING SYSTEM FOR A TOTAL COST OF \$232,748.00 (DISTRICT: NONE) (GENERAL SERVICES)
7. 2021-169 – RESOLUTION APPROVING THE PURCHASE OF TWO (2) AUTOMATED REFUSE TRUCKS FROM CHASTANG ENTERPRISES, INC., THROUGH BUYBOARD AT A TOTAL COST OF \$718,576.00 (DISTRICT: NONE) (GENERAL SERVICES)
8. 2021-170 – RESOLUTION AWARDED A CONTRACT FOR THE FISCAL YEAR 2022 STREET SWEEPING PROJECT TO MISTER SWEEPER LP OF DALLAS, TEXAS, AT A TOTAL COST NOT TO EXCEED \$108,997.68; AND AUTHORIZING PAYMENT (DISTRICT: NONE) (GENERAL SERVICES)
9. 2021-171 – RESOLUTION AWARDED A CONTRACT FOR THE PURCHASE OF READY-MIX CONCRETE AND CALICHE FOR THE TRANSPORTATION DIVISION TO THE SOLE BIDDER, HUNTER READY MIX OF MIDLAND, TEXAS, AT A TOTAL COST OF \$655,215.00; AND AUTHORIZING PAYMENT (DISTRICT: ALL) (GENERAL SERVICES)
10. 2021-172 – RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PICTOMETRY INTERNATIONAL CORP., OF ROCHESTER, NEW YORK, FOR AERIAL IMAGERY AND RELATED SERVICES FOR THE GEOGRAPHIC INFORMATION SYSTEMS DIVISION AT A TOTAL COST OF \$208,020.00; AND AUTHORIZING PAYMENT (DISTRICT: NONE) (GENERAL SERVICES)
11. 2021-173 – RESOLUTION AWARDED A CONTRACT FOR THE BENTON STREET PEDESTRIAN BRIDGE AND LEE STREET PEDESTRIAN BRIDGE PROJECT TO

AMSTAR, INC. OF SAN ANTONIO, TEXAS, THROUGH SOURCEWELL AT A TOTAL COST OF \$599,998.33; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT (DISTRICT 2) (GENERAL SERVICES)

12. 2021-174 – RESOLUTION AWARDED A CONTRACT FOR THE THOMASON DRIVE ROUNDABOUT IMPROVEMENTS PROJECT TO THE SOLE BIDDER, ONYX GENERAL CONTRACTORS, LLC OF MIDLAND, TEXAS, AT A TOTAL COST OF \$189,701.04; AND AUTHORIZING PAYMENT (DISTRICT 4) (GENERAL SERVICES)
13. 2021-175 – RESOLUTION AWARDED A CONTRACT FOR THE FISCAL YEAR 2022 MIDLAND CITYWIDE CONCRETE PROGRAM TO ONYX GENERAL CONTRACTORS, LLC OF MIDLAND, TEXAS, AT A TOTAL COST NOT TO EXCEED \$1,500,000.00; AND AUTHORIZING PAYMENT (DISTRICT: ALL) (GENERAL SERVICES)
14. 2021-176 – RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR TURF AND LANDSCAPE MAINTENANCE SERVICES WITH ALLDREGE GARDENS, L.P., FOR THE CITY OF MIDLAND PARKS, ATHLETIC FIELDS, AND OTHER CITY PROPERTIES MAINTAINED WITHIN THE PARKS AND RECREATION DIVISION IN THE AMOUNT OF \$2,800,000.00 PER YEAR (DISTRICT: ALL) (GENERAL SERVICES)
15. 2021-177 – RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH FIRST SERVICE AIR CONDITIONING CONTRACTORS, INC., FOR HEATING, VENTILATION AND AIR CONDITIONING SERVICES FOR VARIOUS CITY BUILDINGS AT A TOTAL COST OF \$1,227,790.20 (DISTRICT: ALL) (GENERAL SERVICES)
16. 2021-178 – RESOLUTION AWARDED A PROFESSIONAL SERVICES AGREEMENT FOR ARCHITECTURAL AND ENGINEERING SERVICES TO RANDALL SCOTT ARCHITECTS, INC., TO DEVELOP A MASTER PLAN FOR THE MIDLAND PUBLIC SAFETY TRAINING FACILITY FOR A COST OF \$126,850.00; APPROVING \$53,000.00 FOR SITE PLANNING; APPROVING \$20,150.00 FOR PROJECT RELATED COSTS; AND TRANSFERRING FUNDS (DISTRICT: NONE) (GENERAL SERVICES)
17. 2021-179 – RESOLUTION AWARDED A CONTRACT FOR THE FISCAL YEAR 2022 DRAINAGE SYSTEM MOWING, MEDIAN MAINTENANCE AND TREE TRIMMING PROJECT TO VAULT MOBILE STORAGE, LLC OF MIDLAND, TEXAS, AT A TOTAL COST NOT TO EXCEED \$1,000,000.00; AND AUTHORIZING PAYMENT (DISTRICT: ALL) (GENERAL SERVICES)
18. 2021-180 – RESOLUTION APPROVING THE TRANSFER FROM CALLON PETROLEUM OPERATING COMPANY (“OPERATOR”) TO SPIRIT O&G OPERATING, LLC (“TRANSFeree”) OF ALL OF OPERATOR’S OIL AND GAS WELL PERMITS AND ROAD REPAIR AGREEMENTS ASSOCIATED WITH OPERATIONS LOCATED IN SECTION 22, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (DISTRICT 4) (DEVELOPMENT SERVICES)
19. 155-2021 – MOTION REJECTING THE SOLE BID RECEIVED FOR THE PURCHASE OF CERTAIN AUTOMOBILES AND LIGHT TRUCKS FOR THE GENERAL SERVICES

DEPARTMENT; AND AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO REISSUE AN ADVERTISEMENT FOR COMPETITIVE BIDS FOR THE PURCHASE OF SAID AUTOMOBILES AND LIGHT TRUCKS PURSUANT TO THE STATUTES OF THE STATE OF TEXAS (DISTRICT: NONE) (GENERAL SERVICES)

20. 156-2021 – MOTION AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO THAT CERTAIN SPONSORSHIP LICENSE AGREEMENT FOR THE BASEBALL STADIUM AT THE SCHARBAUER SPORTS COMPLEX WITH AMERICAN MOMENTUM BANK (DISTRICT 4) (CITY MANAGER)
21. 157-2021 – MOTION APPROVING WITH STAFF'S RECOMMENDED CONDITIONS A PROPOSED PRELIMINARY PLAT OF MDC BUSINESS PARK, SECTION 2, BEING A PLAT OF A 58.18-ACRE TRACT OF LAND OUT OF SECTION 11, BLOCK 40, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF INTERSTATE 20, APPROXIMATELY 2,972-FEET EAST OF SOUTH COUNTY ROAD 1250 (DISTRICT 2) (DEVELOPMENT SERVICES)
22. 158-2021 – MOTION APPROVING WITH STAFF'S RECOMMENDED CONDITIONS A PROPOSED PRELIMINARY PLAT OF WESTRIDGE PARK ADDITION, SECTION 49, BEING A PLAT OF A 30.80-ACRE TRACT OF LAND OUT OF SECTIONS 37 AND 38, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF STATE HIGHWAY 191 AND AVALON DRIVE) (DISTRICT 4) (DEVELOPMENT SERVICES)
23. 159-2021 – MOTION APPROVING WITH STAFF'S RECOMMENDED CONDITIONS A PROPOSED PRELIMINARY PLAT OF LONE STAR TRAILS II, SECTION 13, BEING A PLAT OF A 25.20-ACRE TRACT OF LAND LOCATED IN SECTION 7, BLOCK 38, T-1-S, T&P, RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF OCCIDENTAL PARKWAY, APPROXIMATELY 1,335 - FEET EAST OF CARRIAGE ROAD) (DISTRICT 1) (DEVELOPMENT SERVICES)
24. 160-2021 – MOTION APPROVING THE RECEIPT AND FILING OF THE CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR 2020/2021 (DISTRICT: NONE) (DEVELOPMENT SERVICES)
25. 2021-181 – RESOLUTION AUTHORIZING THE EXECUTION OF A PUBLIC IMPROVEMENT DEVELOPMENT AGREEMENT WITH SUMMIT CENTER, LLC FOR DEVELOPMENT OF MAYFIELD PLACE ADDITION, SECTION 8, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF BROMLEY PLACE AND MAYFIELD PLACE); APPROPRIATING FUNDS IN THE AMOUNT OF \$62,882.64; AND AUTHORIZING PAYMENT; SAID AGREEMENT BEING AUTHORIZED BY CHAPTER 212, SUBCHAPTER C OF THE TEXAS LOCAL GOVERNMENT CODE (DISTRICT 1) (ENGINEERING SERVICES)
26. 2021-182 – RESOLUTION AUTHORIZING MIDLAND COUNTY, TEXAS TO PERFORM

PAVING SERVICES ON INDUSTRIAL AVENUE, FROM LOOP 250 TO MIDKIFF ROAD, IN ACCORDANCE WITH THE CITY - COUNTY INTERLOCAL COOPERATION CONTRACT AUTHORIZED BY RESOLUTION NO. 2013-401; ALLOCATING FUNDS; AND AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED \$1,340,662.00 OR FIFTY PERCENT OF THE TOTAL COST OF SAID PAVING SERVICES, WHICHEVER IS LESS (DISTRICT 2) (ENGINEERING SERVICES)

27. 2021-183 – RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO NEGOTIATE A DEVELOPMENT AGREEMENT AND LEASE AGREEMENT WITH THE PERMIAN BASIN QUALITY OF PLACE CONSERVANCY FOR THE DESIGN, CONSTRUCTION, MAINTENANCE, AND OPERATION OF CERTAIN PROPOSED IMPROVEMENTS TO HOGAN PARK; PROVIDING THAT SAID DEVELOPMENT AGREEMENT AND LEASE AGREEMENT SHALL HAVE CONCURRENT TERMS; AND PROVIDING THAT SAID DEVELOPMENT AGREEMENT AND LEASE AGREEMENT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE CITY COUNCIL (DISTRICT 2) (LEGAL)
28. 161-2021 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE WITH ENVIRONMENTAL DISPOSAL SYSTEMS, LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 44, BLOCK 38, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (DISTRICT: NONE) (UTILITIES)
29. 162-2021 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (21-329-044) WITH ENDEAVOR ENERGY RESOURCES, L.P., REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 13 AND 24, BLOCK 37, T-3-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (DISTRICT: NONE) (UTILITIES)
30. 163-2021 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (21-329-045) WITH ENDEAVOR ENERGY RESOURCES, L.P., REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 12, BLOCK 37, T-3-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (DISTRICT: NONE) (UTILITIES)

SECOND READINGS

31. 10251 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 7, BLOCK 5, FANNIN TERRACE, SECTION TWO, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF FANNIN AVENUE AND MABERRY STREET), BY PERMITTING A REDUCED MINIMUM SIDE YARD SETBACK ON THE WEST SIDE OF THE LOT; 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 (DISTRICT 3) (DEVELOPMENT SERVICES) (FIRST READING HELD NOVEMBER 16, 2021)
32. 10257 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 12, BLOCK 50, EAST MIDLAND ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS

(GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF NORTH TYLER STREET AND ORCHARD LANE), BY PERMITTING A REDUCED MINIMUM LOT WIDTH IN THE EVENT THAT THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND IS AMENDED TO REZONE THE PROPERTY FROM HI, HEAVY INDUSTRIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING 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 (DISTRICT 2) (DEVELOPMENT SERVICES) (FIRST READING HELD NOVEMBER 16, 2021)

33. 10258 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 1 AND 2, BLOCK 24, BELMONT ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MH, MANUFACTURED HOUSING DISTRICT TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST FRANCIS AVENUE AND SOUTH 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 (DISTRICT 2) (DEVELOPMENT SERVICES) (FIRST READING HELD NOVEMBER 16, 2021)
34. 10259 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 6, BLOCK 50, EAST MIDLAND ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF NORTH MADISON STREET AND SOUTH STREET), BY PERMITTING A REDUCED MINIMUM LOT WIDTH IN THE EVENT THAT THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND IS AMENDED TO REZONE THE PROPERTY FROM HI, HEAVY INDUSTRIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING 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 (DISTRICT 2) (DEVELOPMENT SERVICES) (FIRST READING HELD NOVEMBER 16, 2021)
35. 10261 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR A 30.80-ACRE TRACT OF LAND OUT OF SECTIONS 37 AND 38, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF STATE HIGHWAY 191 AND AVALON DRIVE), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AUTOMOBILE OR OTHER MOTORIZED VEHICLE SALES AND SERVICE; 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 (DISTRICT 4) (DEVELOPMENT SERVICES) (FIRST READING HELD NOVEMBER 16, 2021)

36. 10262 – AN ORDINANCE VACATING AND ABANDONING AN APPROXIMATE 0.61-ACRE PORTION OF MOCKINGBIRD LANE / WEST COUNTY ROAD 50 RIGHT-OF-WAY LOCATED IN SECTION 10, BLOCK X, H.P. HILLIARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH HALF OF MOCKINGBIRD LANE, APPROXIMATELY 3,300 FEET WEST OF NORTH A STREET); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$18,300.00; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A QUITCLAIM DEED CONVEYING THE AFOREMENTIONED RIGHT-OF-WAY TO THE OWNER OF THE ABUTTING PROPERTY, FROM WHICH THE CITY RESERVES AND EXCEPTS A NON-EXCLUSIVE UTILITY EASEMENT UNTIL EACH EXISTING EASEMENT USER ABANDONS ITS USE OF SAID EASEMENT; AUTHORIZING THE EXECUTION OF ANY DOCUMENTS NECESSARY OR APPROPRIATE TO EFFECTUATE SAID CONVEYANCE; AND ORDERING RECORDATION BY THE CITY SECRETARY (DISTRICT 1) (DEVELOPMENT SERVICES) (FIRST READING HELD NOVEMBER 16, 2021)
37. 10263 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 57.55-ACRE TRACT OF LAND OUT OF SECTION 1, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT, OFFICE CENTER, AND SHOPPING CENTER TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT, OFFICE CENTER, AND SHOPPING CENTER (GENERALLY LOCATED ON THE NORTH SIDE OF EAST INTERSTATE 20, APPROXIMATELY 530 FEET EAST OF SOUTH LAMESA 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 (DISTRICT 2) (DEVELOPMENT SERVICES) (FIRST READING HELD NOVEMBER 16, 2021)
38. 10265 – AN ORDINANCE MAKING CERTAIN AMENDMENTS TO THE 2020-2021 FISCAL YEAR BUDGET SO AS TO INCREASE AMOUNTS APPROPRIATED TO CERTAIN FUNDS (DISTRICT: NONE) (FINANCE) (FIRST READING HELD NOVEMBER 16, 2021)
39. 10266 – AN ORDINANCE AMENDING TITLE XIII, “AIRPORTS”, CHAPTER 2, “AIRPORT REGULATIONS”, OF THE CITY CODE OF MIDLAND, TEXAS, BY ESTABLISHING SECTION 21, “CUSTOMER FACILITY CHARGE”, SO AS TO AUTHORIZE THE IMPOSITION OF A CUSTOMER FACILITY CHARGE TO BE PAID BY EACH PERSON RENTING A MOTOR VEHICLE FROM AN ON-SITE VEHICLE RENTAL CONCESSIONAIRE; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; ORDERING PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE OF FEBRUARY 1, 2022 (DISTRICT 4) (AIRPORTS) (FIRST READING HELD NOVEMBER 16, 2021)
40. 10267 – AN ORDINANCE ADOPTING A FEE SCHEDULE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING AN APPEAL PROCESS; AND ORDERING PUBLICATION (DISTRICT: ALL) (FINANCE) (FIRST READING HELD NOVEMBER 16, 2021)

PUBLIC HEARINGS

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

41. 10260 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 3, BLOCK 2, BECKLAND TERRACE, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF COUNTRY CLUB DRIVE, APPROXIMATELY 312 FEET WEST OF DELMAR STREET), BY PERMITTING A REDUCED MINIMUM SIDE YARD SETBACK ON THE WEST SIDE OF THE LOT AND A REDUCED MINIMUM REAR YARD SETBACK; 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 (DISTRICT 4) (DEVELOPMENT SERVICES) (DEFERRED FROM NOVEMBER 16, 2021)
42. 10268 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 4,000-SQUARE FOOT PORTION OF LOT 31, BLOCK 10, PERMIAN ESTATES, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF THOMASON DRIVE AND WEST WALL STREET), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A NIGHTCLUB 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 (DISTRICT 2) (DEVELOPMENT SERVICES)
43. 10269 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 1-28 AND THE WEST 28 FEET OF LOT 29, BLOCK 168, WILSHIRE PARK ADDITION, SECTION 11, CITY AND COUNTY OF MIDLAND, TEXAS, FROM O-2, OFFICE DISTRICT TO C, COMMERCIAL DISTRICT (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SOUTH LOOP 250 AND GRACELAND 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 (DISTRICT 4) (DEVELOPMENT SERVICES)
44. 10270 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 3 AND 4, BLOCK 50, EAST MIDLAND ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM HI, HEAVY INDUSTRIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF NORTH MADISON STREET, APPROXIMATELY 100 FEET SOUTH OF ORCHARD LANE); 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 (DISTRICT 3) (DEVELOPMENT SERVICES)

45. 10271 – AN ORDINANCE VACATING AND ABANDONING A 0.41-ACRE PORTION OF SOUTH CARRIZO STREET RIGHT-OF-WAY LOCATED ADJACENT TO BLOCK 60 AND LOTS 7-12, BLOCK 61, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON SOUTH CARRIZO STREET, BETWEEN WEST WALL STREET AND WEST MISSOURI AVENUE); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$36,094.00; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A QUITCLAIM DEED CONVEYING THE AFOREMENTIONED RIGHT-OF-WAY TO THE OWNER OF THE ABUTTING PROPERTY, FROM WHICH THE CITY RESERVES AND EXCEPTS A NON-EXCLUSIVE UTILITY EASEMENT UNTIL EACH EXISTING EASEMENT USER ABANDONS ITS USE OF SAID EASEMENT; AUTHORIZING THE EXECUTION OF ANY DOCUMENTS NECESSARY OR APPROPRIATE TO EFFECTUATE SAID CONVEYANCE; AND ORDERING RECORDATION BY THE CITY SECRETARY (DISTRICT 3) (DEVELOPMENT SERVICES)

MISCELLANEOUS

46. 164-2021 – MOTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE A DEVELOPMENT AGREEMENT WITH DEPALMA HOTELS AND RESORTS REGARDING A POTENTIAL HOTEL IN DOWNTOWN MIDLAND (DISTRICT 2) (CITY MANAGER)

PUBLIC COMMENT

47. 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,

Robert Patrick
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.