

**MIDLAND CITY COUNCIL
MINUTES
September 24, 2024**



The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., September 24, 2024.

Council Members present: Eric Davidson, Amy Stretcher Burkes, Robin Poole, Lori Blong, Scott Dufford, Jack Ladd, John Norman

Council Members absent: None

Staff members present: City Manager Tommy Gonzalez, City Attorney John Ohnemiller, Deputy City Manager Morris Williams Jr., Assistant City Manager Jose Ortiz

The meeting was called to order at 10:00 a.m.

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

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)**
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 AWARDED 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)**
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)**

Jack Ladd moved to approve Consent Agenda items 4 – 21, excluding items 5, 9 & 16; seconded by Eric Davidson.

The motion passed by the following vote:

AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

The following item(s) were pulled from consent agenda and considered individually.

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

Chief of Staff Taylor Novak gave a brief overview of the item noting the celebration of lights name and logo will be revealed soon. The Christmas lights in Centennial Park downtown will be expanded and there will be lots of additions to the Park for the holidays.

City Manager Tommy Gonzalez thanked Council Members Norman and Poole for their leadership with this project.

Council Member Norman reported this is going to be an exciting event for the City.

Council Member Poole reported she is excited about the future and how the use of Hotel/Motel funds are being utilized to assist with projects.

Ms. Novak reported that there are also some private sector involvement.

Mayor Blong also reported on how the Hotel/Motel tax revenue source is utilized for City development.

Please note for the record this item is actually in District 2, not District 3 as the agenda states.

John Norman moved to approve Motion No. 104-2024; seconded by Robin Poole.

The motion passed by the following vote:

AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

9. 2024-150 – RESOLUTION AWARDING 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

Deputy City Manager Morris Williams reported this is for in-ground vehicle lifts in the garage that have outgrown their lifespan.

General Services Director Regina Stephenson gave a brief overview of the bidding process that took place for this item.

Deputy City Manager Morris Williams reported the contract went through all steps of the bidding process properly.

David Cowan, 6034 W. Venus, reported he wanted to defend himself because he went through the proper channels of the bidding process, was awarded the bid and someone contested the bid.

Jack Ladd moved to approve Resolution No. 2024-150; seconded by Eric Davidson.

The motion passed by the following vote:

AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

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

Midland Development Corporation Director Sara Harris gave a brief overview of this item as it is an economic development agreement between the Midland Development Corporation and Starfighters Space. Starfighters Space is a private company that owns a fleet of aircraft that are utilized for the Department of Defense and private payloads.

Starfighters Space will be bringing a part of their fleet to Midland for testing.

As part of the agreement, they will be locating \$78M worth of assets (the aircraft) in Midland by 2027 and creating 23 new jobs here by 2033. There will be testing of payloads and high speed flights as well.

Eric Davidson moved to approve Resolution No. 2024-156; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

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)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10563.

Jack Ladd moved to approve the second and final reading of Ordinance No.10563; seconded by John Norman.

The motion passed by the following vote:

AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

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)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10564.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10564; seconded by John Norman.

The motion passed by the following vote:

AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

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)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10565.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10565; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

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)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10566.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10566; seconded by Robin Poole.

The motion passed by the following vote:

AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

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)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10567.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting the applicant would like to expand to include a small classroom and office space. The Council is asked not to take action today due to a reciprocal parking agreement with the owner since they own both lots.

Mayor Blong opened the public hearing at 10:36 a.m.

Natalie London, 904 Storey Avenue, introduced herself and reported she is available to answer questions from Council.

There being no one else wishing to speak, the public hearing was closed at 10:37 a.m.

NO ACTION TAKEN BY COUNCIL ON THIS ITEM

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)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10568.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting it is an annexation request for the Costco site location to be annexed into the City limits. The next item (number 28) is related as it would establish the initial zoning of the site.

Mayor Blong opened the public hearing at 10:40 a.m.

Michael Clark, Winkelmann and Associates, Dallas, representing Cumberland Western and Costco, would like to submit construction plans this week and is here to answer any questions Council may have.

There being no one else wishing to speak, the public hearing was closed at 10:41 a.m.

Amy Stretcher Burkes moved to approve the first of two readings of Ordinance No. 10568; seconded by Eric Davidson.

The motion passed by the following vote:

AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

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)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10569.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is the initial zoning request so that as it is zoned into the city limits, it will be established as a regional retail district.

Mayor Blong opened the public hearing at 10:42 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Eric Davidson moved to approve the first of two readings of Ordinance No. 10569; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman

NAY: None
ABSTAIN: None
ABSENT: None

MISCELLANEOUS

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

Robin Poole moved to re-appoint Dave Joyner to the Airport Planning & Development board; seconded by John Norman.

The motion passed by the following vote:

AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

John Norman moved to appoint Shelly Haney to the Animal Control Advisory Commission; seconded by Robin Poole.

The motion passed by the following vote:

AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

Amy Stretcher Burkes moved to appoint Lisa Kay Vandenberg to the Animal Control Advisory Commission; seconded by Eric Davidson.

The motion passed by the following vote:

AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

Robin Poole moved to re-appoint Ray Almand, Jay Bradford, T.J. McClure, Laurence Oeth, Gary Glasscock and Robert Anderson to the Building and Fire Code Review Committee/Construction Board of Adjustments & Appeals; seconded by Scott Dufford.

The motion passed by the following vote:

AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

Eric Davidson moved to appoint Joshua Ferguson to the Capital Improvement Advisory Committee; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman
NAY: None
ABSTAIN: None
ABSENT: None

Scott Dufford moved to re-appoint Ankur Bhakta to the Citizens Development & Hotel/Motel Tax Advisory Board; seconded by John Norman.

The motion passed by the following vote:
AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman
NAY: None
ABSTAIN: None
ABSENT: None

Jack Ladd moved to appoint Roy Geer to the Citizens Development & Hotel/Motel Tax Advisory Board; seconded by Eric Davidson.

The motion passed by the following vote:
AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman
NAY: None
ABSTAIN: None
ABSENT: None

Eric Davidson moved to appoint Michael Dietrich to the Citizens Development & Hotel/Motel Tax Advisory Board; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:
AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman
NAY: None
ABSTAIN: None
ABSENT: None

Scott Dufford moved to re-appoint Wes Gotcher to the Midland Housing Authority Commission; seconded by John Norman.

The motion passed by the following vote:
AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman
NAY: None
ABSTAIN: None
ABSENT: None

Robin Poole moved to re-appoint Cameron Willmann to the Oil & Gas Advisory Committee; seconded by Scott Dufford.

The motion passed by the following vote:
AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman
NAY: None
ABSTAIN: None
ABSENT: None

Eric Davidson moved to appoint Nick Stowers to the Oil & Gas Advisory Committee; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

John Norman moved to appoint Dustin Johnson to the Parks & Recreation Commission; seconded by Scott Dufford.

The motion passed by the following vote:

AYE: Davidson, Stretcher Burkes, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

Council made appointments and re-appointments to several Boards and Commissions. The following Boards and Commissions will be deferred to a future Council meeting to give time for more Citizens to apply: Animal Control Advisory Commission – one vacancy for a Veterinarian position; Barbara & George H.W. Bush Convention Center Advisory Board – one vacancy; Midland-Odessa Urban Transit District Board – one vacancy & two re-appointments; Midland Spaceport Development Corporation – one vacancy; Parks & Recreation Commission – one vacancy; Zoning Board of Adjustment & Airport Zoning Board of Adjustment – two vacancies & four alternate vacancies.

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.)

Mike Canon, former Mayor of Midland, 25 Oaklawn Park, spoke on a zoning ordinance regarding Ranchland Hills.

Mark Wagner, 2806 Ann Drive, voiced his opinion on the ordinance regarding Ranchland Hills and would like to know if it is valid.

Gary Wilson, 14 Santa Barbara, voiced his opinion regarding Ranchland Hills and spoke on a better location for the school. Mr. Wilson reported his group is prepared to evoke a protest regarding Texas Code 54.211.

Ken Livingston, 3505 Sentinel, voiced his opinion regarding Ranchland Hills.

Brian Swisher, 1422 Lanham Street, voiced his opinion on Ranchland Hills and MISD and has obtained legal services.

Kevin Williams, 609 N. Weatherford, spoke on the public impact of shutting down the golf course.

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:

Mayor Blong recessed the City Council Meeting to go into Executive Session at 11:21 a.m.

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.

All the business at hand having been completed, the meeting adjourned at 12:28 p.m.

PASSED AND APPROVED October 8, 2024.

Lori Blong, Mayor

ATTEST:

Marcia Bentley-German
City Governance Officer/City Secretary