

**\*\*UNOFFICIAL AGENDA RESULTS\*\***

**AGENDA FOR CITY COUNCIL MEETING**  
September 24, 2019 – 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 - Pastor Bob Pase, Grace Lutheran
2. Pledge of Allegiance

**PRESENTATIONS**

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
  - a. Presentation of proclamation for National Business Women's Week
  - b. Presentation of proclamation for Miss Cayce's Wonderland

**CONSENT AGENDA**

4. Consider a motion approving the following minutes:
  - a. Regular City Council Meeting of September 10, 2019.

**APPROVED**

5. Consider a resolution authorizing the execution of a Professional Services Agreement with the sole proposer, Jeffrey D. Blume, Limited, for design services associated with the Hogan Park Cart Path Renovation Project; and appropriating funds therefor. (PURCHASING) (2019 - 261)

**APPROVED**

6. Consider a resolution approving the purchase of twenty-four (24) wash stations for Grande Stadium from Global Industrial, Inc., through Buyboard at a total cost of \$106,218.24. (PURCHASING) (2019 - 280)

**APPROVED**

7. Consider a resolution awarding a contract for the Grafa Park Storm Drain Replacement Project to J&H Services, Inc. of Albuquerque, New Mexico, at a total cost of \$1,410,534.25; appropriating and allocating funds; and authorizing payment therefor. (PURCHASING) (2019 - 281)

**APPROVED**

8. Consider a resolution authorizing the acceptance of a donation in the amount of \$40,000.00 from Midland County for the City of Midland and Midland County 2020 U.S. Census count. (DEVELOPMENT SERVICES) (2019 - 282)

**APPROVED**

9. Consider a resolution awarding a contract for the Midland Census 2020 advertising and promotional services to Current Media Partners LLC, for an amount not to exceed \$75,000.00. (PURCHASING) (2019 - 283)

**APPROVED**

10. Consider a resolution approving the selection of Dunaway Associates, L.P., Enprotec / Hibbs & Todd, Inc., Freese and Nichols, Inc., Kimley-Horn and Associates, Inc., Maverick Engineering, Parkhill Smith & Cooper, Inc., Parsons Environment & Infrastructure Group, Inc., and Westwood Professional Services, Inc. to assist the Engineering Services Department by providing professional engineering services, architecture services, landscape architecture services, land surveying services, real estate appraising services, and services provided in connection therewith on an as-needed basis; authorizing the negotiation and execution of a Professional Services Agreement with each firm; providing that each agreement shall be for a term not to exceed three years; authorizing the negotiation and execution of task orders in accordance with such agreements; providing that the payment for each task order executed in accordance with such an agreement shall not exceed \$150,000.00; providing that the total cost to the City for all task orders executed each year in accordance with each agreement shall not exceed \$300,000.00 per agreement per year; and authorizing payment therefor. (PURCHASING) (2019 - 284)

**APPROVED**

11. Consider a resolution authorizing the issuance of a Request for Proposals for a Data Network and Internet Service Provider Agreement for the Communications and Information Systems Department. (PURCHASING) (2019 - 285)

**APPROVED**

12. Consider a resolution approving the purchase of Palo Alto firewall devices from CDW Government LLC, through the Texas Department of Information Resources at a total cost of \$348,865.33 for the Communication and Information Systems Department. (PURCHASING) (2019 - 286)

**APPROVED**

13. Consider a resolution adopting a new purchasing policy and rescinding all prior conflicting resolutions. (PURCHASING) (2019 - 287)

**APPROVED**

14. Consider a resolution awarding a contract for janitorial services for City buildings to ABM Industry Groups, LLC, in the amount of \$404,325.60. (PURCHASING) (2019 - 288)

**APPROVED**

15. Consider a resolution awarding a contract for the removal of water treatment plant solids from the Water Purification Plant to Blaxtone Energy, LLC, for a total cost of \$49,085.00; approving \$12,271.25 in contingencies; and authorizing payment therefor. (PURCHASING) (2019 - 289)

**APPROVED**

16. Consider a resolution ratifying and approving the emergency lease of a water truck from Warren Power & Machinery, Inc., for the General Services Department; and authorizing payment for said lease in an amount not to exceed \$100,000.00. (PURCHASING) (2019 - 290)

**APPROVED**

17. Consider a resolution authorizing the sole-source purchase of three Flygt wash water return pump replacements for the Utilities Department from Odessa Pumps and Equipment, Inc. d/b/a J & L Equipment/Odessa Pumps for a total cost of \$54,465.00. (PURCHASING) (2019 - 291)

**APPROVED**

18. Consider a resolution authorizing the execution of a 2020 Routine Airport Maintenance Program Agreement between the City of Midland, Texas, and the Texas Department of Transportation to provide for automated weather observing system maintenance and general airport maintenance costs of eligible projects at Midland Airpark; and appropriating funds therefor. (AIRPORTS) (2019 - 292)

**APPROVED**

19. Consider a resolution 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) (2019 - 293)

**APPROVED**

20. Consider a resolution approving a fourth amendment to the Reimbursable Physician Recruitment Agreement between the Midland Development Corporation and the Midland County Hospital District d/b/a Midland Memorial Hospital. (CITY MANAGER'S OFFICE) (2019 - 294)

**APPROVED**

21. Consider a resolution authorizing the issuance of a Request for Qualifications for professional services associated with the development of a master plan for the development and redevelopment of the Midland Senior Center and the Midland Southeast Senior Center for the Community Services Department. (COMMUNITY SERVICES) (2019 - 295)

**APPROVED**

22. Consider a resolution authorizing the appropriation of \$800,000.00 from the 2019 Operating Budget of the Community Services Department in the General Fund to the Playground Equipment Replacement Project. (900315) (COMMUNITY SERVICES) (2019 - 296)

**APPROVED**

23. Consider a resolution approving the issuance of a permit to Diamondback E&P LLC ("Operator") to drill an oil and gas well within the City limits located 825 feet from the west line and 1,345 feet from the south line, Section 24, Block 40, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas, (generally located 1,345 feet north of Briarwood Avenue and 825 feet east of Avalon Drive); and providing that said permit does not require a new Road Repair Agreement but shall be consolidated under an existing Road Repair Agreement. (DEVELOPMENT SERVICES) (2019 - 297)

**APPROVED**

24. Consider a resolution granting variances for two oil and gas wells to be located closer than 500 feet of an occupied commercial structure; approving the issuance of permits to Fasken Oil and Ranch, LTD. ("Operator") to drill said oil and gas wells located in Section 30, Block 39,

T-1-S, T&P RR Co. Survey, City of Midland, Midland County, Texas, (generally located 418 feet south of Andrews Highway and between 277 feet and 301 feet east of North Loop 250 West); and providing that said permits do not require a new Road Repair Agreement but shall be consolidated under an existing Road Repair Agreement. (DEVELOPMENT SERVICES) (2019 - 298)

**APPROVED**

25. Consider a resolution approving an amendment to the permit issued to Permian Deep Rock Oil Co., LLC ("Operator") to drill an oil and gas well within the City limits located 240 feet from the north line and 862 feet from the east line, Section 10, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas, (generally located 862 feet west of Rankin Highway and 620 feet north of Dayton Road); said amendment changing the name of the well. (DEVELOPMENT SERVICES) (2019 - 299)

**APPROVED**

26. Consider a resolution authorizing the execution of a Workforce Housing Incentive Agreement with the Midland Community Development Corporation for the development of single-family residential construction in the City and County of Midland, Texas; said agreement being authorized by Chapter 380 of the Texas Local Government Code; establishing an incentive program for the construction of single-family workforce housing; and authorizing payment therefor. (DEVELOPMENT SERVICES) (2019 - 300)

**APPROVED**

27. Consider a resolution authorizing the execution of a Workforce Housing Incentive Agreement with Habitat for Humanity for the development of single-family residential construction in the City and County of Midland, Texas; said agreement being authorized by Chapter 380 of the Texas Local Government Code; establishing an incentive program for the construction of single-family workforce housing; and authorizing payment therefor. (DEVELOPMENT SERVICES) (2019 - 301)

**APPROVED**

28. Consider a resolution approving the budget of the Midland Emergency Communication District for the fiscal year ending September 30, 2020. (POLICE) (2019 - 302)

**APPROVED**

29. Consider a resolution authorizing the execution of an amendment to the

Right-of-Way License between the City of Midland and David H. Arrington, regarding City-owned property described as Sections 22 and 27 of the HH Lawson Subdivision, Block 39, Township 1 South, T & P RR Co. Survey, Midland County, Texas. (UTILITIES) (2019 - 303)

**APPROVED**

30. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Lone Star NGL Pipeline, L.P., regarding City-owned property described as Sections 5, 33 and 34, and Block 38, Section 36, Block 39, Township 1 North, T&P RR Co. Survey, Martin County, Texas. (UTILITIES) (2019 - 304)

**APPROVED**

31. Consider a resolution authorizing the execution of a Right-of-Way license between the City of Midland and NuStar Permian Transportation and Storage, LLC, regarding City-owned property described as Section 21, Block 37, Township 3 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES) (2019 - 305)

**APPROVED**

**SECOND READINGS**

32. Consider an ordinance on second reading granting a special exception for Lot 8A, Block 2, the Bedford Place, Section 2, City and County of Midland, Texas, (generally located at the northwest corner of the intersection of Bedford Drive and North G Street), by permitting a reduced minimum front 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. (DEVELOPMENT SERVICES) (9973)

**SECOND READING APPROVED**

33. 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 6,963-square foot portion of the west 24.25 feet of Lot 9 and all of Lots 10 through 12, Block 65, Original Town Addition, City and County of Midland, Texas, (generally located at the southeast corner of the intersection of North Colorado Street and West Wall Street), which is presently zoned CB, Central Business 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) (9974)

**SECOND READING APPROVED**

34. Consider an ordinance on second reading changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Plot A, the Village Addition, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, to be used as an LR-2, Local Retail District, (generally located on the north side of West Wall Street, approximately 15 feet east of East Circle 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. (DEVELOPMENT SERVICES) (9975)

**SECOND READING APPROVED**

35. 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 6,414-square foot portion of Lot 2, Block 2, Bankhead Addition, Section 6, City and County of Midland, Texas, (generally located on the west side of South Midkiff Road, approximately 621 feet south of West Wall Street), which is presently zoned C, Commercial District, 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) (9976)

**SECOND READING APPROVED**

36. Consider an ordinance on second reading amending the Zoning District Map of the City of Midland to rezone Lot 10, Block 122, Southern Addition, City and County of Midland, Texas, from LI, Light Industrial District to SF-3, Single-Family Dwelling District, (generally located on the east side of South Terrell Street, approximately 121 feet south of 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) (9977)

**SECOND READING APPROVED**

37. Consider an ordinance on second reading vacating and abandoning a

0.004-acre portion of right-of-way, a 0.019-acre portion of right-of-way, and a 0.019-acre portion of right-of-way, all out of Section 42, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, (generally located on the north side of Beachwood Street, approximately 131 feet, 871 feet, and 1,066 feet west of Chukar Lane); adopting the appraisal by the City Manager of \$3,659.04; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9978)

**SECOND READING APPROVED**

38. Consider an ordinance on second reading amending Title IV, "Building Regulations", Chapter 1, "Building Code", of the City Code of the City of Midland, Texas, by repealing Section 9, "Street Improvement Fee", so as to eliminate the Street Improvement Fee; establishing an effective date of October 1, 2019; containing a cumulative clause; containing a savings and severability clause; and ordering publication. (ENGINEERING SERVICES) (9979)

**SECOND READING APPROVED**

**PUBLIC HEARINGS**

39. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone the south 50 feet of Lot 1, Block 14, Original Town Addition, City and County of Midland, Texas, from RR, Regional Retail District to SF-3, Single-Family Dwelling District, (generally located on the west side of North Mineola Street, approximately 144 feet south of East Tennessee 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) (9980)

**FIRST READING APPROVED**

40. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 14, Block 59, Park Avenue Heights, City and County of Midland, Texas, from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District (generally located at the northwest corner of the intersection of South Tyler Street and East California 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) (9981)

**FIRST READING APPROVED**

41. Hold a public hearing and consider an ordinance amending the Zoning



District Map of the City of Midland to rezone Lots 1 and 2, Block 7, Homestead Addition, Section 12, 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 Mississippi Avenue and North Weatherford 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) (9982)

**FIRST READING APPROVED**

42. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 16, Block 121, Southern Addition, City and County of Midland, Texas, from LI, Light Industrial District, in part, and MH, Manufactured Housing District, in part, to SF-3, Single-Family Dwelling District, (generally located on the east side of South Dallas Street, approximately 141 feet south 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) (9983)

**FIRST READING APPROVED**

43. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone the east 50 feet of Lots 19 through 24, Block 145, Southern Addition, City and County of Midland, Texas, from RR, Regional Retail District to SF-3, Single-Family Dwelling District, (generally located at the northwest corner of the intersection of South Weatherford Street and 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) (9984)

**FIRST READING APPROVED**

44. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone lots 7, 10, and 11, Block 13, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas, from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District, (generally located at the northeast corner of the intersection of South Clay Street and Washington Avenue and on the east side of South Clay Street, approximately 160 feet north of 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) (9985)

**FIRST READING APPROVED**

45. Hold a public hearing and consider an ordinance amending the zoning district map of the City of Midland to rezone Lot 12, Block 26, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas, from C, Commercial District to SF-3, Single-Family Dwelling District (generally located at the southeast corner of the intersection of East Washington Avenue and South Stonewall 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) (9986)

**FIRST READING APPROVED**

46. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 4, Block 21, Moody 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 west side of North Carver Street, approximately 111 feet north of East Texas 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) (9987)

**FIRST READING APPROVED**

47. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 11, Block 26, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas, from C, Commercial District to SF-3, Single-Family Dwelling District, (generally located on the east side of South Stonewall Street, approximately 61 feet south 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) (9988)

**FIRST READING APPROVED**

48. Hold a public hearing and consider an ordinance amending the Zoning District Map of the City of Midland to rezone Lot 10, Block 6, Crestlawn Addition, City and County of Midland, Texas, from MF-16, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District, (generally located on the west side of North Carrizo Street, approximately 318 feet south of West Nobles 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) (9989)

**FIRST READING APPROVED**  
**MISCELLANEOUS**

49. Consider an ordinance 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) (9990)

**FIRST READING APPROVED**

50. Consider a motion making appointments to various boards and commissions. (CITY SECRETARY'S OFFICE) (064-2019)

**APPOINTMENTS MADE**

**PUBLIC COMMENT**

51. 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,

Courtney B. Sharp  
City Manager