

**MIDLAND CITY COUNCIL
MINUTES
November 12, 2024**



The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., November 12, 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 .

OPENING ITEMS

1. Invocation – Pastor Pat Bryant, Travis 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 by Planning & Development Officer Elizabeth Triggs on Code Enforcement Initiatives to address nuisances and enhance community health and safety.

Planning & Development Officer Elizabeth Triggs gave a presentation on Code enforcement activities for the City of Midland and how they relate to the Strategic Plan. Mrs. Triggs reviewed the mission and purpose which is to be proactive and responsive to the needs of the Citizens of Midland while ensuring compliance with the codes of the City.

Mrs. Triggs reported responsiveness and proactivity while obtaining compliance are top priorities for Code Enforcement. When there is compliance with ordinances, vandalism is reduced, crime is deterred and property values are maintained.

Mrs. Triggs also reported on key responsibilities, team and other duties, priorities and metrics, success stories for abatements, and demolitions, closure rates, key results, strategies implemented and future strategies, just to name a few.

- 3b. Presentation by Budget Manager Alyssa Coppens regarding Inflation and the Midland Factor.

Budget Manager Alyssa Coppens gave a presentation regarding inflation and the “Midland Factor”. Ms. Coppens reviewed the impacts of inflation; both regional and local and the importance of anticipating expenses ahead of time if possible. Ms. Coppens reported there are slight benefits to inflation such as sales taxes, however, it is not a reliable source of income.

Ms. Coppens provided several examples of how inflation affects projects. One of the examples included a landfill entrance road project in which the cost increased by more than \$1M in only two years.

CONSENT AGENDA

4. MOTION APPROVING THE FOLLOWING MINUTES:
- 4a. REGULAR SESSION OF OCTOBER 22, 2024
- 4b. SPECIAL SESSION OF NOVEMBER 4, 2024
7. 2024-175 – RESOLUTION CASTING THE CITY OF MIDLAND’S VOTES FOR DIRECTORS OF THE MIDLAND CENTRAL APPRAISAL DISTRICT FOR JOHN SCHARBAUER; AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER’S DESIGNEE TO FILE THE APPROPRIATE DOCUMENTS **(DISTRICT: NONE) (FINANCE) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
8. 2024-176 – RESOLUTION AWARDING A CONTRACT FOR THE ALLEYWAY MICHIGAN TO ILLINOIS UTILITY IMPROVEMENTS PROJECT TO ENTRENCH INC FOR AN AMOUNT OF \$647,977.00; APPROVING \$129,595.40 FOR CONTINGENCIES; AND TRANSFERRING AND APPROPRIATING FUNDS **(DISTRICT 3) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
9. 2024-177 – RESOLUTION APPROVING THE PURCHASE OF A TURF AERATOR 687, A PROPASS 200 WIRELESS TOP DRESSER, A REELMASTER FAIRWAY MOWER, A GREENSMaster TRIFLEX GREENS MOWER, AND ASSOCIATED ACCESSORIES FROM TURF PRODUCTS, LP, THROUGH BUYBOARD AT A TOTAL COST OF \$190,645.20 **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
11. 2024-179 – RESOLUTION AUTHORIZING PURCHASE OF A LEDWELL WT4000 WATER TRUCK AND TANK FROM KIRBY-SMITH MACHINERY, INC., THROUGH BUYBOARD

FOR A TOTAL COST OF \$227,419.55 **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

13. 2024-181 – RESOLUTION APPROVING A CONTRACT WITH FIELDTURF USA, INC., THROUGH THE EQUALIS GROUP PURCHASING PROGRAM, FOR THE CONSTRUCTION OF PHASE 1 OF THE BEAL PARK RENOVATION PROJECT FOR A TOTAL COST OF \$15,410,517.00; APPROVING \$1,850,000.00 FOR PROJECT RELATED EXPENSES; AND APPROPRIATING FUNDS FOR SAID PROJECT **(DISTRICT: ALL) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
15. 127-2024 – MOTION APPROVING AN AMENDMENT TO THAT CERTAIN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND STARFIGHTERS SPACE TEXAS, INC. **(DISTRICT 4) (CITY MANAGER) (STRONG ECONOMY WITH MORE QUALITY JOBS)**
16. 2024-182 – RESOLUTION APPROVING THE ISSUANCE OF PERMITS TO COG OPERATING, LLC (“OPERATOR”) TO DRILL 11 OIL AND GAS WELLS LOCATED IN SECTION 11, BLOCK X, H.P. HILLIARD SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED BETWEEN 1,365 FEET AND 2,045 FEET WEST OF NORTH A STREET AND BETWEEN 1,057 FEET AND 1,097 FEET NORTH OF PASSAGE WAY EXTENSION); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT **(DISTRICT 1) (DEVELOPMENT SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**
17. 2024-183 – RESOLUTION AUTHORIZING THE EXECUTION OF COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACTS WITH CASA DE AMIGOS OF MIDLAND, TEXAS, INCORPORATED, THE SALVATION ARMY OF MIDLAND, THE MIDLAND COUNTY HOSPITAL DISTRICT, SENIOR LIFE MIDLAND, INC., MISSION HEALTH CARE, INC., CHURCH ON WHEELS, INC., WEST TEXAS FOOD BANK, AND MIDLAND HABITAT FOR HUMANITY; AUTHORIZING THE FUNDING OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS; AND APPROPRIATING AND ALLOCATING FUNDS **(DISTRICT: ALL) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**
18. 128-2024 – MOTION APPROVING, WITH STAFF’S RECOMMENDED CONDITIONS, A PRELIMINARY PLAT OF GM INDUSTRIAL ADDITION, BEING A PLAT OF A 25.00-ACRE TRACT OF LAND OUT OF BLOCK 38, T-2-S, JOE NEWCOMER PREEMPTION SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF SOUTH COUNTY ROAD 1142 AND EAST COUNTY ROAD 135) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**
19. 2024-184 – RESOLUTION OF THE CITY OF MIDLAND, TEXAS, SUSPENDING THE DECEMBER 21, 2024 EFFECTIVE DATE OF ATMOS ENERGY CORP., WEST TEXAS DIVISION’S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE

REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH THE CITIES SERVED BY ATMOS WEST TEXAS ("CITIES") AND AUTHORIZING INTERVENTION IN ATMOS WEST TEXAS' REQUESTED RATE CHANGE PROCEEDINGS BEFORE THE RAILROAD COMMISSION OF TEXAS; HIRING LLOYD GOSSELINK ROCHELLE & TOWNSEND, P.C. ATTORNEYS AND CONSULTANTS TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF THE CITY'S RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND AUTHORIZING AND DIRECTING THE CITY SECRETARY TO DELIVER THIS RESOLUTION TO THE COMPANY AND CITIES' LEGAL COUNSEL **(DISTRICT: ALL) (DEVELOPMENT SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

John Norman moved to approve consent agenda items 4-19, excluding items 5, 6, 10, 12 & 14; 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

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

5. 2024-174 – RESOLUTION ADOPTING AN OFFICIAL FUNDING PLAN FOR THE MIDLAND FIREMEN'S RELIEF AND RETIREMENT FUND

Finance Director Christy Weakland gave a brief overview of the item noting this resolution is adopting an official funding plan for the Midland Firemen's Relief and Retirement Fund (MFRRF). The MFRRF passed a resolution on November 4, 2024 to show their intention to present to the Firefighters their vote to reduce benefits and/or increase contribution changes. In order for this to go forth, there are contingencies for both the City and the Firefighters.

Council Member Dufford inquired about safeguards and length of time this may take.

Mayor Blong reported if nothing is done, the amount increases by about \$3.5 million per year.

City Manager Tommy Gonzalez reported if the firefighters vote and pass everything on their end, this could be done by the end of the year.

Scott Dufford moved to approve Resolution No. 2024-174; 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

6. 125-2024 – MOTION CREATING A PROJECT ACCOUNT INTO WHICH REIMBURSEMENTS FROM OUTSIDE ENTITIES FOR PURPOSES RELATED TO PUBLIC IMPROVEMENTS SHALL BE DEPOSITED; REQUIRING THE FUNDS IN SAID PROJECT ACCOUNT TO BE USED FOR GRANT MATCHING PURPOSES; AND ALLOCATING THE SUM OF \$400,000.00 FROM THE 2025 OPERATING BUDGET OF THE GENERAL FUND TO SAID PROJECT ACCOUNT

Amy Stretcher Burkes moved to approve Motion No. 125-2024; 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

Assistant City Manager Jose Ortiz spoke on the importance of grants and that Vision Zero was finished one year in advance of the estimated completion date.

City Manager Tommy Gonzalez reported this grant was for \$8.6 million and would not have been received had staff not moved quickly.

Intergovernmental Relations Officer Lindsey Adams gave a brief presentation and history of the grants program. Since its' inception, the grants program has generated a return on investment of over 3,400 percent. Ms. Adams reported that competitive grant funding is the process by which competitive applications and grants are reviewed and awarded.

Ms. Adams also reviewed the Safety Action Plan and Vision Zero and reported that on the \$8.6 million grant award there is a 20% match. This match equals \$2.1 million in matching funds since the total project cost is \$10.8 million. Finally, Ms. Adams reviewed other grant funding awards such as the Wildcatter Trail.

Ms. Adams reported they won the Smart Transportation Advance Runways award from TXDOT and the Safety Action Plan won an award from the American Planning Association Texas Chapter.

10. 2024-178 – RESOLUTION APPROVING THE PURCHASE OF TWO (2) AMBULANCES FOR THE FIRE DEPARTMENT FROM CHASTANG ENTERPRISES, INC., THROUGH THE HOUSTON-GALVESTON AREA COUNCIL FOR A TOTAL COST OF \$168,046.00

Eric Davidson moved to amend the language to read SUV's instead of ambulances Resolution No. 2024-178 by; 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

Deputy City Manager Morris Williams reported this was a miss-print. The resolution should read SUV's, not ambulances.

12. 2024-180 – RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THAT CERTAIN CITY OF MIDLAND SERVICE CONTRACT #17002610 RELATING TO CONCESSION MANAGEMENT SERVICES FOR EVENTS HELD AT ASTOUND BROADBAND STADIUM

Parks and Recreation Director Laurie Williams reported the amendment is to change the percentage of revenues. Since 2017, labor and food cost have gone up significantly due to inflation so lower percentages are needed.

Jack Ladd moved to approve Resolution No. 2024-180; 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

14. 126-2024 – MOTION AUTHORIZING THE EXECUTION OF AMENDMENT NO. 12 TO THAT CERTAIN PROFESSIONAL SERVICES AGREEMENT DATED MARCH 23, 2021, BETWEEN THE CITY OF MIDLAND, TEXAS, AND PARKHILL, SMITH & COOPER, INC., DBA PARKHILL; SAID AMENDMENT PROVIDING FOR (I) AN INCREASE IN THE SCOPE THE TERMINAL MODERNIZATION AND CHECKPOINT RELOCATION PROJECT (900276) AND THE APPROPRIATION OF \$276,125.00 TO SAID PROJECT, AND (II) AN INCREASE IN THE SCOPE OF THE AIRFIELD SNOW REMOVAL VEHICLES AND EQUIPMENT ACQUISITION PROJECT (700351) AND THE APPROPRIATION OF \$65,000.00 TO SAID PROJECT

Council Member Poole inquired as to why an engineering firm is needed.

Airports Director Justine Ruff reported the Federal Aviation Administration (FAA) has a matrix that explains what is needed according to snowfall and other factors but it does not provide advise as to what equipment is needed. This firm may make equipment recommendations to purchase according to the matrix. The FAA pays 90% of the cost.

Robin Poole moved to approve Motion No. 126-2024; 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

20. 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 (FIRST READING HELD SEPTEMBER 24, 2024) **(DISTRICT: NONE) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10568.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10568; seconded by John Norman.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Dufford

21. 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 (FIRST READING HELD SEPTEMBER 24, 2024) **(DISTRICT: NONE) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10569.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10569; 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

22. 10573 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 6, BLOCK 62, PARK AVENUE HEIGHTS ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF SOUTH MADISON STREET, APPROXIMATELY 200 FEET NORTH OF CLOVERDALE 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 OCTOBER 22, 2024) **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10573.

John Norman moved to approve the second and final reading of Ordinance No. 10573; 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

23. 10574 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 3, BLOCK 61, PARK AVENUE HEIGHTS ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF SOUTH TYLER STREET, APPROXIMATELY 120 FEET SOUTH OF EAST CALIFORNIA 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 (FIRST READING HELD OCTOBER 22, 2024) **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10574.

John Norman moved to approve the second and final reading of Ordinance No. 10574; 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

24. 10575 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 3, BLOCK 20, GREENWOOD ADDITION, THIRD, FOURTH, AND FIFTH SECTIONS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF SOUTH TILDEN STREET, APPROXIMATELY 110 FEET SOUTH OF EAST WASHINGTON 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 (FIRST READING HELD OCTOBER 22, 2024) **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10575.

John Norman moved to approve the second and final reading of Ordinance No. 10575; 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. 10576 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 18, BLOCK 61, PARK AVENUE HEIGHTS ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF SOUTH LEE STREET, APPROXIMATELY 171 FEET SOUTH OF EAST CALIFORNIA 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 (FIRST READING HELD OCTOBER 22, 2024) **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10576.

John Norman moved to approve the second and final reading of Ordinance No. 10576; 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

PUBLIC HEARINGS

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

26. 129-2024 – 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: CHAPARRAL 110 MIPA UNIT H110 LS; CHAPARRAL 110 MIPA UNIT H110 NB; CHAPARRAL 110 MIPA UNIT H110 SS; CHAPARRAL 110 MIPA UNIT H110 WB; CHAPARRAL 110 MIPA UNIT H115 WA; AND CHAPARRAL 110 MIPA UNIT H120 NW; SAID WELLS BEING GENERALLY LOCATED BETWEEN 1,992 FEET AND 2,027 FEET EAST OF NORTH A STREET EXTENSION AND BETWEEN 620 FEET AND 670 FEET SOUTH OF W LOOP 250 N. – PUBLIC HEARING ONLY **(DISTRICT 1) (DEVELOPMENT SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

Oil & Gas Compliance Officer Garrick Clayton gave a brief overview of the item noting he had conversations with the operator. Permian Deep Rock is doing the best they can even though there is dust and wind.

Mayor Blong opened the public hearing at 11:19 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

PUBLIC HEARING ONLY, NO ACTION TAKEN.

27. 10577 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 5, BLOCK 34, NORTHGATE ADDITION, SECTION 19, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER TO 2F, TWO-FAMILY DWELLING (DUPLEX) DISTRICT (GENERALLY LOCATED ON THE SOUTH SIDE OF NORTHBROOK LANE, APPROXIMATELY 720 FEET NORTHWEST OF WEST 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 **(DISTRICT 1) (DEVELOPMENT SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10577.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting it is a zone change request. One letter of objection was received. Staff recommends approval.

Mayor Blong opened the public hearing at 11:23 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. 10577; seconded by Jack Ladd.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Norman

28. 10578 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR LOTS 1 AND 2, BLOCK 8, KELVIEW HEIGHTS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF NORTH BIG SPRING STREET AND WEST DORMARD AVENUE), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A RESTAURANT FOR ON-PREMISES CONSUMPTION; 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 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE & PLACE)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10578.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting the request is for an SUD for alcohol sales. There were some objections regarding health, safety, trash and an RV. The Planning & Zoning Commission reviewed the objections and recommends approval as they do meet the requirements.

Mayor Blong opened the public hearing at 11:28 a.m.

Michael Loya, 2909 N. Big Spring, owner of Tall City Meat Market, thanked everyone for their assistance and reported the RV has been taken care of.

There being no one else wishing to speak, the public hearing was closed at 11:29 a.m.

Robin Poole moved to approve the first of two readings of Ordinance No. 10578; 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

29. 10579 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 2,100-SQUARE FOOT PORTION OF LOT 1, BLOCK 1, IMPERIAL HEIGHTS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED APPROXIMATELY 330 FEET SOUTHEAST OF THE INTERSECTION OF NORTH MIDKIFF ROAD AND WEST WADLEY AVENUE), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A RESTAURANT FOR ON-PREMISES CONSUMPTION; 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 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10579.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting it is for an SUD for alcohol sales. One letter of objection was received. Staff and Planning and Zoning recommend approval.

Mayor Blong opened the public hearing at 11:33 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Norman moved to approve the first of two readings of Ordinance No. 10579;

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

30. 10580 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS, PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, CREATING TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER THREE, CITY OF MIDLAND, TEXAS **(DISTRICT 4 & EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10580.

City Manager Tommy Gonzalez reported items 30 and 31 are for growth and financial planning. The City would like to put money aside for projects such as the sports complex as it is due to run out of funds.

Planning & Development Officer Elizabeth Triggs gave a brief overview of creating Tax Increment Reinvestment Zone (TIRZ) number three which is along the 191 corridor. This would allow the City to set aside funds for the anticipated growth.

A key development district in West Midland will have a sports complex corridor to enhance youth sports, Zoo Midland, The Preserve, 191 corridor connections, Deauville Employment Center and existing and new retail to include Costco.

David Pettit, with David Pettit Economic Development in Fort Worth, reviewed the TIRZ creation process as outlined by chapter 311 which provides procedures for its' creation. Mr. Pettit reviewed Development Projections and Proposed next steps which is to approve the creation of the TIRZ and then the TIF (Tax Increment Financing) plan.

Council Member Poole inquired about creating and adopting the TIRZ all at once. Mr. Pettit reported that the state statute requires two separate ordinances.

Council Member Amy Stretcher Burkes inquired about having conversations with other entities within the City/County.

Mayor Blong reported on the benefits of going this route.

Council engaged in discussion on this item with Mr. Pettit.

Mayor Blong opened the public hearing at 11:58 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Mr. Pettit explained the process of having conversations with the other entities; the ordinance needs to be passed first.

Mayor Blong reopened the public hearing at 12:02 p.m.

John Burkholder, 6406 Mockingbird Lane, inquired about the TIF and Impact Fees. Mr. Pettit reported nothing changes from the traditional impact and building permit fees.

There being no one else wishing to speak, the public hearing was closed at 12:03 p.m.

Eric Davidson moved to approve the first of two readings of Ordinance No. 10580; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Davidson, Blong, Dufford, Ladd, Norman

NAY: Stretcher Burkes, Poole

ABSTAIN: None

ABSENT: None

31. 10581 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS, PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, CREATING TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER FOUR, CITY OF MIDLAND, TEXAS **(DISTRICT 4 & EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10581.

Planning & Development Officer Elizabeth Triggs gave a brief overview of creating Tax Increment Reinvestment Zone (TIRZ) #4 along loop 250 West and includes the Sports Complex.

Council Member Norman inquired about the two fields that are going out there. Mrs. Triggs reported the fields are in design.

David Pettit reported this is to help with funding for the sports complex. Mr. Pettit reviewed the creation process, purpose of the TIRZ #4, development projections, projected tax revenue, eligible projects and proposed next steps.

Council engaged in discussion on this item among each other, with Mr. Pettit and with City Manager Tommy Gonzalez.

Council Member Poole inquired about amending the boundary to including Beal Park which Council agrees.

Mayor Blong opened the public hearing at 12:29 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Norman moved to approve the first of two readings of Ordinance No. 10581; 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

MISCELLANEOUS

32. 2024-185 – A RESOLUTION APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION IN AN AMOUNT NOT TO EXCEED FIFTY EIGHT MILLION AND NO/100 DOLLARS (\$58,000,000.00) AND DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT **(DISTRICT: NONE) (FINANCE) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

Finance Director Christy Weakland gave a brief overview of the item noting it is for authorizing the City to publish notice of intent to issue Certificates of Obligation (CO). The total issuance is for \$56.8M and will include infrastructure needs at \$28.8M and Beal Park Improvements at \$28M. Mrs. Weakland reported on the progress for Reyes Mashburn Nelms, refunding opportunity and tax supported debt per capita.

Eric Davidson moved to approve Resolution No. 2024-185; 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

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

Eric Davidson moved to appoint Tim Jackel Jr. to the Barbara & George H.W. Bush Convention Center 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 reappoint Don "Woody" Woodward and Robert Crites to the Midland-Odessa Urban Transit District 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 Intergovernmental Relations Officer Lindsey Adams to the Midland-Odessa Urban Transit District Board; 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 Daniel Garcia to the Midland-Odessa Urban Transit District 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

Robin Poole moved to appoint Dann Schantz to the Midland Spaceport Development Corporation; 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 appoint Keith Braun to the Oil and Gas 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

John Norman moved to appoint Marion Bryant to the Parks and Recreation 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

Jack Ladd moved to appoint Deborah Julian and Brently LaFoy and to appoint alternates Keith Braun and Spencer Manning to the Zoning Board of Adjustment & Airport Zoning Board of Adjustment; 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

PUBLIC COMMENT

34. 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

35. 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 12:49 p.m.

a. Section 551.087, Deliberate Economic Development Negotiations

a.1. Discuss business prospects that the City seeks to have locate, stay, or expand in or near the City of Midland, Texas, and discuss possible incentives.

b. Section 551.074, Personnel Matters

b.1. Deliberate the appointment of members to the Midland Development Corporation board of directors and the Planning and Zoning Commission.

All the business at hand having been completed, the meeting adjourned at

PASSED AND APPROVED .

Lori Blong, Mayor

ATTEST:

Marcia Bentley-German
City Governance Officer/City Secretary