

CITY OF MIDLAND, TEXAS  
AGENDA FOR CITY COUNCIL MEETING  
September 24, 2024 - 10:00 AM  
300 North Loraine  
Midland, Texas  
Council Chamber - City Hall



A quorum of the City Council intends to be physically present at the aforementioned location.

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

### **OPENING ITEMS**

1. Invocation – Pastor Matt Koehler, Greenwood Baptist Church
2. Pledge of Allegiance

### **PRESENTATIONS**

3. Presentation of special events, organizations, individuals, periods of time, or reports, including, but not limited to:
  - 3a. Presentation of Proclamation for “Bryce Hoppel Day”.
  - 3b. Presentation of Proclamation for “Hunger Action Month”.
  - 3c. Presentation of Proclamation for “Midland Community Healthcare Services Day”.

### **CONSENT AGENDA**

4. MOTION APPROVING THE FOLLOWING MINUTES:
  - 4a. SPECIAL SESSION OF SEPTEMBER 5, 2024
  - 4b. REGULAR SESSION OF SEPTEMBER 10, 2024
  - 4c. REGULAR SESSION OF SEPTEMBER 17, 2024
5. 104-2024 – MOTION APPROPRIATING THE SUM OF \$247,931.68 FROM THE HOTEL MOTEL UNAPPROPRIATED FUND BALANCE FOR THE DOWNTOWN CHRISTMAS CELEBRATION OF LIGHTS **(DISTRICT 3) (FINANCE) (QUALITY OF LIFE AND PLACE)**

6. 2024-148 – RESOLUTION AMENDING THE AUTHORIZED REPRESENTATIVES OF THE CITY OF MIDLAND, TEXAS, REGARDING INVESTMENTS OF PUBLIC FUNDS; ADDING VIVIAN IRWIN, FINANCE ADMINISTRATION AND TREASURY MANAGER, AND CRYSTAL GARCIA, COMPTROLLER, AS AUTHORIZED REPRESENTATIVES OF THE CITY OF MIDLAND ON THE TEXAS LOCAL GOVERNMENT INVESTMENT POOL, TEXPOOL/TEXPOOL PRIME; AND CHRISTY WEAKLAND, VIVIAN IRWIN, AND CRYSTAL GARCIA SHALL BE AUTHORIZED REPRESENTATIVES OF THE CITY OF MIDLAND **(DISTRICT: NONE) (FINANCE) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
7. 105-2024 – MOTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NUMBER 3 WITH REECE ALBERT, INC. REGARDING THE STATE HIGHWAY 158 AND SINCLAIR AVENUE INTERSECTION IMPROVEMENT PROJECT FOR THE ENGINEERING SERVICES DEPARTMENT; SAID CHANGE ORDER TO BE IN THE AMOUNT OF \$898,248.46 AND TO PROVIDE FOR MODIFICATIONS REQUIRED TO ALIGN WITH TXDOT PAVEMENT DESIGN STANDARDS, IMPLEMENTATION OF TRAFFIC CONTROL MEASURES, AND MATERIAL OVERRUNS; AND TRANSFERRING THE SUM OF \$11,416.53 FROM THE GENERAL FUND 2024 OPERATING BUDGET TO THE SINCLAIR AVENUE DRAINAGE PROJECT (900473-005) **(DISTRICT 4) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
8. 2024-149 – RESOLUTION AUTHORIZING THE EXECUTION OF A FOURTH AMENDMENT TO THAT CERTAIN MASTER SERVICES AND PURCHASING AGREEMENT WITH AXON ENTERPRISES, INC., DATED SEPTEMBER 29, 2021, AS AMENDED, FOR BODY-WORN CAMERA SYSTEMS AND RELATED SERVICES FOR THE POLICE DEPARTMENT; AND AUTHORIZING PAYMENT FOR THE WORK AND SERVICES RENDERED PURSUANT TO SAID FOURTH AMENDMENT **(DISTRICT: NONE) (GENERAL SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**
9. 2024-150 – RESOLUTION AWARDED A CONTRACT FOR THE PURCHASE AND INSTALLATION OF FOUR (4) IN-GROUND VEHICLE LIFTS AND ONE (1) PLATFORM VEHICLE LIFT TO DAVID COWAN EQUIPMENT FOR A COST OF \$169,790.00; AND APPROVING \$16,979.00 FOR CONTINGENCIES **(DISTRICT 2) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
10. 2024-151 – RESOLUTION AUTHORIZING THE SOLE-SOURCE PURCHASE OF A ONE-YEAR MAINTENANCE AND LICENSE RENEWAL FOR THE UTILITY BILLING MANAGEMENT SYSTEM FROM SMARTWORKS, A DIVISION OF N. HARRIS COMPUTER CORPORATION FOR A TOTAL COST OF \$108,855.52 **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
11. 2024-152 – RESOLUTION AUTHORIZING THE PURCHASE OF AN ESTIMATED ANNUAL SUPPLY OF CHEMICALS NEEDED FOR THE TREATMENT OF DRINKING WATER FOR FISCAL YEAR 2025 FROM MULTIPLE BIDDERS, FOR A TOTAL COST OF

**\$3,591,792.80 (DISTRICT: ALL) (GENERAL SERVICES) (QUALITY OF LIFE AND PLACE)**

12. 2024-153 – RESOLUTION AWARDDING A CONTRACT FOR THE PURCHASE AND INSTALLATION OF AN HVAC SYSTEM AT THE MARTIN LUTHER KING JR. COMMUNITY CENTER TO FIRST SERVICE AIR CONDITIONING, INC., FOR A COST OF \$106,022.00; AND APPROVING \$10,602.00 FOR CONTINGENCIES **(DISTRICT 2) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
13. 2024-154 – RESOLUTION APPROVING A CONTRACT WITH DECOR IQ, LLC, THROUGH BUYBOARD, FOR SERVICES RELATED TO THE INSTALLATION OF EVENT LIGHTING AND DECORATIVE DISPLAYS IN DOWNTOWN MIDLAND FOR A TOTAL COST OF \$1,622,706.03 **(DISTRICT 2) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
14. 2024-155 – RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH JONES BROS. DIRT & PAVING CONTRACTORS, INC., IN THE AMOUNT OF \$2,272,588.85 FOR THE RECONSTRUCT RUNWAY 16R BLAST PAD, REMOVE RUNWAY 34L CONCRETE BLAST PAD, AND ADD ASPHALT SHOULDERS TO RUNWAY 10 BLAST PAD PROJECT AT THE MIDLAND INTERNATIONAL AIR & SPACE PORT; AND APPROPRIATING AND TRANSFERRING FUNDS FOR SAID PROJECT **(DISTRICT 4) (AIRPORTS) (TRANSPARENT & CONSISTENT COMMUNICATION)**
15. 106-2024 – MOTION AUTHORIZING THE APPROPRIATION AND TRANSFER OF FUNDING IN THE AMOUNT OF \$50,000.00 FROM THE AIRPORT PFC FUND BALANCE TO THE PASSENGER FACILITY CHARGE APPLICATION & AMENDMENT PROJECT (900346); SAID FUNDS SHALL BE UTILIZED TO PROVIDE FOR CERTAIN AUDITING AND ADMINISTRATIVE COSTS ASSOCIATED WITH SAID PROJECT **(DISTRICT 4) (AIRPORTS) (TRANSPARENT & CONSISTENT COMMUNICATION)**
16. 2024-156 – RESOLUTION APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND STARFIGHTERS SPACE TEXAS, LLC, AS AUTHORIZED BY CHAPTER 501 OF THE TEXAS LOCAL GOVERNMENT CODE **(DISTRICT 4) (CITY MANAGER) (STRONG ECONOMY WITH MORE QUALITY JOBS)**
17. 107-2024 – MOTION APPROVING A CONTRACTOR AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND KBR, INC., IN THE AMOUNT OF \$15,000.00 FOR SERVICES RELATED TO COMMERCIAL SPACEPORT DEVELOPMENT **(DISTRICT: NONE) (CITY MANAGER) (STRONG ECONOMY WITH MORE QUALITY JOBS)**
18. 108-2024 – MOTION APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND HENDERCO, LLC, FOR THE MIDLAND DEVELOPMENT CORPORATION'S PURCHASE OF CERTAIN REAL

PROPERTY DESCRIBED AS A 6.484-ACRE TRACT OUT OF BLOCK 1, LOT 2, PARKWAY SOUTH ADDITION, SECTION 3, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS **(DISTRICT 2) (CITY MANAGER) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

19. 109-2024 – MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, A PRELIMINARY PLAT OF MOCKINGBIRD RIDGE, BEING A PLAT OF A 302.39-ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF FAIRGROUNDS ROAD AND ARAPAHOE ROAD) **(DISTRICT 1) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**
20. 110-2024 – MOTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH MIDLAND COUNTY UNDER WHICH THE CITY WILL RECEIVE FUNDS IN THE AMOUNT OF \$588,900.00 FOR THE CONSTRUCTION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF STATE HIGHWAY 158 AND SINCLAIR AVENUE IN EXCHANGE FOR ANNEXING AN AREA THAT INCLUDES THE INTERSECTION OF COUNTY ROAD 120 AND ANTELOPE TRAIL AND MAINTAINING THE TRAFFIC SIGNAL AT THAT INTERSECTION **(DISTRICT 4) (ENGINEERING SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
21. 2024-157 – RESOLUTION ACCEPTING A FISCAL YEAR 2024 GRANT AWARD FROM THE SOUTHWEST BORDER HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM IN THE AMOUNT OF \$196,094.00 SAID GRANT SHALL BE USED TO ENHANCE AND COORDINATE DRUG CONTROL EFFORTS AMONG FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT AGENCIES; AND APPROPRIATING SAID GRANT FUNDS **(DISTRICT: ALL) (POLICE) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

## **SECOND READINGS**

22. 10563 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR A 1.51-ACRE TRACT OF LAND OUT OF THE SOUTHEAST QUARTER OF SECTION 7, BLOCK X, H.P. HILLIARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF MOCKINGBIRD LANE, APPROXIMATELY 800 FEET WEST OF NORTH MIDLAND DRIVE), BY PERMITTING A REDUCED MINIMUM LOT AREA; 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 (FIRST READING HELD SEPTEMBER 10, 2024) **(DISTRICT 4) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**
23. 10564 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 302.39-ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS,

FROM SF-1, SINGLE-FAMILY DWELLING DISTRICT, IN PART, SF-2, SINGLE-FAMILY DWELLING DISTRICT, IN PART, SF-3, SINGLE-FAMILY DWELLING DISTRICT, IN PART, TH, TOWNHOUSE (ATTACHED) DWELLING DISTRICT, IN PART, 2F, TWO-FAMILY DWELLING (DUPLEX) DISTRICT, IN PART, MF-16, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART, AND LR, LOCAL RETAIL DISTRICT, IN PART, TO PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF FAIRGROUNDS ROAD AND FIREWHEEL 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 (FIRST READING HELD SEPTEMBER 10, 2024) **(DISTRICT 1) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

24. 10565 – AN ORDINANCE ADOPTING A FEE SCHEDULE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING AN APPEAL PROCESS; ESTABLISHING AN EFFECTIVE DATE OF OCTOBER 1, 2024; AND ORDERING PUBLICATION (FIRST READING HELD SEPTEMBER 10, 2024) **(DISTRICT: NONE) (FINANCE) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
25. 10566 – AN ORDINANCE ALTERING PRIMA FACIE SPEED LIMITS ALONG CERTAIN STREETS IN THE CITY; AUTHORIZING INSTALLATION OF APPROPRIATE SIGNS AND MARKINGS; REPEALING ORDINANCE NO. 10542; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO HUNDRED DOLLARS (\$200.00); AND ORDERING PUBLICATION (FIRST READING HELD SEPTEMBER 10, 2024) **(DISTRICT: NONE) (ENGINEERING SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

## **PUBLIC HEARINGS**

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

26. 10567 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 2, BLOCK 2, HOLLANDALE HEIGHTS ADDITION, BLOCKS 1 AND 2 REPLAT, CITY AND COUNTY OF MIDLAND, TEXAS (THE “SUBJECT LOT”), BY PERMITTING OFF-STREET PARKING ON LOT 12, BLOCK 1, SUN GARDEN VILLAGE ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (THE “PARKING LOT”), SAID PARKING LOT BEING MORE THAN 150 FEET AWAY FROM THE BUILDING OR STRUCTURE ON THE SUBJECT LOT (THE SUBJECT LOT BEING GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH LAMESA ROAD AND EAST DORMARD 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); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**
27. 10568 – AN ORDINANCE EXTENDING THE BOUNDARIES OF THE CITY OF MIDLAND,

TEXAS, BY ADDING THERETO A CERTAIN AREA ADJOINING THE PRESENT CITY LIMITS, BEING A 22.119-ACRE TRACT OF LAND OUT OF SECTION 35, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF STATE HIGHWAY 191, APPROXIMATELY 1,550 FEET WEST OF STATE HIGHWAY 158); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY **(DISTRICT: NONE) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

28. 10569 – AN ORDINANCE ESTABLISHING THE INITIAL ZONING CLASSIFICATION OF THE AREA INDICATED AS BEING A 22.119-ACRE TRACT OF LAND OUT OF SECTION 35, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AS AN RR, REGIONAL RETAIL DISTRICT; SAID TRACT BEING GENERALLY LOCATED ON THE NORTH SIDE OF STATE HIGHWAY 191, APPROXIMATELY 1,550 FEET WEST OF 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 **(DISTRICT: NONE) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

#### **MISCELLANEOUS**

29. MOTION MAKING APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS **(DISTRICT: ALL) (CITY SECRETARY’S OFFICE)**

#### **PUBLIC COMMENT**

30. 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**

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

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Tommy Gonzalez  
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.