

**CITY OF MIDLAND, TEXAS  
BRIEFING SESSION AGENDA  
March 26, 2019 - 9:30 A.M.  
BASEMENT CONFERENCE ROOM  
300 North Loraine  
Midland, Texas**

These items, as well as any other items on the regular posted agenda for the City Council Meeting on this date, may be discussed:

1. Receive a presentation of the 2018 Midland Police Department Traffic Contact Report by Dr. Eric J. Fritsch, Ph.D., Professional Development Institute, University of North Texas.

## AGENDA FOR CITY COUNCIL MEETING

March 26, 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 - Brad Smith, Calvary Assembly of God
2. Pledge of Allegiance

### **PRESENTATIONS**

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
  - a. Receive a presentation from the Midland Association of Retired School Personnel regarding volunteer hours for 2018.

### **CONSENT AGENDA**

4. Consider a motion approving the following minutes:
  - a. Regular City Council Meeting of February 26, 2019
  - b. Special City Council Meeting of March 5, 2019
5. Consider a resolution awarding a contract to VM Golf Services, Inc., for the Hogan Park Golf Course Driving Range Project, at a total cost of \$449,980.65. (PURCHASING) (2019 - 067)
6. Consider a resolution awarding a contract to AP Sounds Inc., dba All Pro Sound for the purchase and installation of an audio-video system at the Midland Convention Center, at a total cost of \$1,172,121.96. (PURCHASING) (2019 - 068)
7. Consider a resolution awarding a contract to Weaver Technologies, LLC, for the purchase and installation of a technology system at the Midland Convention

- Center, at a total cost of \$79,639.61. (PURCHASING) (2019 - 069)
8. Consider a resolution awarding a contract to Advanced Connections, Inc., for the purchase and installation of a security system at the Midland Convention Center, at a total cost of \$160,108.36. (PURCHASING) (2019 - 070)
  9. Consider a resolution rejecting the bids received for the Grafa Park Storm Drain Replacement Project; and authorizing the City Manager to re-advertise for competitive bids for said project. (PURCHASING) (2019 - 071)
  10. Consider a resolution awarding a contract for the Midland Meter Program 01 Project to Red Deer Construction, LLC of Midland, Texas, at a total cost not to exceed \$1,000,000.00; and authorizing payment therefor. (PURCHASING) (2019 - 072)
  11. Consider a resolution awarding a contract for the Fiscal Year 2019 Basin Mowing Project to the sole bidder, Shawnee Mission Tree Service, Inc., doing business as Arbor Masters Tree Service of Grand Prairie, Texas, at a total cost of \$110,000.00; and authorizing payment therefor. (PURCHASING) (2019 - 073)
  12. Consider a resolution awarding a contract for the Fiscal Year 2019 Arterial and Downtown Street Sweeping Project to Sweeping Services of Texas - Operating, L.P. of Hurst, Texas, at a total cost of \$120,250.00; and authorizing payment therefor. (PURCHASING) (2019 - 074)
  13. Consider a resolution awarding a contract for the Bluebird Lane Paving Project to the sole bidder, Jones Bros. Dirt & Paving Contractors, Inc., of Odessa, Texas, at a total cost of \$2,711,133.46; said project being a year two bond project; appropriating funds; and authorizing payment therefor. (PURCHASING) (2019 - 075)
  14. Consider a resolution awarding a contract for the Cuthbert Avenue Water Main Replacement Project to J&H Services, Inc. of Albuquerque, New Mexico, at a total cost of \$727,342.50; said project being a year two bond project; appropriating funds; and authorizing payment therefor. (PURCHASING) (2019 - 076)
  15. Consider a resolution awarding a contract for the Cuthbert Avenue (from Ward Street to Garfield Street) Mill & Inlay Paving Project to Reece Albert, Inc., of Midland, Texas, at a total cost of \$864,234.61; said project being a year two bond project; appropriating funds; and authorizing payment therefor. (PURCHASING) (2019 - 077)
  16. Consider a resolution awarding a contract for the Carter Avenue Paving Project to the sole bidder, Jones Bros. Dirt & Paving Contractors, Inc., of Odessa, Texas, at a total cost of \$3,737,169.66; said project being a year two bond project; appropriating funds; and authorizing payment therefor. (PURCHASING)

- (2019 - 078)
17. Consider a resolution authorizing the purchase of herbicide for the Spraberry Farm from Helena Agri-Enterprises, LLC of Stanton, Texas, at a total cost of \$96,640.00. (PURCHASING) (2019 - 079)
  18. Consider a resolution authorizing the issuance of a request for qualifications for a Water and Wastewater Rate Study for the Utilities Department. (PURCHASING) (2019 - 080)
  19. Consider a resolution authorizing the execution of the Facilities Extension Agreement with Oncor Electric Delivery Company LLC, a Delaware Limited Liability Company, for additional two-way feed capacity for the water pollution control plant for a total cost of \$137,796.63. (PURCHASING) (2019 - 081)
  20. Consider a resolution authorizing the execution of a Professional Services Agreement with Enprotec/Hibbs & Todd, Inc., to provide design and engineering services for the design of the Wadley Booster Station for the Utilities Department, for a cost of \$659,500.00. (PURCHASING) (2019 - 082)
  21. Consider a resolution authorizing the execution of a Professional Services Agreement with HDR Engineering, Inc., to provide design and engineering services for the design of the Paul Davis Pump Station improvements for the City of Midland, for a total cost of \$769,820.00. (PURCHASING) (2019 - 083)
  22. Consider a resolution awarding a contract to Palomar Modular Building LLC for the purchase and installation of three (3) barracks to be used by police cadets at The Permian Basin Law Enforcement Academy, through Buyboard, at a total cost of \$514,167.00; and appropriating funds therefor. (PURCHASING) (2019 - 084)
  23. Consider a resolution awarding a contract to Henthorn Commercial Construction for certain site work necessary for the installation of three (3) barracks to be used by police cadets at the Permian Basin Law Enforcement Academy, through Buyboard, at a total cost of \$369,804.60; approving \$18,490.23 for contingencies; and appropriating funds therefor. (PURCHASING) (2019 - 085)
  24. Consider a resolution approving the purchase of an automated fuel management system from Assetworks LLC through Sourcewell at a total cost of \$93,935.45; and approving \$9,393.50 for contingencies. (PURCHASING) (2019 - 086)
  25. Consider a resolution authorizing the execution of Task Order Number RVK 2 with Rehler, Vaugh & Koone, Inc.; said task order to provide for architectural services and schematic design work for certain Solid Waste, Utilities, and General Services administrative offices at a total cost of \$113,950.00. (PURCHASING) (2019 - 087)

26. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Pilot Avenue Paving Project; said project to provide for the construction of Pilot Avenue between State Highway 349 (Farm-to-Market Road 1788) and Norden Drive. (PURCHASING) (2019 - 088)
27. Consider a resolution authorizing the execution of the third amendment to the Interlocal Management Services Agreement between the City of Midland, Texas and Midland County Hospital District, doing business as Midland Memorial Hospital, for certain medical and well-being services; said amendment adjusting the annual fee and providing for the hosting of influenza clinics; and authorizing payment therefor. (ADMINISTRATIVE SERVICES) (2019 - 089)
28. Consider a resolution authorizing the appropriation of \$614,850.00 from the Airport Operating Fund (500) Unappropriated Fund Balance (35650) to the Security Checkpoint Project (700145-505). (AIRPORTS) (2019 - 090)
29. Consider a resolution approving a Consultant Services Agreement between the Midland Development Corporation and Interflight Global Corporation for services associated with the procurement of new tenants for facilities located at the Spaceport Business Park. (CITY MANAGER'S OFFICE) (2019 - 091)
30. Consider a resolution approving an Interlocal Agreement between the Midland Development Corporation and the University of Texas of The Permian Basin, as authorized by Chapter 791 of the Texas Local Government Code, to advertise or publicize the City of Midland for the purpose of developing new and expanded business enterprises. (CITY MANAGER'S OFFICE) (2019 - 092)
31. Consider a resolution approving a Consulting Services Agreement for multiple projects between the Midland Development Corporation and the Perryman Group for services associated with the production of economic and financial analysis, economic impact assessments, public policy studies, economic development strategies, analysis of regulatory matters, economic modeling, public education analysis, market and industry analysis, and other related services. (CITY MANAGER'S OFFICE) (2019 - 093)
32. Consider a resolution establishing a project for the 2020 Census Count authorizing the formation of a complete Count Committee for the 2020 Census Count Project; authorizing the City Manager to appoint members to said Complete Count Committee; and authorizing the appropriation of \$40,000.00 to advertise and promote the 2020 Census Count Project. (DEVELOPMENT SERVICES) (2019 - 094)
33. Consider a resolution granting variances for three oil and gas wells to be located closer than 500 feet of an occupied commercial structure or residence; approving the issuance of permits to Permian Deep Rock Oil Co., LLC

("operator") to drill said oil and gas wells located in Section 10, Block 39, T-2-S, T&P RR. Co. Survey, City of Midland, Midland County, Texas, (generally located between 2,320 feet and 2,410 feet east of Rankin Highway and 515 feet south of West Interstate 20); and waiving the requirement of a Road Repair Agreement. (DEVELOPMENT SERVICES) (2019 - 095)

34. Consider a motion approving a proposed preliminary plat of Corporate Ranch Addition, being a plat of a 30.02 Acre Tract of Land out of Section 28, Block 40, T-1-S, T&P. RR. Co. Survey, Midland County, Texas, (generally located on the southeast corner of the intersection of North County Road 1270 and West County Road 60). (Planning Admin) (030-2019)
35. Consider a resolution appropriating the sum of \$400,000.00 from the General Fund (001) Unappropriated Fund Balance Account (35650) to the Downtown Intersection Update Project (900291). (ENGINEERING SERVICES) (2019 - 096)
36. Consider a resolution appropriating the sum of \$150,000.00 from the 2019 Certificate of Obligation Fund (158) Unappropriated Fund Balance (35650) to the Fairgrounds Road Extension Phase 1 Design Project (900297-158); and appropriating the sum of \$400,000.00 from the 2019 Certificate of Obligation Fund (158) Unappropriated Fund Balance (35650) to the Fairgrounds Road Extension Phase 2 ROW Project (900298-158). (ENGINEERING SERVICES) (2019 - 097)
37. Consider a resolution accepting a grant in the amount of \$138,000.00 from the Fiscal Year 2019 Edward Byrne Memorial Justice Assistance Grant Program provided by the Governor's Office; said grant funds will be used to purchase an accident reconstruction technology system and electronic ticket writers for the Police Department. (POLICE) (2019 - 098)
38. Consider a motion receiving the 2018 Midland Police Department Racial Profiling Analysis. (POLICE) (031-2019)
39. Consider a resolution authorizing an Operating Certificate for Khodiar Trade Investment Corporation dba Metro Taxi to operate a taxi cab business; setting forth conditions accompanying the certificate; and establishing the terms of the certificate. (POLICE) (2019 - 099)
40. Consider a resolution authorizing the execution of a right-of-way license between the City of Midland and Targa Delaware LLC, regarding City-owned property described as Sections 17, 21, 22 and 26, Block C-23, Public School Lands Survey, Abstracts 1391, 1388, 1414 and 1415, Winkler County, Texas. (UTILITIES) (2019 - 100)
41. Consider a resolution authorizing the execution of a right-of-way license between the City of Midland and Targa Delaware LLC, regarding City-owned property

described as Sections 8, 10, 11 and 27, Block 74, Public School Lands Survey, Abstracts 1378, 1379, 1380 and 1410, Winkler County, Texas. (UTILITIES) (2019 - 101)

42. Consider a resolution authorizing the execution of a right-of-way license between the City of Midland and ETC Texas Pipeline, LTD., regarding City-owned property described as Section 30, Block 36, Township-3-South, T&P RR Co. Survey A-957 and A-1241, Midland and Glasscock Counties, Texas. (UTILITIES) (2019 - 102)
43. Consider a resolution authorizing the execution of an amendment to the right-of-way license between the City of Midland and Sunoco Pipeline LP, regarding City-owned property described as Section 10, Block 38, Township-2-South, T & P RR Co. Survey, Midland County, Texas. (UTILITIES) (2019 - 103)

## **SECOND READINGS**

44. Consider an ordinance on second reading granting a special exception for the West 5.2 feet of Lot 6 and Lot 7, Block 5, Urbandale Addition, City and County of Midland, Texas, (generally located at the northeast corner of the intersection of North J Street and Douglas Avenue), by permitting a reduced side 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) (Public hearing heard. Deferred from February 12, 2019.) (9886)
45. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 10, Block 149, Wilshire Park Addition, City and County of Midland, Texas, (generally located on the West Side of Woodcrest Drive, approximately 257 feet south of Ric Drive), which is presently zoned 1F-2, One-Family Dwelling District, by permitting said property to be used under a Specific Use Permit Without Term for an Accessory Building to be used for living or sleeping quarters; making said permit 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); ordering publication; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (First reading held February 26, 2019) (9889)
46. Consider an ordinance on second reading adopting a site plan for a 13.36-acre tract of land out of Section 35, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, (generally located at the southeast corner of the intersection of North County Road 1247 and West State Highway 158); subject to certain conditions and restrictions; 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 February 26, 2019) (9890)
47. Consider an ordinance on second reading adopting a site plan for a 21.30-acre tract of land out of Section 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, (generally located approximately 688 feet south of State Highway 191 and approximately 2,287 feet west of Avalon Drive); subject to certain conditions and restrictions; 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 February 26, 2019) (9891)
  48. 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 a 30.74-acre tract of land out of Section 9, Block X, H.P. Hilliard Survey, City and County of Midland, Texas, which is presently zoned 1F-2, One-Family Dwelling District, to be used as an AE, Agriculture Estate District, (generally located on the west side of North Garfield Street, approximately 594 feet north of Mockingbird 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. (DEVELOPMENT SERVICES) (First reading held February 26, 2019) (9892)
  49. Consider an ordinance on second reading extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City Limits, being a 126.162-acre tract of land and a 13.537-acre tract of land out of Section 13, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, (generally located approximately 2,630 feet west of the intersection of Mockingbird Lane and Holiday Hill Road); approving a public service plan; and ordering publication. (DEVELOPMENT SERVICES) (First reading held February 26, 2019) (9893)
  50. Consider an ordinance on second reading adopting a Fee Schedule; containing a savings and severability clause; establishing an effective date of May 1, 2019; providing an appeal process; and ordering publication. (FINANCE) (First reading held February 26, 2019) (9894)
  51. Consider an ordinance on second reading vacating and abandoning a 0.71-acre portion of a public access easement located adjacent to Lots 13, 17 and 18, Block 2, Green Hill Terrace, and Lot 14A, Block 2, Green Hill Terrace, Section 15, City and County of Midland, Texas,(generally located approximately 153 feet south of Widener Strip, between Keenland Drive and Holiday Hill Road); adopting the appraisal by the City Manager of \$14,200.00; retaining a nonexclusive utility easement; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (First reading held February 26, 2019) (9895)



## **PUBLIC HEARINGS**

52. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 1,300-square foot portion of Lot 4A, Block 16, Greathouse Addition, Section 12, City and County of Midland, Texas, (generally located on the north side of Briarwood Avenue, approximately 138 feet east of Mathis Street), which is presently zoned LR-1, Local Retail District, by permitting said property to be used under a Specific Use Permit With Term for the sale of beer and wine in a restaurant for on-premises consumption; making said permit 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) (9896)
53. Hold a public hearing and consider an ordinance granting a special exception for Lot 3, Block 6, Westridge Park, Section 31, City and County of Midland, Texas, (generally located at the southwest corner of the intersection of Champions Drive and North Loop 250 West), by allowing a building that exceeds seven standard stories in height to be located on said property in the present O-2, Office 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) (9897)
54. Hold a public hearing and consider an ordinance establishing the zoning classification of the area indicated as being a 77.433-acre tract of land out of Section 13, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, as a 1F-1, One-Family Dwelling District; and establishing the zoning classification of the area indicated as being a 48.722-acre tract of land and a 13.537-acre tract of land out of Section 13, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, as a 1F-2, One-Family Dwelling District; said tracts being generally located approximately 2,630 feet west of the intersection of Mockingbird Lane and Holiday Hill 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) (9898)
55. Hold a public hearing and consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City Limits, being a 17.55-acre tract of land out of Section 48, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, (generally located at the southwest corner of the intersection of Tradewinds Boulevard and Thomason Drive); approving a public service plan; ordering publication; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9899)

56. Hold a public hearing and consider an ordinance changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Lot 4, Block 1, SCP Midland West, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Housing Development, to be used as an amended Planned District, (generally located on the north side of Briarwood Avenue, approximately 737 feet east of Avalon 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) (9900)
57. Hold a public hearing and consider an ordinance changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting a 12.3959-acre tract of land out of Corporate Plaza, Section 13, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Housing Development, to be used as an Amended Planned District, (generally located on the east side of North Edwards Street, approximately 156 feet north of Fiesta 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) (9901)
58. Hold a public hearing and consider an ordinance granting a special exception for Lots 1 through 6, Block 77, and a previously vacated 0.10-acre portion of West Texas Avenue right-of-way located adjacent to said Lots, all out of West End Addition, City and County of Midland, Texas, (generally located on the south side of West Texas Avenue between North M Street and North N Street), by permitting a reduced number of off-street parking spaces; 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) (9902)
59. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as an 11.44-acre tract of land out of Section, 31, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, (generally located on the north side of East Cynthia Drive, approximately 1,800 feet east of North Fairgrounds Road), which is presently zoned AE, Agriculture Estate District, by permitting said property to be used under a Specific Use Permit Without Term for rock quarries and sand, gravel and caliche excavations; making said permit 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) (9903)

60. Hold a public hearing and consider an ordinance vacating and abandoning a 0.138-acre portion of alley right-of-way located in Block 110, Original Town Addition, City and County of Midland, Texas, (generally located on the south side of West Kentucky Avenue, approximately 190 feet east of South Pecos Street); adopting the appraisal by the City Manager of \$12,000.00; retaining a nonexclusive utility easement; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9904)
61. Hold a public hearing and consider an ordinance changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Block 110, Original Town Addition, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Housing Development, to be used as a C-3, Commercial District, (generally located at the southeast corner of the intersection of South Pecos Street and West Kentucky 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) (9905)
62. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot 3, Block 28, Plantation Hills, Section 15, City and County of Midland, Texas, (generally located on the north side of West Loop 250 North, approximately 300 feet west of Garfield Street), which is presently zoned PD, Planned District for a Shopping Center, by permitting said property to be used under a Specific Use Permit With Term for the sale of all alcoholic beverages in a restaurant for on-premises consumption; making said permit 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) (9906)
63. Hold a public hearing and consider a resolution authorizing the temporary use of land for a church family fair on Lot 1A, Block 19, Midland Heights Addition, Section 4, and a 0.70-acre portion of Mckenzie Street right-of-way adjacent to said Lot, City and County of Midland, Texas, (generally located at the southwest corner of the intersection of West Dakota Avenue and Camp Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2019 - 104)
64. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 4,200-square foot portion of Lot 13 and east half of Lot 14, Block 56, Original Town Addition, City and County of Midland, Texas, (generally located on the north side of West Wall Street, approximately 115 feet east of North Big Spring Street), which is presently zoned C-1, Central Area District, by permitting said property to be used under a Specific Use Permit With Term for the sale of all alcoholic beverages in a restaurant for

on-premises consumption; making said permit 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) (9907)

65. Hold a public hearing and consider a resolution authorizing the temporary use of land for a community dinner event on a 0.45-acre portion of North Main Street right-of-way adjacent to Blocks 37 and 38, Original Town Addition, City and County of Midland, Texas, (generally located on North Main Street, between West Illinois Avenue and West Texas Avenue); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2019 - 105)
66. Hold a public hearing and consider a resolution authorizing the temporary use of land for a barbecue, live music and street dancing event on a 0.45-acre portion of North Main Street right-of-way adjacent to Blocks 37 and 38, Original Town Addition, City and County of Midland, Texas, (generally located on North Main Street between West Illinois Avenue and West Texas Avenue); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2019 - 106)
67. Hold a public hearing and consider a resolution authorizing the temporary use of land for a private shrimp boil event on Lots 7 through 9, Block 61, and a 0.21-acre portion of south Carrizo Street right-of-way adjacent to Lot 4, Block 60 1/2, and Lots 7 through 9, Block 61, all out of Original Town Addition, City and County of Midland, Texas, (generally located on the north side of West Missouri Avenue, approximately 20 feet east of South A Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2019 - 107)
68. Hold a public hearing and consider an ordinance adopting a site plan for Lot 3, Block 35, Northgate Addition, Section 19, City and County of Midland, Texas, (generally located on the north side of Northbrook Lane, approximately 265 feet northwest of West Loop 250 North Frontage Road); subject to certain conditions and restrictions; 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) (9908)
69. Hold a public hearing and consider an ordinance calling a public hearing to be held jointly by the City Council and the Planning and Zoning Commission to consider the adoption of an ordinance amending Title XI, "Planning and Development", Chapter 1, "Zoning" of the City Code of Midland, Texas, so as to change the heading of said Chapter 1 to "Zoning Ordinance" and to revise and amend the rules, regulations and zoning map contained in or associated

therewith and similar provisions related to land use and development; prescribing the type of notice to be given of the time and place of the joint public hearing; and containing a savings and severability clause. (DEVELOPMENT SERVICES) (9909)

70. Hold a public hearing to consider the Land Use Assumptions and Capital Improvements Plan under which water, wastewater, and roadway impact fees may be imposed. (ENGINEERING SERVICES) (032-2019)

### **MISCELLANEOUS**

71. Consider a resolution approving the 2018 International Building Code, with amendments, the 2018 International Plumbing Code, with amendments, the 2018 International Mechanical Code, with amendments, the 2018 International Fuel Gas Code, with amendments, the 2018 International Residential Code, with amendments, and the 2017 National Electrical Code, with amendments, as public records; and providing that all of said codes shall be put on file in the office of the City Secretary for a minimum of thirty (30) days before any action is taken by the City Council. (DEVELOPMENT SERVICES) (2019 - 108)
72. Consider a motion making appointments to various Boards and Commissions.

### **PUBLIC COMMENT**

73. 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.)

### **EXECUTIVE SESSION**

74. Pursuant to Texas Government Code §551.101, the Council will hold an Executive Session which is closed to the public to discuss the following matters as permitted under the following Texas Government Code Sections:
  - a. Section 551.071, Consultation with Attorney
    - a.1. Discuss a matter in which the duty of the attorney 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.

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.