

**MIDLAND CITY COUNCIL
MINUTES
May 08, 2018**

BRIEFING SESSION

The City Council convened in a Briefing Session in the basement conference room, City Hall, Midland, Texas, at 9:30 a.m. on May 08, 2018.

Council Members present: Mayor Jerry F. Morales, Mayor Pro Tem Spencer Robnett (At-Large), Council Member Scott Dufford (At-Large), Council Member Jeff Sparks (District 1), Council Member John B. Love III (District 2), Council Member Sharla Hotchkiss (District 3), and Council Member J.Ross Lacy (District 4).

Staff members present: City Manager Courtney Sharp, City Attorney John Ohnemiller, Assistant City Manager Frank Salvato, Assistant City Manager Robert Patrick, City Secretary Amy Turner, Finance Director Pam Simecka, Development Services Director Charles Harrington, Engineering Services Director Jose Ortiz, General Services Director Fred Reyes, Chief Information Officer Willie Resto, Building Official Steve Thorpe, First Assistant City Attorney Stephen Gates, Downtown Development Manager Cristina Odenborg, Senior Planner Jeremy McNeil, Traffic Engineer Mike Pacelli, Engineering Manager Shana McWilliams, and Public Information Officer Elana Ladd.

Mayor Morales called the meeting to order at 9:31 a.m.

1. Receive a presentation by Freese and Nichols, Inc. on the proposed City of Midland Zoning Ordinance.

Chuck Harrington introduced the item noting Freese and Nichols was present to present the final draft of the new zoning ordinance. He reported this would be a high level overview and Council would be provided a copy of the zoning ordinance on a flash drive.

Dan Sefko, Freese and Nichols, reviewed a presentation highlighting the changes made to the zoning ordinance noting this same presentation was made to Planning & Zoning the day prior. He noted this is a two-part process, the first part was diagnostic and identified issues. This part was completed in 2014. The second part includes the actual changes which have gone through several drafts and has been through legal for review. He explained how the new code will be broken down noting the first five sections are general zoning components, section 6 is development regulations and sections 7 through 9 are administrative zoning processes, review and related items.

There is now a zoning matrix or zoning chart with the new districts across the top and the uses on the left hand side. They moved away from cumulative zoning, reduced the number of districts from 28 to 20, corrected minor issues like height requirements and provided provisions for bonus density. They looked at different design features, updated nonresidential design standards, and updated dimensional standards. There are two charts that show 80% of the requirements in each district. They improved planned developments

and changed some of the standards for hotels and apartments. Planned Developments now require a minimum of three acres. They changed the name of Specific Use Permits to Specific Use Designations since it is not a permit that is issued. Some of the other latest revisions include adding a mixed use designation, changing the alcohol process, adding mobile food vendor court, updating small cell wireless to line up with State and Federal laws, and reviewing definitions.

The next steps are for Council to have a period of time to review the code and set up workshops if necessary. City Attorney John Ohnemiller reported that his office also needs time to review the latest revisions. Development Services Director Chuck Harrington noted that they are looking for direction from Council by letting him know if everyone is on board with the new concepts while legal does their review. Once the review is complete and Council has approved the concepts, they will put it on the City's website for public review.

City Attorney John Ohnemiller requested a red-line version of the latest changes and was assured by Mr. Sefko that it would be made available soon.

The foregoing agenda items were discussed by the City Council with no formal action taken. The Briefing Session was adjourned at 9:54 a.m.

REGULAR SESSION

The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., May 08, 2018.

Council Members present: Mayor Jerry F. Morales, Mayor Pro Tem Spencer Robnett (At-Large), Council Member Scott Dufford (At-Large), Council Member Jeff Sparks (District 1), Council Member John B. Love III (District 2), Council Member Sharla Hotchkiss (District 3), and Council Member J.Ross Lacy (District 4).

Staff members present at the annex table: City Manager Courtney Sharp, City Attorney John Ohnemiller, Assistant City Manager Frank Salvato, and Assistant City Manager Robert Patrick.

Mayor Morales called the meeting to order at 10:03 a.m.

OPENING ITEMS

1. Invocation - Pastor Jon Slaydon, Second Baptist Church
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Mayor Morales presented a Proclamation for Public Service Recognition Week.

CONSENT AGENDA

Council Member Lacy moved to approve Consent Agenda items 4 - 19; seconded by Council Member Sparks. The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

4. Approved a motion approving the following minutes:
 - a. Regular meeting of April 24, 2018
5. Approved a resolution awarding a contract for the Cuthbert Avenue East Storm Drain Project for the Engineering Services Department. (PURCHASING)

RESOLUTION NO. 2018 - 163

RESOLUTION AWARDING A CONTRACT FOR THE CUTHBERT AVENUE EAST STORM DRAIN PROJECT TO TEC EXCAVATION, INC. OF MIDLAND, TEXAS, AT A TOTAL COST OF \$227,180.00; AND AUTHORIZING PAYMENT THEREFOR

6. Approved a resolution approving the purchase of computer hardware for the Computer-Aided Dispatch and Records Management System (CAD/RMS) software from EST Group, LLC of Arlington, Texas through Buyboard contract 498-15 for a total cost of \$111,238.47 for the Communication and Information Systems Department. (PURCHASING)

RESOLUTION NO. 2018 - 164

RESOLUTION APPROVING THE PURCHASE OF COMPUTER HARDWARE FOR THE COMPUTER-AIDED DISPATCH AND RECORDS MANAGEMENT SYSTEM FROM EST GROUP, LLC OF ARLINGTON, TEXAS AT A TOTAL COST OF \$111,238.47

7. Approved a resolution awarding a contract for the purchase and installation of a microwave and network upgrade from Johnson Technical Services, Inc. through Department of Information Resources (DIR) contracts DIR-TSO-2678 and DIR-TSO-3965 for a total cost of \$1,275,329.17 for the Communication and Information Systems Department. (PURCHASING)

RESOLUTION NO. 2018 - 165

RESOLUTION APPROVING THE PURCHASE AND INSTALLATION OF A MICROWAVE AND NETWORK UPGRADE FOR THE COMMUNICATION AND INFORMATION SYSTEMS DEPARTMENT FROM JOHNSON TECHNICAL SERVICES, INC., THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES AT A TOTAL COST OF \$1,275,329.17

8. Approved a resolution rescinding Resolution No. 2017-347 and approving the purchase of two (2) riding greens mowers from Jacobsen, a Division of Textron, Inc., through National Joint Powers Alliance (NJPA) Contract 062117-JCS for a total cost of \$62,931.48 for the Garage Division. (PURCHASING)

RESOLUTION NO. 2018 - 166

RESOLUTION APPROVING THE PURCHASE OF TWO (2) GREENS KING IV PLUS RIDING GREEN MOWERS AND ASSOCIATED EQUIPMENT FROM TEXTRON, INC., THROUGH THE NATIONAL JOINT POWERS ALLIANCE AT A TOTAL COST OF \$62,931.48; AND RESCINDING RESOLUTION 2017-347

9. Approved a resolution approving the purchase of herbicide for the Spraberry Farm for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2018 - 167

RESOLUTION AUTHORIZING THE PURCHASE OF HERBICIDE FOR THE SPRABERRY FARM FROM HELENA AGRI ENTERPRISES LLC OF STANTON, TEXAS, AT A TOTAL COST OF \$87,338.50

10. Approved a resolution approving the purchase of three (3) Kann refuse truck bodies on International cab and chassis' from Summit Truck Group through National Joint Powers Alliance (NJPA) for a cost of \$589,275.90 and one (1) Kann refuse truck body on an Autocar cab and chassis from Chastang's Bayou City Autocar through Buyboard Contract 521-16 for a cost of \$260,110.00 for a total cost of \$849,385.90. (PURCHASING)

RESOLUTION NO. 2018 - 168

RESOLUTION APPROVING THE PURCHASE OF THREE (3) KANN REFUSE TRUCK BODIES ON INTERNATIONAL CAB AND CHASSIS FROM SUMMIT TRUCK GROUP THROUGH NATIONAL JOINT POWERS ALLIANCE AND ONE (1) KANN REFUSE TRUCK BODY ON AN AUTOCAR CAB AND CHASSIS FROM CHASTANG'S BAYOU CITY AUTOCAR THROUGH BUYBOARD FOR THE GARAGE DIVISION AT A TOTAL COST OF \$849,385.90

11. Approved a resolution authorizing the execution of Amendment #8 to Parkhill, Smith & Cooper's Professional Services Agreement. (AIRPORTS)

RESOLUTION NO. 2018 - 169

RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT NUMBER EIGHT TO THE PROFESSIONAL SERVICES AGREEMENT WITH PARKHILL, SMITH & COOPER, INC., FOR PROFESSIONAL ENGINEERING SERVICES AT THE MIDLAND INTERNATIONAL AIR & SPACE PORT; SAID AMENDMENT TO INCLUDE (1) THE ADDITION OF A VEHICLE PARKING CAPACITY STUDY TO THE TERMINAL VEHICLE PARKING LOTS PAVEMENT REHABILITATION AND PARKING EQUIPMENT REPLACEMENT PROJECT AND (2) THE FOLLOWING PROJECTS: CAF BUILDING DEMOLITION PROJECT AND AIRPORT SECURITY IDENTITY MANAGEMENT SYSTEM PROJECT; AND APPROPRIATING FUNDS THEREFOR

12. Approved a resolution authorizing the execution of a grant with TxDOT Aviation to replace the Automated Weather Observation System (AWOS) at Midland Airpark. (AIRPORTS)

RESOLUTION NO. 2018 - 170

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE UNITED STATES OF AMERICA FEDERAL AVIATION ADMINISTRATION THAT PROVIDES FOR THE TRANSFER OF ENTITLEMENT FUNDING BETWEEN THE CITY OF MIDLAND AND THE TEXAS DEPARTMENT OF TRANSPORTATION TO BE USED FOR THE IMPLEMENTATION OF A NEW AUTOMATED WEATHER OBSERVING SYSTEM AT MIDLAND AIRPARK; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY AND APPROPRIATE FOR THE INSTALLATION OF A NEW AUTOMATED WEATHER OBSERVING SYSTEM AT MIDLAND AIRPARK; APPROVING FUNDING IN AN AMOUNT EQUAL TO TWENTY-FIVE PERCENT (25%) OF THE TOTAL COST OF THE INSTALLATION OF SAID SYSTEM; AUTHORIZING THE SUBMISSION OF A REQUEST FOR FINANCIAL ASSISTANCE TO THE TEXAS

DEPARTMENT OF TRANSPORTATION FOR AN AMOUNT EQUAL TO SEVENTY-FIVE PERCENT (75%) OF THE TOTAL COST OF THE INSTALLATION OF SAID SYSTEM; AND APPROPRIATING FUNDS FOR SAID PROJECT

13. Approved a resolution authorizing the appropriation of additional funds to the MAF Passenger Facility Charge Application and Amendments Project. (AIRPORTS)

RESOLUTION NO. 2018 - 171

RESOLUTION AUTHORIZING THE APPROPRIATION OF \$30,000.00 FROM THE AIRPORT OPERATING FUND TO THE MAF PASSENGER FACILITY CHARGE APPLICATION AND AMENDMENTS PROJECT

14. Approved a resolution approving the First Amendment to the Chapter 380 Economic Development Agreement dated April 20, 2017 between Midland Owner LLC and the City of Midland, Texas. (CITY MANAGER'S OFFICE)

RESOLUTION NO. 2018 - 172

RESOLUTION AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO THE CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIDLAND AND MIDLAND OWNER LLC

15. Consider amending the Economic Development Agreement between the City of Midland and the Midland Development Corporation that provides for matching incentive funds for various infrastructure improvements to state and local roadways and related facilities in and around the corporate limits of the City of Midland. (CITY MANAGER'S OFFICE)

RESOLUTION NO. 2018 - 173

RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND THE CITY OF MIDLAND FOR THE PURPOSE OF COMBINING FUNDS TO PROVIDE FOR THE EXPANSION OF VARIOUS INFRASTRUCTURE IMPROVEMENTS TO STATE AND LOCAL HIGHWAYS AND RELATED FACILITIES IN AND AROUND THE CORPORATE LIMITS OF THE CITY OF MIDLAND; SAID AMENDMENT TO PROVIDE FOR THE ADDITION OF AUTHORIZED PROJECTS AND A PROVISION WHEREBY THE CITY OF MIDLAND SHALL ASSUME ONE-HALF OF THE MIDLAND DEVELOPMENT CORPORATION'S ENGINEERING AND PROFESSIONAL SERVICES COSTS

16. Approved a resolution approving the issuance of a permit to Permian Deep Rock Oil Co., LLC, for the drilling of oil gas well, being Mustang #H120UH generally located 1,675 feet east of Rankin Highway and 380 feet south of I-20. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 174

RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO PERMIAN DEEP ROCK OIL CO., LLC ("OPERATOR") TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 100 FEET FROM THE NORTH LINE AND 1,675 FEET FROM THE WEST LINE, SECTION 11, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED 1,675 FEET EAST OF RANKIN HIGHWAY AND 380 FEET SOUTH OF INTERSTATE 20); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT

17. Approved a resolution authorizing and executing a Right-of-Way License between the City of Midland and Targa Pipeline Mid-Continent WestTex LLC, said Right-of-Way License is for entering the City of Midland's property for the purpose of operating, repairing, maintaining and removing one natural gas transportation pipeline, not to exceed twenty-four (24) inches in diameter. (UTILITIES)

RESOLUTION NO. 2018 - 175

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND TARGA PIPELINE MID-CONTINENT WESTTEX LLC REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 34, BLOCK 38, TOWNSHIP 1 NORTH, AND SECTIONS 5 AND 8, BLOCK 38, TOWNSHIP 1 SOUTH, T&P RR CO. SURVEY, MARTIN COUNTY, TEXAS

18. Approved a resolution authorizing the execution of an amendment to the Right-of-Way License between the City of Midland and Targa Pipeline Mid-Continent WestTex LLC, dated March 28, 2018; said amendment will permit an additional pipeline under said Right-of-Way License for entering the City of Midland's property for the purpose of placing, installing, constructing, operating, repairing, maintaining and removing a fresh water or salt water line, not to exceed twelve (12) inches in diameter. (UTILITIES)

RESOLUTION NO. 2018 - 176

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND TARGA PIPELINE MID-CONTINENT WESTTEX LLC REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 30, BLOCK 36, TOWNSHIP 3 SOUTH, T&P RR CO. SURVEY, MIDLAND COUNTY AND GLASSCOCK COUNTY, TEXAS

19. Approved a resolution authorizing the execution of an amendment to the Right-of-Way License between the City of Midland and Parsley Energy, L.P., dated March 28, 2018; said amendment will permit an additional pipeline under said Right-of-Way License for entering the City of Midland's property for the purpose of placing, installing, constructing, operating, repairing, maintaining and removing a fresh water or salt water line, not to exceed twelve (12) inches in diameter. (UTILITIES)

RESOLUTION NO. 2018 - 177

RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND PARSLEY ENERGY, L.P., REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 44, BLOCK 38, TOWNSHIP 1 SOUTH, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS

SECOND READINGS

20. Consider an ordinance on second reading on a request by Gary J. Dawson for a zone change from AE, Agriculture Estates District, to O-1, Office District generally located on the west side of Elkins Road, approximately 610 feet north of East County Road 72. (DEVELOPMENT SERVICES) (First reading held April 24, 2018)

ORDINANCE NO. 9759

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY

PERMITTING LOT 1, BLOCK 1, CAMELOT ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED AE, AGRICULTURE ESTATE DISTRICT, TO BE USED AS AN O-1, OFFICE DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF ELKINS ROAD, APPROXIMATELY 610 FEET NORTH OF EAST COUNTY ROAD 72); 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

Deputy City Secretary SueAnn Lopez read the caption of Ordinance No. 9759.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9759 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett. The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

PUBLIC HEARINGS

21. Hold a public hearing and consider an ordinance on a request by Bobby Cox dba Rosa's Café Tortilla Factory #14 for a Specific Use Permit with Term for the sale of all alcoholic beverages, for on-premises consumption in a restaurant generally located on the southeast corner of South Rankin Highway and Stokes Avenue. (DEVELOPMENT SERVICES)

ORDINANCE NO. 9760

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS LOT 13, BLOCK 41, BELMONT ADDITION, SECTION 24, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF SOUTH RANKIN HIGHWAY AND WEST STOKES AVENUE), 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

Deputy City Secretary SueAnn Lopez read the caption of Ordinance No. 9760.

Development Services Director Chuck Harrington gave a brief overview of the item noting the applicant is asking for a Specific Use Permit for alcohol service for the hours of Sunday through Thursday from 10:00 a.m. to 11:00 p.m. and Friday through Saturday from 10:00 a.m. to 12:00 a.m. There are no schools or churches within 300 feet. The item was reviewed by all departments, meets all requirements and staff recommends approval subject to Conditions A-H. No letters of objection have been received.

Mayor Morales opened the public hearing at 10:10 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9760 in accordance with the Charter of the City of Midland with the amendment to change the alcohol service hours to Sunday 11:00 a.m. to 11:00 p.m., Monday through Thursday from 10:00 a.m. to 11:00 p.m. and Friday through Saturday from 10:00 a.m. to 12:00 a.m.; seconded by Council Member Robnett. The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

22. Hold a public hearing and consider an ordinance on a request by Oishii Sushi & Hibachi, for a Specific Use Permit with Term, for the sale of all alcohol beverages for on-premises consumption in a restaurant, generally located at the northeast corner of North Midkiff Road and West Loop 250 North. (DEVELOPMENT SERVICES)

ORDINANCE NO. 9761

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS A 4,189-SQUARE FOOT PORTION OF LOT 4A, BLOCK 1, NORTH PARK ADDITION, SECTION 5, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH MIDKIFF ROAD AND WEST LOOP 250 NORTH), WHICH IS PRESENTLY ZONED LR-2, LOCAL RETAIL 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

Deputy City Secretary SueAnn Lopez read the caption of Ordinance No. 9761.

Development Services Director Chuck Harrington gave a brief overview of the item noting the applicant was requesting service of alcoholic beverages with the proposed service hours of 11:00 a.m. to 9:30 p.m. Monday through Saturday and 11:00 a.m. to 9:00 p.m. on Sundays. There are no schools or churches within 300 feet. The item has been reviewed by all departments and meets all requirements. Staff recommends approval.

Mayor Morales opened the public hearing at 10:14 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Love moved approval of the first of two readings of Ordinance No. 9761 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett. The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

23. Hold a public hearing and consider an ordinance on a request by Mesquite Terrace Apartments for a zone change from a PD, Planned District for a Housing Development, to an Amended PD, Planned District for a Housing Development generally located at the southeast corner of South Loop 250 West and Leisure Drive. (DEVELOPMENT SERVICES)

ORDINANCE NO. 9762

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 1, BLOCK 161, AND LOT 2A, BLOCK 165, WILSHIRE PARK ADDITION, SECTION 9, 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 AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SOUTH LOOP 250 WEST AND LEISURE 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

Deputy City Secretary SueAnn Lopez read the caption of Ordinance No. 9762.

Development Services Director Chuck Harrington gave a brief overview of the item noting it is an amendment to a Planned District for Mesquite Terrace Apartments to amend a site plan in order to include a cabana, pool and a 6-foot fence around the perimeter and a pedestrian bridge on site. Staff reviewed the item. No letters of objection have been received and staff recommends approval.

Mayor Morales opened the public hearing at 10:16 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9762 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett. The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

24. Hold a public hearing and consider an ordinance on a request by Calvin Wood, for a zone change from a PD, Planned District for a Shopping Center to LR-2, Local Retail District generally located at the northwest corner of Briarwood Avenue and Northcrest Drive. (DEVELOPMENT SERVICES)

ORDINANCE NO. 9763

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 18E, BLOCK 14, BRIARWOOD ADDITION, SECTION 20, 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 AT THE NORTHWEST CORNER OF THE INTERSECTION OF BRIARWOOD AVENUE AND NORTHCREST 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

Deputy City Secretary SueAnn Lopez read the caption of Ordinance No. 9763.

Development Services Director Chuck Harrington gave a brief overview of the item noting it is a request for a zone change to construct a shopping center with nearly 6,000 square feet including Dominos and a nail salon. There is adequate parking and two

access driveways. Staff reviewed the item, it is in compliance with the comprehensive plan, and staff recommends approval.

Mayor Morales opened the public hearing at 10:18 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Robnett moved approval of the first of two readings of Ordinance No. 9763 in accordance with the Charter of the City of Midland; seconded by Council Member Love. The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

25. Hold a public hearing and consider an ordinance on a request by Mario's Spanish Inn for a Specific Use Permit with Term, for the sale of all alcoholic beverages for on-premises consumption in a restaurant, generally located on the west side of Thomason Drive, approximately 320 feet south of Anetta Drive. (DEVELOPMENT SERVICES)

ORDINANCE NO. 9764

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS LOT 1, BLOCK 93, PERMIAN ESTATES, SECTION 3, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF THOMASON DRIVE, APPROXIMATELY 320 FEET SOUTH OF ANETTA DRIVE), WHICH IS PRESENTLY ZONED LR-3, LOCAL RETAIL 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

Deputy City Secretary SueAnn Lopez read the caption of Ordinance No. 9764.

Development Services Director Chuck Harrington gave a brief overview of the item noting the applicant is requesting alcoholic beverage service with the proposed split hours of Monday through Saturday from 11:00 a.m. to 2:00 p.m. and 5:00 p.m. to 9:00 p.m. There are no schools or churches within 300 feet. Tall City Baptist Church is 360 feet away using the standard method of measuring. The item was reviewed by all departments with no issues and staff recommends approval subject to Conditions A-F in the ordinance. Council asked if the applicant was informed the hours can be outside of their normal operating hours. This way they do not have to come back to amend hours if they change their operating hours. Mr. Harrington was unsure if the applicant was informed of that.

Mayor Morales opened the public hearing at 10:22 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Sparks moved approval of the first of two readings of Ordinance No. 9764 in accordance with the Charter of the City of Midland with the amendment to change the hours from 11:00 a.m. to 9:00 p.m. Monday through Saturday; seconded by Council Member Hotchkiss. The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

26. Hold a public hearing and consider an ordinance on a request by Kim Rivera for a Zone Change from PD, Planned District for Mixed Use Development to LR-2, Local Retail District generally located on the west side of North Big Spring Street, approximately 100 feet south of West Pine Avenue. (DEVELOPMENT SERVICES)

ORDINANCE NO. 9765

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 2, BLOCK 12, KELVIEW HEIGHTS, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR AN OFFICE AND SHOPPING CENTER AS A TRANSITION DISTRICT, TO BE USED AS AN LR-2, LOCAL RETAIL DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF NORTH BIG SPRING STREET, APPROXIMATELY 100 FEET SOUTH OF WEST PINE 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

Deputy City Secretary SueAnn Lopez read the caption of Ordinance No. 9765.

Development Services Director Chuck Harrington gave a brief overview of the item noting it was a request to change from a Planned District to a standard LR-2 for retail. The applicant is proposing improvements to their site including restriping the parking lot and they wish to go to standard zoning. The item was reviewed by all departments including transportation with no additions or changes. The item is in compliance with the comprehensive plan and staff recommends approval of the change.

Mayor Morales opened the public hearing at 10:25 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9765 in accordance with the Charter of the City of Midland; seconded by Council Member Hotchkiss. The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

27. Hold a public hearing and consider an ordinance on a request by Ed Ostrom for a Zone Change from a PD, Planned District for a Shopping Center to an Amended Planned District for a Shopping Center, generally located on the east side of Westridge Boulevard, approximately 445 feet south of Deauville Boulevard. (DEVELOPMENT SERVICES)

ORDINANCE NO. 9766

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 6A, BLOCK 2, WESTRIDGE PARK ADDITION, SECTION 24, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A SHOPPING CENTER, TO BE USED AS AN AMENDED PLANNED DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF WESTRIDGE BOULEVARD, APPROXIMATELY 445 FEET NORTH OF DEAUVILLE BOULEVARD); 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

Deputy City Secretary SueAnn Lopez read the caption of Ordinance No. 9766.

Development Services Director Chuck Harrington gave a brief overview of the item noting this was originally a site for a hotel and has since been sold. The new owner is requesting a change to the hotel because he has a different idea of what it should look like. The item was reviewed by all staff with no comments or changes. Staff recommends approval subject to Conditions A-G. No letters of objection have been received.

Mayor Morales opened the public hearing at 10:28 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Love moved approval of the first of two readings of Ordinance No. 9766 in accordance with the Charter of the City of Midland; seconded by Council Member Hotchkiss. The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

28. Hold a public hearing and consider an ordinance on a request by L.C. Polk Jr., for a Specific Use Permit with Term for the sale of all alcoholic beverages for on premise consumption, in a bar and lounge, generally located on the southwest corner of East Illinois and North Lee Street. (DEVELOPMENT SERVICES)

ORDINANCE NO. 9767

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS LOTS 1 AND 2, BLOCK 24, MOODY ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTHWEST CORNER OF EAST ILLINOIS AVENUE AND NORTH LEE STREET), WHICH IS PRESENTLY ZONED LR-2, LOCAL RETAIL DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A BAR AND LOUNGE 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

Deputy City Secretary SueAnn Lopez read the caption of Ordinance No. 9767.

Development Services Director Chuck Harrington gave a brief overview of the item noting the applicant is requesting alcoholic beverage service with service hours of Monday through Saturday from 11:00 a.m. to 2:00 a.m. and Sundays 12:00 p.m. to 12:00 a.m. This site was originally known as Polk Lounge but they are changing their name to Starlight Lounge. There are no churches or schools within 300 feet and staff recommends approval subject to Conditions A-G in the ordinance. No letters of objection or comments were received.

Mayor Morales opened the public hearing at 10:30 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Love reported that the Polk Family has been a staple in the community noting the son inherited the property. He has no concerns about the operation of this facility. Mayor Morales asked if peace officers were being required on the weekend.

City Attorney John Ohnemiller reported it was not a requirement of the ordinance. Mayor Morales asked this be brought back in six months for review if there were any issues with the establishment. .

Council Member Love moved approval of the first of two readings of Ordinance No. 9767 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy. The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

29. Hold a public hearing and consider a resolution on a request by Rachel Stone for a Temporary Land Use Permit for a concert and festival generally located on the northwest corner of Champions Drive and North Loop 250 West. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2018 - 178

RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR A FESTIVAL AND CONCERT ON LOT 4, BLOCK 5, WESTRIDGE PARK ADDITION, SECTION 6, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF NORTH LOOP 250 WEST AND CHAMPIONS DRIVE); AND MAKING SAID PERMIT SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS CONTAINED HEREIN

Development Services Director Chuck Harrington gave a brief overview of the item noting it is for the annual Mex Tex event that was held last year at Hogan Park. The applicant desires to move the event back to Cimarex where it was held in the past. They will operate Friday, June 8 from 6:00 p.m. to 12:00 a.m. and Saturday, June 9 from 11:00 a.m. to 1:00 a.m. There will be a minimum of 15 peace officers and 12 portable restrooms will be provided. Staff reviewed the request and asked that all food vendors comply with the ordinance. Staff recommends approval subject to Conditions A-P.

Mayor Morales opened the public hearing at 10:34 a.m.

Council Member Love moved approval of Resolution No. 2018 – 178; seconded by Council Member Lacy. The motion carried by the following vote: AYE: Hotchkiss, Love, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

30. Hold a public hearing regarding the proposed granting of oil and gas well permits to RSP Permian, LLC., for the drilling of oil and gas wells, being Mask HZ Unit No. 1010H located 230 feet from the north line and 2,586.9 feet from the east line, Mask HZ Unit No. 1011H located 230 feet from the north line and 2,546.9 feet from the east line, Mask HZ Unit No. 1012H located 230 feet from the north line and 1,806 feet from the east line, and Mask HZ Unit No. 1013H located 230 feet from the north line and 1,766 feet from the east line, Section 10, Block X, H.P. Hilliard Survey, City and County of Midland, Texas, said wells sharing a pad site area that is generally located between 1,766 and 2,587 feet west of North A Street and 215 feet north of Green Tree Boulevard extension. This is a public hearing only. (DEVELOPMENT SERVICES)

Oil & Gas Compliance Officer Ron Jenkins gave a brief overview of the item noting there would be four wells to the west of Midland Country Club and they will be similar to the wells Council previously reviewed. They are requesting the same variances including 24-hour fracturing and no Road Repair Agreement as they will enter the site from the

County. He received a call from a resident complaining of noise and light issues. RSP will be using 16-foot sound walls. The residential neighborhood is 1,500 feet away.

Mayor Morales opened the public hearing at 10:38 a.m.

Joshua Lorenz, 1211 Castle Rock Court, opposed the permit and asked that they relocate the wells across the lease line. They are fracing all night long at the previous location and the noise can be heard in the middle of the night. He is concerned about dust and the safety of the neighborhood kids who ride their bikes. He suggested pushing them back a few hundred feet would help resolve the issues.

Robin Malone Darr reported she lives on Castle Rock Court just south of where RSP is requesting to drill. She realizes the economy is driven by oil and to be a good community you need to be a good neighbor. The police would respond to a complaint about loud music for disturbing the peace. RSP is disturbing their peace especially with 24-hour fracing. Their bright lights also affect the enjoyment of the neighborhood. She spoke with Stuart Sutter of RSP and was told that the sound walls were 16 feet tall. The 16-foot walls are not provide a barrier to sound and the sound awakes the neighborhood in the middle of the night. When she addressed lighting with Mr. Sutter he said he could not promise anything more than a 16-foot wall. She spoke with Mr. Bill Wren and was sent a link about recommend oil field lighting which she forwarded to Mr. Sutter. She politely requested that RSP do something additional than a 16-foot wall including sound and light dampening measures to keep them from disturbing the neighborhood. She asked Council to help resolve the issue.

Marron Gebremeskel, 1108 Trinidad Place, reported she is an immigration attorney and a mother. Safety is her main concern. She does not believe that RSP has done what they need to do and asked Council to take the community objections into consideration and oppose the well.

Stuart Sutter, 200 N. Loraine, was present representing RSP Permian. Council informed him that they would like to see a minimum of 24-foot walls. When asked about lighting, Mr. Sutter reported he first heard about this yesterday and will look into it. Council Member Lacy noted he had 30 days to get a plan together before this well comes back to a vote of the Council. Mayor Morales asked if they could move it back 300 feet. Mr. Sutter reported they are not the lease holder on that section of land. Council Member Dufford asked him to visit with Diamondback and Ron Jenkins to obtain information on sound and lighting that they used to address the issue in Greentree. Council Member Sparks noted that Diamondback did testing at Greentree and those results might be helpful to RSP. He also noted that the lighting needs to be constantly updated due to the vibrations that cause them to move. Council Member Dufford added that they quit receiving complaints about sound and light once Diamondback took precautions.

There being no one else wishing to speak, the public hearing was closed at 10:49 a.m.

31. Hold a public hearing regarding the proposed granting of oil and gas well permits to RSP Permian, L.L.C., for the drilling of oil and gas wells, being Mask HZ Unit No. 1014H located 230 feet from the north line and 530 feet from the west line, Mask HZ Unit No. 1015H located 230 feet from the north line and 570 feet from the west line, and Mask HZ Unit No. 1016H located 230 feet from the north line and 610 feet from the west line,

Section 10, Block X, H.P. Hilliard Survey, City and County of Midland, Texas, said wells sharing a pad site area that is generally located between 530 and 610 feet east of North Garfield Street extension and 215 feet north of Green Tree Boulevard extension. This is a public hearing only. (DEVELOPMENT SERVICES)

Oil & Gas Compliance Officer Ron Jenkins gave a brief overview of the item noting these wells are further to the west with all of the same variances.

Mayor Morales opened the public hearing at 10:50 a.m.

Joshua Lorenz, 1211 Castle Rock Court, reported he had the same comments as the previous item.

Robin Malone Darr reported she had the same comments as the previous item, also.

Marron Gebremeskel, 1108 Trinidad Place, also had the same comments as the previous item.

There being no one else wishing to speak, the public hearing was closed at 10:51 a.m.

32. Hold a public hearing and consider an annexation of a 3.31-acre tract of land located in Section 24, Block 40, T-1-S, T & P RR. Co. Survey, Midland County, Texas generally located on the north side of Briarwood Avenue, approximately 2,460 feet west of Holiday Hill Road - Extraterritorial Jurisdiction. This annexation item is a public hearing only. (DEVELOPMENT SERVICES)

Development Services Director Chuck Harrington gave a brief overview of the item noting it is for a 3.31-acre tract next to the Bush Tennis Center and will be part of the Chris Davidson Opportunity Park. Annexation will allow the applicant to have City services on the property. The item meets the comprehensive plan.

Mayor Morales opened the public hearing at 10:52 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

33. Hold a public hearing and consider an annexation of a 43.97-acre tract all out of land out of the east 1/2 of Section 18, Block 40, T-1-S, T & P RR. Co. Survey, Midland County, Texas generally located on the west side of South FM 1788, approximately 187 feet north of West County Road 127 - Extraterritorial Jurisdiction. This annexation item is a public hearing only. (DEVELOPMENT SERVICES)

Development Services Director Chuck Harrington gave a brief overview of the item noting Warren CAT is proposing to relocate their facility to this location on the east side of 1788 close to the railroad on the south side of Business 20. It is a voluntary annexation with the applicant wishing to receive City services.

Mayor Morales opened the public hearing at 10:54 a.m.

Jeremy Olivo, 6812 Leatherwood Dr., reported they are proposing to annex 47 acres on 1788 to build a new mechanical and tractor repair and rental shop that will be moving over from Odessa. They would appreciate having City services.

There being no one else present wishing to speak, the public hearing was closed at 10:56 a.m.

34. Hold a public hearing and consider an annexation of a 70.04-acre tract of land out of Section 20, Block 38, T-1-S, T & P RR. Co. Survey, Midland County, Texas generally located on the north side of East Loop 250 North, approximately 1,872 feet east of North County Road 1162 - Extraterritorial Jurisdiction. This annexation item is a public hearing only. (DEVELOPMENT SERVICES)

Development Services Director Chuck Harrington gave a brief overview of the item noting it is a request to annex 70 acres of land into the City limits. The property is located on the north side of Loop 250. Staff supports the request.

Mayor Morales opened the public hearing at 10:58 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

35. At approximately 6:00 p.m., hold a public hearing regarding the 2018/2019 Community Development Action Plan and guidance regarding CDBG application submissions. (DEVELOPMENT SERVICES)

Staff noted that this item would be heard at 6:00 p.m. this evening.

PUBLIC COMMENT

36. 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.

There were no citizens present wishing to speak.

EXECUTIVE SESSION

37. 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 551.072 Deliberation Regarding Real Property.

- a.1. Discuss the purchase, exchange lease or value of real property described as a 42.72-acre tract located in Section 5, Block 40, T-2-S, T&P Ry. Co Survey, Midland County, Texas.

Mayor Morales recessed the meeting to Executive Session at 11:00 a.m. The Council met in Executive Session until 11:55 a.m. The meeting was recessed until approximately 6:00 p.m.

Mayor Morales reconvened the meeting at 6:02 p.m. with the following Council Members present: Morales, Hotchkiss, Love, Lacy.

35. At approximately 6:00 p.m., hold a public hearing regarding the 2018/2019 Community Development Action Plan and guidance regarding CDBG application submissions. (DEVELOPMENT SERVICES)

Community Development Manager Isaac Garnett gave a brief overview of the item noting this is an opportunity to hear from the community regarding the action plan and emphasized that this is a public hearing and no decision will be made tonight.

Mayor Morales opened the public hearing 6:02 p.m.

Charlene Romero McBride, President of the Midland Parker Place Board, reported they applied for \$70,000. Parker Place is 22 years old and is in need of repairs and upgrades including air conditioning, carpets and sidewalks. They tried to apply for loans but due to the regulations such as providing 20% of housing for the homeless, it will be nearly impossible to get loans. Now they are going to foundations. They received \$60,000 from the Scharbauer Foundation and they had to include \$10,000 for a total of \$70,000. They are asking for a \$70,000 match from the City.

David Diaz, Midland Community Development Corporation, reported they are applying for \$150,000 for infrastructure improvements to a property they acquired a few years ago. They can develop 12-13 houses on the property. Water and sewer exist in the area but they will need to create a T-bone alley and run water and sewer to the location. He reviewed costs of homes and options for down payment assistance.

Tracy Renton, Senior Link Midland, reported they provide meals for seniors at the SE Senior Center. They served over 6,500 meals in 2017 at the center and 5,400 meals through Casa de Amigos. The funding is vital to their program noting it provides social activities to the seniors and helps keep them independent. In April, they began a new venture in conjunction with the West Texas Food Bank where they offer a food pantry twice a month.

Tonya Eckert, Casa de Amigos, reported they had two different grants. The first is for the ongoing home services program. She noted that having someone come into the homes on a weekly basis allows seniors to remain in their homes as long as possible. Their oldest client recently passed at the age of 103 and she was able to stay in her home until a couple of weeks before she passed away. They serve about 100 clients a year. Council Member Lacy suggested Ms. Eckert contact him regarding the request for parking lot pavement noting he had a contractor that could help them out outside of CDBG.

Janie Whitefield, Mission Center Adult Day Services, reported they are the only adult daycare in the Permian Basin and their request is for \$35,000 for their Take Home Terrific Program which began 3 years ago to bridge the gap where Meals on Wheels leaves off. Meals on Wheels provides a lunch meal and they provide an evening meal and several meals on Friday to get them through the weekend. The total program is about \$64,000 and they are requesting the cost of the food and supplies. They currently serve 40 people but are hoping to hit 100 this year.

CDBG Manager Isaac Garnett reviewed the programs requested by staff noting the administrative contracts are for research and development of the 2020 analysis of impediments to housing choices which is required by HUD every five years. The Minor Repair program is requesting \$50,000, which will provide grant assistance for certain repair items up to \$5,000 per year. The Homebuyer Assistance Program is requesting \$250,000. They work with MCDC to provide down payments and applicants can

receive up to \$15,000 as a zero interest, deferred forgivable loans. Parks & Recreation is requesting MLK equipment replacement funds in the amount of \$66,000 for treadmills, matting and a new PA system at the MLK Center.

Mr. Garnett reported that CDBG will receive \$100,000 more than the previous year or \$812,000. They will also be pulling forward old unused funds from previous years for a total of approximately \$1.4 million.

Council Member Love reported he was in support of upgrades at the MLK Center but suggested that in the future they budget for the repairs from another fund so that CDBG funds can be used in other areas.

Mr. Garnett reported that the Greenwood Infrastructure Improvements was requesting \$403,000 to install new sidewalks, curb & gutter, curb ramps, driveways, low walls, and alley approaches.

Chris Posey, 1119 E. Oak, thanked Council and Midland for stepping up to make repairs at the MLK Center noting that the conditions he pointed out were being addressed and that new dumbbells have arrived. There is new equipment coming soon and the people appreciate the improvements.

All of the business at hand having been completed, the meeting adjourned at 6:35 a.m.

PASSED AND APPROVED the 22nd day of May, 2018.

Jerry F. Morales, Mayor

ATTEST:

Amy M. Turner, City Secretary