

****UNOFFICIAL AGENDA RESULTS****

AGENDA FOR CITY COUNCIL MEETING
September 11, 2018 – 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. Presentation of Colors by the Midland Fire Department and Midland Police Department Honor Guard
2. Pledge of Allegiance
3. Invocation - Pastor Daniel Stephens, Mid-Cities Church

PRESENTATIONS

4. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Presentation from American Breast Cancer Society
 - b. Presentation of a proclamation for "American Legion Day 2018"

BUDGET AND TAX RATE

5. Consider an ordinance on second reading of the City of Midland providing funds for the fiscal year beginning October 1, 2018, and ending September 30, 2019, by approving the budget for said period and appropriating and setting aside the necessary funds out of the general and other revenues and unappropriated fund balance of the City of Midland for said fiscal year for the maintenance and operation of the various departments and for various activities and improvements to the City; and ordering publication. (FINANCE) (First Reading Held August 28, 2018) (9814)

SECOND READING APPROVED

6. Consider an ordinance on second reading fixing the tax levy for the City of Midland, Texas, for the fiscal year beginning on October 1, 2018 and ending on September 30, 2019. (FINANCE) (First Reading Held August 28, 2018) (9815)

SECOND READING APPROVED

7. Consider a resolution ratifying the property tax revenue increase reflected in the Fiscal Year 2018-2019 Budget. (FINANCE) (2018 - 331)

APPROVED

CONSENT AGENDA

8. Consider a motion approving the following minutes:

APPROVED

- a. Regular City Council meeting of August 28, 2018

APPROVED

9. Consider a resolution authorizing the execution of a Professional Services Agreement with Enprotec/Hibbs & Todd, Inc., to provide design and engineering services for the Northeast Water System Improvements Project for the City of Midland, for an amount not to exceed \$1,915,000.00. (PURCHASING) (2018 - 332)

APPROVED

10. Consider a resolution authorizing the execution of a contract with Action Wrecker, Incorporated, for wrecker and impound services for the City of Midland. (PURCHASING) (2018 - 333)

APPROVED

11. Consider a resolution awarding a contract to Playgrounds, Etc., for the purchase and installation of playground equipment at Dennis the Menace Park for total cost of \$566,503.00; awarding a contract to the Playwell Group for the purchase and installation of shade structure equipment at Dennis the Menace Park for a total cost of \$46,730.32; and approving \$141,625.75 for contingencies. (PURCHASING) (2018 - 334)

APPROVED

12. Consider a resolution approving the plans and specifications and authorizing advertisement for bids for the Louisiana Avenue Water Line Replacement Project; said project to replace approximately two thousand eight hundred feet of pipe and three water main line crossings; said project being a year two bond project. (PURCHASING) (2018 - 335)

APPROVED

13. Consider a resolution authorizing the issuance of a Request for Proposals for installation and maintenance for an underground fiber optic cable system for the Communication and Information Systems Department. (PURCHASING) (2018 - 336)

APPROVED

14. Consider a resolution authorizing the execution of an amendment to the Professional Services Agreement with HDR Engineering, Inc., providing for the design of the Midway Lift Station; said amendment providing for a fee increase of \$70,499.00 over and above the original amount of \$71,750.00 for the performance of additional professional services. (PURCHASING) (2018 - 337)

APPROVED

15. Consider a resolution approving the purchase of generators for seven fire stations for the Fire Department from Warren Power & Machinery, Inc. d/b/a Warren Cat of Odessa, Texas, through Buyboard at a total cost of \$224,183.00. (PURCHASING) (2018 - 338)

APPROVED

16. Consider a resolution authorizing the execution of an amendment to the Professional Services Agreement with HDR Engineering, Inc., providing for engineering services for the City of Midland 2017 Water Pollution Control Plant Rehabilitation Project; said amendment providing for a fee increase of \$394,200.00 over and above the original not-to-exceed amount of \$1,120,000.00 for the performance of additional professional services. (PURCHASING) (2018 - 339)

APPROVED

17. Consider a resolution authorizing the execution of a Professional Services Agreement with Parkhill, Smith & Cooper, Inc., for Water Storage Tank Inspection Services for the Utilities Department. (PURCHASING) (2018 - 340)

APPROVED

18. Consider a resolution authorizing the execution of an amendment to the lease agreement between the City of Midland and Commemorative Air Force, Inc., regarding certain City-owned real property described as an approximate 42.72 acre tract of land located in Section 5, Block 40, Township 2 South, T&P RR Co. Survey, Midland County, Texas. (AIRPORTS) (2018 - 341)

APPROVED

19. Consider a resolution of the City Council of the City of Midland, Texas, approving a negotiated settlement between the steering committee of cities served by Atmos ("Cities") and Atmos Energy Corp., West Texas Division ("Company") regarding Company's 2018 rate review mechanism filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the settlement tariffs to be just and reasonable and in the public interest; approving an exhibit establishing a benchmark for pensions and retiree medical benefits; approving an exhibit regarding amortization of regulatory liability; requiring Company to reimburse Cities' reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and authorizing and directing the City Secretary to deliver this resolution to Company and Cities' Legal Counsel. (CITY MANAGER'S OFFICE) (2018 - 342)

APPROVED

20. Consider a motion approving a contract with Midland Crime Stoppers, Inc., in the amount of \$40,000.00 for the operation of a Crime Stoppers Program from funds available and as approved in the Fiscal Year 2018-2019 Budget (General Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (083-2018)

APPROVED

21. Consider a motion approving a contract with Midland Teen Court, Inc., in the amount of \$27,500.00 for a Teen Court program in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (General Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (084-2018)

APPROVED

22. Consider a motion approving a contract with Keep Midland Beautiful, Inc., in the amount of \$100,000.00 for litter reduction, education, and beautification programs in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Sanitation/Litter Abatement). (CITY SECRETARY'S OFFICE) (085-2018)

APPROVED

23. Consider a motion approving a contract with Permian Basin Community Centers DBA PermiaCare in the amount of \$75,000.00 for mental health, mental retardation and substance abuse service in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (General Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (086-2018)

APPROVED

24. Consider a motion approving a contract with Midland College Business and Economic Development Center (BEDC) in the amount of \$113,000.00 to promote growth and development in the City of Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (General Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (087-2018)

APPROVED

25. Consider a motion approving a contract with 3:23 Ministries, Inc. in the amount of \$38,000.00 for advertising, promotion, and solicitation of volleyball activities in the City of Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (088-2018)

APPROVED

26. Consider a motion approving a contract with Arts Council of Midland in the amount of \$150,000.00 for the encouragement, promotion, improvement, and education of arts in the City of Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (089-2018)

APPROVED

27. Consider a motion approving a contract with the High Sky Wing of the Commemorative Air Force in the amount of \$50,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (090-2018)

APPROVED

28. Consider a motion approving a contract with COM Aquatics in the amount of \$54,000.00 for advertising, promotion and solicitation of aquatic activities in Midland from funds available and as approved in the Fiscal Year 2018-2019 budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (091-2018)

APPROVED

29. Consider a motion approving a contract with George W. Bush Childhood Home, Inc. in the amount of \$15,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (092-2018)

APPROVED

30. Consider a motion approving a contract with Hispanic Cultural Center of Midland, Inc. in the amount of \$10,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (093-2018)

APPROVED

31. Consider a motion approving a contract with Midland Chamber of Commerce for the management of the Midland Convention Center in the amount of \$560,400.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (094-2018)

APPROVED

32. Consider a motion approving a contract with Midland Athletic Association, Inc. DBA Tournament of Champions in the amount of \$20,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (095-2018)

APPROVED

33. Consider a motion approving a contract with Midland Chamber of Commerce in the amount of \$1,764,182.00 to promote tourism, convention, and the hotel industry in Midland from funds available and as

approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (096-2018)

APPROVED

34. Consider a motion approving a contract with Midland County Public Library Foundation in the amount of \$30,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (097-2018)

APPROVED

35. Consider a motion approving a contract with Midland High Basketball Boosters (Byron Johnston Holiday Classic) in the amount of \$12,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (098-2018)

APPROVED

36. Consider a motion approving a contract with Midland Hispanic Chamber of Commerce (Mex-Tex) in the amount of \$27,500.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (099-2018)

APPROVED

37. Consider a motion approving a contract with Midland Municipal Employee Scholarship Fund (MMESF) in the amount of \$5,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (100-2018)

APPROVED

38. Consider a motion approving a contract with Midland-Odessa Symphony & Chorale, Inc. in the amount of \$10,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (101-2018)

APPROVED

39. Consider a motion approving a contract with Midland Softball Association in the amount of \$125,800.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (102-2018)

APPROVED

40. Consider a motion approving a contract with Midland Soccer Association in the amount of \$20,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/None Departmental). (CITY SECRETARY'S OFFICE) (103-2018)

APPROVED

41. Consider a motion approving a contract with Museum of the Southwest in the amount of \$40,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (104-2018)

APPROVED

42. Consider a motion approving a contract with Midland Storytelling Festival in the amount of \$15,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (105-2018)

APPROVED

43. Consider a motion approving a contract with Permian Basin Petroleum Museum in the amount of \$30,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (106-2018)

APPROVED

44. Consider a motion approving a contract with West Texas Softball Classic in the amount of \$15,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (107-2018)

APPROVED

45. Consider a motion approving a contract with West Texas Kennel Club in the amount of \$10,000.00 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2018-2019 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (108-2018)

APPROVED

46. Consider a resolution authorizing the City Secretary to negotiate and execute a contract with Martin County for the purpose of providing election services to the City of Midland for certain citizens that reside within the boundaries of Martin County; and authorizing the negotiation and execution of all documents necessary and appropriate for the effectuation of said election services. (CITY SECRETARY'S OFFICE) (2018 - 343)

APPROVED

47. Consider a resolution authorizing the execution of an Independent Professional Consultant Agreement with Frances Stapp to provide curator management and other services for the Scarborough Linebery House. (COMMUNITY SERVICES) (2018 - 344)

APPROVED

48. Consider a resolution authorizing the execution of a contract between the City of Midland and Midland Sports, Inc., in the amount of \$106,000.00, for professional marketing, promotion, and management services at the Scharbauer Sports Complex. (COMMUNITY SERVICES) (2018 - 345)

APPROVED

49. Consider a resolution approving an amendment to the permit issued to Parsley Energy Operations, LLC ("Operator") to drill an oil and gas well within the City limits located 805 feet from the south line and 564 feet from the west line, Section 1, Block X, H. P. Hilliard Survey, City and County of Midland, Texas (generally located 539 feet east of Lamesa Road and 805 feet north of Loop 250); said amendment authorizes the name of the well to be changed and the location of the well to be 30 feet south and 23 feet west of the previously permitted location. (DEVELOPMENT SERVICES) (2018 - 346)

APPROVED

50. Consider a resolution approving an amendment to the permit issued to Parsley Energy Operations, LLC ("Operator") to drill an oil and gas well within the City limits located 775 feet from the south line and 564 feet from

the west line, Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (generally located 539 feet east of Lamesa Road and 775 feet north of Loop 250); said amendment authorizes the name of the well to be changed and the location of the well to be 20 feet south and 23 feet west of the previously permitted location. (DEVELOPMENT SERVICES) (2018 - 347)

APPROVED

51. Consider a resolution approving an amendment to the permit issued to Parsley Energy Operations, LLC ("Operator") to drill an oil and gas well within the City limits located 835 feet from the south line and 564 feet from the west line, Section 1, Block X, H. P. Hilliard Survey, City and County of Midland, Texas (generally located 539 feet east of Lamesa Road and 835 feet north of Loop 250); said amendment authorizes the name of the well to be changed and the location of the well to be 40 feet south and 23 feet west of the previously permitted location. (DEVELOPMENT SERVICES) (2018 - 348)

APPROVED

52. Consider a resolution of no objection to the Texas Housing Foundation's application to the Texas Department of Housing and Community Affairs for housing tax credits in the name of THF Midland Leased Housing Associates II, LP, a Texas Limited Partnership for the construction of approximately three hundred units of multifamily housing near the northwest corner of North Fairgrounds Road and East Golf Course Road in Midland, Texas, to be named Ventura at Fairgrounds Apartments. (DEVELOPMENT SERVICES) (2018 - 349)

APPROVED

53. Consider a motion on request by Newton Engineering, PC to defer public wastewater and sidewalk improvements for Covington Addition, Section 6 and to waive the corresponding financial security guarantee valued at \$46,169.00, an amount equal to the estimated cost of construction. The subject property is generally located on the north side of State Highway 191, approximately 1,270 feet east of Jordy Road, within the corporate limits of the City of Midland, Midland County, Texas. (ENGINEERING SERVICES) (109-2018)

APPROVED

54. Consider a resolution authorizing the execution of a Public Improvement Development Agreement with Atascocita Partners, Ltd. for water distribution improvements to serve Covington Addition, Section 6 (generally located on the north side of State Highway 191, approximately

1,270 feet east of Jordy Road); and authorizing the transfer of funds received in accordance with said agreement; said agreement being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES) (2018 - 350)

APPROVED

55. Consider a resolution adopting a City of Midland landfill pull-off fee. (SOLID WASTE) (2018 - 351)

APPROVED

56. Consider a 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 4, Block 38, Township 2 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES) (2018 - 352)

APPROVED

57. Consider a 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 Sections 2 and 3, Block 37, Township 3 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES) (2018 - 353)

APPROVED

58. Consider a 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 Sections 16 and 21, Block 37, Township 3 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES) (2018 - 354)

APPROVED

59. Consider a 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 Sections 3 and 4, Block 37, Township 3 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES) (2018 - 355)

APPROVED

60. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Lucid Energy Delaware LLC regarding City-owned property described as Sections 22 and 25, Block C23, Public

School Land Survey, Winkler County, Texas. (UTILITIES) (2018 - 356)

APPROVED

SECOND READINGS

61. 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 7.995-acre tract of land out of Section 5, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned LR-2, Local Retail District, to be used as a BP, I-20 Business Park District (generally located on the north side of West Interstate 20, approximately 336 feet west of South Midkiff 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) (First Reading Held August 28, 2018) (9806)

SECOND READING APPROVED

62. 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 Lots 4A and 4B, Block 2, Westridge Park Addition, Section 34, 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 west side of North Loop 250 West, approximately 795 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. (DEVELOPMENT SERVICES) (First Reading Held August 28, 2018) (9807)

SECOND READING APPROVED

63. Consider an ordinance on second reading establishing the zoning classification of the area indicated as being a 15.83-acre tract of land out of Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, as an MF-1, Multiple-Family Dwelling District; said tract being generally located at the southeast corner of the intersection of North County Road 1247 and West State Highway 158; 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 August 28, 2018) (9808)

SECOND READING APPROVED

64. 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 Lot 1, Block 161, Wilshire Park Addition, Section 9, and Lot 2A, Block 165, Wilshire Park Addition, Section 19, 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. (DEVELOPMENT SERVICES) (First Reading Held August 28, 2018) (9809)

SECOND READING APPROVED

65. Consider an ordinance on second reading vacating and abandoning a 0.566-acre portion of Guadalupe Street right-of-way located adjacent to Lot 15, Block 2, and Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas (generally located on the north side of Mockingbird Lane, approximately 900 feet east of North State Highway 349); adopting the appraisal by the City Manager of \$1,698.00; retaining a nonexclusive utility easement; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (First Reading Held August 28, 2018) (9810)

SECOND READING APPROVED

66. 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 approximately 12.96 acres located in two tracts of land out of Section 19, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned PD, Planned District for an Office Center and Housing Development, to be used as an MR-1, Multiple-Family Dwelling District, in part, and an LR-2, Local Retail District, in part (generally located on the north side of Andrews Highway, approximately 421 feet west of North Midland 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) (First Reading Held August 28, 2018) (9811)

SECOND READING APPROVED

67. 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 approximately 5.75 acres located in two tracts of land out of Section 30, Block 39, T-1-S, T&P RR Co. Survey, City

and County of Midland, Texas, which is presently zoned 1F-1, One-Family Dwelling District, to be used as an LR-2, Local Retail District (generally located on the south side of Andrews Highway, approximately 670 feet west of North Midland 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) (First Reading Held August 28, 2018) (9813)

SECOND READING APPROVED

68. Consider an ordinance on second reading amending Title X, "Traffic Regulations", Chapter 13, "Parking Prohibited", of the City Code of Midland, Texas, by adding Section 13, "Parking on Private Property, Signed", so as to prohibit the parking of a motor vehicle on private property in violation of a sign designating hours of prohibited parking within the territorial limits of the City of Midland, negating and dispensing with the culpable mental state requirement; providing for a maximum penalty or fine of five hundred dollars (\$500.00); containing a cumulative clause; containing a savings and severability clause; ordering publication; and establishing an effective date of October 1, 2018. (CITY ATTORNEY'S OFFICE) (First Reading Held August 28, 2018) (9816)

SECOND READING APPROVED

69. Consider an ordinance on second reading amending Title X, "Traffic Regulations", Chapter 13, "Parking Prohibited", of the City Code of Midland, Texas, by adding Section 14, "Commercial Motor Vehicle Parking Prohibited", so as to prohibit the parking of a commercial motor vehicle upon any public street, alley or right-of-way; negating and dispensing with the culpable mental state requirement; providing for a maximum penalty or fine of five hundred dollars (\$500.00); containing a cumulative clause; containing a savings and severability clause; ordering publication; and establishing an effective date of October 1, 2018. (ENGINEERING SERVICES) (First Reading Held August 28, 2018) (9817)

SECOND READING APPROVED

PUBLIC HEARINGS

70. 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 17, Skyline Terrace, Unit 7, 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 west side of North Midkiff Road, approximately 1,030 feet south of Loop 250 North); 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) (9818)

FIRST READING AMENDED AND APPROVED

71. 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 17.84-acre tract of land out of Section 24, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, to be used as a PD, Planned District for a Housing Development (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) (9819)

FIRST READING APPROVED

72. 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 an 8.03-acre tract of land out of Section 30, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, in part, and 1F-1, One-Family Dwelling District, in part, to be used as an MF-1, Multiple-Family Dwelling District (generally located on the south side of Andrews Highway, approximately 670 feet west of North Midland 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) (9820)

FIRST READING APPROVED

73. Hold a public hearing and consider an ordinance adopting a site plan for an 8.03-acre tract of land out of Section 30, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (generally located on the south side of Andrews Highway, approximately 670 feet west of North Midland 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) (9821)

PULLED BY APPLICANT

74. Hold a public hearing and consider a resolution authorizing the temporary use of land for a private party on Lots 16-18, Block A, Garrett Place

Addition, and a 0.2-acre portion of West Indiana Avenue located adjacent to said Lots and Lots 1 and 2, Block J, Garrett Place Addition, City and County of Midland, Texas (generally located on the north side of West Indiana Avenue, approximately 189 feet east of Carlton Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2018 - 357)

APPROVED

75. Hold a public hearing and consider a resolution authorizing the temporary use of land for a tailgate event on Lot 4, Block 5, Westridge Park Addition, Section 6, City and County of Midland, Texas (generally located at the northeast corner of the intersection of Tradewinds Boulevard and Champions Drive); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2018 - 358)

AMENDED AND APPROVED

76. Hold a public hearing and consider an ordinance granting a special exception for an approximate 215.22-acre tract of land out of Section 15, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (generally located on the east side of North Garfield Street, approximately 580 feet north of West Wadley Avenue), by permitting a building constructed of pre-engineered metal (r-panel or similar style) with less than 75 percent of the primary and secondary elevations, excluding doors and windows, finished in one or more of the materials listed in Section 11-10-2.b.2.(c) of the City Code; 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) (9822)

FIRST READING APPROVED

77. 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 the south half of Block 23, Gardens Addition, City and County of Midland, Texas, which is presently zoned 2F, Two-Family Dwelling District, to be used as an MF-1, Multiple-Family Dwelling District (generally located at the northwest corner of the intersection of Ward Street and West Ohio 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) (9823)

FIRST READING APPROVED

78. Hold a public hearing and consider a resolution of the City Council of the City of Midland, Texas, granting a written petition to annex a 9.75-acre tract of land out of the northeast quarter of Section 48, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas (the "Area") (generally located at the northwest corner of the intersection of Tradewinds Boulevard and Thomason Drive) pursuant to Section 43.028 of the Texas Local Government Code; and authorizing and directing the City Secretary to record a copy or duplicate of the petition with a certified copy of the ordinance annexing the area upon the approval of such ordinance by the City Council. (DEVELOPMENT SERVICES) (2018 - 359)

APPROVED

MISCELLANEOUS

79. Consider an ordinance changing the zoning use classification of the property described as a 114.94-acre tract of land out of Section 6, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas (generally located on the west side of South Farm-to-Market 1788, approximately 1,610 feet north of Loop 40), which is presently zoned LI, Light Industry District, by permitting said property to be used under a Specific Use Permit with Term for an Electronic Billboard; 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) (9824)

DEFEATED

80. Consider an ordinance changing the zoning use classification of the property described as a 114.94-acre tract of land out of Section 6, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas (generally located on the west side of South Farm-to-Market 1788, approximately 1,610 feet north of Loop 40), which is presently zoned LI, Light Industry District, by permitting said property to be used under a Specific Use Permit with Term for a Billboard; 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) (9825)

DEFEATED

PUBLIC COMMENT

81. 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