

**MIDLAND CITY COUNCIL
MINUTES
October 10, 2023**



The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., October 10, 2023.

Council Members present: Amy Stretcher Burkes, Dan Corrales, 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 Tina Jauz, Assistant City Manager Jose Ortiz

The meeting was called to order at 10:06 a.m.

OPENING ITEMS

1. Invocation – Pastor Keith Graves, Hope Community Church
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - 3a. Presentation of Proclamation for “High Sky Children’s Ranch 60th Anniversary Day”
 - 3b. Presentation from Managing Director of Public Safety Charles Blumenaur regarding the City of Midland Animal Services Division.

Managing Director/Fire Chief Chuck Blumenaur gave a brief overview of changes happening in the Animal Services Department. Chief Blumenaur reported on Enhancing Animal Welfare and where the future of Animal Services is heading for the City of Midland. A/C and heating in vehicles was discussed, hiring a new Veterinarian and having staff take development classes through Humane Educators of Texas.

City Manager Tommy Gonzalez reported they are aggressively seeking to hire a Veterinarian.

- 3c. Presentation from Director of Finance Christy Weakland regarding Budget and Fixed Costs.

Finance Director Christy Weakland gave a brief overview of the FY 2024 budget breakdown by reporting on fixed cost versus one-time, what affects fixed cost such as inflation, supply chain and growth and reported on the General Fund. Ms. Weakland provided a breakdown of Fixed Cost and reviewed Personnel increases and answered questions from Council.

Mayor Blong reported briefly on the status of the Fireman's pension fund.

CONSENT AGENDA

4. MOTION APPROVING THE FOLLOWING MINUTES:
- 4a. WORK SESSION OF SEPTEMBER 26,2023
- 4b. REGULAR SESSION OF SEPTEMBER 26,2023
5. 2023-131 – RESOLUTION NOMINATING ROBERT MCNAUGHTON FOR THE MIDLAND CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; AND DIRECTING THE CITY MANAGER TO DELIVER A COPY OF THIS RESOLUTION TO THE MIDLAND CENTRAL APPRAISAL DISTRICT **(DISTRICT: NONE) (FINANCE)**
6. 2023-132 – RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH GEOGRAPHIC INFORMATION SERVICES, INC., D/B/A AXIM GEOSPATIAL, LLC, FOR ARCGIS IMPLEMENTATION SERVICES THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES FOR A COST OF \$345,400.00 **(DISTRICT: NONE) (GENERAL SERVICES)**
7. 2023-133 – RESOLUTION APPROVING THE PURCHASE OF A CATERPILLAR 836 WHEEL DOZER COMPACTOR FROM WARREN POWER & MACHINERY, INC., THROUGH SOURCEWELL FOR A TOTAL COST OF \$1,498,340.00 **(DISTRICT: NONE) (GENERAL SERVICES)**
8. 2023-134 – RESOLUTION AUTHORIZING PURCHASE OF AN ASPHALT PAVER FROM BEE EQUIPMENT SALES, LTD., THROUGH BUYBOARD FOR A TOTAL COST OF \$267,749.33 **(DISTRICT: NONE) (GENERAL SERVICES)**
9. 2023-135 – RESOLUTION APPROVING THE PURCHASE OF A 114SD SEWER JET VAC TRUCK AND ASSOCIATED COMPONENTS FROM HOUSTON FREIGHTLINER INC. THROUGH THE HOUSTON-GALVESTON AREA COUNCIL FOR A TOTAL COST OF \$552,119.49 **(DISTRICT: NONE) (GENERAL SERVICES)**

10. 2023-136 – RESOLUTION AUTHORIZING PURCHASE OF TWO (2) CHEVROLET TAHOES FROM CALDWELL AUTOMOTIVE PARTNERS, LTD., THROUGH BUYBOARD FOR A TOTAL COST OF \$140,924.00 **(DISTRICT: NONE) (GENERAL SERVICES)**
11. 2023-137 – RESOLUTION AUTHORIZING PURCHASE OF A REELMASTER 5510-D FAIRWAY MOWER, A WORKMAN DHX-2WD GOLF CART, A GREENMASTER TRIFLEX MOWER, A SAND PRO 5040 TRAP RAKE, A RIDING SAND PRO, A PROCORE AERATOR, AND A PROCORE AERIFIER FROM PROFESSIONAL TURF PRODUCTS, L.P., THROUGH BUYBOARD FOR A TOTAL COST OF \$359,615.20 **(DISTRICT: NONE) (GENERAL SERVICES)**
15. 2023-138 – RESOLUTION AMENDING THE CITY OF MIDLAND PERSONNEL POLICIES SO AS TO REVISE THE DEFINITION OF “DEPARTMENT MANAGERS”; AND PROVIDING AN EFFECTIVE DATE OF OCTOBER 11, 2023 **(DISTRICT: NONE) (ADMINISTRATIVE SERVICES)**
16. 2023-139 – RESOLUTION APPROVING THE SELECTION OF GARVER, H.W. LOCHNER, INC., MAVERICK CIVIL & SURVEY, LLC, PARKHILL, SMITH & COOPER, INC., DBA PARKHILL, TRANSYSTEMS CORPORATION DBA TRANSYSTEMS CORPORATION CONSULTANTS, AND WESTWOOD PROFESSIONAL SERVICES, INC., AS RESPECTIVE FIRST CHOICES FOR THE PERFORMANCE OF ON-CALL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES FOR VARIOUS PROJECTS AT THE MIDLAND INTERNATIONAL AIR & SPACE PORT AND MIDLAND AIRPARK OVER THE NEXT THREE (3) YEARS; AND PROVIDING THAT ANY AGREEMENT EXCEEDING \$100,000.00 SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE CITY COUNCIL **(DISTRICT 4) (GENERAL SERVICES)**
17. 2023-140 – RESOLUTION AUTHORIZING THE EXECUTION OF A TAX ABATEMENT AGREEMENT WITH LS BRENTWAY LLC AS AUTHORIZED BY CHAPTER 312 OF THE TEXAS TAX CODE (THE “AGREEMENT”) REGARDING LOTS 22, 23 AND 24, BLOCK 65, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (THE “PROPERTY”); SAID PROPERTY BEING LOCATED WITHIN TAX ABATEMENT REINVESTMENT ZONE NUMBER 2023-02 (THE “REINVESTMENT ZONE”); SAID REINVESTMENT ZONE BEING LOCATED ON THE WEST SIDE OF SOUTH LORAIN STREET, APPROXIMATELY 130 FEET NORTH OF WEST MISSOURI AVENUE; THE OWNER OF THE PROPERTY BEING LS BRENTWAY LLC; THE APPLICANT FOR TAX ABATEMENT BEING LS BRENTWAY LLC; THE IMPROVEMENTS INCLUDED IN THE AGREEMENT BEING GENERALLY DESCRIBED AS A SIX-STORY HOTEL WITH APPROXIMATELY 80 GUEST ROOMS AND ASSOCIATED AND APPURTENANT FACILITIES; THE ESTIMATED COST OF SAID IMPROVEMENTS BEING NOT LESS THAN \$15,000,000.00; AND DIRECTING THE CITY MANAGER TO DELIVER A WRITTEN NOTICE OF THE CITY’S INTENTION TO ENTER INTO THE AGREEMENT, OR ENSURE THAT SUCH A NOTICE HAS BEEN DELIVERED, TO THE PRESIDING OFFICER OF THE GOVERNING BODY OF EACH APPROPRIATE TAXING UNIT AT LEAST SEVEN DAYS PRIOR TO THE EXECUTION OF THE AGREEMENT **(DISTRICT 2) (CITY MANAGER)**

18. 2023-141 – RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIDLAND AND LS BRENTWAY LLC REGARDING THE DEVELOPMENT OF CERTAIN REAL PROPERTY DESCRIBED AS LOTS 22, 23, AND 24, BLOCK 65, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS **(DISTRICT 2) (CITY MANAGER)**
19. 120-2023 – MOTION APPROVING WITH STAFF’S RECOMMENDED CONDITIONS A PROPOSED PRELIMINARY PLAT OF CLAYDESTA PLAZA NORTH, SECTION 6, BEING A REPLAT OF THE REMAINDER OF LOT 1, BLOCK 14, CLAYDESTA PLAZA, SECTION 2, LOT 2B, BLOCK 14, CLAYDESTA PLAZA, SECTION 14, AND A 47.74-ACRE TRACT OF LAND, LOCATED IN SECTION 14, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED WEST OF NORTH BIG SPRING STREET, APPROXIMATELY 300 FEET NORTH OF VETERANS AIRPARK LANE) **(DISTRICT 3) (DEVELOPMENT SERVICES)**
20. 121-2023 – MOTION APPROVING WITH STAFF’S RECOMMENDED CONDITIONS A PROPOSED PRELIMINARY PLAT OF PERMIAN BASIN BEHAVIORAL HEALTH CENTER, SECTION 1, BEING A 50.31-ACRE TRACT OF LAND OUT OF SECTION 42, BLOCK 40, T-1-S, T&P RR CO. SURVEY, COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED APPROXIMATELY 1,550 FEET SOUTH OF STATE HIGHWAY 191, AND APPROXIMATELY 1,725 FEET EAST OF NORTH FARM-TO-MARKET ROAD 1788) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**
21. 122-2023 – MOTION APPROVING WITH STAFF’S RECOMMENDED CONDITIONS A PROPOSED PRELIMINARY PLAT OF CARROLLWOOD ADDITION, SECTION 2, BEING A 31.58-ACRE TRACT OF LAND OUT OF SECTION 24, BLOCK 40, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF ANTELOPE TRAIL, APPROXIMATELY 2,790 FEET NORTH OF WEST COUNTY ROAD 140) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**

Robin Poole moved to approve Consent Agenda item(s) 4-21, excluding item(s) 12, 13, & 14; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

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

12. 117-2023 – MOTION AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO THE WATER FACILITIES OPERATION AND MAINTENANCE CONTRACT BETWEEN THE CITY OF MIDLAND AND PSC WATER OPERATING COMPANY REGARDING THE OPERATION AND MAINTENANCE OF CERTAIN WATER FACILITIES LOCATED AT T-BAR RANCH (DISTRICT: NONE) (GENERAL SERVICES)

Managing Director/Utilities Director Carl Craig gave a brief overview of the item noting they would like to go month to month to give time to get the RFP out since the original deadline was missed.

Robin Poole moved to approve Motion No. 117-2023; seconded by Dan Corrales.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

13. 118-2023 – MOTION APPROVING PLANS AND SPECIFICATIONS FOR THE STATE HIGHWAY 158 AND SINCLAIR AVENUE INTERSECTION IMPROVEMENT PROJECT, SAID PLANS AND SPECIFICATIONS BEING ON FILE IN THE CITY SECRETARY'S OFFICE REFERENCED BY THE NUMBER AND DATE OF THIS MOTION, AND AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO ADVERTISE FOR COMPETITIVE BIDS FOR SAID PROJECT PURSUANT TO THE STATUTES OF THE STATE OF TEXAS FOR ACCOMPLISHING THE WORK SET FORTH IN SAID PLANS AND SPECIFICATIONS **(DISTRICT 4) (GENERAL SERVICES)**

Engineering Director Gabriel McClelland gave a brief overview of the item noting they are seeking permission to bid.

Dan Corrales moved to approve Motion No. 118-2023; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

14. 119-2023 – MOTION REJECTING THE SOLE PROPOSAL RECEIVED FOR CERTAIN AIRPORT PASSENGER SERVICES AT MIDLAND INTERNATIONAL AIR & SPACE PORT AND MIDLAND AIRPARK **(DISTRICT: NONE) (GENERAL SERVICES)**

Deputy Director of Airports Aaron Easton gave a brief overview of the item noting the sole source bid was cost prohibitive so they will look for other solutions. Mr. Easton provided examples of why the bid was cost prohibitive.

John Norman moved to approve Motion No. 119-2023; seconded by Robin Poole.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

SECOND READINGS

22. 10442 – AN ORDINANCE EXTENDING THE BOUNDARIES OF THE CITY OF MIDLAND, TEXAS, BY ADDING THERETO A CERTAIN AREA ADJOINING THE PRESENT CITY LIMITS, BEING A 54.008-ACRE TRACT OF LAND OUT OF SECTION 42, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED APPROXIMATELY 1,550 FEET SOUTH OF STATE HIGHWAY 191, AND APPROXIMATELY 1,725 FEET EAST OF FARM-TO-MARKET ROAD 1788); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY **(DISTRICT: NONE) (DEVELOPMENT SERVICES)** (FIRST READING HELD SEPTEMBER 26, 2023)

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10442.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10442; seconded by Dan Corrales.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

23. 10443 – AN ORDINANCE ESTABLISHING THE INITIAL ZONING CLASSIFICATION OF THE AREA INDICATED AS BEING A 54.008-ACRE TRACT OF LAND OUT OF SECTION 42, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AS AN RR, REGIONAL RETAIL DISTRICT; SAID TRACT BEING GENERALLY LOCATED APPROXIMATELY 1,550 FEET SOUTH OF STATE HIGHWAY 191, AND APPROXIMATELY 1,725 FEET EAST OF FARM-TO-MARKET ROAD 1788; 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)** (FIRST READING HELD SEPTEMBER 26, 2023)

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10443.

Dan Corrales moved to approve the second and final reading of Ordinance No. 10443; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

24. 10444 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE TRINITY TOWERS MANOR, SECTIONS 1, 2 AND 3, AND

ARBOR PARK, SECTION 6, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT, IN PART, AND MF-16, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART, TO PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF LOOP 250 AND SUNSHINE PARKWAY); 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 4) (DEVELOPMENT SERVICES)** (FIRST READING HELD SEPTEMBER 26, 2023)

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10444.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10444; seconded by Robin Poole.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

PUBLIC HEARINGS

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

25. 123-2023 – THE PROPOSED GRANTING OF OIL AND GAS WELL PERMITS TO PERMIAN DEEP ROCK OIL CO., LLC (“OPERATOR”) FOR THE DRILLING OF THE FOLLOWING OIL AND GAS WELLS: CK 105 MIPA ALLOC UNIT H105WA; KNIGHT 140 MIPA UNIT H140LS; KNIGHT 140 MIPA UNIT H140MS; KNIGHT 140 MIPA UNIT H140WB; KNIGHT 145 MIPA UNIT H145WA; KNIGHT 150 MIPA UNIT H150LS; KNIGHT 150 MIPA UNIT H150SS; KNIGHT 150 MIPA UNIT H150WB; KNIGHT 155 MIPA UNIT H155WA; KNIGHT 160 MIPA UNIT H160LS; KNIGHT 160 MIPA UNIT H160MS; AND KNIGHT 160 MIPA UNIT H160WB; SAID WELLS BEING GENERALLY LOCATED BETWEEN 768 FEET AND 1,022 FEET EAST OF NORTH A STREET EXTENSION AND BETWEEN 1,817 FEET AND 2,067 FEET SOUTH OF WEST LOOP 250 NORTH; PUBLIC HEARING ONLY **(DISTRICT 3) (DEVELOPMENT SERVICES)**

Mayor Blong opened the public hearing at 10:46 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

THIS WAS A PUBLIC HEARING ONLY. NO ACTION TAKEN.

26. 10445 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR A 54.008-ACRE TRACT OF LAND OUT OF SECTION 42, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED APPROXIMATELY 1,550 FEET SOUTH OF STATE HIGHWAY 191, AND

APPROXIMATELY 1,725 FEET EAST OF FARM-TO-MARKET ROAD 1788), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AN INSTITUTION FOR THE CARE OF ALCOHOLIC, PSYCHIATRIC, OR NARCOTIC PATIENTS; MAKING SAID DESIGNATION 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 **(DISTRICT 4) (DEVELOPMENT SERVICES)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10445.

Interim Development Services Director Rolandrea Russell reported the Specific Use Designation (SUD) is for the Permian Basin Behavioral Health Institution. The Zoning Ordinance requires an SUD.

Mayor Blong opened the public hearing at 10:47 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to approve the first of two readings of Ordinance No. 10445; seconded by John Norman.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

27. 10446 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 55, BLOCK 8, 349 RANCH ESTATES, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR HOUSING DEVELOPMENT TO SF-1, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED EAST OF TEJAS, APPROXIMATELY 175 FEET WEST OF SIOUX COURT); 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 1) (DEVELOPMENT SERVICES)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10446.

Mayor Blong opened the public hearing at 10:48 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to approve the first of two readings of Ordinance No. 10446; seconded by John Norman.

The motion passed by the following vote:

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

28. 2023-142 – RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR A VENDOR MARKET ON LOT 1A, BLOCK 3, CRESTGATE ADDITION, SECTION 33, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF CRESTFIELD STREET AND WEST LOOP 250 NORTH) SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS **(DISTRICT 1) (DEVELOPMENT SERVICES)**

Mayor Blong opened the public hearing at 10:49 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to approve Resolution No. 2023-142; seconded by Robin Poole.

The motion passed by the following vote:

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

29. 2023-143 – RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR A PARTY ON LOT 1A, BLOCK 2, GATEWAY PLAZA ADDITION, SECTION 3, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF LIBERTY DRIVE AND WEST BUSINESS INTERSTATE 20) SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS **(DISTRICT 4) (DEVELOPMENT SERVICES)**

Mayor Blong opened the public hearing at 10:50 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to approve Resolution No. 2023-143; seconded by Dan Corrales.

The motion passed by the following vote:

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

30. 10447 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 2 AND 3, LLANO ESTACADO ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM CE, COUNTRY ESTATE DISTRICT TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF BRIARWOOD AVENUE, APPROXIMATELY 340 FEET WEST 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 **(DISTRICT 3)**

(DEVELOPMENT SERVICES)

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10447.

Interim Development Services Director Rolandrea Russell gave a brief overview of the item noting this request is for a zone change from country estate to regional retail. Staff has received some letters of objections.

City Manager Tommy Gonzalez spoke on knowing what type of development is wanted in the city and the importance of having a plan.

John Burkholder, 6406 Mockingbird Lane, spoke against this item due to the traffic and speed limit. Mr. Burkholder would like the Council to push to another time for development to provide time to make some changes such as expanding roads.

Armando Aranda, 4706 Aster Ave., spoke against a Dollar General store coming to this location due to the possibility of an increase in crime.

Ben Barrier, Austin, spoke in favor of this item and stated that Dollar General is not the current owner of this location. Mr. Barrier also reported that stores do not bring in crime; locations do.

Mayor Blong opened the public hearing at 11:00 a.m. There being no one else wishing to speak, the public hearing was closed at 11:10 a.m.

John Norman moved to approve the first of two readings of Ordinance No. 10447; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Poole, Blong, Dufford, Ladd, Norman

NAY: Stretcher Burkes, Corrales

ABSTAIN: None

ABSENT: None

PUBLIC COMMENT

31. 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.)

Shirley Howard, 406 Magnolia, spoke on serving on more than one Board or Commission at a time, delays on appointments and timelines on them.

All the business at hand having been completed, the meeting adjourned at 11:19 a.m.

PASSED AND APPROVED October 24, 2023.

Lori Blong, Mayor

ATTEST:

Marcia Bentley-German
City Governance Officer/City Secretary