CITY OF MIDLAND, TEXAS
AGENDA FOR CITY COUNCIL REGULAR MEETING
October 14, 2025 - 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 - Father Bala Anthony Govindu, St. Stephen's Catholic Church

2. Pledge of Allegiance

PROCLAMATIONS AND RECOGNITIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:

   3.a Presentation of I-20 Wildlife Preserve Program Updates by Wes Faris

   3.b Presentation of Proclamation for " Cybersecurity Awareness Month"

CONSENT AGENDA

4. MOTION APPROVING THE FOLLOWING MINUTES:

   4.a REGULAR SESSION OF SEPTEMBER 23, 2025

5. 2025-136 - RESOLUTION NOMINATING A CANDIDATE 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) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

6. 2025-137 - RESOLUTION APPROVING THE PURCHASE OF A SPARTAN CAFS PUMPER ON A METRO STAR CHASSIS FROM METRO FIRE APPARATUS SPECIALISTS, INC., THROUGH SOURCEWELL, FOR A TOTAL COST OF $1,816,713.00; AND AUTHORIZING PAYMENT FOR SAID PURCHASE **(DISTRICT: NONE) (GENERAL SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

7. 2025-138 - RESOLUTION APPROVING THE PURCHASE OF TWO (2) AMBULANCES FROM STERLING MCCALL FORD THROUGH THE HOUSTON-GALVESTON AREA COUNCIL FOR A TOTAL COST OF $814,602.00; AND AUTHORIZING PAYMENT FOR SAID PURCHASE **(DISTRICT: NONE) (GENERAL SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

8. 2025-139 - RESOLUTION APPROVING THE PURCHASE OF FIFTY (50) BUNKER COATS AND FIFTY (50) BUNKER PANTS FROM DOOLEY TACKABERRY, INC., THROUGH BUYBOARD AT A TOTAL COST OF $192,907.50; AND AUTHORIZING PAYMENT FOR SAID PURCHASE **(DISTRICT: NONE) (GENERAL SERVICES)**

(PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)

9. 2025-140 - RESOLUTION AUTHORIZING THE PURCHASE OF ONE THERMOPLASTIC PAVEMENT MARKING TRUCK FOR THE ENGINEERING SERVICES DEPARTMENT FROM MARK RITE LINES EQUIPMENT COMPANY, INC. THROUGH SOURCEWELL FOR A TOTAL COST OF $1,081,956.58 **(DISTRICT: ALL) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

10. 2025-141 - RESOLUTION AUTHORIZING THE SOLE-SOURCE PURCHASE OF A 13-MONTH MAINTENANCE AND LICENSE RENEWAL FOR THE UTILITY BILLING MANAGEMENT SYSTEM FROM N. HARRIS COMPUTER CORPORATION FOR A TOTAL COST OF $123,823.14; AND AUTHORIZING PAYMENT FOR SAID PURCHASE **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

11. 2025-142 - RESOLUTION AUTHORIZING THE SOLE-SOURCE PURCHASE OF A ONE-YEAR MAINTENANCE AND LICENSE RENEWAL FOR THE WATER METER DATA MANAGEMENT SYSTEM FROM CORE & MAIN LP FOR A TOTAL COST OF $101,203.77 **(DISTRICT: ALL) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

12. 2025-143 - RESOLUTION SELECTING ALLEN TEINERT CONSTRUCTION COMPANY DBA TEINERT CONSTRUCTION OF LUBBOCK, TEXAS AS THE CONSTRUCTION MANAGER-AT-RISK FOR THE BEAL PARK PHASE 2 DEVELOPMENT PROJECT; AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ALLEN TEINERT CONSTRUCTION COMPANY DBA TEINERT CONSTRUCTION FOR PRE-CONSTRUCTION SERVICES FOR SAID PROJECT IN AN AMOUNT NOT TO EXCEED $15,000; AUTHORIZING PAYMENT FOR SAID AGREEMENT FOR PRE-CONSTRUCTION SERVICES; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH ALLEN TEINERT CONSTRUCTION COMPANY DBA TEINERT CONSTRUCTION TO PROVIDE CONSTRUCTION MANAGER-AT-RISK SERVICES FOR SAID PROJECT; AND PROVIDING THAT SAID AGREEMENT FOR CONSTRUCTION MANAGER-AT-RISK SERVICES SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE MIDLAND CITY COUNCIL **(DISTRICT: 4) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

13. 2025-144 - RESOLUTION APPROVING THE ISSUANCE OF PERMITS TO PIONEER NATURAL RESOURCES, USA, INC. TO DRILL SIX OIL AND GAS WELLS LOCATED IN SECTION 6, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MARTIN COUNTY, TEXAS (GENERALLY LOCATED BETWEEN 8,840 FEET AND 8,940 FEET EAST OF STATE HIGHWAY 349 AND 7,272 FEET NORTH OF OCCIDENTAL PARKWAY); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT **(DISTRICT: 1) (DEVELOPMENT SERVICES - OIL AND GAS) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

14. 2025-145 - RESOLUTION APPROVING THE ISSUANCE OF PERMITS TO PIONEER NATURAL RESOURCES, USA, INC. TO DRILL FIVE OIL AND GAS WELLS LOCATED IN SECTION 6, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MARTIN COUNTY, TEXAS (GENERALLY LOCATED BETWEEN 3,908 FEET AND 3,988 FEET EAST OF STATE HIGHWAY 349 AND 6,939 FEET NORTH OF OCCIDENTAL PARKWAY); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT **(DISTRICT: 1) (DEVELOPMENT SERVICES - OIL AND GAS) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

15. 105-2025 - MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, AN AMENDED PRELIMINARY PLAT OF GRASSLAND ESTATES WEST, SECTION 12, BEING A PLAT OF A 55.1877-ACRE TRACT OF LAND OUT OF SECTION 35, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST STATE HIGHWAY 158, APPROXIMATELY 11 FEET WEST OF BRANDY HILL ROAD) **(DISTRICT: 4) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

16. 106-2025 - MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, A PRELIMINARY PLAT OF LLANO ESTACADO ESTATES, BEING A PLAT OF A 91.9-ACRE TRACT OF LAND OUT OF SECTION 16, BLOCK 38, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF EAST COUNTY ROAD 140 AND FARM TO MARKET ROAD 1213) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

17. 2025-146 - RESOLUTION OF THE CITY OF MIDLAND, TEXAS, FINDING THAT THE APPLICATION FILED BY ONCOR ELECTRIC DELIVERY COMPANY LLC ("ONCOR") TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY ONCOR; 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 SEND COPIES OF THIS RESOLUTION TO ONCOR AND LEGAL COUNSEL FOR THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR **(DISTRICT: ALL) (ENGINEERING SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

SECOND READINGS

18. 10670 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1B, BLOCK 163, WILSHIRE PARK ADDITION, SECTION 24, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF THOMASON DRIVE AND BEAL 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) (QUALITY OF LIFE AND PLACE)**

19. 10671 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 2, BLOCK 3, CRESTGATE ADDITION, SECTION 52, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF CRESTFIELD STREET AND 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) (QUALITY OF LIFE AND PLACE)**

20. 10672 - AN ORDINANCE AMENDING TITLE IX, "PUBLIC WAYS AND PROPERTY", CHAPTER 1, "STREETS AND SIDEWALKS", OF THE CITY CODE OF MIDLAND, TEXAS, BY ADDING SECTION 13, "STANDING, WALKING, OR REMAINING IN CERTAIN AREAS PROHIBITED", SO AS TO REDUCE THE RISKS OF TRAFFIC FATALITIES AND SEVERE INJURIES TO PEDESTRIANS; NEGATING AND

DISPENSING WITH THE CULPABLE MENTAL STATE REQUIREMENT; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF FIVE HUNDRED DOLLARS ($500.00); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND ORDERING PUBLICATION **(DISTRICT: ALL) (DEVELOPMENT SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

PUBLIC HEARINGS

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

21. 107-2025 - THE PROPOSED GRANTING OF OIL AND AS WELL PERMITS TO PIONEER NATURAL RESOURCES, USA, INC. ("OPERATOR") FOR THE DRILLING OF THE FOLLOWING OIL AND GAS WELLS: NAIL-BURLEY 6A 601H; NAIL-BURLEY 6B 602H; NAIL-BURLEY 6C 603H; NAIL-BURLEY 6D 604H; NAIL-BURLEY 6E 605H; AND NAIL-BURLEY 6F 606H; SAID WELLS BEING GENERALLY LOCATED BETWEEN 6,660 FEET AND 6,669 FEET NORTH OF OCCIDENTAL PARKWAY AND BETWEEN 6,627 FEET AND 6,727 FEET EAST OF STATE HIGHWAY 349 (PUBLIC HEARING ONLY) **(DISTRICT: 1) (DEVELOPMENT SERVICES - OIL AND GAS) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

22. 108-2025 - THE PROPOSED GRANTING OF OIL AND GAS WELL PERMITS TO PIONEER NATURAL RESOURCES, USA, INC. ("OPERATOR") FOR THE DRILLING OF THE FOLLOWING OIL AND GAS WELLS: NAIL-TILLMAN W1G 407H; NAIL-TILLMAN W1H 408H; NAIL-TILLMAN W1I 409H; NAIL-TILLMAN W1J 410H; AND NAIL-TILLMAN W1K 411H; SAID WELLS BEING GENERALLY LOCATED 7,122 FEET NORTH OF OCCIDENTAL PARKWAY AND BETWEEN 1,182 FEET AND 1,262 FEET EAST OF STATE HIGHWAY 349 (PUBLIC HEARING ONLY) **(DISTRICT: 1) (DEVELOPMENT SERVICES - OIL AND GAS) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

23. 10673 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 0.177-ACRE TRACT OF LAND OUT OF LOT 1B, BLOCK 28, WYDEWOOD ESTATES, SECTION 30, CITY AND COUNTY OF MIDLAND, TEXAS, FROM O-1, OFFICE DISTRICT TO TH, TOWNHOUSE (ATTACHED) DWELLING DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF PRESTON DRIVE, APPROXIMATELY 255 FEET EAST OF SUNBURST 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: 4) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

24. 10674 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 1.992-ACRE TRACT OF LAND OUT OF TRACTS 2 AND 3, MIDKIFF HEIGHTS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-16, MULTIPLE-FAMILY DWELLING DISTRICT TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED EAST OF THE INTERSECTION OF AUSTIN STREET AND PRINCETON 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 **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

25. 10675 - AN ORDINANCE AMENDING TITLE XI, "PLANNING AND DEVELOPMENT" OF THE CITY CODE OF MIDLAND, TEXAS, BY ADDING CHAPTER 1B, "RESIDENTIAL OVERLAY DISTRICT NUMBER 1" SO AS TO ESTABLISH AN

OVERLAY ZONING DISTRICT THAT SHALL APPLY TO AN APPROXIMATE 100.84-ACRE AREA OF SECTION 36, BLOCK 39, TOWNSHIP 1 SOUTH, TEXAS AND PACIFIC RAILWAY COMPANY SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED SOUTH OF EAST INDIANA AVENUE, EAST OF THE ALLEY IMMEDIATELY EAST OF SOUTH LINCOLN STREET, NORTH OF THE ALLEY IMMEDIATELY NORTH OF CLOVERDALE ROAD, AND WEST OF SOUTH FAIRGROUNDS ROAD); AUTHORIZING LAND LOCATED WITHIN SAID OVERLAY ZONING DISTRICT TO BE DEVELOPED IN ACCORDANCE WITH THE REGULATIONS OF THE SF-3, SINGLE-FAMILY DWELLING DISTRICT; ESTABLISHING PROVISIONS RELATED TO LAND USE AND DEVELOPMENT WITHIN SAID OVERLAY ZONING DISTRICT; AMENDING THE ZONING MAP; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ESTABLISHING AN EFFECTIVE DATE OF NOVEMBER 1, 2025; AND ORDERING PUBLICATION **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

26. 10676 - AN ORDINANCE AMENDING TITLE XI, “PLANNING AND DEVELOPMENT”, CHAPTER 2, “PLATS AND SUBDIVISIONS” OF THE CITY CODE OF MIDLAND, TEXAS, SO AS TO (1) REVISE VARIOUS DEFINITIONS, (2) REMOVE THE SKETCH PLAT REQUIREMENT, (3) AUTHORIZE THE ESTABLISHMENT OF A PLAT APPLICATION SUBMITTAL CALENDAR, (4) REVISE THE APPROVAL PROCEDURE FOR CERTAIN RESIDENTIAL REPLATS, AND (5) AUTHORIZE CERTAIN CITY EMPLOYEES TO EXERCISE THE PLANNING AND ZONING COMMISSION’S PLAT APPROVAL AUTHORITY AND CERTAIN RELATED RESPONSIBILITIES, SUBJECT TO CERTAIN EXCEPTIONS; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; ESTABLISHING AN EFFECTIVE DATE OF NOVEMBER 1, 2025; AND ORDERING PUBLICATION **(DISTRICT: ALL) (DEVELOPMENT SERVICES) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

27. 10677 - AN ORDINANCE AMENDING TITLE IV, “BUILDING REGULATIONS”, CHAPTER 11, “RESIDENTIAL CODE”, SECTION 3, “CHANGES AND ADDITIONS TO ADOPTED RESIDENTIAL CODE”, OF THE CITY CODE OF THE CITY OF MIDLAND, TEXAS, SO AS TO ESTABLISH REGULATIONS RELATED TO CONSTRUCTION SITE DEBRIS; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ESTABLISHING AN EFFECTIVE DATE THAT SHALL BE 30 DAYS AFTER THE DATE OF ADOPTION OF THIS ORDINANCE; AND ORDERING PUBLICATION **(DISTRICT: ALL) (DEVELOPMENT SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

28. 10678 - 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 SPECIAL EVENT CENTER 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)

29. 10679 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 6,214-SQUARE-FOOT PORTION OF LOT 1, BLOCK 1, 349 RETAIL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF NORTH HIGHWAY 349, APPROXIMATELY 330 FEET NORTH OF TEJAS), 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: 1) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

30. 10680 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 3,592-SQUARE-FOOT PORTION OF LOTS 7, 8 AND 9, BLOCK 28, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH MARIENFELD STREET AND WEST ILLINOIS AVENUE), WHICH IS PRESENTLY ZONED CB, CENTRAL BUSINESS 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)**

31. 10681 - AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 1, BLOCK 127, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF EAST KENTUCKY AVENUE AND SOUTH LAMESA STREET), BY PERMITTING A REDUCED MINIMUM LOT WIDTH IN THE EVENT THAT THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND IS AMENDED TO REZONE THE LOT FROM RR, REGIONAL RETAIL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT; 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)**

32. 10682 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 10, BLOCK 42, GREENWOOD ADDITION, THIRD, FOURTH, AND FIFTH SECTIONS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM C, COMMERCIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE SOUTH SIDE OF EAST CALIFORNIA AVENUE, APPROXIMATELY 320 FEET EAST OF SOUTH WEBSTER STREET); 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: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

33. 10683 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1A, BLOCK 31A, HOMESTEAD ADDITION, SECTION 6, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR AN OFFICE CENTER TO CB, CENTRAL BUSINESS DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH PECOS STREET AND WEST LOUISIANA 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 **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

34. 10684 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 12, BLOCK 4, NUEVA LA JOLLA ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MH, MANUFACTURED HOUSING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF NORTH CALHOUN STREET AND ORCHARD LANE); 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: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

35. 2025-147 - RESOLUTION APPROVING THE ISSUANCE OF AN ORDER FINDING THE SINGLE-FAMILY RESIDENCE LOCATED ON THE SOUTH 50 FEET OF THE NORTH 100 FEET OF THE NORTHEAST QUARTER OF BLOCK 8, HOMESTEAD ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT 809 NORTH WEATHERFORD STREET, MIDLAND, TEXAS 79703) TO BE A SUBSTANDARD BUILDING AND ORDERING THE OWNER(S) OF SAID BUILDING AND LIENHOLDER(S) AND MORTGAGEE(S) HAVING AN INTEREST IN SAID BUILDING, IF ANY, TO TAKE ABATEMENT ACTION AS SPECIFIED IN THE ORDER, AND, IF SAID ABATEMENT ACTION IS NOT TAKEN, AUTHORIZING THE CITY OF MIDLAND TO TAKE ABATEMENT ACTION **(DISTRICT: 2) (DEVELOPMENT SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

36. 2025-148 - RESOLUTION APPROVING THE ISSUANCE OF AN ORDER FINDING THE SINGLE-FAMILY RESIDENCE LOCATED ON LOT 2, BLOCK 23, BELMONT ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT 1602 SOUTH LORAINE STREET) TO BE A SUBSTANDARD BUILDING AND ORDERING THE OWNER(S) OF SAID BUILDING AND LIENHOLDER(S) AND MORTGAGEE(S) HAVING AN INTEREST IN SAID BUILDING, IF ANY, TO TAKE ABATEMENT ACTION AS SPECIFIED IN THE ORDER, AND, IF SAID ABATEMENT ACTION IS NOT TAKEN, AUTHORIZING THE CITY OF MIDLAND TO TAKE ABATEMENT ACTION **(DISTRICT: 2) (DEVELOPMENT SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

37. 2025-149 - RESOLUTION APPROVING THE ISSUANCE OF AN ORDER FINDING THE SINGLE-FAMILY RESIDENCE LOCATED ON LOTS 15 AND 16, BLOCK 3, EASTOVER EXTENSION ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT 212 NORTH JACKSON STREET, MIDLAND, TEXAS 79701) TO BE A SUBSTANDARD BUILDING AND ORDERING THE OWNER(S) OF SAID BUILDING AND LIENHOLDER(S) AND MORTGAGEE(S) HAVING AN INTEREST IN SAID BUILDING, IF ANY, TO TAKE ABATEMENT ACTION AS SPECIFIED IN THE ORDER, AND, IF SAID ABATEMENT ACTION IS NOT TAKEN, AUTHORIZING THE CITY OF MIDLAND TO TAKE ABATEMENT ACTION **(DISTRICT: 2) (DEVELOPMENT SERVICES) (SET THE STANDARD FOR A SAFE**

AND SECURE CITY)

MISCELLANEOUS

38. 109-2025 - RECEIVE A PRESENTATION FROM THE MIDLAND FIREMEN'S RELIEF AND RETIREMENT FUND (THE "FUND") REGARDING THE DECEMBER 31, 2024, ACTUARIAL VALUATION FOR THE FUND **(DISTRICT: NONE) (FINANCE) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

39. 110-2025 - DISCUSS AND TAKE ACTION TO APPROVE A LETTER OF SUPPORT FOR THE BOYS & GIRLS CLUB OF MIDLAND'S PLANNED EXPANSION, AND TO AUTHORIZE THE MAYOR TO EXECUTE THE LETTER OF SUPPORT ON BEHALF OF THE MIDLAND CITY COUNCIL **(DISTRICT: ALL) (CITY MANAGER) (QUALITY OF LIFE AND PLACE)**

40. - MOTION MAKING APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS **(DISTRICT: ALL) (CITY SECRETARY) (TRANSPARENT & CONSISTENT COMMUNICATION)**

PUBLIC COMMENT

41. 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.)

STAFF PRESENTATIONS

42. Presentation on Water

43. Presentation on Roads

EXECUTIVE SESSION

44. 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:

44.a **Section 551.071, Consultation with Attorney**

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.

Discuss pending or contemplated litigation.

44.b **Section 551.072, Deliberation Regarding Real Property**

Discuss the purchase, exchange, lease, or value of real property.

44.c **Section 551.074, Personnel Matters**

Deliberate the employment, evaluation, and duties of the City Manager, Interim City Attorney, City Secretary, Municipal Court Presiding Judge, and Municipal Court Associate Judge.

44.d **Section 551.087, Deliberation Regarding Economic Development Negotiations**

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.

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.

City Council Meeting

Item Number: a.
Meeting Date: October 14, 2025
To: City Council
From:
Subject: REGULAR SESSION OF SEPTEMBER 23, 2025

Purpose:

Recommended Action:

Fiscal Impact:

Strategic Priority:

Discussion:

Attachments:
A. Minutes 2025-09-23

Marcia Bentley-German, City Secretary — Created/Initiated - 9/25/2025
Marcia Bentley-German, City Secretary — Final Approval - 9/25/2025

CITY OF MIDLAND, TEXAS
MINUTES FOR CITY COUNCIL REGULAR MEETING
September 23, 2025 - 10:00 AM

The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., September 23, 2025.

Council Members present:	John Burkholder, Lori Blong, Brian Stubbs, Jack Ladd, John Norman, Amy Stretcher Burkes
Council Members absent:	Robin Poole
Staff members present:	City Manager Tommy Gonzalez, Interim City Attorney Nicholas Toulet-Crump, City Governance Officer/City Secretary Marcia Bentley-German, Deputy City Manager Morris Williams Jr., Deputy City Manager Jose Ortiz

The meeting was called to order at 10:01 a.m.

OPENING ITEMS

1. Invocation - Pastor Chase Gilbert, Stonegate Fellowship
2. Pledge of Allegiance

PROCLAMATIONS AND RECOGNITIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:

   3.a Presentation of Proclamation for “Hunger Action Month”

CONSENT AGENDA

John Burkholder moved to Approve Consent Agenda items 4-22, excluding items 6, 10, 11, 13, 14, 15, 16 & 18; seconded by Brian Stubbs.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

4. MOTION APPROVING THE FOLLOWING MINUTES:

   4.a REGULAR SESSION OF AUGUST 26, 2025

   4.b REGULAR SESSION OF SEPTEMBER 9, 2025

   4.c REGULAR SESSION OF SEPTEMBER 16, 2025

5. 2025-126 - RESOLUTION AUTHORIZING THE PURCHASE OF AN ESTIMATED ANNUAL SUPPLY OF CHEMICALS NEEDED FOR THE TREATMENT OF DRINKING WATER FOR FISCAL YEAR 2026 FROM MULTIPLE BIDDERS, FOR A TOTAL COST OF $3,303,414.10 **(DISTRICT: ALL) (GENERAL SERVICES) (QUALITY OF LIFE AND PLACE)**

6. 2025-127 - RESOLUTION AWARDING A CONTRACT FOR THE HOGAN PARK QUAIL COURSE RENOVATION PROJECT TO MID-AMERICA GOLF AND LANDSCAPE, INC., FOR A COST OF $9,781,555.62; APPROVING $500,000.00 FOR PROJECT-RELATED EXPENSES; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT FOR SAID PROJECT **(DISTRICT: 2) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

Parks and Recreation Director Laurie Williams gave a brief presentation on this item regarding the master plan, the bid process, alternates 1, 2, 5 & 12 to the contract, Quail Course total renovation timeline and action needed.

City Manager Tommy Gonzalez reported the plan is to hire additional staffing, however, the revenues will need to be caught up. The fees will be increased and there will no longer be subsidies.

Council Member John Burkholder reported the need for a golf course is recognized and takes time.

Mayor Bong also recognizes the importance of the improvement of the golf course.

Council Member John Norman reported he does not want us to lose sight of other repairs that need to be completed at Hogan Park.

Brian Stubbs moved to Amend this item, adding construction alternates 1, 2, 5 & 12; seconded by John Burkholder.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

7. 097-2025 - MOTION AUTHORIZING THE EXECUTION OF A 2026 ROUTINE MAINTENANCE PROGRAM AGREEMENT BETWEEN THE CITY OF MIDLAND, TEXAS AND THE TEXAS DEPARTMENT OF TRANSPORTATION; AND AUTHORIZING THE APPROPRIATION OF THE FOLLOWING FUNDS TO A PROJECT ACCOUNT ESTABLISHED BY THE CITY OF MIDLAND FINANCE DEPARTMENT: (I) $100,000.00 FROM THE AIRPORT OPERATING FUND (500500) CURRENT YEAR FEDERAL UNAPPROPRIATED FUND BALANCE, AND (II) $11,111.11 FROM THE AIRPORT OPERATING FUND (500500) UNAPPROPRIATED FUND BALANCE **(DISTRICT: 3) (AIRPORTS) (TRANSPARENT & CONSISTENT COMMUNICATION)**

8. 2025-128 - RESOLUTION ESTABLISHING THE DATES OF THE REGULAR CITY COUNCIL MEETINGS TO BE HELD DURING THE CALENDAR YEAR 2026 **(DISTRICT: ALL) (CITY SECRETARY) (TRANSPARENT & CONSISTENT COMMUNICATION)**

9. 098-2025 - MOTION APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MIDLA

ND DEVELOPMENT CORPORATION AND MOTRAN ALLIANCE, INC. **(DISTRICT: ALL) (CITY MANAGER) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

10. 099-2025 - MOTION APPROVING AN AMENDMENT TO THAT CERTAIN ECONOMIC DEVELOPMENT AGREEMENT ENTERED INTO ON APRIL 22, 2025 BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND AST & SCIENCE, LLC **(DISTRICT: 4) (CITY MANAGER) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

Council Member Stubbs abstained from item 10.

Council Member Burkholder reported AST is one of the highlights in the space industry and have brought a lot of value to Midland. He also reported that this contract will expand the footprint in the City of Midland and because of this move, the pressure chambers have been displaced. Council Member Burkholder reported he would like the City to have a plan to do something with the pressure chambers that will be cost-effective.

Midland Development Corporation Director Sara Harris reported that both items 10 and 11 work together in tandem and with this expansion, about 50 jobs will be added in addition to their current headcount of more than 200 jobs.

John Burkholder moved to Approve; seconded by Amy Stretcher Burkes.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Jack Ladd, John Norman
NAY: None
ABSTAIN: Brian Stubbs
ABSENT: Robin Poole

11. 100-2025 - MOTION APPROVING AN AMENDMENT TO THAT CERTAIN COMMERCIAL LEASE AGREEMENT ENTERED INTO ON APRIL 22, 2025 BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND AST & SCIENCE, LLC REGARDING A CERTAIN FACILITY WITH AN ADDRESS OF 2908 ENTERPRISE LANE LOCATED AT THE MIDLAND INTERNATIONAL AIR & SPACE PORT **(DISTRICT: 4) (CITY MANAGER) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

Council Member Stubbs abstained from item 11.

Amy Stretcher Burkes moved to Approve; seconded by John Norman.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Jack Ladd, John Norman
NAY: None
ABSTAIN: Brian Stubbs
ABSENT: Robin Poole

12. 2025-129 - RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THAT CERTAIN AGREEMENT WITH MIDLAND HABITAT FOR HUMANITY REGARDING THE HABITAT FOR HUMANITY INFRASTRUCTURE PROJECT; SAID AMENDMENT PROVIDING FOR AN EXTENSION TO THE TERM OF THE AGREEMENT **(DISTRICT: 2) (DEVELOPMENT SERVICES - COMMUNITY SERVICES) (QUALITY OF LIFE AND PLACE)**

13. 2025-130 - RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO COG OPERATING, LLC TO DRILL AN OIL AND GAS WELL LOCATED IN SECTION 10, BLOCK X, H.P. HILLIARD

SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED 1,925 FEET WEST OF NORTH A STREET EXTENSION AND 1,057 FEET NORTH OF PASSAGE WAY); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT **(DISTRICT: 1) (DEVELOPMENT SERVICES - OIL AND GAS) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

Council Member John Norman inquired about waiving the road repair agreement for items 13, 14 & 15.

Oil & Gas Officer Garrick Clayton reported the road repair agreement is a surety bond that the operator has to provide to the city. If the company uses city streets to run traffic to and from its' location in its' operations, then a road repair agreement is needed. If it only uses state highways then no road repair agreement is necessary. The work permitted by items 13, 14 & 15 will not use city streets.

Council Member Brian Stubbs inquired about this being for direct damage and not wear and tear on the street. Mr. Clayton confirmed that is correct.

Alex Higgs, the operator, clarified the entrances in question.

John Burkholder moved to Approve; seconded by Brian Stubbs.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd
NAY: John Norman
ABSTAIN: None
ABSENT: Robin Poole

14. 2025-131 - RESOLUTION APPROVING THE ISSUANCE OF PERMITS TO PIONEER NATURAL RESOURCES, USA, INC. TO DRILL FIVE OIL AND GAS WELLS LOCATED IN SECTION 6, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MARTIN COUNTY, TEXAS (GENERALLY LOCATED BETWEEN 6,183 FEET AND 6,263 FEET EAST OF STATE HIGHWAY 349 AND BETWEEN 6,617 FEET AND 6,625 FEET NORTH OF OCCIDENTAL PARKWAY); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT **(DISTRICT: 1) (DEVELOPMENT SERVICES - OIL AND GAS) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

Council Member Ladd reported this particular part of town is considered the "nest egg". He is concerned about the city becoming landlocked since there is so much development in the area. Council Member Ladd would like to know if we have a plan in place to avoid situations where we prevent further development because of the amount of drilling taking place in a specific area.

Oil & Gas Officer Garrick Clayton reported on the discussion that took place about the wells.

Planning & Development Officer Elizabeth Triggs reported they are considering the impact on development and that tank batteries would be north of the city limits.

Council Member Norman explained why he votes no on drilling in the City.

Council Member Burkholder inquired about making contact information available on the city website regarding drilling sites.

Deputy City Manager Jose Ortiz reported the city is actively looking at different ways to address these issues.

Mayor Blong inquired if this will have an impact on future development near the Craddick Highway. Deputy City Manager Jose Ortiz reported it will not.

City Manager Tommy Gonzalez reported it will be a good idea to bring back the loop and outer loop discussion.

Council Member Norman reported on raising the fees as a deterrent to parking in the neighborhoods.

The entire discussion may be viewed at https://midlandtexas.gov/1231/Meetings-Agendas-and-Minutes.

Jack Ladd moved to Approve; seconded by John Burkholder.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd
NAY: John Norman
ABSTAIN: None
ABSENT: Robin Poole

15. 2025-132 - RESOLUTION APPROVING THE ISSUANCE OF PERMITS TO PIONEER NATURAL RESOURCES, USA, INC. TO DRILL SIX OIL AND GAS WELLS LOCATED IN SECTION 1, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MARTIN COUNTY, TEXAS (GENERALLY LOCATED BETWEEN 4,373 FEET AND 4,473 FEET EAST OF STATE HIGHWAY 349 AND BETWEEN 7,142 FEET AND 7,143 FEET NORTH OF OCCIDENTAL PARKWAY); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT **(DISTRICT: 1) (DEVELOPMENT SERVICES - OIL AND GAS) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

Council Member Norman pulled this item. However, discussion from item 13 & 14 will suffice.

John Norman moved to Approve; seconded by John Burkholder.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd
NAY: John Norman
ABSTAIN: None
ABSENT: Robin Poole

16. 101-2025 - MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, A PRELIMINARY PLAT OF LLANO ESTACADO ESTATES, BEING A PLAT OF A 91.9-ACRE TRACT OF LAND OUT OF THE SOUTHEAST QUARTER OF SECTION 16, BLOCK 38, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF EAST COUNTY ROAD 140 AND FARM-TO-MARKET ROAD 1213) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

This item was pulled by staff. No action taken by Council.

17. 102-2025 - MOTION ALLOCATING THE SUM OF $250,000.00 FROM THE FISCAL YEAR 2025 BUDGET TO A PROJECT ACCOUNT THAT WILL BE CREATED FOR AN UPDATE TO THE TALL CITY TOMORROW PLAN, INCLUDING ASSOCIATED MASTER PLAN DOCUMENTS **(DISTRICT: ALL) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

18. 103-2025 - MOTION APPROPRIATING AND TRANSFERRING THE SUM OF $400,000.00 FROM THE FISCAL YEAR 2025 ENGINEERING SERVICES OPERATING BUDGET TO A PROJECT ACCOUNT THAT WILL BE CREATED FOR THE CITY OF MIDLAND PAVING, ALLEYS, STREETS, AND SIDEWALKS (COMPASS) 06 PROJECT **(DISTRICT: 2) (ENGINEERING SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

Council Member Burkholder pulled this item to elaborate how the Compass program works. This $400,000 allocation is aimed at fixing some of the problems of unpaved roads within the city.

Engineering Services Director Gabe McClelland provided a short presentation on this project and how this item came about. Mr. McClelland reported some funds were left over from the budget that may be used.

City Manager Tommy Gonzalez clarified that these funds were budgeted.

John Burkholder moved to Approve; seconded by John Norman.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

19. 2025-133 - RESOLUTION SUPPORTING THE FUTURE INTERSTATE HIGHWAY FORMULA PROGRAM **(DISTRICT: NONE) (ENGINEERING SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

20. 2025-134 - RESOLUTION SUPPORTING THE FUTURE INTERSTATE FEASIBILITY STUDY FOR THE FOLLOWING HIGH PRIORITY CORRIDORS: THE HEARTLAND EXPRESSWAY, THE THEODORE ROOSEVELT EXPRESSWAY, AND A PORTION OF THE PORTS-TO-PLAINS CORRIDOR **(DISTRICT: NONE) (ENGINEERING SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

21. 2025-135 - RESOLUTION SUPPORTING THE FUTURE INTERSTATE DESIGNATION FOR THE HEARTLAND EXPRESSWAY, THE THEODORE ROOSEVELT EXPRESSWAY, AND A PORTION OF THE PORTS-TO-PLAINS HIGH PRIORITY CORRIDORS AND NUMBERING FUTURE INTERSTATE SEGMENTS **(DISTRICT: NONE) (ENGINEERING SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

22. 104-2025 - MOTION AUTHORIZING THE EXECUTION OF A SURFACE USE AGREEMENT (25-329-011) WITH DIAMONDBACK E & P LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 20, BLK 37, T-3-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS **(DISTRICT: NONE) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

SECOND READINGS

23. 10665 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR LOT 3, BLOCK 45, FAIRMONT PARK ADDITION, SECTION 13, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF WEST LOOP 250 NORTH, APPROXIMATELY 450 FEET SOUTH OF HENRY KOONTZ BOULEVARD), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF

ALL ALCOHOLIC BEVERAGES IN A MOVIE THEATER 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 (FIRST READING HELD SEPTEMBER 9, 2025) **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No.10665.

Brian Stubbs moved to Approve; seconded by Jack Ladd.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

24. 10666 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 8A, BLOCK 28, GREENWOOD ADDITION, SECTION 12, 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 WEBSTER STREET, APPROXIMATELY 70 FEET SOUTH OF EAST NEW YORK 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 SEPTEMBER 9, 2025) **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No.10666.

Jack Ladd moved to Approve; seconded by Amy Stretcher Burkes.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

25. 10667 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 1 THROUGH 6, BLOCK 6, QUAIL RIDGE ADDITION, SECTION 5, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF BEACHWOOD STREET AND CHAPARRAL STREET); 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 9, 2025) **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10667.

Jack Ladd moved to Approve; seconded by Brian Stubbs.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

26. 10668 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 4, 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 190 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 SEPTEMBER 9, 2025) **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10668.

John Norman moved to Approve; seconded by Amy Stretcher Burkes.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

27. 10669 - AN ORDINANCE ADOPTING A FEE SCHEDULE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING AN APPEAL PROCESS; ESTABLISHING AN EFFECTIVE DATE OF OCTOBER 1, 2025; AND ORDERING PUBLICATION (FIRST READING HELD SEPTEMBER 9, 2025) **(DISTRICT: ALL) (FINANCE) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10669.

Jack Ladd moved to Approve; seconded by John Burkholder.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

PUBLIC HEARINGS

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

28. 10670 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1B, BLOCK 163, WILSHIRE PARK ADDITION, SECTION 24, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF THOMASON DRIVE AND BEAL 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) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10670.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is a rezone request.

Mayor Blong opened the public hearing at 10:58 a.m. There being no one present, wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to Approve; seconded by John Norman.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

29. 10671 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 2, BLOCK 3, CRESTGATE ADDITION, SECTION 52, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF CRESTFIELD STREET AND 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) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10671.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is a rezone request. Mrs. Triggs provided detailed information on this item to include that Local Retail (LR) be the preferred use. The property owner has requested regional retail to maximize the value of the property.

Council Member Ladd voiced concerns and would like to stay consistent with these uses and doesn't want to make it LR without speaking with the developers.

Council Member Burkholder inquired of the height of a masonry fence to which it was reported that it is eight feet. Mrs. Triggs reported on what the code states.

Council Member Brian Stubbs inquired if it would be better to do a Planned Development (PD) vs LR. Mrs. Triggs reported we can look at a PD, which is tailor-made.

Mayor Blong opened the public hearing at 11:08 a.m.

Bo Zertuche, 3513 Stanolind, spoke in favor of this item and provided a little history of the time he was on the Planning and Zoning Commission.

John Newton, Newton Engineering, 4501 A. Santa Rita Drive, spoke in favor of this item on behalf of his client William Rogers. Mr. Newton spoke on the City's code and the allowable land uses.

Council Member Jack Ladd inquired about the type of development for the area to which Mr. Newton said he is unsure at the moment.

There being no one else wishing to speak, the public hearing closed at 11:23 a.m.

Mayor Blong inquired if the higher level of Regional Retail (RR) provides the greatest opportunity for marketing to other companies, which if restricted, would also restrict Mr. Newtons marketability; Mr. Newton answered yes. Council Member Burkholder inquired about a masonry fence helping in the area. Mrs. Triggs reported that, according to the code, it is a solid masonry fence.

Interim City Attorney Nicholas Toulet-Crump reported that if this zoning is denied, the applicant may not reapply for 12 months. If they want to apply to a more restricted zoning, like LR, there would be a six month timeframe. Therefore, it needs to be voted up, down or deferred.

Council Member Brian Stubbs inquired of Mrs. Triggs if a masonry wall will be enough to help. Mrs. Triggs reported a masonry fence does provide an added level of protection.

The entire discussion may be viewed at https://midlandtexas.gov/1231/Meetings-Agendas-and-Minutes.

John Norman moved to Approve; seconded by John Burkholder.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, John Norman
NAY: Jack Ladd
ABSTAIN: None
ABSENT: Robin Poole

30. 10672 - AN ORDINANCE AMENDING TITLE IX, “PUBLIC WAYS AND PROPERTY”, CHAPTER 1, “STREETS AND SIDEWALKS”, OF THE CITY CODE OF MIDLAND, TEXAS, BY ADDING SECTION 13, “STANDING, WALKING, OR REMAINING IN CERTAIN AREAS PROHIBITED”, SO AS TO REDUCE THE RISKS OF TRAFFIC FATALITIES AND SEVERE INJURIES TO PEDESTRIANS; NEGATING AND DISPENSING WITH THE CULPABLE MENTAL STATE REQUIREMENT; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF FIVE HUNDRED DOLLARS ($500.00); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND ORDERING PUBLICATION **(DISTRICT: ALL) (DEVELOPMENT SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10672.

Strategic Partnerships Officer Lindsey Adams gave a brief updated presentation on the Vision Zero safety plan.

Planning & Development Officer Elizabeth Triggs gave a brief presentation of the item noting this is to establish a Clear Zone Ordinance from the discussion that took place in July of 2025.

Mayor Blong highlighted that the Vision Zero efforts have spread out from Midland and Midland County to Ector County and the City of Odessa and is a good step in the right direction.

Council Member Ladd inquired what constitutes obstruction; how can you walk and create an obstruction. Interim City Attorney Nicholas Toulet-Crump reported it could be a situation of making someone deviate from the use of the sidewalk who may be closer to the roadway than necessary so not to fall into traffic or cause others to fall. Mr. Toulet-Crump clarified that the safety risk is not the

actual presence of people in the "clear zones" but rather the presence within clear zones that's affecting vehicular and pedestrian traffic in a manner that wasn't intended.

Council Member John Burkholder inquired about the Fill-the-Boot campaign. Interim City Attorney Nicholas Toulet-Crump reported Fill-the-Boot is found within State law.

The entire discussion may be viewed at https://midlandtexas.gov/1231/Meetings-Agendas-and-Minutes.

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 Burkholder moved to Approve; seconded by Amy Stretcher Burkes.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

MISCELLANEOUS

31. MOTION MAKING APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS **(DISTRICT: ALL) (CITY SECRETARY) (TRANSPARENT & CONSISTENT COMMUNICATION)**

John Burkholder moved to appoint Tom Seguija to the Airport Planning and Development Board, replacing Justine Kuethe; seconded by Brian Stubbs.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

Amy Stretcher Burkes moved to appoint Matt Berkebile to the Airport Planning and Development Board, replacing Nick McClure; seconded by John Burkholder.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

Jack Ladd moved to reappoint Brandon Patterson & James Linderman to the Airport Planning and Development Board; seconded by John Norman.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

John Norman moved to reappoint Tucker Schneeman & Randall Milloy to the Barbara & George H. W.

Bush Convention Center Advisory Board; seconded by Brian Stubbs.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

John Burkholder moved to appoint Jose Ortega to the Citizens Development & Hotel/Motel Advisory Board, replacing Clint Williamson; seconded by Brian Stubbs.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

John Norman moved to reappoint Heather Bredimus, Charles Harrington & Shonna Garcia to the Citizens Development & Hotel/Motel Advisory Board; seconded by John Burkholder.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

Jack Ladd moved to reappoint Michelle Evans to the Midland Housing Authority Commission; seconded by John Norman.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

Jack Ladd moved to appoint Rachel Overman to the Midland-Odessa Urban Transit District Board; seconded by Brian Stubbs.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Robin Poole

John Norman moved to reappoint Zhong Pan (Sean) to the Parks & Recreation Commission; seconded by Jack Ladd.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Lori Blong, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None
ABSENT: Robin Poole

PUBLIC COMMENT

32. 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.)

Judd Campbell, 110 Ridglea Drive, reported he appreciates having the motions and seconds called out. He is concerned about Code Enforcement trucks that were in his neighborhood unexplained.

Sylvia Howard, 2505 West County Road, is concerned about people renting accessory dwelling units.

STAFF PRESENTATIONS

33. "Savings & Efficiencies Strategies"

Chief of Staff Taylor Novak reported on savings and efficiencies strategies. Mrs. Novak also reported on the five-year forecast, tools to close the gap, real results and strategic wins that fund the future.

City Manager Tommy Gonzalez, explained why the five-year forecast is done and reported briefly on the five-year Capital Improvement Plan.

Council Member Burkholder commended staff for efficiencies.

EXECUTIVE SESSION

34. 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:

34.a Section 551.071, Consultation with Attorney

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.

Discuss pending or contemplated litigation.

34.b Section 551.072, Deliberation Regarding Real Property

Discuss the purchase, exchange, lease, or value of real property.

34.c Section 551.074, Personnel Matters

Deliberate the employment, evaluation, and duties of the City Manager, Interim City Attorney, City Secretary, Municipal Court Presiding Judge, and Municipal Court Associate Judge.

34.d Section 551.087, Deliberation Regarding Economic Development Negotiations

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.

Mayor Blong recessed the City Council meeting to go into Executive Session at 12:13 p.m.

All the business at hand having been completed, the meeting adjourned at 1:10 p.m.

PASSED AND APPROVED October 14, 2025.

_____
Lori Blong, Mayor

ATTEST:

_____
Marcia Bentley-German
City Governance Officer/City Secretary

DRAFT

City Council Meeting

Item Number: 5.
Meeting Date: October 14, 2025
To: City Council
From: Christy Weakland, Finance Director
Subject: RESOLUTION NOMINATING A CANDIDATE 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

Purpose:
The terms for two (2) members of the Board of Directors for the Midland County Appraisal District (MCAD) will expire at the end of this year, including the City's current board member. The recommendation from city staff is to nominate John Scharbauer, our current representative, for another term on the MCAD Board of Directors.

Recommended Action:
Approve

Fiscal Impact:
None

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
The terms of the five (5) member Board of Directors of the Midland County Appraisal District (MCAD) were revised in the new Tax Code. Due to the new elected members placed on the Board last year, it changed the nomination process for a couple of years to allow for staggered terms. The City of Midland may nominate up to two candidates to serve on the MCAD board for the upcoming 4-year term. Accordingly, the County, School District, and College District can nominate individuals to serve on the MCAD Board. The attached letter from Michelle Berdeaux, Chief Appraiser with the Midland County Appraisal District, provides a timeline and details of the process. City staff recommends nominating John Scharbauer to be placed on the ballot to serve on the MCAD Board of Directors.

By October 14th, the City needs to make the nomination by resolution and the nominee must, prior to the nomination, sign the ***Acknowledgement of Duties Form*** (New Property Tax Code Requirement), and deliver to the Chief Appraiser BEFORE October 14th.

Attachments:

A. Selection of Board of Directors for Midland Central Appraisal District 2025
B. RESOLUTION - MCAD Board Reso

Jamie Barton, Finance	Created/Initiated - 9/19/2025
Christy Weakland, Finance	Approved - 10/3/2025
Linda Ochoa, Legal	Approved - 10/7/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Rachel Guentensberger, City Secretary	Final Approval - 10/7/2025

MIDLAND CENTRAL APPRAISAL DISTRICT
4631 Andrews Hwy
P. O. BOX 908002 MIDLAND, TEXAS 79708-0002
(432) 699-4991 FAX (432) 689-7185

September 11, 2025

To: All Voting Taxing Entities
Re: Selection of Board of Directors for Midland Central Appraisal District

It is time to select two members for the Board of Directors for the District. The Directors will serve terms as indicated in the attached election cycles timeline beginning January 1, 2026. You may nominate one person for each of the two (2) positions. Enclosed are the qualifications for candidates and your number of votes.

The following is the selection schedule. **The dates are deadlines.**

September 29 – Chief Appraiser calculates and notifies each taxing entity of the number of votes it may cast.

October 14 – Each taxing entity may nominate one candidate for each position. Therefore, each entity may nominate up to two candidates. The presiding officer of the taxing unit submits **the names and addresses** of the nominees by **written resolution** to the Chief Appraiser. **Before being nominated, potential nominees must sign the attached Acknowledgement of Duties form and deliver to the chief appraiser.**

October 30 – Chief Appraiser prepares and delivers ballots to each taxing entity.

The Governing body of each taxing unit entitled to cast at least five percent of the total votes must determine its vote by resolution adopted at the first or second open meeting of the governing body that is held after the date the chief appraiser delivers the ballot to the presiding officer of the governing body. The governing body must submit its vote to the chief appraiser not later than the third day following the date the resolution is adopted, per Property Tax Code Sec 6.03(k-1). Midland County, Midland ISD, The City of Midland, Greenwood ISD and Midland College have more than 5% of the total votes each.

December 14 – Taxing entities, other than those listed above, casts votes and submits them, **by resolution**, to the Chief Appraiser.

December 30 – Chief Appraiser counts votes and notifies all taxing entities and candidates of the outcome.

Sincerely,

Michelle L Berdeaux

Michelle L Berdeaux, RPA, RTA, CTA, CCA
Chief Appraiser
Midland Central Appraisal District

Current Directors are:

Kelly Cooke, Chairman

John Kennedy, Vice Chairman

Robert Kmiec, Secretary

Mary Helen Bowers, County Tax Assessor/Collector

Wesley Bownds

John Scharbauer

Manny Natividad, Elected Place 1

Pat Erdwurm, Elected Place 2

Scott Lynch, Elected Place 3

The terms ending December 31, 2025, are held by Wesley Bownds and John Scharbauer.

DIRECTOR QUALIFICATIONS

To be eligible to serve on a board of directors, an individual must be a resident of the CAD and must have resided in the CAD for at least two years immediately preceding the date of taking office. This residency requirement does not apply to the county TAC serving as a voting director.

An employee of a taxing unit that participates in the CAD is not eligible to serve on the board of directors, unless that individual also is a member of the governing body of the taxing unit or an elected official of a taxing unit. Membership on the governing body of a taxing unit does not make an otherwise eligible individual ineligible to serve on the board of directors.

Owing delinquent property taxes disqualifies a person from serving on the CAD board of directors. The person is ineligible if he or she owns property on which delinquent property taxes have been owed for more than 60 days after the date the person knew or should have known of the delinquency. This disqualification does not apply if the person is paying the delinquent taxes and any penalties and interest under an installment payment agreement or has deferred or abated a suit to collect the delinquent taxes.

A person who has appraised property for compensation for use in proceedings or represented property owners for compensation in proceedings in the CAD at any time within the preceding five years is ineligible to serve on the board of directors.

A person is ineligible to serve on the board of directors if the individual is related within the second degree of consanguinity (blood) or affinity (marriage) to the following:
• an appraiser who appraises property for use in a proceeding under the Tax Code; or
• a person who represents property owners for compensation in proceedings under the Tax Code in the CAD.

A director who continues to hold office knowing he or she is related in this manner to the above named persons commits a Class B misdemeanor offense.

An individual is not eligible to be appointed to or to serve on the board of directors if an individual has a substantial interest in a business entity that is party to a contract or the individual is a party to a contract with the CAD. This prohibition also applies to contracts with a taxing unit that participates in the CAD if the contract relates to the performance of an activity governed by the Tax Code. A CAD may not enter into a contract with a board member or with a business entity in which a board member has a substantial interest. A taxing unit may not enter into a contract relating to the performance of an activity governed by the Tax Code with a board member in which the taxing unit participates or with a business entity in which a board member has a substantial interest.

An individual has substantial interest in a business entity if:
the combined ownership of the director and the director's spouse is at least 10 percent of the voting stock or shares of the business entity;
or the director or director's spouse is a partner, limited partner or officer of the business entity.

The Chief Appraiser has neither the authority nor the duty of investigating or judging the qualifications of the nominees.

Entity Votes for Appraisal District Board of Directors

ENTITY ID	ENTITY NAME	2024 LEVY	% OF LEVY	times 1000	times 2 positions
165	Midland County	$ 78,832,146	11.08%	111	222
CTM	City of Midland	$ 75,815,006	10.65%	107	213
RDC	Midland College	$ 46,060,526	6.47%	65	129
SCG	Greenwood ISD	$ 62,657,061	8.80%	88	176
SCM	Midland ISD	$ 441,309,546	62.00%	620	1240
CTO	City of Odessa	$ 7,084,018	1.00%	10	20
	TOTALS	$ 711,758,304	100.00%		2000

IT TAKES 834 VOTES TO INSURE THE CANDIDATE MAKES IT ONTO THE BOARD CHOOSING 5
IT TAKES 751 VOTES TO INSURE THE CANDIDATE MAKES IT ONTO THE BOARD CHOOSING 3
IT TAKES 668 VOTES TO INSURE THE CANDIDATE MAKES IT ONTO THE BOARD CHOOSING 2

Here is the voting entitlement for each jurisdiction for the 2026 terms.

Entity	**Votes**
Midland County	222
City of Midland	213
Midland College	129
Greenwood ISD	176
Midland ISD	1240
City of Odessa	20

ACKNOWLEDGMENT OF DUTIES OF MEMBER OF APPRAISAL DISTRICT BOARD OF DIRECTORS

I hereby acknowledge that I have read and understand the duties of a member of the board of directors of an appraisal district. I understand that the statutory responsibilities include:

(1) establishing the appraisal district office;

(2) hiring a chief appraiser;

(3) adopting the appraisal district 's annual operating budget after filing notice and holding a public hearing;

(4) adopting a new budget if voting taxing units disapprove of the initial budget;

(5) determining whether to remove members of the appraisal review board if the board of directors of the appraisal district is the appointing authority and potential grounds for removal arise;

(6) notifying voting taxing units of any vacancy in an appointive position on the board and electing a replacement from submitted nominees;

(7) appointing a person to fill a vacancy in an elective position on the board;

(8) electing a chairman and a secretary of the board at the first meeting each year;

(9) holding board meetings at least quarterly;

(10) developing and implementing policies regarding reasonable access to the board;

(11) preparing information describing the board 's functions and complaint procedures and making that information available to the public and to participating taxing units;

(12) notifying parties to a complaint filed with the board of the status of the complaint, unless otherwise provided;

(13) in populous counties, appointing a taxpayer liaison officer and deputy taxpayer liaison officers;

(14) annually evaluating the performance of the taxpayer liaison officer and any deputy taxpayer liaison officers, including reviewing the timeliness of complaint resolution;

(15) referring matters investigated by a taxpayer liaison officer relating to the appraisal review board's conduct to the local administrative district judge with a recommendation;

(16) developing a biennial written plan for the periodic reappraisal of all property in the appraisal district, filing notice and holding a public hearing on the plan, approving the plan, and distributing copies of the plan to participating taxing units and the comptroller;

(17) making agreements with newly formed taxing units on an estimated budget allocation for that taxing unit;

(18) having an annual financial audit prepared by an independent certified public accountant, delivering a copy of the audit to each voting taxing unit, and making the audit available for inspection at the appraisal district office;

(19) designating the appraisal district depository biennially;

(20) receiving resolutions from voting taxing units disapproving of board actions;

(21) adhering to Local Government Code requirements for purchasing and entering into contracts;

(22) providing advice and consent to the chief appraiser concerning the appointment of an agricultural appraisal advisory board and determining the number of members of that advisory board;

(23) adhering to laws concerning the preservation, microfilming, destruction, or other disposition of records; and

(24) adopting and implementing a policy for the temporary replacement of a member of an appraisal review board who violates ex-parte communication requirements.

Furthermore, I recognize that the board does not appraise property or review the value of individual properties. I acknowledge that tax rates and tax burdens are determined by applicable taxing jurisdictions, not the appraisal district board of directors.

_____ _____

Signature Date

Delivered to Chief Appraiser

_____ _____

Received by Date

RESOLUTION NO. _____

RESOLUTION NOMINATING A CANDIDATE 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

WHEREAS, pursuant to the Texas Tax Code, it is incumbent upon the City Council to make nominations for the Board of Directors of the Midland Central Appraisal District;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS;

SECTION ONE. That the following person is hereby nominated for membership on the Board of Directors of the Midland Central Appraisal District:

John Scharbauer.

SECTION TWO. That the City Manager shall deliver a copy of this resolution to the Chief Appraiser of the Midland Central Appraisal District.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2025, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Christy Weakland, Director of Finance

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

City Council Meeting

Item Number: 6.
Meeting Date: October 14, 2025
To: City Council
From:
Subject: RESOLUTION APPROVING THE PURCHASE OF A SPARTAN CAFS PUMPER ON A METRO STAR CHASSIS FROM METRO FIRE APPARATUS SPECIALISTS, INC., THROUGH SOURCEWELL, FOR A TOTAL COST OF $1,816,713.00; AND AUTHORIZING PAYMENT FOR SAID PURCHASE

Purpose:
Resolution for the purchase of one (1) Spartan CAFS Pumper, Pumper Equipment, and Quint Equipment from Metro Fire Apparatus Specialists, Inc. through Sourcewell contract #113021-RVG-4 for a total cost of $1,816,713.00.

Recommended Action:
Approve

Fiscal Impact:
Funds are available in the Garage Fund FY26 Operating Budget.

Strategic Priority:
SET THE STANDARD FOR A SAFE AND SECURE CITY

Discussion:
Staff is recommending the purchase of one (1) Spartan CAFS Pumper, Pumper Equipment, and Quint Equipment from Metro Fire Apparatus Specialists, Inc. through Sourcewell contract #113021-RVG-4. We are members of this cooperative and Subchapter F, Section 271.102 of the Local Government Code provides that a local government may participate in a cooperative purchasing program and that purchasing goods or services under Subchapter F satisfies any state law requiring the local government to seek competitive bids for those purchases. The budget for this equipment for the fiscal year 2026 is $1,879,969. Please see the attached memo from Michael Tully, Fire Chief, for additional information.

Therefore, please consider a resolution approving the purchase of one (1) Spartan CAFS Pumper, Pumper Equipment, and Quint Equipment from Metro Fire Apparatus Specialists, Inc. through Sourcewell contract #113021-RVG-4 for a total cost of $1,816,713.00.

Attachments:
A. FY2026 MFD - Supporting MEMO '25 Engine
B. RESOLUTION - Sourcewell - Fire Engine Reso

C. EXH A - Midland FY26' Pumper Proposal Exh to Reso
D. Midland FY26' Pumper Proposal
E. Midland TX FY 26' Pumper Specifications

Erika Munoz, General Services	Created/Initiated - 10/1/2025
Regina Stephenson, General Services	Approved - 10/1/2025
Linda Ochoa, Legal	Approved - 10/7/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Rachel Guentensberger, City Secretary	Final Approval - 10/7/2025

Interoffice Memorandum

DATE: 9-23-2025

TO: Regina Stephenson

FROM: Fire Chief Michael Tully

SUBJECT: FY2026 Fire Engine Purchase

Midland Fire Department's purchase of a new fire engine is essential to achieving its goal of delivering the highest-quality and most reliable service to the citizens of Midland. Acquiring a new Spartan pumper supports the department's ongoing initiative to standardize the fleet with more serviceable equipment, ensuring operational efficiency. This investment is critical to maintaining the department's effectiveness and will help ensure that we remain fully equipped to meet the growing needs of our community in the years ahead.

This purchase was budgeted for FY2026.

Michael Tully

Fire Chief

RESOLUTION NO. _____

RESOLUTION APPROVING THE PURCHASE OF A SPARTAN CAFS PUMPER ON A METRO STAR CHASSIS FROM METRO FIRE APPARATUS SPECIALISTS, INC., THROUGH SOURCEWELL, FOR A TOTAL COST OF $1,816,713.00; AND AUTHORIZING PAYMENT FOR SAID PURCHASE

WHEREAS, Sourcewell is a cooperative purchasing agency with which the City participates with on purchases through a cooperative purchasing program in accordance with TEX. LOC. GOV'T CODE § 271.102; and

WHEREAS, Metro Fire Apparatus Specialists, Inc., has submitted a total proposed cost to the City of $1,816,713.00 for the purchase of a Spartan CAFS Pumper on a Metro Star Chassis, through Sourcewell, as shown on the proposal that is attached hereto as Exhibit "A" and incorporated herein for all purposes; and

WHEREAS, the City Council finds the price proposed by Metro Fire Apparatus Specialists, Inc., for said fire engine to be fair and reasonable; and

WHEREAS, the City Council finds it to be in the public interest to purchase said fire engine from Metro Fire Apparatus Specialists, Inc., through Sourcewell;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the City Manager is hereby authorized and directed to purchase a Spartan CAFS Pumper on a Metro Star Chassis from Metro Fire Apparatus Specialists, Inc.,through Sourcewell for a total cost of $1,816,713.00.

SECTION TWO. Funding shall be available in the Garage Fund FY26 Operating Budget.

SECTION THREE. That the City Comptroller is hereby authorized and directed to pay Metro Fire Apparatus Specialists, Inc., for said trucks upon receipt of proper invoices or statements approved by the City Manager or his designee.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of

the City of Midland at a regular meeting on the _____ day of _____, A.D., 2025, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Regina Stephenson, General Services Director

APPROVED AS TO FORM ONLY:

_____
Nicholas Toulet, Interim City Attorney

Metro Fire Apparatus Specialists, Inc.
17350 State Hwy 249, Suite 250
Houston, Texas 77064-1142
713.692.0911 Office
www.mfas.com

PROPOSAL

03/07/2025

Midland Fire Department
Chief Pruitt
1500 W. Wall Street
Midland, TX 79701

The undersigned is prepared to furnish for you, upon an order being placed by you, for final acceptance by Metro Fire Apparatus Specialists, Inc at its office in Houston, Texas the apparatus and equipment herein named and for the following prices:

One (1) Spartan CAFS Pumper on a Metro Star Chassis as specified:

Apparatus Price $1,574,721.00
Pumper Equipment $241,992.00
***TOTAL CONTRACT* $1,816,713.00**
Vendor Contract #113021-RVG-4

No State, Federal or local taxes included.

The apparatus and equipment are to be supplied and shipped in accordance with the specifications and approvals of the Midland Fire Department. Production time is the number of days required to manufacture the apparatus itself. Delays due to strikes, war or other causes beyond our control not preventing, within 800 calendar days **after receipt of a purchase order from the City**. The completed apparatus will be delivered to you at:

Midland Fire Department
1500 W. Wall Street
Midland, TX 79701

Unless accepted within 30 days from this date, Metro Fire Apparatus Specialists, Inc. reserves the right to withdraw or adjust this proposal.

By Brian Cudaback

Brian Cudaback – Apparatus Manager

TERMS:
Payment due upon delivery and acceptance of completed apparatus.

Exhibit "A"

Cancellation Terms

Due to market conditions, a cancellation policy is in effect and terms are as follows:

In the event this proposal is accepted, and a purchase order issued then cancelled or terminated by the Customer before completion, Metro Fire will add a cancellation fee. The following charge schedule based on costs incurred will be applied.

A) 10% of the purchase price after the order is placed.
B) 20% of the purchase price after completion of the approval drawings and pre-construction.
C) 30% of the purchase price upon any material requisition.
D) 60% of the purchase price once the apparatus has begun manufacturing.

The cancellation fee will increase accordingly as costs are incurred as the order progresses through engineering and into manufacturing. Metro Fire endeavors to mitigate any such cost through the sales of such product to another purchaser; however, the customer shall remain liable for the difference between the purchase price and, if applicable, the sale price obtained by Metro Fire upon sale of the product to another purchaser, plus any cost incurred by Metro Fire to conduct such sale.

To ensure the above-stated terms and conditions are understood and adhered to Metro Fire Apparatus Incorporated, Inc. requires an authorized individual from the purchasing organization to sign, date this proposal and included it with the purchase order. Upon signing this proposal, the terms and conditions stated herein will be binding and accepted by the Customer.

Execution of this document can be used as official acceptance and purchase order from the customer.

CUSTOMER ACCEPTANCE:

Name: _____ Date: _____

Print name: _____ Title: _____

METRO FIRE APPARATUS SPECIALISTS, INC. (COUNTER SIGNED)

Name: _____ Date: _____

Print name: _____ Title: _____

Metro Fire Apparatus Specialists, Inc.
17350 State Hwy 249, Suite 250
Houston, Texas 77064-1142
713.692.0911 Office
www.mfas.com

PROPOSAL

03/07/2025

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Midland, TX 79701

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By Brian Cudaback

Brian Cudaback – Apparatus Manager

TERMS:
Payment due upon delivery and acceptance of completed apparatus.

Cancellation Terms

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Execution of this document can be used as official acceptance and purchase order from the customer.

CUSTOMER ACCEPTANCE:

Name: _____ Date: _____

Print name: _____ Title: _____

METRO FIRE APPARATUS SPECIALISTS, INC. (COUNTER SIGNED)

Name: _____ Date: _____

Print name: _____ Title: _____

Metro Fire Apparatus Specialists, Inc.
17350 State Hwy 249, Suite 250
Houston, Texas 77064-1142
713.692.0911 Office
www.mfas.com

Midland TX FY 26’ Pumper Specifications

INTENT OF SPECIFICATIONS

It shall be the intent of these specifications to provide a complete apparatus equipped as hereinafter and as specified. With a view to obtaining the best results and the most acceptable apparatus for service in the Department, these specifications cover only the general requirements as to the type of construction and tests to which the apparatus must conform, together with certain details as to finish, equipment and appliances with which the successful bidder shall conform. Minor details of construction and materials where not otherwise specified are left to the discretion of the contractor, who shall be solely responsible for the design and construction for all features. The manufacturer shall provide loose equipment only when specified by the customer. The current NFPA (Standard for Automotive Fire Apparatus) at time of contract, unless otherwise specified as requested by the customer in these specifications, shall prevail.

The apparatus must meet all NFPA, DOT, ICC, AE, SAE, UL, TRA, FMVSS and local state Motor Vehicle Requirements.

It is required that the apparatus be manufactured to current NFPA edition standards, all NFPA equipment (LOOSE EQUIPMENT) not specified in the specifications will not be provided by the contractor.

Bids shall only be considered from companies that have an established reputation in the field of fire apparatus construction that have been in business and construction for a minimum of twenty-five (25) years.

The bidder of the apparatus herein specified; shall be wholly owned (100%) and managed by a Company, Corporation, and/or Parent Company that is wholly based, and permanently resides in the United States of America.

The Company, Corporation, and/or Parent Company and all assets belonging to such; shall be wholly owned and managed (100%) by the entities specified above.

The bidder shall state the location of the manufacturing facility where the apparatus is to be built and the location of the parent company if a subsidiary of a manufacturer.

The bidder shall provide satisfactory evidence of their ability to construct the apparatus specified in the bidders manufacturing facilities.

The bidder’s representation shall state the length of time representing the manufacturer of specified apparatus.

Due to the severe service requirements the department will impose on the apparatus as specified, each bidder shall provide a list of at least six (6) departments in which similar apparatus utilizing the brand of chassis proposed have been in service for over one year. This list shall include contact names and phone numbers.

Due to the importance of keeping this vital piece of firefighting apparatus in service with a minimum of downtime, the manufacturer shall maintain a network of service centers with factory-training personnel.

The bid shall be accompanied by a set of “Contractor’s Specifications” consisting of a detailed description of the apparatus being furnished under this contract which conform. Computer runoff sheets are not acceptable as “Contractor’s Specifications”. Item compliance shall be indicated in the “Yes/No” column of each item by all Bidders. Note: Each bidder shall submit their bid in the same sequence as these specifications to allow the department to easily compare.

These specifications shall indicate size, type, model and make of all component parts and equipment.

QUALITY AND WORKMANSHIP

The design of the Apparatus shall embody the latest approved automotive engineering practices.

The workmanship must be of the highest quality in its respective field. Special consideration will be given to the following points: Accessibility of the various units, which require periodic maintenance, ease of operation (including both pumping and driving) and symmetrical proportions.

Construction shall be rugged and ample safety factors shall be provided to carry loads as specified and to meet both on and off road requirements and to speed conditions as set forth under “Performance tests and requirements”.

Welding shall be employed in the assembly of the apparatus in a manner that will not prevent the ready removal of any component part for service or repair, with apparatus bodies of bolt together design not being acceptable.

All steel welding shall follow American Welding Society requirements for AWS D1.1:2012 Structural Welding Code for welding steel structural assemblies. All aluminum welding shall follow American Welding Society requirements for AWS D1.2/D1.2M:2003 Structural Welding Code for any type of structure made from aluminum structural alloys. All sheet metal welding shall follow American Welding Society AWS D9.1M/D9.1:2006 Structural Welding code for Arc/Braze requirements of non-structural materials. All pressure pipe welding shall follow American Society of Mechanical Engineers ASME IX/ ASME B31:2010 requirements to the qualification of procedures in welding and brazing, in accordance with the ASME Boiler and Pressure Vessel Code and the ASME B31 Code for Pressure Piping. Flux core arc welding to use alloy rods, type 7000, American Welding Society AWS standards A5.20-E70T1.

DELIVERY

The bidder shall provide the number of calendar days from the date the bid is awarded to the delivery of the completed unit.

A qualified delivery engineer representing the contractor shall deliver the apparatus and instruct the Fire Department personnel in the proper operation, care and maintenance of the equipment delivered.

To ensure proper break-in of all components while still under warranty, the apparatus shall be delivered under its own power. The unit will remain insured by the apparatus manufacturer until the department accepts the unit.

PERFORMANCE TESTS AND REQUIREMENTS

A road test shall be conducted with the apparatus fully loaded to its estimated in-service weight and shall be capable of the following performance while on dry paved roads that are in good condition and for a continuous run of ten (10) miles or more, during which time the apparatus shall show no loss of power or overheating. The transmission drive shaft or shafts and rear axles shall run quietly and be free from abnormal vibration or noise throughout the operating range of the apparatus. The successful bidder shall furnish a Weight Certificate showing weights on front axle, rear axles and total weight for the completed apparatus at time of delivery.

A. The apparatus shall be capable of accelerating to 35 MPH (55 km/hr) from a standing start within 25 seconds on a level concrete highway without exceeding the maximum governed RPM of the engine.

B. The apparatus, fully loaded, shall be capable of obtaining a minimum top speed of 50 MPH (80 km/hr) on a level dry concrete highway with the engine not exceeding its governed RPM (fully loaded).

C. The service brakes shall be capable of stopping a fully loaded vehicle in 35ft (10.7 m) at 20 mph (32.2 km/hr) on a level concrete highway. The air brake system shall conform to Federal Motor Vehicle Safety Standards (FMVSS) 121.

D. The apparatus, when fully loaded, shall have not less than 25 percent or more than 50 percent of the weight on the front axle, and not less than 50 percent nor more than 75 percent on the rear axle.

E. From a steady pace of 15 mph, the vehicle will accelerate to a true speed of 35 mph within 15 seconds. This will be accomplished without moving gear selector.

F. The apparatus will be able to maintain a speed of at least 20 mph on any grade up to and including 6 percent.

G. The contractor shall have the Underwriter's Laboratories, LLC conduct the tests of the apparatus as in accordance with standard practices required by the Underwriter Laboratories, LLC (Guide for the Certification of Fire Department Pumper latest edition). A copy of all tests shall accompany the Apparatus. (For apparatus sold within Canadian ULC S515 latest revision shall prevail).

H. The contractor shall furnish copies of the Pump Manufacturer's Certification of hydrostatic test, the Engine Manufacturer current certified brake horsepower curve, and the Manufacturer's record of pumper construction details when delivered.

I. All fluid levels and applicable pressures will be brought to proper levels and noted prior to final delivery.

INFORMATION REQUIRED

The manufacturer shall supply at time of delivery, a complete operation and maintenance manual covering the completed apparatus as delivered.

A Fire Apparatus Safety Guide published by Fire Apparatus Manufacturer's Association shall be provided with the apparatus upon delivery. This manual includes essential safety information for fire fighters, fire chiefs, apparatus mechanics, and fire department safety officers. The guide is applicable to municipal, wildland, and airport firefighting apparatus manufactured on either custom or commercial chassis.

A permanent plate shall be mounted in the driver's compartment to specify the quantity and type of the following fluids used in the vehicle: Engine oil, engine coolant, and chassis transmission fluid, pump transmission lubrication fluid, pump primer fluid (if used) and drive axle lubrication fluid.

The manufacture shall supply the final certification of GVWR and GAWR on a nameplate affixed to the vehicle.

A permanent plate in the driver's compartment shall be installed, specifying the seating capacity of the enclosed cab.

Signs that state "OCCUPANTS MUST BE SEATED AND BELTED WHEN APPARATUS IS IN MOTION" shall be provided and will be visible from each seated position. An accident prevention sign shall be located at the rear step area of the apparatus. It shall warn all personnel that standing on the step while apparatus is in motion shall be prohibited.

A nameplate indicating the chassis transmission shift selector position to be used when pumping shall be provided in the driving compartment and located so that it can be easily read from the driver's position.

LIABILITY

The bidder, if their bid is accepted, shall defend any and all suits and assume all liability for the use of any patented device or article forming part of the apparatus or any appliance provided under the contract.

GENERAL CONSTRUCTION

The apparatus shall be designed with due consideration to distribution of load between the front and rear axles, so that all specified equipment, including filled water tank, a full complement of personnel and fire hose will be carried without injury to the apparatus. Weight balance and distribution shall be in accordance with the recommendations of the current NFPA, Standard for Automotive Fire Apparatus, documentation at time of contract signing.

The apparatus shall be designed so that all recommended daily maintenance checks can be performed easily by the operator without the need for hand tools. Apparatus components that interfere with repair or removal of other major components must be attached with fasteners (cap, screws, nuts, etc.) so that the components can be removed and installed with normal hand tools. These components must not be welded or otherwise permanently secured into place.

The GAWR and GVWR of the chassis shall be adequate to carry the fully equipped apparatus including all tanks filled, the specified hose load, unequipped personnel weight, ground ladders and a miscellaneous equipment allowance per NFPA criteria. It shall be the responsibility of the purchaser to provide the contractor with the weight of equipment to be carried if it is in excess of the allowance as set forth by NFPA.

The unequipped personnel weight shall be calculated at 250 lbs. per person times the maximum number of persons to ride on the apparatus.

The height of the fully loaded vehicle's center of gravity shall not exceed the chassis manufacturer's maximum limit.

The front to rear weight distribution of the fully loaded vehicle shall be within the limits set by the chassis manufacturer. The front axle loads shall not be less than the minimum axle loads specified by the chassis manufacturer, under full loads and all other loading conditions.

The difference in weight on the end of each axle, from side to side, when the vehicle is fully loaded and equipped shall not exceed 7 percent.

The apparatus shall be so designed that the various parts are readily accessible for lubrication, inspection, adjustment and repair.

Where special tools manufactured or designed by the contractor and are required to provide routine service on any component of the apparatus built or supplied by the contractor, such tools shall be provided with the apparatus.

EXCEPTIONS TO SPECIFICATIONS

The following specifications shall be strictly adhered to. Exceptions shall be allowed if they are equal to or superior to that as specified and providing, they are listed and entirely explained on a separate page entitled "Exceptions to Specifications". The exceptions list to refer to specification page number and paragraph.

Proposals taking total exception to specifications or total exception to certain parts of the specifications such as Electrical Systems, Chassis, Body or Pump, will not be accepted.

Prototype units will not be acceptable. Apparatus shall be inspected upon completion for compliance with specifications.

Deviations will not be tolerated and will be cause for rejection of Apparatus unless they were originally listed in bidder's proposal and accepted in writing by the department.

If the bidder takes an exception, on the exception page, the bidder must state an option price to bring their specifications into full compliance with the Department specifications.

Failure to provide this information shall be cause to reject the proposal as being non-responsive.

Copied or run off sheets of these specifications shall be unacceptable, and the bid will be rejected no exceptions.

WARRANTY

Warranties applicable to the chassis and body (excluding vendor supplied components {engine, transmission, axles, etc.} which carry their own specific warranties) will be addressed by a single point warranty service provider approved by the manufacturer to perform service as necessary.

PURCHASER'S RIGHTS

The Purchaser reserves the right to accept or reject any or all bids as it deemed in their best interests.

ENGINE AVAILBILITY

If an L9 engine is **NOT** available or cannot be provided for that specific quote or build slot at time of production, the engine will **automatically be upgraded and charged for an X12 (or the X10 engine) with all costs associated with the upgrade being passed on to the end user. No exceptions.**

If a pre-2027 emission engine is **NOT** available at the time of build ***(starting production on January 1, 2026)*** the order will **automatically be upgraded and charged for either the 2027 engine compliant Cummins X-10 or X-15, with all associated costs being passed on to the end user. No exceptions.**

BID/PROPOSAL DRAWINGS

For purposes of evaluation, the bidder shall provide a drawing illustrating, but not limited to, the overall dimensions, wheelbase, and overall length of the proposed apparatus and other specified equipment, shall be required to be included with the bidder's proposal package.

The drawings shall be large "D" size (minimum 24.00 inches x 36.00 inches).

Smaller size drawings, "similar to" drawings or general sales drawings, shall not be acceptable.

Failure to provide a bid evaluation drawing in accordance with these specifications shall be cause for rejection of the bid proposal.

PRE-CONSTRUCTION DRAWINGS

After the award of the bid, the contractor shall provide detailed colored engineering drawings including, but not limited to, the overall dimensions, wheelbase, and overall length of the proposed apparatus for use during the pre-construction conference.

The drawings shall include, but shall not be limited to the right, left, top, front and rear views of the apparatus**.**

In addition, a detailed engineering drawing of the pump operator's panel shall be provided prior to manufacturing for fire department approval.

SINGLE SOURCE MANUFACTURER

Bids shall only be accepted from a single source apparatus manufacturer.

The definition of single source manufacturer is a company that designs and manufactures their products utilizing an approach that includes complete product integration, including the apparatus chassis, cab, and body modules being constructed, assembled, and tested on company premises only.

Warranties qualified to the chassis and body design construction (excluding vender component warranties such as engine, axles, transmission, and pumps, etc.) will be from a single source manufacturer and not separated between manufacturers (i.e., body and chassis). The bidder shall provide evidence of maintaining compliance to this requirement.

TAG-ON ORDERS-COOPERATIVE PURCHASING

Other fire departments, metropolitan regions, or municipalities may purchase apparatus and equipment from same manufacture similar to the Apparatus and Equipment that is the subject of this Contract held by the same manufacture. The following terms shall apply to any such tag-on orders:

(a) Changes - Tag-on orders utilizing the same specification as the Apparatus and Equipment that is the subject of this Contract in order to provide favorable pricing and lead-times to other buyers due to having such specification fully engineered. Limited changes will be permitted. Such changes will be captured in the pre-construction meeting and the price of any tag-on unit adjusted accordingly.

(b) Term – Tag-on orders may be placed for a term of one year after the Effective Date of this Contract.

(c) Escalation - Manufacture reserves the right to adjust the price of any tag-on order if material costs escalate during the term of this Contract, changes in regulations become effective (for example EPA, NFPA or other), or the tag-on order would cross a model year.

(d) Acceptance – Manufacture holding the contract reserves the right to accept or reject any tag-on orders under this Contract.

FINITE ELEMENT ANALYSIS AND TESTING

Finite Element Analysis (FEA) shall be provided by the manufacturer.

Prototype bodies have been subjected to rigorous testing over varied terrains simulating different environmental conditions.

The purpose of such complex engineering methods of analysis shall be to ensure the longevity of the design by analyzing stress levels throughout the body and incorporating the structural supports wherever necessary.

There shall have been a minimum of three (3) different load cases (per DOT, FHWA, and TTMA recommended practice) applied and analyzed to properly display the different areas and levels of stresses that will be present under the various operating conditions of the apparatus.

In addition to the FEA analysis, the core product design shall be strain gauged instrumental to ensure validation of FEA results and “Real World” drive/apparatus driving conditions.

Analysis shall also have been conducted on the mounting system for the apparatus body and pump house. EXCEPTIONS TO THIS STATEMENT MAY BE CAUSE FOR IMMEDIATE REJECTION AND/OR BE CONSIDERED NON-COMPLIANT.

SUPPLIED INFORMATION & EXTRAS

The apparatus manufacturer shall supply two (2) hard copies of apparatus manuals with all manufactured apparatus.

The manuals shall include, but not be limited to: all component warranties, users' manuals and information for supplied products, apparatus engineering information including drawings and build prints, and whatever other pertinent information the manufacturer can supply to its customer regarding the said apparatus.

Included in the delivery of the unit, the manufacturer shall also include spare hardware and extra fasteners, paint for touch-up, information regarding washing and care procedures, as well as other recommendations for care and maintenance of the general apparatus.

The manufacturer shall also supply a manufacturer's record of apparatus construction details, including the following information:

- Owner name and address
- Apparatus manufacturer, model, and serial number
- Chassis make, model, and serial number
- GAWR of front and rear axles
- Front tire size and total rated capacity in pounds
- Rear tire size and total rated capacity in pounds
- Chassis weight distribution in pounds with water (if applicable) and manufacturer mounted equipment (front and rear)
- Engine make, model, serial number, rated horsepower, related speed and no load governed speed
- Type of fuel and fuel tank capacity
- Electrical system voltage and alternator output in amps
- Battery make and model, capacity in CCA
- Paint numbers
- Weight documents from a certified scale showing actual loading on the front axle, rear axle(s), and overall vehicle (with the water tank full (if applicable) but without personnel, equipment, and hose)
- Written load analysis and results of the electrical system performance tests
- Transmission make, model, and type
- Pump to drive through the transmission (yes or no)
- Engine to pump gear ratio and transmission gear ratio used
- Pump make and model, rated capacity in gallons per minute, serial number, and number of stages
- Pump manufacturer's certification of suction capability
- Pump manufacturer's certification of hydrostatic test
- Pump manufacturer's certification of inspection and test for the fire pump
- Copy of the apparatus manufacturer's approval for stationary pumping applications
- Pump transmission make, model and serial number
- Priming device type
- Type of pump pressure control system
- The engine manufacturer's certified brake horsepower curve for the engine furnished, showing the maximum no load governed speed
- Certification of the water tank capacity

ELECTRICAL SCHEMATICS

The apparatus manufacturer shall supply one (1) set(s) as-built wiring schematics, to include all line voltage schematics with each apparatus.

WARNING AND INFORMATION LABELS

All warning and informational labels (non-vendor specific) shall be provided in compliance with current NFPA (Standard for Automotive Fire Apparatus) at time of contract, and installed in the appropriate locations to alert the operator of potential hazards and operating instructions.

LIABILITY INSURANCE COVERAGE

In order to protect the department and its personnel, the bidder shall show proof that it has no less than $10 million in liability insurance in force. A certificate of coverage shall be included in the bid package. Failure to carry liability insurance of at least this amount or failure to include proof of coverage shall be cause to reject the bidder's proposal.

GENERAL WARRANTY

The manufacturer shall provide a two (2) year warranty from the date of delivery.

In the case of a commercial chassis being used, the warranty on the chassis, engine, transmission, tires, storage batteries, generators, electrical lamps and other devices subject to deterioration is limited to the warranty of the manufacturer thereof and adjustments for the same are to be made directly with the manufacturer by the customer.

PLUMBING WARRANTY

A Stainless Steel Plumbing/Piping warranty shall be provided by the apparatus manufacturer for products of its manufacture to be free from defects in material and workmanship, under normal use and service, for a period of ten (10) years from the date of delivery.

APPARATUS TEST BY THIRD PARTY TEST COMPANY

The following Apparatus shall comply with all NFPA, Standard for Automotive Fire Apparatus, applicable regulations in effect as of the contract signing date. There shall be multiple tests performed by the contractor and the third party testing company when the apparatus has been completed. The manufacturer shall furnish the completed Test Certificate(s) to the purchaser at time of delivery. The tests conducted on the apparatus shall include, but not be limited to:

PUMP & PLUMBING PERFORMANCE TEST

The apparatus pump and plumbing system shall be tested and certified.

12 VOLT ELECTRICAL TEST

The apparatus low voltage electrical system shall be tested and certified.

FACTORY PRE-CONSTRUCTION CONFERENCE

The factory authorized Distributor shall be required, prior to manufacturing, to have a pre-construction conference at the manufacturing facility with a factory representative present and with Four (4) individual(s) from the Midland Fire Department to finalize all construction details.

The factories authorized distributor shall, at his expense, provide transportation, lodging, and meals. Any distance greater than 200 miles shall be by commercial air travel.

FINAL INSPECTION CONFERENCE

The factory authorized Distributor shall be required, during manufacturing, to have a final completion inspection conference at the site of the manufacturing facility with Four (4) individuals from the Midland Fire Department to inspect the apparatus after construction.

The factories authorized distributor shall, at his expense, provide transportation, lodging, and meals. Any distance greater than 200 miles shall be by commercial air travel.

PUMP & APPARATUS TRAINING

The successful bidder shall provide a factory-trained technician to instruct the following training:

A minimum four (4) hour structured training course for the fire apparatus mechanics of the department, covering the repair and maintenance of all components of the apparatus called for in the specifications.

The successful bidder shall provide a structured training course to be repeated for each of the three (3) shift(s) of personnel assigned to operate the apparatus, covering nomenclature of components, proper operation of the apparatus, daily operational maintenance checks, and other information necessary for a firefighter/driver/engineer to properly operate and maintain the apparatus.

It is intended that this training is organized in such a manner that both the mechanics and fire personnel receive the full benefit of the structured training. The firefighter/operator training shall be conducted within one week after the vehicle is fully accepted and readied for service by the "Purchaser" or at a time mutually agreed upon by the "Purchaser" and "Supplier". A qualified factory representative shall be provided instruction.

MAXIMUM OVERALL LENGTH REQUIREMENT

The apparatus specified shall be constructed as detailed and shall NOT exceed a maximum overall length of 437 inches.

MAXIMUM OVERALL HEIGHT REQUIREMENT

The apparatus specified shall be constructed as detailed and shall NOT exceed a maximum overall height of 116 inches including the deck gun

MAXIMUM OVERALL WIDTH OF NINETY-NINE (99) INCHES

The apparatus specified shall be constructed as detailed and shall NOT exceed a Maximum Overall Width of Ninety-nine (99.00) inches.

This dimension shall include the primary construction of the apparatus body and chassis cab. Any peripheral items shall not be incorporated into this measurement.

The items included, but not limited to, are: Rub Rails, Fenderettes, Mirrors, Lights, Handrails, Front Bumpers, Cab Steps, Overlays, Etc.

MAXIMUM WHEELBASE REQUIREMENT

The apparatus specified shall be constructed with no restrictions to the maximum wheelbase.

ALTITUDE PERFORMANCE REQUIREMENT

The apparatus specified shall be constructed with no altitude performance requirements.

EXHAUST HEAT SHIELD

There shall be an exhaust heat shield added to the chassis provided exhaust. The shield shall terminate past the front compartment and shall incorporate a heavy duty spray on insulation under R1.

The heat shield shall be attached to the underside of the body utilizing a flexible bracket.

UNIVERSAL MDT TRAY

There shall be one (1) Mobile Data Terminal (MDT) slide tray installed in the cab on the officer's side dash.

The tray shall incorporate one (1) locking and one (1) non-locking 10.00 inch bearing slides. The slides shall be installed 'flat' to reduce the overall height of the tray.

The tray shall be fabricated from .1875 inch smooth aluminum.

TRAY FINISH

The tray shall be a painted finish/color equivalent to the chassis interior unless specified otherwise.

EMS AND LFD BOTTOM DOOR TRIM

There shall be brushed stainless steel trim installed on the bottom of the EMS doors and the LFD doors. The trim shall cover the opening and come down a half inch on the exterior of the openings.

MID EMS COMPARTMENT LIGHTS

There shall be one (1) full height OnScene Access LED light installed in each mid EMS compartment. Light shall be actived by the door switch.

CHASSIS PROVIDED KUSSMAUL AUTO CHARGE

The chassis provided Kussmaul auto charger shall be relocated to the interior forward wall of the drivers side EMS compartment.

AUXILIARY AIR COMPRESSOR

A Black Viair 485C with a 90212 pressure switch 12V air compressor shall be supplied. The air compressor shall be installed in the interior froward wall of the drivers side EMS compartment. The air compressor shall be plumbed to the air brake system to maintain air pressure.

All air connections shall use compression fittings

FRONT BUMPER APRON

The area between the grille and the bumper shall be overlaid with .188 inch thick aluminum with a black Phoenix Coatings finish.

FRONT HOSE WELL

The front bumper extension shall include a compartment in the bumper apron located in the center between the frame rails which may be used as a hose well. The hose well shall be maximized to go from frame rail to frame rail and extend into the front bumper flange. The compartment shall be 12.75" tall X 38.00 inches wide X 14.25 inches deep. The clear opening shall be 12.88 inches deep X 37.75 inches wide.

There will be a 1.75 inch lip on the backside of the apron that reduces the gap between the apron and the bottom of the cab.

The compartment shall include drain holes in the bottom corners to allow excess moisture to escape.

Match what was done on prior unit 220096 besides the difference in the backside apron lip.

FRONT BUMPER COMPARTMENT COVER

A smooth aluminum plate cover shall be installed on the front bumper compartment. The cover shall be notched in the front corner adjacent to the front discharge to allow the cover to be closed while the hose is connected to the front discharge outlet. The notch shall be located in the front portion of the cover on the driver's side and shall be **9.00** inches in length and **2.00** inches wide and NO radius to encompass both hose loads. Match 220096.

The cover shall be painted black Phoenix Coatings finish.

The rear edge of the cover shall be attached with a stainless steel hinge. The cover shall be equipped with a D-ring style handle to secure the cover in the closed position. A single hold open device shall be installed on the opposite side of the notch to hold the cover in the "Open" position.

HAZARD LIGHT

If the bumper compartment cover is not properly closed and the parking brake is released, it shall activate the hazard light in the cab to alert the crew.

The door open switch for the front bumper cover shall have an enclosed box installed to protect the door open switch wiring (not just the angle the switch is installed in).

HOSE WELL STORAGE

The front bumper compartment shall be used for storage of fire hose.

HOSE LOAD

The hose well shall be sized to accommodate 100 feet of 1.75 inch double jacket hose and nozzle and 100' of 1" forestry hose with nozzles.

HOSE WELL DIVIDER

A full width 3/16" bolt in divider shall be provided in the hose well, 7.00 inches from the back of the hose well.

FRONT BUMPER COMPARTMENT MATTING

Turtle Tile matting shall be included on the bottom of the front bumper compartment.

MATTING COLOR

The matting shall be black in color.

SIREN SPEAKER

Two (2) Howler siren speakers shipped loose with the chassis shall be installed.

HOWLER SIREN SPEAKER LOCATION

The two (2) Howler speakers shall be located under the front bumper outboard of the frame rails with one (1) on the right side and one (1) on the left side in the best fit location at a 30 degree angle.

There shall be one (1) Linemaster foot switch installed for the driver. The foot switch shall be installed outboard of the steering column on a 30 degree smooth aluminum plate with IC label "HOWLER". This foot switch is in addition to the chassis provided push button.

CHASSIS REQUIRED LABELING

Signs that state "Occupants must be seated and belted when apparatus is in motion" shall be provided.

They shall be visible from each seating position.

There shall be a lubrication plate mounted inside the cab listing the type and grade of lubrication used in the following areas on the apparatus and chassis:

- Engine oil
- Engine Coolant
- Transmission Fluid
- Pump Transmission Lubrication Fluid
- Drive Axle Lubrication Fluid
- Generator Lubrication Fluid (where applicable)
- Tire Pressures

ICC Brand Labels shall be installed

APPARATUS INFORMATION LABEL

There shall be a high-visibility label installed in a location clearly detectable to the driver while in the seated position.

The label shall indicate the following specified information.

Overall Height (feet and inches)
Overall Length (feet and inches)
Overall GVWR (tons or metric tons)

ICC Brand Labels shall be installed.

CAB TILT CONTROL

There shall be a cab tilt pendant control provided and installed on the right side of the apparatus. The pendant shall be located directly behind the upper auxiliary pump access panel as far forward as possible.

There shall also be a cab tilt instruction plate located inside the right side upper pump panel door on the front lower corner.

AIR TANK DRAIN LINES (extended)

There shall be manual pull air tank drain lines provided with the apparatus. The air line and valve shall be extended to the outer edge of the apparatus under the L1 compartment to facilitate draining moisture from the chassis air tanks to a single location for all drains and shall be actuated by a key ring. A label shall be affixed indicating “Air Tank Drain”.

GREASE SYSTEM RELOCATION

The chassis installed grease system shall be relocated to the pumphouse in the right side lower pump panel door on the rearward side of the LDH cavity, accessible through the pump panel.

HELMET RESTRAINTS

All NFPA required helmet restraints will be supplied and installed by the Fire Department prior to the truck being placed into service.

MUD FLAPS

Heavy-duty black rubber mud flaps with manufactures logo shall be provided behind the rear wheels. The mud flaps shall be bolted in place.

PUMP COMPARTMENT

The complete apparatus pump compartment shall be constructed of a combination of structural tubing and formed sheet metal. The same materials used in the body shall be utilized in the construction of the pump compartment. The structure shall be welded utilizing the same A.W.S. Certified welding procedure as used on the structural body module. These processes shall ensure the quality of structural stability of the pump compartment module.

The pump compartment module shall be separated from the apparatus body with a gap. This gap is necessary to accommodate the flexing of the chassis frame rails that are encountered while the vehicle is in transit so that harmful torsional forces are not transmitted into the structural framework.

The pump compartment top control and gauge panel shall be exposed from the sides (tapered down). Match 220096. The trim installed on the tapered sides shall have a lip installed on the cap on the inside of the control surface area. The pump compartment framing shall not interfere with the replacement of the front pump seals.

Need to match 220096 pumphouse breaker layout decal that was installed.

VIBRA-TORQ™ PUMP MODULE MOUNTING SYSTEM

The entire pump module assembly shall be mounted so that it “floats” above the chassis frame rails exclusively with Vibra-Torq™ torsion isolator assemblies to reduce the vibration and stress providing an extremely durable pump module mounting system.

The pump module substructure shall be mounted above the frame to allow independent flexing to occur between the body and the chassis. Each assembly shall be mounted to the chassis frame rails with steel, gusseted mounting brackets. Each bracket shall be powder coated for corrosion resistance. Each pump compartment mount bracket shall be mounted to the side chassis frame flange with two 5/8”-UNC Grade 5 HHCS.

Each assembly shall have a two-part rubber vibration isolator. The isolator shall be of a specific durometer to carry the necessary loads of the pump module, apparatus body, equipment, tank, water, and hose. The quantity of mounts utilized shall correspond directly to the anticipated weight being supported. Certain assemblies shall also incorporate a torsion spring. Helical coil springs shall be incorporated into specific

mounts in tandem with the rubber isolators to minimize the stress absorbed by the body caused from chassis frame rail flexing.

There shall be no welding to the chassis frame rail sides, web or flanges, or drilling of holes in the top or bottom frame flanges between axles. All pump module to chassis connections shall be bolted so that in the event of an accident, the body shall be easily removable from the truck chassis for repair or replacement.

Because of the constant vibration and twisting action that occurs in chassis frame rails and suspension, the torsion mounting system is required to minimize the possibility of premature pump module structural failures. The Vibra-Torq™ body mounting system shall have a twenty (20) year or 100,000 miles limited warranty in accordance with, and subject to, warranty certificate RFW0710.

PUMP COMPARTMENT WORK LIGHT

One (1) LED OnScene Solutions "Access" Series 54.00 inch (1371.60 mm) tube light shall be installed inside the pump compartment module to illuminate the piping and plumbing components.The light shall extend from the left to the right side of the pump box.

The light shall be activated by a weather resistant toggle switch located behind the right side upper pump panel.

OPERATORS PANEL

The operators' panel shall be a "top mount", constructed on two (2) incline surfaces.

The lower panel housing shall be used for valve controls. The upper panel housing shall be used for gauges, pump controls and any other activation controls specified.

The valve control levers shall be immediately adjacent to the respective gauges neatly arranged for easy access and visible for the operator.

VALVE CONTROL – TOP MOUNT ASSEMBLY

Unless specified otherwise, the valves shall be controlled from a top mounted locking valve actuation control assembly that shall be installed on the specified discharge and suction. The Class 1 assembly shall have a round chrome plated handle with an ergonomically designed surface to allow for a secure grip to turn and lock the handle. The assembly shall have a name plate insertion recess area. The assembly shall be as far forward as possible toward the front of the pump house. A brass bushing and stainless steel rod shall never require lubrication. The valve operating mechanism will indicate the position of the valve at all times.

PANEL LIGHTS

There shall be adequate illumination provided at the top operator's panel and at the side pump panels.

For the top mount panel there shall be a brushed stainless steel shielded light assembly provided. The shield shall contain one (1) maximum length to fit available OnScene LED "Access" light.

At each side pump panel there shall be a .188 inch (4.76 mm) smooth aluminum diamond plate shielded light assembly functioning as an intermediate step and installed on a stationary surface. There shall be up to three (3) handhold cutouts provided in the top step surface measuring approximately 2.50 inches deep. There shall be one (1) full length aluminum non lit handrail integrated into each side assembly. The light shields shall be coated with black Phoenix Coatings (squared ends on light shields).

Each shield shall contain one (1) maximum length to fit available OnScene LED "Access" light.

The operator panel light shield shall have squared ends for maximum stepping surface.

PUMP PANEL LIGHT ACTIVATION

The operator's panel and side panel light(s) shall be activated by a switch located at either side of the pump compartment. and by a rocker switch on the operator's pump panel in the IC housing.

SPEEDLAY HOSE BEDS

Three (3) vertically stacked speedlay hose beds shall be provided in the forward portion of the pump compartment module. The speedlay hose beds shall be constructed as an integral part of the pump compartment tubular structure. Stainless steel scuff plates shall be installed at the bottom and at the vertical edges of the speedlay openings to protect the hose and hose ends.

The speedlay hose beds shall have a finished open size as follows:

Top Bay- 14.50 inches high x 17.50 inches wide

Middle and Lower Bay- 12.00 inches high x 17.50 inches wide

The speedlay hose beds shall span the entire width of the pump compartment module. Slotted flooring shall be provided for hose area drainage.

PUMP COMPARTMENT SERVICE

The front portion of the pump compartment structure shall be overlaid entirely with brushed stainless steel fastened with mechanical fasteners.

The front of the pump box, behind the speedlays, shall be constructed so that when the speedlay hose trays are removed it provides a large opening to the center of the pump box for maintenance.

There shall be open access cutouts for all three (3) speedlay bays to gain access to the speedlays (to help load) and also to gain access to the pump for service if needed. The openings shall be as large as possible in the space provided.

The tubes that span across the upper two (2) speedlay openings shall be cut and welded to the removable floor so that, when needed, there is access to the pump area. A 3/16" strip of smooth aluminum shall be welded to the top of the tube for support. The strip shall be finished in black Phoenix Coatings finish.

FD is aware that the lower speedlay access at the front will be minimal.

REMOVABLE SPEEDLAY TRAYS

Removable speedlay hose bed trays shall be provided to facilitate hose loading. The speedlay hose beds trays shall be accessible from either side and be easily removed from the pump compartment tubular structure.

A removable speedlay hose bed tray shall be provided for each bay specified.

ALUMINUM SPEEDLAY TRAYS

The removable speedlay trays shall be made of .188-inch aluminum material with a DA finish.

Each tray shall have vertical and horizontal hand holds for ease of handling. Slots shall be provided in the floor of the tray for hose drainage.

The speedlay trays shall also have "belly cuts" installed.

PUMP COMPARTMENT WIDTH

The width of the pump compartment (front to back) shall be 80.00 inches.

ALUMINUM WALKWAY WITH "GRIP STRUT" STEPS

The walkway shall be located between the cab and pump house where flex joints shall be provided between the walkway and pump compartment as well as between walkway and the chassis cab. These flex joints shall be required to reduce the negative effects that chassis frame rail twist can induce into structural components.

The walkway shall be constructed of aluminum tubing to provide a framework for stepping and standing areas.

Each side of the walkway shall have an intermediate step which facilitates access to the walkway standing surface from the running board level. The surface of the walkway, intermediate steps, running board areas, and the exterior vertical side panels of the tool compartments of the walkway shall be constructed of .188 inch smooth aluminum and coated with black Phoenix Coatings. There shall be no diamond plate provided on any area of the walkway structure.

The running board stepping surface shall be flush with the top of the supportive tubular framework.

There shall be a "shoelace" guard installed to match 220096.

WALKWAY STEP LIGHTING

The secondary walkway step area shall be illuminated with one (1) "Access" LED 8.00 inch strip light installed on each side of the walkway with a chrome bezel.

The light shall be manufactured by OnScene Solutions with a 5 year replacement warranty.

WALKWAY LIGHTING ACTIVATION

The walkway step lights shall be activated when the park brake is set.

WALKWAY WIDTH

The walkway area immediately forward of the pump compartment shall be approximately 21.00 inches in width.

WALKWAY TOOL COMPARTMENTS

Two (2) walkway tool compartments shall be provided, one (1) on each side of the walkway step area. The steps shall be incorporated into hinged (NON-DIAMOND PLATE) 'lift-up' style doors completely enclosing and concealing the integral tool and or equipment storage compartment directly behind the door.The walkways doors shall be smooth aluminum and coated with black Phoenix Coatings.

The doors shall be hinged at the top and open with the assistance of a gas filled cylinders. The cylinder shall also serve as a hold open/close device for ease of operator use and elimination of a mechanical latching system. The compartment door shall be capable of opening 155 degrees due to the OnScene lights.

There shall be one (1) chrome handle installed horizontally to each door to assist in opening the tool compartment doors.

If the door is not properly closed and the parking brake is released, it shall activate the hazard light in the cab to alert the crew.

One (1) vertical black push button latch shall be installed in each walkway tool compartment door in the center location. This shall be to keep the door in the closed position.

TOOL COMPARTMENT LIGHTING

Each tool compartment shall be illuminated with one (1) OnScene "Access" 9.00 inch LED Tube light mounted to the forward edge in an aluminum housing. Each light shall be activated when the respective door is open.

TOOL COMPARTMENT INTERIOR FINISH

The tool compartment interior shall be painted with Superliner black finish.

WALKWAY LIGHTING

The pump operator's walkway area shall be illuminated with two (2) OnScene "Access" 8.00 inch LED strip lights installed on the forward face of the pump compartment. The lights shall be mounted in aluminum housing.

The light shall be manufactured by OnScene Solutions with a 5 year replacement warranty.

WALKWAY LIGHTING ACTIVATION

The walkway step lights shall be activated when the park brake is set.

18" HANDRAILS

Two (2) 1.25 inch diameter handrails constructed of extruded aluminum with 18.00 inches of knurled grip, full length illuminated LED light strip,

The 18.00 inch handrails (paragraph above) shall be installed on the outward face of the pump panel just forward of the speedlay openings. The 18.00 inch handrails shall be installed in line with the cab side handrails and the additional handrails on the rear sides of the cab (paragraph below).

There shall be two (2) additional 18.00 inch handrails installed on the sides of the cab, one (1) each side, near the walkway steps to facilitate access up to the operator's panel area. The handrails shall be installed in line with the cab grab handles on the rear sides of the cab.

There shall be a set of small rubber bumpers for the LFD compartment doors mounted at the final inspection, on the handrails to protect the doors.

ILLUMINATED HANDRAIL COLOR OPTIONS

ILLUMINATED HANDRAIL LIGHTING ACTIVATION

The illuminated handrail light shall be activated when the park brake is set.

The rearmost handrails on the cab and all walkway lights shall activate with Master Power and when the park brake is set. The lights shall not be tied to Ignition.

BLACK LAMINOL TOP CONTROL PANEL

The surface of the operator's control and gauge panel shall be manufactured from heavy duty non-glare black “Laminol”, aluminum that is capable of withstanding the effects of extreme weather and temperature.

HINGED RIGHT & LEFT SIDE PUMP PANELS

There shall be two (2) side pump panels on each side of the pump compartment, one upper and one lower. Each panel shall be reinforced with hat channels installed on the backside of the panel to add stiffness.

All panels shall be vertically hinged on the rearward or body side of the panel with a gas shock hold open device and plastic coated safety cables installed. All openings shall be accessible by quick-release mechanical type latches closing against a door seal.

When opened; the panels shall provide a large access opening to the pump for ease of serviceability.

The upper panels shall open first and there shall not be a fixed middle sill between the hinged panels.

If the upper panel is not properly closed and the parking brake is released, it shall activate the hazard light in the cab to alert the crew.

RIGHT & LEFT SIDE BLACK LAMINOL FINISH FOR PANELS AND OVERLAYS

All panels shall be made from heavy duty “Black Laminol” covered aluminum, capable of withstanding the effects of extreme weather and temperature.

The tubular structure shall be overlaid on each side of the pump compartment underneath the access panels, and each shall be made of “Black Laminol” covered aluminum.

OPEN DOOR WARNING

If the hinged panel(s) are not properly closed and the parking brake is released, it shall activate the hazard light in the cab to alert the crew.

SOFT SUCTION HOSE STORAGE

There shall be a recessed cavity on the left side of the pump compartment module integrated into the side panel to store a roll of 25 feet of 5.00 inch suction hose. The cavity shall be approximately 11.00 inches (279.4 mm) wide. The floor area shall have a light taper downward to assist in restraining the hose. Drain holes shall be provided in the rear corners.

COMPARTMENT LOCATION

The storage cavity shall be located forward of the steamer inlet on the pump panel.

HOSE COMPARTMENT STORAGE CAVITY INTERIOR FINISH

The interior of the hose storage compartment shall feature a painted black Superliner finish.

PUMP HOUSE STORAGE TRIM

The above storage compartment shall have brushed stainless steel trim provided around the opening.

SOFT SUCTION HOSE STORAGE

There shall be a recessed cavity on the right side of the pump compartment module integrated into the side panel to store a roll of 25' of 5" suction hose. The cavity shall be approximately 11.00 inches (279.4 mm) wide. The floor area shall have a light taper downward to assist in restraining the hose and notched as required for exhaust configurations. Drain holes shall be provided in the rear corners.

COMPARTMENT LOCATION

The storage cavity shall be located forward of the steamer inlet on the pump panel.

HOSE COMPARTMENT STORAGE CAVITY INTERIOR FINISH

The interior of the hose storage compartment shall feature a painted black Superliner finish.

PUMP HOUSE STORAGE TRIM

The above storage compartment shall have brushed stainless steel trim provided around the opening.

RUNNING BOARDS

The pump compartment running boards shall be made of a structural tubular framework. The tubular frame supports all loads by transmitting the loads through the pump compartment structure directly to the chassis frame rails.

The running boards shall be independent of the apparatus body and shall be integrated to the pump compartment structure only, eliminating any pump compartment to body interference. This is essential in keeping a truly 'modular' configuration. Slip-resistant abrasive adhesive materials shall be applied to the top surface of the running board framework to provide a suitable stepping surface where applicable.

EMBOSSED ALUMINUM DIAMOND PLATE OVERLAYS

The side running boards shall have a .188 inch (4.76 mm) smooth aluminum with black Phoenix Coatings installed. The stepping areas shall be as large as possible, overlapping the perimeter of the running board structure.

PRESSURE GOVERNOR and ENGINE MONITORING DISPLAY

Fire Research PumpBoss Max series PBA500-A00 pressure governor and control module kit shall be installed. The kit shall include a control module, intake pressure sensor, discharge pressure sensor, and cables. The control module housing shall be waterproof and have dimensions not to exceed 7 1/2" high by 3 5/8" wide. The control knob shall be 2" in diameter with no mechanical stops, have a serrated grip, and a red idle push button in the center. It shall not extend more than 2" from the front of the control module. The control LCD shall be 3.5” in size with a minimum brightness of 1000 nits and optically bonded to 3mm Borofloat Glass. Inputs for monitored engine information shall be from a J1939 data bus or independent sensors. Outputs for engine control shall be on the J1939 data bus or engine specific signal wiring. Inputs from the pump discharge and intake pressure sensors shall be electrical.

The following continuous displays shall be provided:

Engine RPM; shown on LCD screen
Check engine and stop engine warning; shown on LCD screen
Engine oil pressure; shown on LCD screen
Engine coolant temperature; shown on LCD screen
Transmission Temperature; shown on LCD screen
Battery voltage; shown on LCD screen
Pressure and RPM operating mode LEDs

Pressure / RPM setting; shown on LCD screen
Throttle ready / Ok to Pump LEDs.

On screen (LCD) message display shall show diagnostic and warning messages as they occur. It shall show monitored apparatus information, stored data, and program options when selected by the operator. LCD Screen and LED's intensity shall be automatically adjusted for day and nighttime operation.

The program shall store the accumulated operating hours for the pump and engine to be displayed with the push of a button. It shall monitor inputs and support audible and visual warning alarms for the following conditions:

High Battery Voltage
Low Battery Voltage (Engine Off)
Low Battery Voltage (Engine Running)
High Transmission Temperature
Low Engine Oil Pressure
High Engine Coolant Temperature
Out of Water (visual alarm only)
No Engine Response (visual alarm only).

The program features shall be accessed via push buttons located on the front of the control module. There shall be a USB port located at the rear of the control module to upload future firmware enhancements.

The pressure governor shall operate in two control modes, pressure and RPM. No discharge pressure or engine RPM variation shall occur when switching between modes. A throttle ready and Ok to Pump LED shall light when the interlock signal is recognized. The pressure governor shall start in pressure mode and set the engine RPM to idle. In pressure mode the pressure governor shall automatically regulate the discharge pressure at the level set by the operator. In RPM mode the governor shall maintain the engine RPM at the level set by the operator except in the event of a discharge pressure increase. The pressure governor shall limit a discharge pressure increase in RPM mode to a maximum of 30 psi. Other safety features shall include recognition of low water and no water conditions with an automatic programmed response and a push button to return the engine to idle.

The pressure governor control module shall be programmed at installation for a specific engine.

NO INTAKE PRESSURE RELIEF VALVE

No intake pressure relief valve shall be provided.

PRESSURE GOVERNOR and MONITORING DISPLAY BUZZER

Fire Research PumpBoss –Z1 option for an audible alarm buzzer shall be installed. The buzzer shall sound when a signal from the PumpBoss activates it.

MASTER GAUGES

Thuemling 4.50 inch (115 mm) gauges shall be supplied for the master intake and master discharge gauges.

The gauges shall be model FA-LFP-410.

GAUGE SCALE

The master intake gauge shall be marked for a reading from -30 to 400 PSI and the master discharge shall be marked for reading a discharge pressure of 0 to 400 PSI.

GAUGE FACE COLOR

Each gauge shall have black markings on a white face.

TESTING PORTS

Test port connections for pressure and vacuum shall be provided at the pump operator's panel. One (1) shall be connected to the intake side of the pump, and the other to the discharge manifold side of the pump.

Each port shall have 0.25 inch (6.35 mm) standard pipe thread connection and be manufactured of non-corrosive polished stainless steel or brass plugs.

TANK LEVEL GAUGE

A Fire Research TankVision model WLA300-A00 tank indicator kit shall be installed at the pump operator's panel location. The kit shall include an electronic indicator module, a pressure sensor, and a 20.00 foot sensor cable. The indicator shall show the volume of water in the tank on nine (9) easy to see super bright LEDs. A wide view lens over the LEDs shall provide for a viewing angle of 180 degrees. The indicator case shall be waterproof, manufactured of aluminum, and have a distinctive blue label.

The program features shall be accessed from the front of the indicator module. The program shall support self-diagnostics capabilities, self-calibration, and a datalink to connect remote indicators. Low water warnings shall include flashing LEDs at 1/4 tank, down chasing LEDs when the tank is almost empty, and an output for an audio alarm.

The indicator shall receive an input signal from an electronic pressure sensor. The sensor shall be mounted from the outside of the water tank near the bottom. No probe shall be placed on the interior of the tank. Wiring shall be weather resistant and have automotive type plug-in connectors.

The water gauge shall have a blue bezel that matches the gauge below with a label that reads 750 GAL.

CHASSIS INSTALLED TANK LEVEL GAUGE

The chassis shall include two (2) tank level gauges installed.

AIR HORN BUTTON

The air horn shall be activated by a red momentary rocker switch provided and installed on the pump operator's gauge panel. The air horn button shall be of weather resistance type and labeled “AIR HORN”.

ROCKER SWITCH PANEL

All specified lighting fixtures and electrical components activated at the pump operator's panel shall be activated by Carling W-series rocker style switches.

The switches shall be located on a separate matte black Innovative Controls 6-position electrical panel with chrome bezel, complete with backlit name tags describing the function of each individual switch.

The switches shall be in the following order from left to right: Air Horn, Panel Lights, Left Scene, Brow Light, Right Scene, and Rear Scene.

PUMP COMPARTMENT TOP OVERLAY

The top cap of the pump compartment shall be overlaid with materials of smooth aluminum with black Phoenix Coatings to match 220096 Midlands, TX.

DUNNAGE AREA

A single wall .188 inch (4.76 mm) smooth aluminum dunnage area shall be provided above the pump house compartment for equipment mounting and storage space. The side walls and flooring shall be coated with black Phoenix Coatings and shall have drain holes installed in the corners.

The dunnage area shall be as wide as possible from side to side, and as deep as allowed with the available space.

LED PUMP HOUSE DUNNAGE LIGHTING

One (1) OnScene Solutions "Access" Series 9.00 inch (228.60 mm) light with a polished mounting bezel shall be installed to illuminate the pump house dunnage area.

The light shall activate with the pump panel lights.

PUMP HOUSE DUNNAGE LIGHTING LOCATION

The pump house dunnage lighting specified above shall be located as high as possible on the rearward wall in the dunnage area.

MIDSHIP PUMP

The pump shall have a capacity of 1750 gallons per minute, measured in U.S. Gallons. The pump shall be a Waterous model CSU, single stage midship pump.

The pump shall be de-rated to 1500gpm at the time of pump test.

The pumps impellers shall be bronze with double suction inlets, accurately balanced (mechanically and hydraulically), of mixed flow design with reverse-flow, labyrinth-type, wear rings that resist water bypass and loss of efficiency due to wear. The impeller shall have flame plated hub to assure maximum pump life and efficiency despite the presence of abrasive particles, such as fine sand, in the water being pumped. The wear rings shall be bronze and easily replaceable to restore original pump efficiency and eliminate the need for replacing the entire pump casing due to wear.

Pump casing shall be close grained gray iron, bronze fitted and horizontally split in two sections for easy removal of entire impeller assembly, including wear rings, without disturbing setting of pump in chassis or pump piping. The pump, for ease and rapid servicing in the future, shall have the separable impeller shaft which allows true separation of transmission or pump without disassembly or disturbing the other component. This shall be accomplished by using a two piece shaft. This feature will allow field service to accomplish in much less time since each component (pump or transmission) can be repaired independently. The impeller shaft shall be stainless steel, accurately ground to size and polished. Shaft shall be supported at each end by ball type oil grease lubricated bearings. Sleeve bearings or bushings will not be acceptable. The bearings shall be protected from water at each end of the impeller shaft.

The discharge manifold shall be cast as an integral part of the pump body assembly and shall provide at least three full 3.50 inch openings for ultimate flexibility in providing various discharge outlets for maximum efficiency and shall be located as follows: one outlet on the right side of the pump body, one outlet on the left side of the pump body, and one outlet directly on top of the pump discharge manifold.

The entire pump shall be cast, manufactured and tested at the pump manufacturer's factory. The pump transmission housing shall be high strength aluminum, three pieces and horizontally split. Power transfer to the pump shall be through a Morse Hy-Vo drive chain. Chain shall be pressure lubricated through oil pump. Chain sprockets shall be cut from carbonized, hardened alloy steel. Spur gears will not be acceptable.

The drive shafts shall be 2.35 inches in diameter, made of hardened and ground alloy steel. All shafts shall be ball bearing supported. Case shall be designed to eliminate the need of water cooling.

The entire pump, both suction and discharge passages, shall be hydrostatically tested to a pressure of 600 PSI. A certificate documenting this test shall be provided with the completed apparatus. The pump shall be fully tested at the pump manufacturer's factory to the performance requirements as outlined by the latest NFPA, Standard for Automotive Fire Apparatus. Pump shall be free from objectionable pulsation and vibration.

The pump shall be the Class "A" type and shall deliver the percentage of rated discharge at pressures indicated below.

100% of rated capacity at 150 PSI net pump pressure.
100% of rated capacity at 165 PSI net pump pressure.
70% or rated capacity at 200 PSI net pump pressure.
50% of rated capacity at 250 PSI net pump pressure.

PUMP WARRANTY

Waterous Co shall provide a limited manufacturer's pump warranty to be free from defects, under normal use and service, for a period of seven (7) years from the date placed into service.

PUMP SEALS

The pump shall be equipped with self-adjusting, maintenance free mechanical shaft seals that shall not require manual adjustment. These seals shall be designed in a manner that they will remain functional enough to permit continued use of the pump in the unlikely event of a seal failure.

AIR PRIMER SYSTEM

The priming system shall be a Trident Emergency Products compressed air powered high efficiency, multi-stage, venturi based Air Prime System.

All wetted metallic parts of the priming system are to be of brass and stainless steel construction. A single panel mounted control will activate the priming pump and open the priming valve to the pump.

Air primer to be mounted lower on the pump, on the rear side of the pump transmission, so it will not spray on everything. The primer shall also automatically drain when the panel control actuator is not in operation. The inlet side of the primer shall include a brass ‘wye’ type strainer with removable stainless steel fine mesh strainer to prevent entry of debris into the primer body.

The system shall employ an 80 PSI (5.5 bar) pressure protection valve, located on the chassis auxiliary air tank.

The primer shall be covered by a five (5) year parts warranty.

PRIMER CONTROL

There shall be one (1) push button control to actuate the primer control valve at the operator's panel.

MAIN PUMP INLET-LEFT SIDE

A 6.00 inch (150 mm) pump manifold inlet shall be provided on the left side of the pump. The shorter style inlet shall protrude less than 2.00 inches (50 mm) away from the side panel, allowing an internal valve, when

specified, to be installed and not protrude past the apparatus body sides while maintaining a low connection height.

The main pump inlet shall have National Standard Threads and includes a removable screen designed to provide cathodic protection for reducing deterioration in the pump.

INTAKE WATERWAY VALVE

There shall be one (1) Akron electrically operated wafer valve mounted directly to the pump intake manifold and shall be located behind the pump panel.

The valve shall be mounted between the main pump body casting and the steamer inlet casting. A .25 inch (6.35 mm) quarter turn air bleeder valve shall be plumbed to the water supply side of the intake valve, by a .75 inch (19.05 mm) NPT port, to help evacuate air from the system and avoid cavitation of the pump.

There shall be a cutout for the valve override on the panel.

VALVE CONTROLLER

The controller shall be an Akron Brass Style 9333 Navigator™ Pro 2.0 Valve Controller. The electric controls must be of true position feedback design, requiring no clutches in the motor or current limiting. The unit must be completely sealed with momentary open, close as well as an optional one touch full open feature to operate the actuator. Two additional buttons shall be available to be used for preset selection, preset activation and menu navigation.

The controller must have up to three preset locations that can be user set and easily recalled upon each use. The unit must be capable of being used in conjunction with at least two additional displays to control one valve. The unit must provide position indication through a full color backlit LCD display.

The display shall be a full color LCD display with a backlight. It shall have manual adjustment of the brightness as well as an auto-dimming option. The unit must carry a five year warranty.

INTAKE PRESSURE RELIEF VALVE

A Task Force Tips model #A18 Series pressure relief valve with a range of adjustment from 90 to 300 PSI shall be installed inside pump compartment piped to the suction side of the pump.

The valve shall be preset at 200 PSI (1,378 kPa) suction inlet pressure. The valve shall be installed inside the pump compartment where it will be easily accessible for future adjustment. The excess water shall be plumbed to the atmosphere and shall dump on the opposite side of the pump operator.

For normal pumping operations, the relief valve shall not be capped and there shall be a placard installed stating "DO NOT CAP".

5" STORZ ELBOW & CAP

The inlet shall include the following components:

One (1) 6.00 inch (150 mm) NST female swivel x 5.00 inch (125 mm) Storz cast aluminum elbow

One (1) 5.00 inch (125 mm) Storz cap

MAIN PUMP INLET-RIGHT SIDE

A 6.00 inch (150 mm) pump manifold inlet shall be provided on the right side of the pump. The shorter style inlet shall protrude less than 2.00 inches (50 mm) away from the side panel, allowing an internal valve, when specified, to be installed and not protrude past the apparatus body sides while maintaining a low connection height.

The main pump inlet shall have National Standard Threads and includes a removable screen designed to provide cathodic protection for reducing deterioration in the pump.

INTAKE WATERWAY VALVE

There shall be one (1) Akron electrically operated wafer valve mounted directly to the pump intake manifold and shall be located behind the pump panel.

The valve shall be mounted between the main pump body casting and the steamer inlet casting. A .25 inch (6.35 mm) quarter turn air bleeder valve shall be plumbed to the water supply side of the intake valve, by a .75 inch (19.05 mm) NPT port, to help evacuate air from the system and avoid cavitation of the pump.

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One (1) 5.00 inch (125 mm) Storz cap

MASTER DRAIN VALVE

A Trident manifold type drain valve shall be installed in the pump compartment. All pump drains shall be connected to the master drain valve. The drain valve shall be controlled from the left side lower pump house sill. The control shall be a hand wheel knob marked “open” and “closed”.

The drain shall be located such that it shall not interfere with pumping operations or function such as soft suction hoses, etc. nor shall it protrude past the outer edge of the apparatus, to prevent damage to the valve.

In some cases, it is necessary to locate the master drain in a secondary location to ensure proper draining. If no lower or vertical sill exists, the drain shall be located below the bottom outside edge of the hose body near the forward most corner on the driver’s side hose body. The drain shall not protrude past the outer edge of the body, thus preventing damage to the valve.

OVERHEAT PROTECTION MANAGER W/WARNING LIGHT

A Waterous Overheat Protection Manager (OPM) valve shall be installed to protect the pump from overheating. The OPM shall consist of a valve that opens when the water in the pump reaches 140 degrees Fahrenheit (60 degrees Celsius) and a warning light on the pump panel that is triggered by a thermal switch when the water in the pump reaches 180 degrees Fahrenheit (82 degrees Celsius). It shall be mechanical and not require constant operator monitoring.

The warning light shall act as an additional protection device if the temperature inside the pump keeps rising although the valve is open.

The relief valve shall discharge out below the running board.

PUMP COOLING LINE

There shall be a .38 inch (9.5 mm) line running from the pump to the water tank to assist in keeping the pump water from overheating. A valve shall be installed on the operator's panel.

PUMP ANODES

Two (2) pump anodes shall be installed in the pumping system, one (1) on the discharge side and one (1) on the suction side, to prevent damage from galvanic corrosion within the pump system.

The anodes shall be accessible to remove and replace without removing any plumbing components.

PUMP ANODE INDICATOR

The pump anode(s) shall be painted orange in color.

STAINLESS STEEL PLUMBING

All auxiliary suction and discharge plumbing related fittings, and manifolds shall be fabricated with a minimum of 4.00 inch (100 mm), or greater as required by design, schedule 10 stainless steel pipe; brass or high pressure flexible piping with stainless steel couplings. Galvanized components and/or iron pipe shall NOT be accepted to ensure long life of the plumbing system without corrosion or deterioration of the waterway system. Where waterway transitions are critical (elbows, tees, etc.), no threaded fittings shall be allowed to promote the smooth transition of water flow to minimize friction loss and turbulence. All piping components and valves shall be non-painted, unless otherwise specified. All piping welds shall be wire brushed and cleaned for inspection and appearance.

The high pressure flexible piping shall be black SBR synthetic rubber hose with 700 PSI working pressure and 1200 PSI burst pressure for flexible piping sizes 1.50 inches (38 mm) through 4.00 inches (100 mm). Sizes .75

inch (19 mm), 1.00 inch (25 mm) and 5.00 inches (125 mm) are rated at 250 PSI working pressure and 1000 PSI burst pressure. All sizes are rated at 30 in HG vacuum. Reinforcement consists of two plies of high tensile strength tire cord for all sizes and helix wire installed in sizes 1.00 inch (25 mm) through 5.00 inches (125 mm) for maximum performance in tight bend applications. The material has a temperature rating of -40 degrees Fahrenheit to +210 degrees Fahrenheit.

The stainless steel full flow couplings are precision machined from high tensile strength stainless steel. All female couplings are brass. Mechanical grooved and male .75 inch (19 mm) and 1.00 inch (25 mm) couplings are brass. A high tensile strength stainless steel ferrule with serrations on the I. D. is utilized to assure maximum holding power when fastening couplings to hose.

PUMP HOUSE LINE PROTECTION

All drain lines for the discharges, suctions, ABS discharge gauge lines and any other appropriate connections in the pump house area shall have a protective cover provided on the lines in the required areas of the lines to prevent the lines from rubbing on any other components in the pump house area.

All drain lines, ABS lines, high pressure discharge lines and electrical wiring in the pump house area shall be properly and neatly routed, wire tied, and rubber coated “P” clamped, to keep the items secured.

PLUMBING TERMINATION SECUREMENT

All plumbing termination caps and plugs for intakes and discharges, shall be secured by a chain.

DRAIN VALVES

An Innovative Controls 3/4" quarter turn drain valve shall be included on each discharge, gated intake, and steamer valve (if applicable). A side stem, long stroke chrome plated lift handle shall be provided on the drain valve to facilitate use with a gloved hand. The drain valve shall have an ergonomically designed handle with a recessed verbiage tag area easily read by the operator before opening.

The drain valve shall be connected to the valve with a flexible hose that is routed in such a manner as to assure complete drainage to below the apparatus.

WATEROUS 200-P CAFS

There shall be a Waterous 200-P compressed air foam system provided and installed with the apparatus. The Waterous CAFS system shall include the components in the following portions of the specification.

Air Compressor
GHH-Rand air end with tapered roller bearings and triple lip shaft seal, oil-flooded, rotary screw type, sized to supply 200 scfm (5.6 m^3/min) of usable air.

Pneumatic Modulating Inlet Valve
The air compressor is controlled by the pneumatic modulation inlet valve mounted on the air end. The pneumatic modulation inlet valve controls air delivery while maintaining constant pressure.

Electric Auto Sync Balancing System
Automatically maintains the air pressure within +/- 5% of the water pump pressure throughout the pressure range. The Auto Sync Balancing System is located on the operator's panel and allows for the following modes:
Automatic - Air pressure matched to water pressure
Fixed - Air pressure defaults to manual setting on compressor mounted control valve.
Unload - Air pressure reduced to 40 psi for standby operations
Run - Air compressor in run operation. Air pressure determined by Auto or Fixed setting.

Air Compressor Oil System
A spin-on, full-flow oil filter unit and a thermostatic valve are all part of the system to control oil flow to the cooler. All lines are routed in braided hose conforming to SAE 100R1 standards for hydraulic hose.

Modular Air/Oil Separator
Replacement elements for the oil filter and separator are available.

Air Compressor Cooling System
The air compressor is cooled by the unit's water pump, utilizing a copper and brass shell and tube heat exchanger. When the fire pump is operating, water flows through the heat exchanger while an in-line removable strainer, on the water inlet side, prevents clogging. The system maintains recommended operating temperatures throughout the full operational range in ambient temperatures up to 115 degrees Fahrenheit (46.1 degrees Celsius).

Air Compressor System Protection
A warning system in the hydraulic oil system alerts the operator of high temperature. A warning light and audible alarm are provided for mounting on the pump operator's panel.

Controls and Instruments
The following controls and instruments are provided for mounting on the pump operator's panel:
Auto/Sync compressor controls w/engraved instruction plate
Air compressor temperature gauge w/250 degree warning switch
NFPA required warning and instruction plates

The flow meters shall show actual GPM flow when pumping CAFS.

The filter for the CAFS shall NOT be installed above the driveline U-joints. The filter shall be mounted between the frame rails under the cab, forward of the walkway. The pipe used for the feed to the filter shall not be the black collapsible pipe with wire windings used on previous units.

All air lines done in Brandon, SD shall have a compression fitting with an interior metal sleeve.

Warranty

The P-Series air compressor system is warranted for a period of one (1) year upon startup date.

END USER OPERATION INSTRUCTION

Up to three (3) days of CAFS operation and maintenance instruction shall be provided. The instruction shall take place at the user's facility within 30 days of apparatus delivery.

HOT SHIFT PTO

The PTO shall operate with a red lift cover guarded toggle switch with side guards on the pump panel to operate the CAFS compressor.

A ‘hot’ shift shall be added to the CAFS installation. The PTO shall not engage with the engine above 900 RPM.

A brushed SST guarded switch located on the pump operator's panel shall be used to engage and disengage the PTO and activate the CAFS system. The brushed SST side guard shall be used on all CAFS toggle switches, with a red lift cover guard installed.

The switch shall be labeled “CAFS PTO ENGAGED”. Match 220096.

Each control shall be supplied with an indicator light. This light will be energized when the PTO is engaged.

The CAFS compressor shall only activate when the truck is in pump gear and shall disengage when the truck is taken out of pump gear.

The foam system PTO shall be interlocked with pump gear. Therefore only activating when the pump is in gear. This should match the CAFS compressor.

FD requests that both PTO's be Chelsea brand.

The CAFS switch shall be located directly below the blue label of each respective discharge. The red/white CAFS label shall be removed. There shall be two (2) sets of 'ON' and 'OFF' labels provided for the far left and right of the CAFS switches.

AUTOMATIC WATER TANK REFILL SYSTEM

An Odin automatic tank fill system shall monitor and maintain tank water level independently, without input by the engineer. The system will be pre-set to initiate tank filling at 50% and cease tank filling 85% of capacity and maintain that range with the water supply available. The system shall be calibrated specifically for the water tank provided.

The control shall include a single three way activation switch including automatic mode, manual mode, and off. The control includes indicator lights to show the fill status of the system. The manual top off switch will require constant user input so that when the switch is no longer pressed, the filling of the tank will cease, preventing excessive overflow. Refill operation shall not require apparatus be running or fire pump to be engaged.

The system is especially useful during CAFS operation to achieve required engine RPM for the rated capacity of the compressor. The system is also useful for maintaining tank level for around-the-pump foam systems as well as supplementing water supply while drafting from a static source.

AUTO TANK FILL WITH FILL THIEF LOCATION

The auto tank fill shall be plumbed to the inlet side of the left and right pump intake valves in a fill thief arrangement to improve flexibility of water supply. Two (2) full port check valves with elastomer hinges and a grooved end stainless steel bodies shall be utilized to prevent water pressure at the inlet side not being used.

The fill thief shall be specifically for use on a fire pump equipped with a compressed air foam system. When large diameter supply hose (LDH) is connected to the large diameter pump inlet and the inlet valve is in the closed position, the incoming water is directed to the automatic tank fill valve.

3.0"AUTOMATIC WATER TANK FILL SYSTEM

The automatic water tank refill system will utilize a 3.00 inch (77 mm) Akron Brass 8000 series swing-out valve with electric actuator. The plumbing shall consist of 3.00 inch (77 mm) piping.

FOAMPRO 3012

The apparatus shall be equipped with an electronic, fully automatic, variable speed, direct injection, and discharge side foam proportioning system. The system shall be capable of handling current Class A and Class B foam concentrate. The foam proportioning operation shall be based on direct measurement of water flows and remain consistent within the specified flows and pressures. System must be capable of delivering accuracy to within 5% of calibrated settings over the advertised operation range when installed according to factory standards. The system shall be equipped with a digital electronic control display suitable for installation on the pump panel. Incorporated within the control display shall be a microprocessor that receives input from the system flowmeter(s), while also monitoring foam concentrate pump output. This compares values to ensure

that the operator's preset is proportional to the amount of foam concentrate injected into the discharge side of the fire pump. All wetted components are to be made of corrosion resistant materials.

A paddlewheel-type flowmeter shall be installed in the discharge system specified to be "foam capable. The flow meter shall be mounted in a manifold providing accurate water flow readings from 30-1150 gpm and operate up to 1380 gpm.

The digital computer control display shall enable the pump operator to perform the following control and operation functions for the foam proportioning system:

Provide push-button control of foam proportioning rates from 0.1% to 10.0%, in 0.1% increments
Show current flow-per-minute of water
Show total volume of water discharged during and after foam operations are completed
Show total amount of foam concentrate consumed
Simulate flow rates for manual operation
Perform setup and diagnostic functions for the computer control microprocessor
Flash a "low concentrate" warning when the foam concentrate tank(s) runs low
Flash a "non concentrate" warning and shut the foam concentrate pump off, preventing damage to the pump, should the foam tank(s) empty

A hydraulic motor driven positive displacement foam concentrate pump, rated at 12 gpm (45.4 L/min) with maximum operating pressure of 400 psi (27.6 BAR), shall be installed in a suitable accessible location. Pump shall include three plungers to maintain an even consistent flow across the full performance range. Pump vacuum characteristics allow off-board pick-up of foam. An electronically-operated valve shall receive signals from the computer control display to control the flow of hydraulic oil to the hydraulic motor coupled to the concentrate pump. The concentrate pump turns at a variable speed to ensure that the correct proportion of concentrate selected by the pump operator is injected into the fire pump discharge stream.

When two types of foam concentrates are to be used, a dual tank switch over system will be installed to provide rapid changeover of foam concentrate reservoirs. The digital computer control display shall interface with the dual tank switch over system, provide dual foam calibration, and display separate totals for each foam concentrate used.

Full flow check valve shall be provided to prevent foam contamination of fire pump and water tank or water contamination of foam tank.

Components of the complete proportioning system shall include:

Operator control/microprocessor and display
Paddlewheel flowmeter
Triplex concentrate pump and motor driver
Hydraulic motor
Variable displacement hydraulic pump
Wiring harnesses
Low-level tank switch
Foam injection check valve
Main waterway check valve

The CAFS compressor oil sight gauge shall have a separate round viewing hole on the lower rear of the operator's panel. Needs to line up with window and the warning light on the pumphouse should be moved rearward to match what was done on 220096.

FOAM SYSTEM TESTING

The apparatus foam system shall be tested, and the Water Flow meter shall be certified by the manufacturer prior to delivery.

HOT SHIFT PTO

The PTO shall operate with a toggle switch on the pump panel to operate the FOAM compressor.

A ‘hot’ shift shall be added to the foam installation. The PTO shall not engage with the engine above 900 RPM.

A brushed SST guarded switch located on the pump operator's panel shall be used to engage and disengage the PTO.

The switch shall be labeled “FOAM PTO ENGAGED”

Each control shall be supplied with an indicator light. This light will be energized when the PTO is engaged.

The foam system PTO shall be interlocked with pump gear. Therfore only activating when the pump is in gear. This should match the CAFS compressor.

FD requests that both PTO's be Chelsea brand.

FOAM SYSTEM SUPPLY

The system shall be supplied by either foam tank, with an electrically actuated selector valve with indicator lights provided to switch between them. As the valve is switched from one tank to the other, a clean water flush of the foam concentrate pump shall occur to prevent concentrate mixing and possible jelling. The system shall default to pre-set percentages for each tank.

The clean out filter for foam selector must be installed on the right side to match 220096 unit and be labeled "A" FOAM and "B" FOAM.

All foam plumbing and foam pumps shall be labeled inside the pump compartment for A and B foam.

FOAM TANKS

Two (2) foam tanks, one 25 (Class A) gallon and one 50 (Class B) gallon with square hinged lids, equipped with a hold down devices shall be installed and plumbed with non-corrosive piping to the foam system. The fill towers shall be approximately 10.00 inch by 10.00 inch.

The Class A fill tower shall be the first tower to the right of the water tower. The Class B tower shall be the second tower to the right of the water tower.

A label shall be affixed to the foam tank fill indicating: “WARNING” Class A (or B) foam tank fill, do not mix brands or types of foam.

The 25 gallon foam tank tag color to be green and silver and the 50 gallon foam tank to be yellow and silver. Match 220096.

The foam tank level floats shall be installed on the front of the tank and NOT into the side of the fill tower (side of the fill tower exposes them to breaking).

Each foam tank shall be integral with the booster water tank provided.

FOAM TANK DRAIN

There shall be two (2) 1.00 inch (25.4 mm) quarter turn drain valve installed on each tank to allow draining. The valves shall be installed in the pump house and the drain lines extended to the side running board.

The lines shall be labeled accordingly to match the foam tanks.

There shall also be a shut off valve installed at each foam tank. The valve diameter shall match the diameter of the bung provided by the tank manufacturer.

TWO (2) FOAM TANK LEVEL GAUGES

Fire Research TankVision Pro model WLA360-A00 and WLA370-A00 tank indicator kits shall be installed. The kits shall include an electronic indicator module, a pressure sensor, a 20.00 foot sensor cable and a tank vent. The indicator shall show the volume of Class A or Class B foam concentrate in the respective tanks on nine (9) easy to see super bright RGB LEDs. A wide view lens over the LEDs shall provide for a viewing angle of 180 degrees. The indicators case shall be waterproof, manufactured of Polycarbonate/Nylon material, and have a distinctive green (Class A) or yellow (Class B) label.

The program features shall be accessed from the front of the indicator module. The program shall support self-diagnostics capabilities, self-calibration, six (6) programmable colored light patterns to display tank volume, adjustable brightness control levels and a datalink to connect remote indicators. Low foam warnings shall include flashing LEDs at 1/4 tank, down chasing LEDs when the tank is almost empty, and an output for an audio alarm.

The indicator shall receive an input signal from an electronic pressure sensor. The sensor shall be mounted from the outside of the foam tank near the bottom. No probe shall be placed on the interior of the tank. Wiring shall be weather resistant and have automotive type plug-in connectors.

Shall include color matching bezels to the gauges with labels above the gauges that read 25 GAL and 50 GAL.

The float switches for the foam tanks shall be protected from accidental contact from the tank strainer when not put in properly.

FOAM PRO POWER FILL

The apparatus shall be equipped with two (2) FoamPro Power Fill foam systems. Each foam fill system shall be a FoamPro Power Fill with electronic, automatic, concentrate refill system, to increase safety of firefighter personnel. The systems shall operate independently of the foam proportioner allowing simultaneous use. Refill operations shall not require apparatus or fire pump to be running. The systems shall be capable of handling Class A or Class B foam concentrates, emulsifiers, gels and decontamination concentrates. The apparatus shall be plumbed from the externally accessed intake/flush ports to the concentrate cell. External fill and flush connections shall be quick-connect cam-lock type. Internal piping shall incorporate check valves to prevent back flow. Concentrate tanks inlet shall be positioned to minimize agitation. The refills operation shall be based on direct measurement of concentrate level in tank. The systems must be capable of automatically stopping when cell is full and include a manual override feature. The systems shall be equipped with an electronic control suitable for installation on the pump panel. Incorporated within the control shall be a microprocessor that receives input from the system while controlling foam concentrate pump output. An all-bronze three-way valve shall be included to allow the operator to flush systems after use. Valve control, intake and flush ports shall be located within corresponding panel plate.

The systems shall enable the operator to perform the following control/operation functions and status indicators for the refill operation:

a) Provide push-button start/stop control of foam refill
b) Solid green light advises operator concentrate cell is full
c) Flashing green indicates system is running
d) Green light off, system off

e) Allow override of “full tank” condition
f) Provide a means to flush the pump and intake piping

The systems shall include a 12 or 24-volt electric motor driven, positive displacement concentrate pump. The pump(s) shall deliver minimum flow of 10 gpm (37.8 L/min) @ 20 psi with all concentrates currently utilized in fire apparatus. Pump body to be of all-bronze construction and other wetted components and piping to be constructed of non-corrosive materials. The systems will draw a maximum of 38 amps @ 12 VDC or 19 amps @ 24 VDC. A pump/motor solenoid (mounted to the base of the pump) shall receive signals from the computer control display and power the 1/2 hp (0.4 Kw) electric motor directly coupled to the concentrate pump. The systems shall receive readings when the concentrate tank is full and stop operation to prevent overfill.

Components of the complete refill systems shall include:
a) Operator control and display with Weather-Pac connectors
b) Refill/flush quick-connect cam-lock fittings and cap
c) Check valves
d) Pump/motor assembly and solenoid
e) Strainer
f) Tank level switch
g) Three-way fill/flush valve
h) Stainless steel pickup wand and 6 feet of reinforced suction hose, 1 inch in diameter to allow maximum flow
i) Panel placards

A label shall be affixed to the foam tank fill indicating: “WARNING” Class A (or B) foam tank fill, do not mix brands or types of foam.

Each system shall be labled for either "CLASS A FOAM ONLY" or "CLASS B FOAM ONLY"

Both foam fills will be on the LH side of the apparatus on the lower sill ahead of the steamer. A foam will be forward-most.

There shall be a 1/4 turn shut off valve provided for each Power Fill.

HYDRAULIC FOAM SYSTEM RESERVOIR AND COOLER

A hydraulic oil supply shall be provided to supply a flow of up to 30 gpm. The hydraulic system must comply with all applicable SAE and DOT standards. The approximate size of the unit should be 29 inches tall, 29 inches wide, by 17 inches deep. The hydraulic system shall contain the following:

A hydraulic reservoir with a minimum capacity of 8 gallons is required. The reservoir must have a diffuser on the inlet to prevent entrapment of air into the system. A particle screen, of 100 mesh, on the oil inlet shall be installed help keep dirt out of the system. A vented, filtered breather of sufficient size to allow filling of oil is required. An oil drain in a serviceable location is required.

There shall be a 1/4 turn shut off valve provided at the hydraulic tank.

A replaceable-type oil filter is required with at least a 10 micron absolute rating.

A thermostat is required to be included for quick warm-up of the oil.

An oil cooler, capable of maintaining the temperature of the hydraulic oil at or below 180 degrees Fahrenheit, is required. An electric fan controlled by a temperature switch will be attached to the oil cooler to promote air circulation across the oil cooler. The required cooling will be approximately 900 BTU/min. at 7 GPM.

See plumbing folder for reference of unit FD would like installed (p/n: 2502-0002).

The pumphouse dunnage will be stepped down in the pump compartment so that the cooler/resiv. will not interfere with the booster reel rollers.

There shall be a smooth aluminum reinforced removeable cover installed over the CAFS system heat exchanger in the pump house dunnage area on both sides. The cover shall be honeycomb vented and covered with black Phoenix Coatings.

There shall be a cutout provided to view the CAFS oil level in the lower left side panel.

AIR CHUCK OUTLET

There shall be a quick disconnect air chuck outlet provided and installed on the apparatus. The air chuck outlet shall be plumbed to the CAFS reservoir and have on/off valve and label on the left side lower pump compartment panel/sill. The air pressure shall be proportional to the water pressure until the air system is switched to override the balance valve, where the maximum pressure will be 150 PSI as maintained by the regulator on the CAFS compressor.

DUPLEX PRESSURE GAUGE

The master gauge specified above shall be upgraded to duplex for compatibility with CAFS system.

RIGHT SIDE INLET

There shall be one (1) gated suction inlet with .75 inch (19mm) bleeder installed on the right side of the apparatus with the following specified components.

INTAKE VALVE

A 2.50 inch (65 mm) Akron Brass 8000 series swing-out valve with stainless steel ball.

INTAKE VALVE CONTROL

The intake control valve shall be a 'swing out type' direct operation manual lever actuator at the valve.

INTAKE PLUMBING

The plumbing shall consist of 2.50 inch (65 mm) piping and shall incorporate a manual drain control installed below the pump area for ease of access.

SUCTION/INTAKE TERMINATION

The termination shall include the following components:

One (1) 2.50 inch (65 mm) NST swivel female straight adapter with screen

One (1) 2.50 inch (65 mm) self-venting plug.

INLET LOCATION

The inlet shall be located on the pump panel in the rearward position.

LEFT SIDE DISCHARGE

There shall be two (2) gated discharges installed on the left side of the apparatus with the following specified components.

DISCHARGE VALVE

A 2.50 inch (65 mm) Akron Brass 8000 series swing-out valve with a stainless steel ball.

DISCHARGE VALVE CONTROL

The discharge shall be controlled from the pump operator's panel location.

DISCHARGE PLUMBING

The plumbing shall consist of 2.50 inch (65 mm) piping and shall incorporate a manual drain control installed below the pump area for ease of access.

DISCHARGE TERMINATION

The discharge termination shall include the following components:

One (1) 2.50 inch (65 mm) Male NST adapter

One (1) 2.50 inch (65 mm) NST female swivel by male with 30 degree polished elbow

One (1) 2.50 inch (65 mm) female self-venting cap.

FLOWMETER and PRESSURE INDICATOR WITH BACK LIGHT

The discharge shall be equipped with a Fire Research Insight model FPA402 combination digital flowmeter and pressure indicator kit installed on the operator's panel.

The kit shall include a flowmeter/pressure display module, paddlewheel flow sensor, flow sensor housing, pressure sensor, and interconnecting cables. The display module case shall be waterproof, manufactured of anodized machined aluminum, and have dimensions not to exceed 4.375 inches (111 mm) high by 4.375 inches (111 mm) wide by 3.50 inches (88 mm) deep.

The module shall be backlit and shall have a digital LED display for flow with super bright digits more than .375 inches (9.53 mm) high. Flow rate shall be displayed in GPM. The module shall also have an analog display for pressure with an expanded scale in the normal operating range for more accurate readings. The pressure indicator input and movement shall be electronic. Pressure shall be displayed in PSI.

All bezels shall be color coded to match the discharge.

The flowmeter/pressure indicator program features shall be accessed from front of the module. The program shall support multiple calibration points for flow and pressure, set points for high and low flow warnings, and flow totalizing functions. The pressure indicating needle shall be microprocessor controlled. The module shall be able to communicate with other FRC Insight flowmeter's over a datalink.

All flowmeters will be positioned in order to minimize ghost reading. Previous units have had to redo their position and were programmed to only display at GPMs over 50. The Flowmeters shall be installed per the OEM's recommended distances for valves and elbows.

FLOWMETER and PRESSURE INDICATOR COLOR CODED BEZEL

A Fire Research FPA option–C0X colored powder coat shall be applied to the flowmeter and pressure indicator bezel.

RIGHT SIDE DISCHARGE

There shall be one (1) gated discharge installed on the right side of the apparatus with the following specified components.

DISCHARGE VALVE

A 2.50 inch (65 mm) Akron Brass 8000 series swing-out valve with a stainless steel ball.

DISCHARGE VALVE CONTROL

The discharge shall be controlled from the pump operator's panel location.

DISCHARGE PLUMBING

The plumbing shall consist of 2.50 inch (65 mm) piping and shall incorporate a manual drain control installed below the pump area for ease of access.

DISCHARGE TERMINATION

The discharge termination shall include the following components:

One (1) 2.50 inch (65 mm) Male NST adapter

One (1) 2.50 inch (65 mm) NST female swivel by male with 30 degree polished elbow

One (1) 2.50 inch (65 mm) female self-venting cap.

FLOWMETER and PRESSURE INDICATOR WITH BACK LIGHT

The discharge shall be equipped with a Fire Research Insight model FPA402 combination digital flowmeter and pressure indicator kit installed on the operator's panel.

The kit shall include a flowmeter/pressure display module, paddlewheel flow sensor, flow sensor housing, pressure sensor, and interconnecting cables. The display module case shall be waterproof, manufactured of anodized machined aluminum, and have dimensions not to exceed 4.375 inches (111 mm) high by 4.375 inches (111 mm) wide by 3.50 inches (88 mm) deep.

The module shall be backlit and shall have a digital LED display for flow with super bright digits more than .375 inches (9.53 mm) high. Flow rate shall be displayed in GPM. The module shall also have an analog display for pressure with an expanded scale in the normal operating range for more accurate readings. The pressure indicator input and movement shall be electronic. Pressure shall be displayed in PSI.

All bezels shall be color coded to match the discharge.

The flowmeter/pressure indicator program features shall be accessed from front of the module. The program shall support multiple calibration points for flow and pressure, set points for high and low flow warnings, and flow totalizing functions. The pressure indicating needle shall be microprocessor controlled. The module shall be able to communicate with other FRC Insight flowmeter's over a datalink.

All flowmeters will be positioned in order to minimize ghost reading. Previous units have had to redo their position and were programmed to only display at GPMs over 50. The Flowmeters shall be installed per the OEM's recommended distances for valves and elbows.

FLOWMETER and PRESSURE INDICATOR COLOR CODED BEZEL

A Fire Research FPA option–C0X colored powder coat shall be applied to the flowmeter and pressure indicator bezel.

RIGHT SIDE MASTER DISCHARGE

There shall be one (1) master discharge installed on the right side of the apparatus provided with the following specified components.

DISCHARGE VALVE

A 4.00 inch (100 mm) Akron Brass 8000 series 'electric valve' with a bronze flat ball.

STYLE 9333 VALVE CONTROLLER

The controller shall be an Akron Brass Style 9333 Navigator Pro™ 2.0 Valve Controller and shall be installed at the pump operator's panel location. The electric controls must be of true position feedback design, requiring no clutches in the motor or current limiting. The unit must be completely sealed with momentary open, close as well as an optional one touch full open feature to operate the actuator. Two additional buttons shall be available to be used for preset selection, preset activation and menu navigation. The controller must have up to three preset locations that can be user set and easily recalled upon each use.

The unit must be capable of being used in conjunction with at least two additional displays to control one valve. The unit must provide position indication through a full color backlit LCD display. The display shall be a full color LCD display with a backlight. It shall have manual adjustment of the brightness as well as an auto-dimming option. The unit must carry a five year warranty.

DISCHARGE PLUMBING

The plumbing shall consist of 4.00 inch (100 mm) piping and shall incorporate a manual drain control installed below the pump area for ease of access.

DISCHARGE TERMINATION

The discharge termination shall include the following components:

One (1) 4.00 inch (100 mm) NST adapter

One (1) 4.00 inch (100 mm) NST female by 5.00 inch (125 mm) Storz with 30 degree elbow

One (1) 5.00 inch (125 mm) Storz cap.

FLOWMETER and PRESSURE INDICATOR WITH BACK LIGHT

The discharge shall be equipped with a Fire Research Insight model FPA402 combination digital flowmeter and pressure indicator kit installed on the operator's panel.

The kit shall include a flowmeter/pressure display module, paddlewheel flow sensor, flow sensor housing, pressure sensor, and interconnecting cables. The display module case shall be waterproof, manufactured of

anodized machined aluminum, and have dimensions not to exceed 4.375 inches (111 mm) high by 4.375 inches (111 mm) wide by 3.50 inches (88 mm) deep.

The module shall be backlit and shall have a digital LED display for flow with super bright digits more than .375 inches (9.53 mm) high. Flow rate shall be displayed in GPM. The module shall also have an analog display for pressure with an expanded scale in the normal operating range for more accurate readings. The pressure indicator input and movement shall be electronic. Pressure shall be displayed in PSI.

All bezels shall be color coded to match the discharge.

The flowmeter/pressure indicator program features shall be accessed from front of the module. The program shall support multiple calibration points for flow and pressure, set points for high and low flow warnings, and flow totalizing functions. The pressure indicating needle shall be microprocessor controlled. The module shall be able to communicate with other FRC Insight flowmeter's over a datalink.

All flowmeters will be positioned in order to minimize ghost reading. Previous units have had to redo their position and were programmed to only display at GPMs over 50. The Flowmeters shall be installed per the OEM's recommended distances for valves and elbows.

FLOWMETER and PRESSURE INDICATOR COLOR CODED BEZEL

A Fire Research FPA option–C0X colored powder coat shall be applied to the flowmeter and pressure indicator bezel.

LEFT REAR DISCHARGE

There shall be one (1) gated discharge installed on the left rear of the apparatus with the following specified components.

DISCHARGE VALVE

A 2.50 inch (65 mm) Akron Brass 8000 series swing-out valve with a stainless steel ball.

DISCHARGE VALVE CONTROL

The discharge shall be controlled from the pump operator's panel location.

DISCHARGE PLUMBING

The plumbing shall consist of 2.50 inch (65 mm) piping and shall incorporate a manual drain control installed below the pump area for ease of access.

DISCHARGE TERMINATION

The discharge termination shall include the following components:

One (1) 2.50 inch (65 mm) Male NST adapter

One (1) 2.50 inch (65 mm) NST female swivel by male with 30 degree polished elbow

One (1) 2.50 inch (65 mm) female self-venting cap.

FLOWMETER and PRESSURE INDICATOR WITH BACK LIGHT

The discharge shall be equipped with a Fire Research Insight model FPA402 combination digital flowmeter and pressure indicator kit installed on the operator's panel.

The kit shall include a flowmeter/pressure display module, paddlewheel flow sensor, flow sensor housing, pressure sensor, and interconnecting cables. The display module case shall be waterproof, manufactured of anodized machined aluminum, and have dimensions not to exceed 4.375 inches (111 mm) high by 4.375 inches (111 mm) wide by 3.50 inches (88 mm) deep.

The module shall be backlit and shall have a digital LED display for flow with super bright digits more than .375 inches (9.53 mm) high. Flow rate shall be displayed in GPM. The module shall also have an analog display for pressure with an expanded scale in the normal operating range for more accurate readings. The pressure indicator input and movement shall be electronic. Pressure shall be displayed in PSI.

All bezels shall be color coded to match the discharge.

The flowmeter/pressure indicator program features shall be accessed from front of the module. The program shall support multiple calibration points for flow and pressure, set points for high and low flow warnings, and flow totalizing functions. The pressure indicating needle shall be microprocessor controlled. The module shall be able to communicate with other FRC Insight flowmeter's over a datalink.

All flowmeters will be positioned in order to minimize ghost reading. Previous units have had to redo their position and were programmed to only display at GPMs over 50. The Flowmeters shall be installed per the OEM's recommended distances for valves and elbows.

FLOWMETER and PRESSURE INDICATOR COLOR CODED BEZEL

A Fire Research FPA option–C0X colored powder coat shall be applied to the flowmeter and pressure indicator bezel.

DISCHARGE CAPABILITY

The discharge shall be foam & CAFS capable.

SPEEDLAYS/PRE-CONNECT PLUMBING

Chiksan swivels shall be installed above each plumbed speedlay hose bed, accessible enough for the hose couplings to be tightened onto the chiksans.

The chiksan swivels shall swing from left to right to allow the attached hose to be deployed from either side.

1 3/4" SPEEDLAY

A speedlay with the following specified components shall be provided for up to 200 feet (60 m) of 1.75 inch (44.4 mm) Key Combat Ready hose.

There shall be a total of two (2) provided.

DISCHARGE VALVE

A 2.00 inch (50 mm) Akron Brass 8000 series swing-out valve with a stainless steel ball.

DISCHARGE VALVE CONTROL

The discharge shall be controlled from the pump operator's panel location.

DISCHARGE PLUMBING

The plumbing shall consist of 2.00 inch (50 mm) piping and shall incorporate a manual drain control installed below the pump area for ease of access.

DISCHARGE TERMINATION

The discharge termination shall include the following components:

One (1) 2.00 inch (50 mm) NPT x 1.50 inch (38 mm) NST brass chiksan swivel

FLOWMETER and PRESSURE INDICATOR WITH BACK LIGHT

The discharge shall be equipped with a Fire Research Insight model FPA402 combination digital flowmeter and pressure indicator kit installed on the operator's panel.

The kit shall include a flowmeter/pressure display module, paddlewheel flow sensor, flow sensor housing, pressure sensor, and interconnecting cables. The display module case shall be waterproof, manufactured of anodized machined aluminum, and have dimensions not to exceed 4.375 inches (111 mm) high by 4.375 inches (111 mm) wide by 3.50 inches (88 mm) deep.

The module shall be backlit and shall have a digital LED display for flow with super bright digits more than .375 inches (9.53 mm) high. Flow rate shall be displayed in GPM. The module shall also have an analog display for pressure with an expanded scale in the normal operating range for more accurate readings. The pressure indicator input and movement shall be electronic. Pressure shall be displayed in PSI.

All bezels shall be color coded to match the discharge.

The flowmeter/pressure indicator program features shall be accessed from front of the module. The program shall support multiple calibration points for flow and pressure, set points for high and low flow warnings, and flow totalizing functions. The pressure indicating needle shall be microprocessor controlled. The module shall be able to communicate with other FRC Insight flowmeter's over a datalink.

All flowmeters will be positioned in order to minimize ghost reading.Previous units have had to redo their position and were programmed to only display at GPMs over 50. The Flowmeters shall be installed per the OEM's recommended distances for valves and elbows.

FLOWMETER and PRESSURE INDICATOR COLOR CODED BEZEL

A Fire Research FPA option–C0X colored powder coat shall be applied to the flowmeter and pressure indicator bezel.

DISCHARGE CAPABILITY

Two (2) discharge shall be foam & CAFS capable.

2 1/2" SPEEDLAY

A speedlay with the following specified components shall be provided for up to 200 feet (60 m) of 2.50 inch (63.5 mm)Key Combat Ready hose.

There shall be a total of one (1) provided.

DISCHARGE VALVE

A 2.50 inch (65 mm) Akron Brass 8000 series swing-out valve with a stainless steel ball.

DISCHARGE VALVE CONTROL

The discharge shall be controlled from the pump operator's panel location.

DISCHARGE PLUMBING

The plumbing shall consist of 2.50 inch (65 mm) piping and shall incorporate a manual drain control installed below the pump area for ease of access.

DISCHARGE TERMINATION

The discharge termination shall include the following components:

One (1) 2.50 inch (65 mm) NPT x 2.50 inch (65 mm) NST brass chiksan swivel

FLOWMETER and PRESSURE INDICATOR WITH BACK LIGHT

The discharge shall be equipped with a Fire Research Insight model FPA402 combination digital flowmeter and pressure indicator kit installed on the operator's panel.

The kit shall include a flowmeter/pressure display module, paddlewheel flow sensor, flow sensor housing, pressure sensor, and interconnecting cables. The display module case shall be waterproof, manufactured of anodized machined aluminum, and have dimensions not to exceed 4.375 inches (111 mm) high by 4.375 inches (111 mm) wide by 3.50 inches (88 mm) deep.

The module shall be backlit and shall have a digital LED display for flow with super bright digits more than .375 inches (9.53 mm) high. Flow rate shall be displayed in GPM. The module shall also have an analog display for pressure with an expanded scale in the normal operating range for more accurate readings. The pressure indicator input and movement shall be electronic. Pressure shall be displayed in PSI.

All bezels shall be color coded to match the discharge.

The flowmeter/pressure indicator program features shall be accessed from front of the module. The program shall support multiple calibration points for flow and pressure, set points for high and low flow warnings, and flow totalizing functions. The pressure indicating needle shall be microprocessor controlled. The module shall be able to communicate with other FRC Insight flowmeter's over a datalink.

All flowmeters will be positioned in order to minimize ghost reading.Previous units have had to redo their position and were programmed to only display at GPMs over 50. The Flowmeters shall be installed per the OEM's recommended distances for valves and elbows.

FLOWMETER and PRESSURE INDICATOR COLOR CODED BEZEL

A Fire Research FPA option–C0X colored powder coat shall be applied to the flowmeter and pressure indicator bezel.

DISCHARGE CAPABILITY

One (1) discharge shall be foam & CAFS capable.

SPEEDLAY TRIM

Brushed stainless steel trim shall be installed at the openings on each side of the speedlay hose bed area. The trim shall extend 8.00 inches into the speedlay bay opening from the outer edge. The trim shall reduce the chaffing of the hose jacket on the edges of the bay area.

SPEEDLAY HOSE BED HOSE RESTRAINTS

The Dealership shall provide a means of restraining the hose stored in the speedlays to prevent inadvertent deployment of hose during transit. A hose restraint safety label shall be affixed by the Dealership and visible to personnel at each hose storage area.

DECK GUN MONITOR WATERWAY

There shall be one (1) deck gun monitor waterway installed on the apparatus with the following components.

DISCHARGE VALVE

A 3.00 inch (77 mm) Akron Brass 8000 series slo-cloz swing-out valve with a stainless steel ball.

DISCHARGE VALVE CONTROL

The discharge shall be controlled from the pump operator's panel location.

DELUGE PLUMBING

The deluge waterway shall consist of 3.00 inch (77 mm) piping and shall be drained with an auto-drain located at the lowest point of the waterway plumbing if required.

DELUGE PIPE LOCATION

The deluge pipe shall be located up through the pump compartment, at the center location in a recessed pan for the overall height restriction.

EXTEND-A-GUN-DEALER SUPPLIED

There will be one (1) dealer supplied Task Force Tips 12.00 inch Extenda-Gun and Hurrican deck gun with saddle bracket and sensor installed by Spartan on the deluge pipe.

If the Extenda-Gun/Saddle bracket is not properly stowed using the TFT saddle sensor, and the parking brake is released, it shall activate the hazard light in the cab to alert the crew.

The deck gun shall be installed as low as possible so it is below the top of the cab when in the stowed position to match 220096.

FLOWMETER and PRESSURE INDICATOR WITH BACK LIGHT

The discharge shall be equipped with a Fire Research Insight model FPA402 combination digital flowmeter and pressure indicator kit installed on the operator's panel.

The kit shall include a flowmeter/pressure display module, paddlewheel flow sensor, flow sensor housing, pressure sensor, and interconnecting cables. The display module case shall be waterproof, manufactured of anodized machined aluminum, and have dimensions not to exceed 4.375 inches (111 mm) high by 4.375 inches (111 mm) wide by 3.50 inches (88 mm) deep.

The module shall be backlit and shall have a digital LED display for flow with super bright digits more than .375 inches (9.53 mm) high. Flow rate shall be displayed in GPM. The module shall also have an analog display for

pressure with an expanded scale in the normal operating range for more accurate readings. The pressure indicator input and movement shall be electronic. Pressure shall be displayed in PSI.

All bezels shall be color coded to match the discharge.

The flowmeter/pressure indicator program features shall be accessed from front of the module. The program shall support multiple calibration points for flow and pressure, set points for high and low flow warnings, and flow totalizing functions. The pressure indicating needle shall be microprocessor controlled. The module shall be able to communicate with other FRC Insight flowmeter's over a datalink.

All flowmeters will be positioned in order to minimize ghost reading. Previous units have had to redo their position and were programmed to only display at GPMs over 50. The Flowmeters shall be installed per the OEM's recommended distances for valves and elbows.

FLOWMETER and PRESSURE INDICATOR COLOR CODED BEZEL

A Fire Research FPA option–C0X colored powder coat shall be applied to the flowmeter and pressure indicator bezel.

FRONT BUMPER DISCHARGE OUTLET

One (1) front bumper discharge outlet shall be provided and installed in the location specified.

DISCHARGE VALVE

A 2.50 inch (65 mm) Akron Brass 8000 series swing-out valve with a stainless steel ball.

DISCHARGE VALVE CONTROL

The discharge shall be controlled from the pump operator's panel location.

DISCHARGE PLUMBING

The plumbing shall consist of 2.50 inch (65 mm) piping and shall incorporate a manual drain control installed below the pump area for ease of access. Auto-drain(s) shall be installed in the discharge piping at lowest point of the plumbed system.

FRONT BUMPER DISCHARGE PLUMBING PAINTED

The front bumper discharge plumbing that is outside of the pump house shall be painted black.

DISCHARGE TERMINATION

The discharge termination shall include the following components:

One (1) 2.50 inch (65 mm) NPT x 2.50 inch (65 mm) NST SST chiksan swivel

FRONT BUMPER DISCHARGE LOCATION

The front bumper discharge shall be mounted on top of the gravel shield of the front bumper extension. The discharge shall be placed to the left of the hosewell. The discharge will be installed as far left of the Q2 and far forward as possible.

FRONT BUMPER DISCHARGE CHIKSAN GUARD

The front bumper discharge chiksan shall include a rounded chiksan guard installed on the front bumper gravelshield to prevent the chiksan from hitting the cab. The guard shall be fabricated of brushed SST

FLOWMETER and PRESSURE INDICATOR WITH BACK LIGHT

The discharge shall be equipped with a Fire Research Insight model FPA402 combination digital flowmeter and pressure indicator kit installed on the operator's panel.

The kit shall include a flowmeter/pressure display module, paddlewheel flow sensor, flow sensor housing, pressure sensor, and interconnecting cables. The display module case shall be waterproof, manufactured of anodized machined aluminum, and have dimensions not to exceed 4.375 inches (111 mm) high by 4.375 inches (111 mm) wide by 3.50 inches (88 mm) deep.

The module shall be backlit and shall have a digital LED display for flow with super bright digits more than .375 inches (9.53 mm) high. Flow rate shall be displayed in GPM. The module shall also have an analog display for pressure with an expanded scale in the normal operating range for more accurate readings. The pressure indicator input and movement shall be electronic. Pressure shall be displayed in PSI.

All bezels shall be color coded to match the discharge.

The flowmeter/pressure indicator program features shall be accessed from front of the module. The program shall support multiple calibration points for flow and pressure, set points for high and low flow warnings, and flow totalizing functions. The pressure indicating needle shall be microprocessor controlled. The module shall be able to communicate with other FRC Insight flowmeter's over a datalink.

All flowmeters will be positioned in order to minimize ghost reading. Previous units have had to redo their position and were programmed to only display at GPMs over 50. The Flowmeters shall be installed per the OEM's recommended distances for valves and elbows.

FLOWMETER and PRESSURE INDICATOR COLOR CODED BEZEL

A Fire Research FPA option–C0X colored powder coat shall be applied to the flowmeter and pressure indicator bezel.

DISCHARGE CAPABILITY

The discharge shall be foam & CAFS capable.

BOOSTER REEL

There shall be an electric rewind booster reel (terminating with NST threads) with automatic brake installed on the apparatus. The booster reel shall have a capacity to handle 1.00-inch diameter (25.4 mm) booster hose.

There shall be a manual rewind device provided. A manual crank shall be mounted adjacent to booster reel.

NIEDNER BOOSTER HOSE

The reel shall come equipped with 100 feet (30 m) of 800 psi (55 BAR) Altra Reel booster hose.

The hose shall be provided in one (1) 100 foot (30 m) length with hardcoat aluminum couplings.

The termination of the hose shall be NST threads

REEL FINISH

The hose reel specified shall be steel and painted the standard red utilized by Hannay.

HOSE REEL VALVE

The reel shall be plumbed to the pump with a 1.00 inch (25.40 mm) quarter turn Akron brass 8000 series ball valve and 1.00 inch (25.40 mm) high pressure hose and couplings.

The valve shall be controlled from the operator's panel.

REWIND ACTIVATION

There shall be two (2) electric rewind switches located adjacent to the booster reel, one (1) each side of the pump compartment to match 220096 locations. The switches shall have weather resistant rubber covers and a label indicating their function.

The switches shall be labeled "HOSE REEL".

HOSE REEL LOCATION

The hose reel shall be mounted in dunnage area specified above the pump on the right side.

HOSE REEL ROLLERS

There will be two (2) sets Bell Roller Assemblies installed, one (1) on each side of upper pump house to allow hose payout to either side of the apparatus.

Each set of rollers shall be mounted to the upper side panels, recessed into a notch in the pumphouse to keep the OAH down. Reference 220096.

The discharge shall be plumbed with an auto-drain located at the lowest point of the plumbed system.

FLOWMETER and PRESSURE INDICATOR WITH BACK LIGHT

The discharge shall be equipped with a Fire Research Insight model FPA402 combination digital flowmeter and pressure indicator kit installed on the operator's panel.

The kit shall include a flowmeter/pressure display module, paddlewheel flow sensor, flow sensor housing, pressure sensor, and interconnecting cables. The display module case shall be waterproof, manufactured of anodized machined aluminum, and have dimensions not to exceed 4.375 inches (111 mm) high by 4.375 inches (111 mm) wide by 3.50 inches (88 mm) deep.

The module shall be backlit and shall have a digital LED display for flow with super bright digits more than .375 inches (9.53 mm) high. Flow rate shall be displayed in GPM. The module shall also have an analog display for pressure with an expanded scale in the normal operating range for more accurate readings. The pressure indicator input and movement shall be electronic. Pressure shall be displayed in PSI.

All bezels shall be color coded to match the discharge.

The flowmeter/pressure indicator program features shall be accessed from front of the module. The program shall support multiple calibration points for flow and pressure, set points for high and low flow warnings, and flow totalizing functions. The pressure indicating needle shall be microprocessor controlled. The module shall be able to communicate with other FRC Insight flowmeter's over a datalink.

All flowmeters will be positioned in order to minimize ghost reading. Previous units have had to redo their position and were programmed to only display at GPMs over 50. The Flowmeters shall be installed per the OEM's recommended distances for valves and elbows.

FLOWMETER and PRESSURE INDICATOR COLOR CODED BEZEL

A Fire Research FPA option–C0X colored powder coat shall be applied to the flowmeter and pressure indicator bezel.

DISCHARGE CAPABILITY

The discharge shall be foam capable.

APPARATUS PLUMBING LABELING

Innovative Controls verbiage tag bezels shall be installed. The bezel assemblies will be used to identify apparatus components. These tags shall be designed and manufactured to withstand the specified apparatus service environment and shall be backed by a warranty equal to that of the exterior paint and finish. The verbiage tag bezel assemblies shall include a chrome-plated panel-mount bezel with durable easy-to-read UV resistant polycarbonate inserts featuring the specified verbiage and color coding. These UV resistant polycarbonate verbiage and color inserts shall be subsurface screen printed to eliminate the possibility of wear and protect the inks from fading. Both the insert labels and bezel shall be backed with 3M permanent adhesive, which meets UL969 and NFPA standards.

PLUMBING LABELS

The plumbing labels, where applicable, shall be full color in place of the standard grey.

Color code tag sheet to be ***completed*** during the preconstruction meeting.

FASTENERS FOR LABELS

All labels that are not installed into discharge handles shall be attached with mechanical fasteners.

TRIM BEZELS FOR DISCHARGES AND INLETS

Mirrored stainless steel trim bezels shall be supplied around the openings at the pump panels for all applicable valve controls, discharge & suction inlet fittings.

Any additional cutouts on the pump panels used for access to pump components, such as manual overrides, shall also have trim bezels provided.

TANK TO PUMP LINE

The connection between the tank and the pump shall be capable of the flow recommendations as set forth in NFPA, Standard for Automotive Fire Apparatus, latest revision and shall be tested to those standards when the pump is being certified.

One (1) non-collapsible flexible hose and valve shall be incorporated into the tank to pump plumbing to allow movement in the line as the chassis flexes to avoid damage during normal road operation. Four (4) inch stainless steel schedule 10 piping shall be used to complete the connection from the tank to pump valve to the water tank.

TANK TO PUMP CHECK VALVE

There shall be a tank to pump check valve, conforming to NFPA standard requirements to prevent water from back flowing at an excessive rate if the pump is being supplied from a pressurized source. The check valve shall be mounted as an integral part of the pump suction extension. A hole up to .25 inch (6.00 mm) is allowable in the check valve to release steam or other pressure buildup so that the void between the valve and check valve may drain of water that could be subject to freezing.

TANK TO PUMP VALVE

A 3.50 inch (89 mm) Waterous valve shall be installed.

VALVE CONTROL

The valve shall be controlled from the pump operator's panel location.

TANK FILL LINE

One (1) 2.00 inch (50.80 mm) tank fill/recirculating line shall be installed from the pump directly to the booster tank.

TANK FILL VALVE

A 2.00 inch (50 mm) Akron Brass 8000 series swing-out valve with a stainless steel ball.

VALVE CONTROL

The valve shall be controlled from the pump operator's panel location.

TRI-MAX™ *Space Frame Body* - ALUMINUM

The apparatus body shall be a Tri-Max™ **Space Frame** design, which serves as an incredibly durable, structural body framework. This framework acts as a series of beams and columns that support and protect the body and its contents. The space frame design provides maximum torsional resistance and load capabilities. The entire space frame structure shall be welded together utilizing an A.W.S. Certified welding procedure.

The space frame design shall also be required because it provides energy absorbing impact zones in the structure, thus providing increased safety to the rest of the apparatus and personnel on board. Documented proof of this extra safety shall be required upon request.

The Tri-Max™ body structure shall consist entirely of closed section members, except where the body is mounted to the chassis. Closed section members (such as square, rectangular, triangular, or round tubes) are required because they provide maximum strength and torsion rigidity. This solid tubular structural style of design ultimately adds longevity to the body structure by eliminating flex and twists in material, creating less stress and fatigue. Body designs that use independent sub-frames will not be acceptable.

BODY STRUCTURE MEMBERS

The space frame body shall have triangular shaped structural members in certain areas of the body. This shape is required to prevent loss of useable compartment space. Other body structure members shall be square or rectangular. Each structural member will have a nominal outside dimension of 2.50 inches (63.50 mm) in at least one direction. The body shall be designed for maximum strength to weight ratio, therefore the gauge of sheet metal and structural members varies from .125 inches (3.18 mm) to .250 inches (6.35 mm) throughout, dependent on the design requirement.

BODY MATERIAL TYPE

All body structural members shall be Aluminum 6061-T6 alloy material. All .125 inch (3.18 mm) sheet material shall be Aluminum Alloy 5052-H32, and .250 inch (6.35 mm) sheet materials shall be Aluminum Alloy 3003. These alloys are required because it provides optimum all-around performance for strength, manufacturing properties, and corrosion resistance.

ECK® ANTI-CORROSION PROCESS

Absolutely no dissimilar metals shall be used in the body and its supporting substructure without being separated by Eck®, which prevents corrosion by providing a barrier between dissimilar metals, sealing out moisture and absorbing energy created by a dissimilar metal reaction.

FRONT BODY COMPARTMENT WALLS

The front compartment walls of both forward most compartments shall be sheet finished. No overlay material shall be visible from the interior of the compartments.

REAR BODY COMPARTMENT WALLS

The rear compartment walls of both rearward most compartments shall be sheet finished. No overlay material shall be visible from the interior of the compartments. Access panels from the rear walls shall be strategically placed to ensure access to the rear taillight clusters for any servicing that may be completed.

COMPARTMENT TOP

The top of the compartments shall be an integral portion of the body. No overlay material shall be visible from the interior of the compartments.

COMPARTMENT FLOORS

The body compartments shall be enclosed with aluminum sheet metal as specified above. The compartment floors shall have a 1.00 inch (25.40 mm) lip downward at the door opening side of the compartment. This lip shall integrate with a structural member on the bottom edge and form a “sweep-out” compartment. This design shall also allow for a structural flush fitting door frame and a complete door/weather seal.

COMPARTMENT LOAD CAPACITY

Each compartment shall have a minimum of one additional structural compartment floor support centered on the underside of the compartment floor. This additional member shall be integral with the rest of the body structure. Each compartment must be designed, and 3rd party analyzed to carry a working load of:

Full depth side compartment: 1,000 lbs (453.59 kg) per compartment
Half depth side compartment: 750 lbs (340.19 kg) per compartment
Rear center compartment: 1,500 lbs (680.39 kg)

NOTE: These values are for design purposes only for individual compartment construction and are not meant to be used as an actual overall weight rating for equipment load per compartment for the specified apparatus. The apparatus shall be engineered such that the completed unit, when loaded to its estimated in-service weight, shall comply with the gross axle weight ratings {GAWR}, the overall gross vehicle weight rating {GVWR}, and the chassis manufacturer's load balance guidelines per NFPA.

EXTERIOR HOSE BED WALLS

The exterior hose bed walls shall be an integral portion of the body. The wall shall give a smooth exterior look and finish with no vertical supports tubing visible from the exterior of the truck.

FASTENERS

All bolts and nuts used in the finish construction of the apparatus shall be coated stainless steel which helps prevent dissimilar metal electrolytic reaction and corrosion. Any bolt extending into a compartment or into the hose bed area shall have an acorn nut attached or be protected in such manner where sharp edges are avoided.

FINITE ELEMENT ANALYSIS

The proposed body design must have completed a review and analysis by a legitimate 3rd party engineering firm. At a minimum, the 3rd party must have conducted a computer model finite element analysis of the proposed design. The analysis is to include real world working load scenarios. Analysis to cover both static and dynamic situations must be completed. The purpose of the finite element analysis is to ensure proper design of the apparatus body, and that it is capable of carrying the typical fire apparatus loads and those specified by NFPA for equipment. The analysis process must conclude that the body structure is properly designed and manufactured to provide longevity under normal conditions. The 3rd party must also validate the manufacturing processes are consistent with the design and analysis performed. Proof of having completed this testing must be submitted with the bid.

PPG PAINT SPECIFICATIONS

All bright metal fittings, if unavailable in stainless steel, shall be heavily chrome plated.

Critical body and sub-frame area which cannot be primed after assembly shall be pre-painted.

All welded metal surfaces shall be ground to a smooth surface prior to a degreasing and high pressure, high temperature phosphatizing process. The entire surface shall be sprayed with a non-chromate sealing compound to prevent formulation of stains or flash rust on previously phosphatized parts.

The paint applied to the apparatus shall be PPG Industries Delta® brand, applied throughout a multi-step process including at least two coats of each color and clear coat finish.

The coating shall be an infra-red, baked air dried. The coatings shall provide full gloss finished suitable for application by high-pressure airless or conventional low pressure air atomizing spray.

The coatings shall not contain lead, cadmium or arsenic. The polyisocyanate component shall consist of only aliphatic isocyanates, with no portion being aromatic isocyanates in character. The solvents used in all components and products shall not contain ethylene glycol mono-ethyl ethers or their acetates (commercially recognized as cello solves), nor shall they contain any chlorinated hydrocarbons. The products shall have no adverse effects on the health or nor present any unusual hazard to personnel when used according to manufacturer's recommendations for handling and proper protective safety equipment, and for its intended use.

The coating system, as supplied and recommended for application, shall meet all applicable federal, state and local laws and regulations now in force or at any time during the courses of the bid.

The manufacturer shall supply (upon request) for each product and component of the system, a properly complete OSHA "Safety Data Sheet".

The following documents of the issue in effect on the date of the invitation to quote form a part of this document to the extent specified herein:

Federal Standards: Number 141A and 141B paint, varnish, lacquer and related material: methods of inspection, sampling, and testing.

Military Standard: MIL-C 83486B Coating, Urethane, Aliphatic Isocyanates, for Aerospace applications.

Industry Methods and Standards: ASTM Method of Analysis (American Society for testing and Materials). BMS 10-72A (Boeing Material Specifications).

The entire exterior body structure (excluding roll-up doors) shall receive the primer coats and the finish coats. The apparatus body will be painted in a down draft type paint booth to reduce dust, dirt or impurities in the finish paint. The painted surfaces shall have a finish with no runs, sags, craters, pinholes or other defects. The coating will meet the following test performance properties as a minimum standard.

BODY PAINT COLOR

The apparatus body shall be painted to match PPG 932071 Red

SUPERLINER COMPARTMENT FINISH

The compartment interiors shall be coated with Superliner.

COMPARTMENT FINISH COLOR

The Superliner Color shall be Medium Gray.

STRUCTURAL BODY WARRANTY

A structural Aluminum body warranty shall be provided by the apparatus manufacturer for products of its manufacture to be free from defects in material and workmanship under normal use and service for a period of ten (10) years.

PAINT WARRANTY

A Prorated Paint Warranty shall be provided by the apparatus manufacturer for products of its manufacture to be free from defects in material and workmanship, under normal use and service, for a period of ten (10) years.

BRUSHED STAINLESS STEEL FRONT OVERLAYS

The entire front face of the apparatus body shall have brushed stainless plate overlays installed.

RAW ALUMINUM REAR OVERLAYS

The entire rear face of the apparatus body shall have raw aluminum overlays installed for the installation of chevron striping.

All overlay materials shall be coated with adhesive sealant on the back portion to provide an insulating barrier between dissimilar metals.

FRONT CORNER TRIM 16 GAUGE BRUSHED STAINLESS STEEL

The front of the apparatus body vertical wall overlays shall be installed with a 16 gauge brushed stainless steel 1.00 inch x 1.00 inch corner trim piece, for edge protection. The vertical edge trim shall extend from the top to bottom and shall be fastened at a minimum of three locations, top, middle, and bottom.

REAR CORNER TRIM 16 GAUGE BRUSHED STAINLESS STEEL

The rear face of the apparatus body, vertical wall overlays shall be installed with a 16 gauge brushed stainless steel 1.00-inch by 1.00-inch corner trim piece, for edge protection. The vertical edge trim shall extend from the top to bottom and shall be fastened at a minimum of three locations, top, middle, and bottom.

The vertical edge trim piece that is protecting the chevron striping surface or that is utilized for the purpose of striping, shall be secured utilizing fasteners only.

CATWALKS

The catwalks shall be constructed of 3/16" smooth aluminum and coated with black Phoenix Coatings.

VIBRA-TORQ™ BODY MOUNTING SYSTEM

The entire body module assembly shall be mounted so that it “floats” above the chassis frame rails exclusively with Vibra-Torq™ torsion isolator assemblies to reduce the vibration and stress providing an extremely durable body mounting system.

The body substructure shall be mounted above the frame to allow independent flexing to occur between the body and the chassis. Each assembly shall be mounted to the chassis frame rails with steel, gusseted mounting brackets. Each bracket shall be powder coated for corrosion resistance. Each body mount bracket shall be mounted to the side chassis frame flange with two 5/8”-UNC Grade 5 HHCS.

Each assembly shall have a two-part rubber vibration isolator. The isolator shall be of a specific durometer to carry the necessary loads of the apparatus body, equipment, tank, water, and hose. The quantity of mounts utilized shall correspond directly to the anticipated weight being supported. Certain assemblies shall also incorporate a torsion spring. Helical coil springs shall be incorporated into specific mounts in tandem with the rubber isolators to minimize the stress absorbed by the body caused from chassis frame rail flexing.

There shall be no welding to the chassis frame rail sides, web or flanges, or drilling of holes in the top or bottom frame flanges between axles. All body to chassis connections shall be bolted so that in the event of an accident, the body shall be easily removable from the truck chassis for repair or replacement.

Because of the constant vibration and twisting action that occurs in chassis frame rails and suspension, the torsion mounting system is required to minimize the possibility of premature body structural failures. The Vibra-Torq™ body mounting system shall have a twenty (20) year or 100,000 miles limited warranty in accordance with, and subject to, warranty certificate RFW0710.

BODY STRUCTURE WIDTH

The width of the apparatus body from the outside of the left compartments to the outside of the right compartments shall be 99.00 inch (2.51 m) excluding any attached peripherals such as rub rails, fenderettes, grab handles, etc.

COMPARTMENT VENTILATION

To allow for proper air circulation & flow, each compartment except for L2/R2, shall have a venting route. The venting locations shall be determined by best-fit for each body configuration. Chrome louvered plate vents shall be installed appropriately on the compartment interior walls.

COMPARTMENTATION

The following compartments shall be supplied on the apparatus:

Compartment "L1"

There shall be one (1) full height compartment ahead of the rear wheels on the left side of the apparatus.

The approximate interior dimensions of this compartment shall be 39.00 inches (990.60 mm) wide by 74.00 inches (1879.60 mm) high with a lower depth of 25.50 inches (647.70 mm) and an upper depth of 12.50 inches (317.50 mm).

The framed opening shall measure 36.50 inches (927.10 mm) wide by 70.00 inches (1778.00 mm) high.

Compartment "L2"

There shall be one (1) compartment located directly over the rear wheels on the left side of the apparatus.

The approximate interior dimensions of this compartment shall be 62.00 inches (1574.80 mm) wide by 45.25 inches (1149.35 mm) high with a depth of 12.50 inches (317.50 mm).

The framed opening shall measure approximately 62.00 inches (1574.80 mm) wide by 40.50 inches (1028.70 mm) high. The lower 4.50 inches of the compartment shall be a depth of 25.50 inches.

Compartment "L3"

There shall be one (1) full height compartment located behind the rear wheels on the left side of the apparatus.

The approximate interior dimensions of this compartment shall be 43.00 inches (1092.20 mm) wide by 74.00 inches (1879.60 mm) high with an upper depth of 12.50 inches (317.50 mm) and the lower portion being transverse into the rear compartment, unless partitions are installed.

The framed opening shall measure approximately 40.50 inches (1028.70 mm) wide by 70.00 inches (1778.0 mm) high.

Compartment "R1"

There shall be one (1) full height compartment located ahead of the rear wheels on the right side of the apparatus.

The approximate interior dimensions of this compartment shall be 39.00 inches (990.60 mm) wide by 74.00 inches (1879.60 mm) high with a lower depth of 25.50 inches (647.70 mm) and an upper depth of 12.50 inches (317.50 mm).

The framed opening shall measure approximately 36.50 inches (927.10 mm) wide by 70.00 inches (1778.00 mm) high.

Compartment "R2"

There shall be one (1) compartment located directly over the rear wheels on the right side of the apparatus.

The approximate interior dimensions of this compartment shall be 62.00 inches (1574.80 mm) wide by 45.25 inches (1149.35 mm) high with a depth of 12.50 inches (317.50 mm). The lower 4.50 inches of the compartment shall be a depth of 25.50 inches.

The framed opening shall measure approximately 62.00 inches (1574.80 mm) wide by 40.50 inches (1028.70 mm) high.

Compartment "R3"

There shall be one (1) full height compartment located behind the rear wheels on the right side of the apparatus.

The approximate interior dimensions of this compartment shall be 43.00 inches (1092.20 mm) wide by 74.00 inches (1879.60 mm) high with an upper depth of 12.50 inches (317.50 mm) and the lower portion being transverse into the rear compartment, unless partitions are installed.

The framed opening shall measure approximately 40.50 inches (1028.70 mm) wide by 70.00 inches (1778.00 mm) high.

DOOR CONSTRUCTION

All horizontal and vertical side compartment doors shall be roll-up style doors.

R·O·M ROLL-UP DOOR

A R•O•M Corporation Series IV roll-up shutter door shall be installed. Each shutter slat, track, bottom rail, and drip rail shall be constructed from anodized 6063 T6 aluminum.

Shutter slats shall feature a double wall extrusion 0.315 inches thick with a concave interior surface to minimize loose equipment jamming the shutter door closed. Shutter slats shall feature an interlocking end shoe to prevent side to side binding of the shutter door during operation. Slats must have interlocking joints with an inverted locking flange. Slat inner seal shall be a one piece PVC extrusion; seal design shall be such to prevent metal to metal contact while minimizing dirt and water from entering the compartment.

Shutter door track shall be one piece design with integral overlapping flange to provide a clean finished look without the need of caulk. Door track shall feature an extruded Santoprene rubber double lip low profile side seal with a silicone co-extruded back to reduce friction during shutter operation.

Shutter bottom rail shall be a one piece double wall extrusion with integrated finger pull. Finger pull shall be curved upward with a linear striated surface to improve operator grip while operating the shutter door. Bottom rail shall have a smooth contoured interior surface to prevent loose equipment from jamming the shutter door. Bottom rail seal shall be made from Santoprene; it will be a double “V” seal to prevent water and debris from entering compartment. Bottom rail lift bar shall be a one piece “D” shaped aluminum extrusion with linear striations to improve operator grip during operation. Lift bar shall have a wall thickness of 0.125 inches. Lift bar shall be supported by no less than two pivot blocks; pivot blocks shall be constructed from Type 66 Glass filled reinforced nylon for superior strength. Bottom rail end blocks shall have incorporated drain holes which will allow any moisture that collects inside the extrusion to drain out.

Shutter door shall have an enclosed counterbalance system. Counterbalance system shall be 4.00 inches in diameter and held in place by 2 heavy duty 18 gauge zinc plated plates. Counterbalance system shall have 2 over-molded rubber guide wheels to provide a smooth transition from vertical track to counterbalance system.

R·O·M ROLL-UP DOOR

A R•O•M Corporation Series IV roll-up shutter door shall be installed. Each shutter slat, track, bottom rail, and drip rail shall be constructed from anodized 6063 T6 aluminum.

Shutter slats shall feature a double wall extrusion 0.315 inches thick with a concave interior surface to minimize loose equipment jamming the shutter door closed. Shutter slats shall feature an interlocking end shoe to prevent side to side binding of the shutter door during operation. Slats must have interlocking joints with an inverted locking flange. Slat inner seal shall be a one piece PVC extrusion; seal design shall be such to prevent metal to metal contact while minimizing dirt and water from entering the compartment.

Shutter door track shall be one piece design with integral overlapping flange to provide a clean finished look without the need of caulk. Door track shall feature an extruded Santoprene rubber double lip low profile side seal with a silicone co-extruded back to reduce friction during shutter operation.

Shutter bottom rail shall be a one piece double wall extrusion with integrated finger pull. Finger pull shall be curved upward with a linear striated surface to improve operator grip while operating the shutter door. Bottom rail shall have a smooth contoured interior surface to prevent loose equipment from jamming the shutter door. Bottom rail seal shall be made from Santoprene; it will be a double “V” seal to prevent water and debris from entering compartment. Bottom rail lift bar shall be a one piece “D” shaped aluminum extrusion with linear striations to improve operator grip during operation. Lift bar shall have a wall thickness of 0.125 inches. Lift bar shall be supported by no less than two pivot blocks; pivot blocks shall be constructed from Type 66 Glass filled reinforced nylon for superior strength. Bottom rail end blocks shall have incorporated drain holes which will allow any moisture that collects inside the extrusion to drain out.

Shutter door shall have an enclosed counterbalance system. Counterbalance system shall be 4.00 inches in diameter and held in place by 2 heavy duty 18 gauge zinc plated plates. Counterbalance system shall have 2 over-molded rubber guide wheels to provide a smooth transition from vertical track to counterbalance system.

SIDE COMPARTMENT DOORS/TRACK/TRIM/WET PAINTED

The side compartment roll up doors, track and trim shall be wet finish painted to color match the apparatus body.

ROLL-UP DOOR PROTECTORS

There shall be a protective cover installed under each body side compartment door roll to protect the door in the rolled up position.

ROLL-UP DOOR PROTECTOR FINISH

The roll-up door protector shall be left Natural finish.

DOOR ASSIST STRAPS

There shall be nylon straps installed on both the left and right body side 'high side' compartment doors to assist in closing the door. The strap shall be attached to each door and permanently mounted to the rearward wall with footman loops using Nutserts, halfway between the top and bottom of the compartment.

DOOR OPEN INDICATOR

Each roll up door shall have an integral door open indicator magnet in the lift bar.

If the door is not properly closed and the parking brake is released, it shall activate the “hazard light” in the cab to alert the crew.

REAR CENTER COMPARTMENT

There shall be one (1) compartment, "B1", located at the rear of the apparatus, below the hose bed access area.

The approximate interior dimensions of this compartment shall be 43.00 inches wide and 33.00 inches high or as high as possible determined by the hose bed height and rear configuration. The depth shall be 25.00 inches maximized for the suspension specified for the chassis.

The framed opening shall be approximately 34.00 inches wide and 27.00 inches high.

REAR COMPARTMENT DOOR

A non-locking R•O•M Corporation Series IV roll-up shutter door shall be installed. Each shutter slat, track, bottom rail, and drip rail shall be constructed from anodized 6063 T6 aluminum.

Shutter slats shall feature a double wall extrusion 0.315 inches thick with a concave interior surface to minimize loose equipment jamming the shutter door closed. Shutter slats shall feature an interlocking end shoe to prevent side to side binding of the shutter door during operation. Slats must have interlocking joints with an inverted locking flange. Slat inner seal shall be a one piece PVC extrusion; seal design shall be such to prevent metal to metal contact while minimizing dirt and water from entering the compartment.

Shutter door track shall be one piece design with integral overlapping flange to provide a clean finished look without the need of caulk. Door track shall feature an extruded Santoprene rubber double lip low profile side seal with a silicone co-extruded back to reduce friction during shutter operation.

Shutter bottom rail shall be a one piece double wall extrusion with integrated finger pull. Finger pull shall be curved upward with a linear striated surface to improve operator grip while operating the shutter door. Bottom rail shall have a smooth contoured interior surface to prevent loose equipment from jamming the shutter door. Bottom rail seal shall be made from Santoprene; it will be a double “V” seal to prevent water and debris from entering compartment. Bottom rail lift bar shall be a one piece “D” shaped aluminum extrusion with linear striations to improve operator grip during operation. Lift bar shall have a wall thickness of 0.125 inches. Lift bar shall be supported by no less than two pivot blocks; pivot blocks shall be constructed from Type 66 Glass filled reinforced nylon for superior strength. Bottom rail end blocks shall have incorporated drain holes which will allow any moisture that collects inside the extrusion to drain out.

Shutter door shall have an enclosed counterbalance system. Counterbalance system shall be 4.00 inches in diameter and held in place by 2 heavy duty 18 gauge zinc plated plates. Counterbalance system shall have 2 over-molded rubber guide wheels to provide a smooth transition from vertical track to counterbalance system.

REAR CENTER COMPARTMENT DOOR FINISH

The rear center compartment door, track and trim shall be aluminum and wet painted to match the apparatus body color.

ROLL-UP DOOR PROTECTOR

There shall be a protective cover installed under the rear compartment door roll to protect the door in the rolled up position.

ROLL-UP DOOR PROTECTOR FINISH

The roll-up door protector shall be left Natural finish.

DOOR OPEN INDICATOR

Each roll up door shall have an integral door open indicator magnet in the lift bar.

If the door is not properly closed and the parking brake is released, it shall activate the “hazard light” in the cab to alert the crew.

FUEL TANK ACCESS PANEL

There shall be a removable panel located on the interior back wall of the rear center compartment for maintenance access to the chassis fuel tank.

REAR COMPARTMENT PARTITIONS

The rear center compartment of the apparatus shall have permanent partitions installed on each side to increase utilization of the rear center area and to block access to either of the side compartments. The partitions shall be constructed of the same materials as used in the body structure and shall be welded in place to form permanent compartmentation.

SILL PLATES

Brushed stainless steel sill plates shall be installed at the bottom of each body compartment door opening.

ONSCENE COMPARTMENT STRIP LIGHTING

OnScene "Access" LED strip lighting shall be installed in the compartments as specified. Each light strip shall be of maximum length available to fit the opening.

The lighting in each compartment shall be on a separate circuit, and only illuminate when the compartment doors are open.

Two (2) full length "Access" LED strip lights shall be installed in two (2) over wheel compartment(s), one (1) each side of framed opening.

Two (2) full length "Access" LED strip lights shall be installed in four (4) full height compartment(s), one (1) each side of framed opening.

Two (2) full length "Access" LED strip lights shall be installed in the rear center compartment, one (1) each side of framed opening.

COMPARTMENT LIGHTING ACTIVATION

Each compartment light shall be activated with the ignition, park brake and the respective compartment door open switch.

REAR TAILBOARD

The rear of the apparatus body shall be vertical in design - otherwise known as a 'flat-back'.

The rear tailboard shall be fabricated of the same tubular materials as used in the apparatus body.

The tailboard shall be two (2) independent assemblies welded to the rear body structural framing to provide body protection and a solid rear stepping platform. The center section shall be framed for a slide out platform.

The rear step shall be designed to incorporate "crush zone" technology. This idea incorporates lighter materials in the tailboard than the body structure so the step will "crush" in a collision before the body structure.

On the rear body surface, a sign shall be attached that states: "DO NOT RIDE ON REAR STEP, DEATH OR SERIOUS INJURY MAY RESULT."

The rear tailboard and body shall be constructed such that the angle of departure shall be no less than 8 degrees at the rear of the apparatus when fully loaded, per NFPA, Standard for Automotive Fire Apparatus.

TAILBOARD LENGTH

The rear tailboard shall be approximately 13.50 inches (342.90 mm) deep and shall incorporate a .188 inch (4.78 mm)smooth aluminum overlay that is coated with black Phoenix Coatings.

The stepping area shall span the width of the apparatus, overlapping the perimeter of the structural tailboard framework.

SLIDE OUT PLATFORM

One (1) slide out platform, utilizing an OnScene Solutions brand slide shall be installed at the center of the rear tailboard, approximately 1.00 inch (25.4 mm) below the split outward tailboard sections.

The platform shall be 41.00 inches wide and shall extend approximately 20.00 inches from the stowed position. The platform stepping surface shall be constructed of .188 inch (4.76 mm) smooth aluminum with black Phoenix Coatings coating.

The face of the platform shall have no rub rail installed for ease of deployment. The step will be reinforced on the back edge.

The platform shall lock into place while in the extended and stowed positions. There shall be a reinforcement channel on the back of the step.

If the slide out platform is not properly stowed and the parking brake is released, it shall activate the hazard light in the cab to alert the crew.

WHEEL WELLS

Wheel wells shall have semicircular black polymer composite inner liners that are bolted to the wheel well panel and supported inboard by brackets that are connected to the body framework. Each wheel well shall be a continuous piece with no breaks or ledges where road grime or debris may accumulate. This liner shall be removable for access to suspension assembly for repairs. There shall be no exception to the bolted wheel well inner liner requirement.

WHEEL WELL MODULES

The body wheel well area shall be fabricated of same material type as the body and finish painted. There shall be “smart storage” compartmentation features incorporated on each side of the apparatus body wheel well modules to utilize and maximize storage space availability.

WHEEL WELL ROLL-OUT DRAWER

There shall be one (1) roll-out drawer installed above the rear wheel on the left side of the body in the L-2 compartment. The drawer shall be as wide and as deep as the compartment allows and shall have a 220 pound capacity. There shall be drain holes installed in the corners of the tray.

The slide assemblies shall incorporate cadmium plated ball bearing roller slides and a lock-in, lock-out (FDR) front drawer release system.

ADJUSTABLE SHELF

There shall be one (1) full width shelf provided and installed above the internal roll-out drawer assembly. The shelf shall have a vertical height adjustment of 8.00 inches utilizing dull aluminum brackets.

WHEEL WELL ROLL-OUT DRAWER

There shall be one (1) roll-out drawer installed above the rear wheel on the right side of the body in the R-2 compartment. The drawer shall be as wide and as deep as compartment allows and shall have a 220 pound capacity. There shall be drain holes installed in the corners of the tray.

The slide assemblies shall incorporate cadmium plated ball bearing roller slides and a lock-in, lock-out (FDR) front drawer release system.

ADJUSTABLE SHELF

There shall be one (1) full width shelf provided and installed above the internal roll-out drawer assembly. The shelf shall have a vertical height adjustment of 8.00 inches utilizing dull aluminum brackets.

LEFT FRONT WHEEL WELL

There shall be provisions in the wheel well on the left side in front of the axle.

FIRE EXTINGUISHER STORAGE COMPARTMENT

The compartment shall hold one (1) 2.5 gallon water extinguisher and one (1) 20 lb. ABC fire extinguisher.

The depth of these compartments will be 25.00 inches (635.00 mm). There will need to be a cutout on the back side to extend the storage areas deeper toward the frame rail.

LEFT REAR WHEEL WELL

There shall be provisions in the wheel well on the left side behind the axle.

INTEGRATED FLOOR DRY STORAGE MODULE

A floor dry storage module with pivoting re-fill access door shall be provided and installed in the apparatus wheel well area as specified.

The floor dry storage module shall be manufactured as large as possible to maximize the available space. The module shall be integrated into the wheel well area and be capable of storing up to approximately 40 pounds of all-purpose floor dry absorbent compound material pending type and brand used by fire department.

A manual drain shall be located at the bottom of the compartment for ease of dispensing the material.

The storage module shall be labeled "Floor Dry".

SMART STORAGE FUEL FILL ASSEMBLY

There shall be a fuel fill assembly located on the apparatus body accessing the chassis supplied fuel tank. The assembly shall be located in the rear Smart Storage module specified behind the rear axle.

There shall be a drain in the fuel fill assembly to allow overflow to drain on the back side of the apparatus body. The fuel fill cap shall be manufactured of plastic materials, green in color and equipped with a tether.

The fuel fill cap shall be labeled "DIESEL FUEL". The fuel fill neck shall have a .375 inch inside diameter vent line installed from the top of the fuel tank to the fill tube.

RIGHT FRONT WHEEL WELL

There shall be provisions in the wheel well on the front side in front of the axle.

SCBA COMPARTMENT

The compartment shall hold three (3) 6.75 inch (171.45 mm) Diameter x 24.00 inch (609.60 mm) long SCBA bottles with 1.00 inch (25.40 mm) nylon safety loops installed.

RIGHT REAR WHEEL WELL

There shall be provisions in the wheel well on the right side behind the axle.

SCBA COMPARTMENT

The compartment shall hold three (3) 6.75 inch (171.45 mm) Diameter x 24.00 inch (609.60 mm) long SCBA bottles with 1.00 inch (25.40 mm) nylon safety loops installed.

SMART STORAGE DOORS

The smart storage compartment doors shall be .188 inch smooth aluminum and painted to match body job color. Where a module storage compartment is specified, a hinged door shall be provided. Each compartment door shall be secured with a push button latch.

DOOR OPEN INDICATOR

There shall be a switch installed for each smart storage compartment door.

If the door is not properly closed and the parking brake is released, it shall activate the “hazard light” in the cab to alert the crew.

FENDERETTES

Two (2) polished stainless steel fenderettes shall be provided and installed on body rear wheel well openings, one (1) each side. Rubber welting shall be provided between the body and the crown to seal the seam and restrict moisture from entering. A dielectric barrier shall be provided between the fender crown fasteners (screws) and the fender sheet metal to resist deterioration.

HOSE STORAGE

A hose bed shall be provided and installed as long and as deep as the tank volume, rear configuration, and the body height allows. At a minimum the capacity of the hose bed shall meet the latest version of NFPA, Standard for Automotive Fire Apparatus.

The hose bed shall have a slotted .25 inch (6.35 mm) aluminum flooring installed to allow drainage through the tank cavity to the ground below.

The aluminum flooring shall be manufactured in discrete sections to allow for ease of removal and stability. The area shall be free of sharp edges to protect the hose when loading and unloading.

HOSE BED AREA

The hose bed area of the apparatus shall be overlaid with brushed stainless steel material.

HOSE BED AREA TRIMMED W/ BRUSHED SST

The vertical corners at the back hose bed shall be trimmed with brushed stainless steel. The trim shall extend from the hose floor level up to the top edge of the body side.

HOSE BED WALL CAP

The top rail on the hose bed side walls shall have a trim cap fabricated of 16 gauge brushed 304L stainless steel. The cap shall run the entire length of the hose bed side wall and shall provide a smooth surface with a highly finished appearance. It shall extend down at least 1.00 inch on each side of the hose bed side wall.

HOSE BED WALL HEIGHT

The walls of the hose bed shall be 88.00 inches (2.23 m) tall, measured from the bottom edge of the compartments to the top flange.

DEALER PROVIDED & INSTALLED HOSE RESTRAINT

The dealer shall provide a means of restraining the hose stored in the hose bed to prevent inadvertent deployment of hose during transit. A hose restraint safety label shall be affixed by the Dealership and visible to personnel at each hose storage area.

LED HOSE BED LIGHTING

There shall be four (4) 44.00 inch OnScene "Access" LED strip lights installed with protective angles. Two (2) each side at the top of the hose bed walls, centered from front to back.

HOSE BED LIGHT ACTIVATION

The hose bed lights shall be activated by a WORK LIGHTS weatherproof rocker switch located at the back of the truck.

HOSE BED DUNNAGE AREA

A vertical bulkhead shall be provided and installed at the front of the hose bed area, behind the water tank fill tower, forming a storage area that is separated from the hose bed.

The rear face of the bulkhead shall serve as a mounting surface for the hose bed dividers, resulting in the ability to move any hose bed divider across the entire width of the hose bed.

This area shall utilize brushed stainless steel.

REINFORCED HOSE BED DIVIDER WITH HAND CUTOUT

There shall be a full height adjustable reinforced hose bed divider provided and installed in the hose bed area of the apparatus body.

The divider shall be fabricated of .25 inch (6.35 mm) thick aluminum plate with a double sided reinforcement and attached to the adjustable slide rails. The rear of the divider shall have a radius to provide a smooth corner and a hand cut out to aid in access to the hose bed area. The top and rear edges shall be reinforced with 1.00 inch (25.40 mm) round aluminum tubing for extra rigidity. Hose payout shall be unobstructed by the divider.

There shall be a total of one (1) provided and installed in the hose bed.

SCALLOP CUTOUTS FOR HOSE BED DIVIDER(S)

Along the top edge of each adjustable hose bed divider specified there shall be three (3) equally spaced scalloped cutouts (belly cutouts) that shall be 10.00 inches, not to exceed more than half the height of the divider itself without affecting structural integrity.

HOSE LOAD

The hose bed shall accommodate the following hose loads:

BAY 1:

-600 feet of 3.00 inch hose in a double stack

BAY 2:

-1000 feet of 5.00 inch hose quadruple stacked

BAY 3:

-300 feet of 3.00 inch hose double stacked

TANK CAPACITY

The tank shall be 750 gallons (2839 liters) in capacity and have an 'L' configuration with the majority of the water being located at the front of the body creating a low hose bed.

PRO POLY POLYPRENE TANK

The water tank shall be designed to utilize cavities that have commonly been wasted space. The water tank shall extend up and over the rear center compartment to just behind the rear body wall. The water tank shall fill the void between the main hose bed floor and the top of the rear center compartment. This tank design shall provide for a lower overall tank height, resulting in a lower overall main hose bed height. In addition, this design shall create a lower center of gravity of the vehicle, for improved vehicle handling.

TANK CONSTRUCTION

The booster tank shall be constructed of .50 inch (12.70 mm) thick Polyprene sheet stock which is a non-corrosive stress relieved thermoplastic. It shall be designed to be completely independent of the body and compartments. All joints and seams are extrusion welded and/or contain the "Bent Edge" and tested for maximum strength and integrity. The top of the booster tank is fitted with lifting eyes designed with a 3 to 1 safety factor to facilitate tank removal.

COVER

The tank cover shall be constructed of .50 inch (12.70 mm) thick Polyprene and shall be recessed. A minimum of two lifting dowels shall be drilled and tapped .50 inch (12.70 mm) x 2.00 inch (50.00 mm) to accommodate the lifting eyes.

BAFFLES

The swash partitions shall be manufactured from .50 inch (12.70 mm) Polyprene. All partitions shall be equipped with vent and air holes to permit movement of air and water between compartments to provide maximum water flow. All swash partitions interlock and are welded to one another as well as to the walls of the tank.

MOUNTING

The tank shall have a reinforced .75 inch (19.10 mm) floor for added strength and durability. The tank shall be isolated from the body substructure cross members with .50 inch (12.70 mm) x 2.50 inch (65.00 mm) rubber

strips that are 60 durometer in hardness. The tank shall sit nested inside the center body substructure and shall be completely removable without disturbing the body side panels. Tank stops on all four sides will keep the tank from shifting front to back or side to side.

TANK WARRANTY

A lifetime tank warranty will be provided by the tank manufacturer, Pro Poly.

Please see the official warranty document in the appendix (attached) for specific details.

FILL TOWER

The fill tower opening shall be approximately 13.00 inches (330.20 mm) x 12.00 inches (304.80 mm).

The tower will have a .25 inch (6.40 mm) thick removable Polyprene screen and a Polyprene hinged type cover that will open if the tank is filled at an excess rate. There shall be a removable .25 inch (6.40 mm) thick Polyprene screen to prevent debris from falling into the tank.

The fill tower shall have a 4.00 inch (100.00 mm) overflow that will discharge underneath the tank, behind the rear axle(s), avoiding the chassis fuel tank and suspension components where applicable. The overflow shall terminate above the tank water level when filled to the rated capacity.

The label color is to be blue.

All labels and tank overflow extension shall match 220096.

FILL TOWER LOCATION

The fill tower shall be located to the left side at the front of the hose bed.

SUMP

The sump will be constructed in an 8.00 inch (203.20 mm) x 16.00 inch (406.40 mm) x 1.00 inch (25.40 mm) deep area.

The construction material shall utilize .50 inch (12.70 mm) Polyprene and be located in line with the tank suction valve. There shall be a 4.00 inch (100.00 mm) schedule 40 Polyprene tube installed that will run from the suction outlet to the sump location. The tank will have an anti-swirl plate located approximately 2.00 inch (50.00 mm) above the sump.

SUMP PLUG

The sump shall have a 3.00 inch (77.00 mm) plug for use in draining and cleaning out the tank.

OUTLETS

In addition to the tank suction valve outlet located in the sump, there shall be an outlet provided for the tank fill valve. If there are any additional options selected (such as an extra tank suction or direct tank inlets), there shall be additional outlets provided to accommodate these items.

LADDER COMPARTMENT

The ground ladders shall be stored within a compartment installed beside the booster tank.

All items shall be stored in their own independent section to allow one item to be removed without disturbing another. There shall be polypropylene slide angles installed in each section where applicable, and for the ladders to slide on. There shall be a stop in the front of each section to prevent the items from sliding forward.

The ladder box door needs to sit flush with the Phoenix Coatings step above the door to match 220096.

The top rearward portion of the ladder compartment shall be trimmed with brushed stainless steel and shall have stainless steel angles installed for the gripping area. Match 220096 for the step.

LADDER COMPARTMENT MATERIAL

The ground ladder compartment shall be fabricated of .125-inch smooth aluminum.

LADDER COMPARTMENT LOCATION

The ground ladder compartment shall be mounted vertically on the right side of the water tank.

LADDER COMPARTMENT OPEN END

The compartment shall be enclosed through the tank and open at the pumphouse end; where "stops" will be incorporated to prevent the ladders from sliding forward and damaging internal pumphouse components.

The stops shall be the "Austin" style stops.

LADDER COMPARTMENT DOOR HINGE LOCATION

The door hinge shall be mounted vertically across the inboard edge of the compartment door opening.

LADDER COMPARTMENT DOOR CONSTRUCTION

There shall be a lap door with a slam latch provided to secure the ladders during transit.

The latch shall attach to the door assembly without any fasteners penetrating the door skin material, with a rubber gasket provided between the handle and the door skin. The door latch assembly must be completely enclosed by the door assembly, to prevent damage from shifting equipment carried in the compartment. An adjustable striker shall be provided for easy adjustment in the future.

The door shall utilize a weather strip applied to the backside of the door skin to prevent moisture and debris from entering the compartment.

If the door is not properly closed and the parking brake is released, it shall activate the “hazard light” in the cab to alert the crew.

LADDER COMPARTMENT DOOR MATERIAL

The ladder compartment door shall be fabricated of 5052 smooth aluminum and finish painted to match the body.

LADDER COMPARTMENT DOOR HANDLE

The ladder compartment doors handle shall be an Eberhard ergonomic pull handle.

LADDER COMPLEMENT

The following ladders shall be supplied with the apparatus:

One (1) Duo-Safety 24 foot (7.0 m) two (2) section aluminum extension ladder(s), model 900A.

One (1) Duo-Safety 14 foot (4.0 m) aluminum roof ladder(s) with folding hooks, model 775A.

One (1) Duo-Safety 10 foot (3.0 m) aluminum attic ladder(s), model 585A.

PIKE POLE STORAGE SLOTS

There shall be four (4) slots provided for storage of the pike poles installed with the ground ladder complement.

The pike poles provided shall be standard hook with straight handle.

The pike poles shall be supplied and installed by the Dealer before the apparatus is placed into service.

The dealer provided pike poles include:

One (1) 8' round "D" handle New York Roof Hook

One (1) 8' round "D" handle trash hook

One (1) 12' NY Roof Hook with D handle

STORAGE ABOVE LADDER COMPARTMENT

The inner side wall of the ladder compartment shall be extended vertically to the same height as the body side sheet or as high as permitted by design to create a dunnage area above the ground ladder compartment.

This storage area shall be open to the top and to the rear.

Where applicable by design, the construction style of the extension shall be similar to hose bed divider style if provided. The inboard face of the sheet shall be overlaid with matching material type of the hose bed interior side sheets.

There shall be slotted hose bed flooring installed with approximately 1.00 inch clearance above the ladder box allowing for drainage.

COMPARTMENT UNISTRUT

Vertically mounted Unistrut shall be installed in all apparatus body compartments, except those noted, to accommodate the installation of shelves, trays, and or other miscellaneous equipment.

There will not be unistrut in the L2/R2 compartments or the upper rear wall of the L1/R1 compartments as there is no divider between the L1/L2 & R1/R2 compartments.

OVER-WHEEL COMPARTMENT PARTITIONS- PARTIAL FRONT & FULL REAR

Compartment partitions fabricated of the same material as the body shall be permanently installed in the left over-wheel compartment, right over-wheel compartment, or both where applicable by design.

The partial-height partition shall be installed flush to the forward frame opening and the full- height partition shall be installed flush to the rearward frame opening. The partitions shall include slots cut into the partitions allowing 8.00 inches of vertical adjustment for the installation of shelves if specified.

The partitions shall aid in keeping loose equipment from falling into the fore and aft compartments.

Vertical uni-strut will not be installed in the over-wheel compartments or the upper rear wall of the forward full height compartments.

SHELVING

The shelving shall be made out of .190 inch (4.83 mm) smooth aluminum sheet material with a formed 2.00 inch (50.80 mm) lip on the front and back.

The side mounting brackets shall be provided for vertical adjustment.

Standard manufacture shelf construction capacity ratings are as follows, any requested change to the manufacture's standard design may affect/reduce the ratings accordingly:

Shelving shall be rated at a capacity of 200 pounds (90.72 kg) and applicable to the design configuration.

The following shelving shall be provided:

UPPER HALF DEPTH SHELVING

A full width x half depth shelf shall be provided and installed in the upper area of the compartment specified.

There shall be a total quantity of five (5) provided.

UPPER SHELF DEPTH MODIFICATION

Any shelf specified to be installed in the upper body side compartments shall be reduced in depth by 1.00 inch (25.40 mm) for installation of wall mount tool boards.

- One (1) located in the L1 compartment.

There shall be unistrut installed on the bottom of the shelf for the toolboards in the full depth portion (called out later in the spec).

- One (1) located in the L3 compartment.

- One (1) located in the R1 compartment.

- Two (2) located in the R3 compartment.

ROLL OUT TRAY(S)

Each tray shall be fabricated of .19 inch (4.83 mm) thick 3003 grade or higher aluminum sheet material with four (4) 3.00 inch (76.20 mm) side flanges, corner welded for maximum strength and shall be as wide and as deep as compartment allows.

The following shall be supplied:

ROLL-OUT ASSEMBLY/ONSCENE

The floor mounted tray shall be full width and shall be secured to an (OnScene) rollout slide system constructed of anodized aluminum extrusions and assembled using stainless steel fasteners (no welds).

The slide shall use a three extrusion rail design utilizing twelve to sixteen (12-16) urethane rollers. The roller shall contain two (2) precision roller bearings mounted in an aluminum hub with a molded on urethane cover. The slide shall have a cable operated, spring loaded latch complemented by a large hand opening and red pull handle (Pull to Release). The slide shall lock in the closed and full extension positions.

The tray shall have a 1000# capacity and 100% extension.

There shall be a total quantity of three (3) provided.

- One (1) located in the L3 compartment.

- One (1) located in the R3 compartment.

- One (1) located in the rear center compartment.

ROLL-OUT ASSEMBLY/SPARTAN

The floor mounted tray shall be full width and shall be secured to a Spartan 22.00 inch (558.80 mm) long ball bearing "heavy duty" slide assembly. The slide assemblies shall incorporate cadmium plated ball bearing roller slides and a lock-in, lock-out front drawer release system (FDR).

The tray shall have a 300# capacity and 100% extension.

There shall be a total quantity of one (1) provided.

- One (1) located in the R1 compartment.

SHELF AND TRAY FINISH

The shelf(s) or roll-out tray(s) installed shall have a dual-action sanded finish applied on all four sides

WALL MOUNTED TOOL BOARD/PAC-TRAC

A Pac Trac tool board with DA finish shall be installed to the back wall of the compartment as specified. The completed tool board assembly shall be attached directly to the upper back wall utilizing custom manufactured plate or angle brackets.

There shall be a total quantity of five (5).

- One (1) located in the L1 compartment.

- One (1) located in the L2 compartment.

- One (1) located in the L3 compartment.

- One (1) located in the R1 compartment.

- One (1) located in the R2 compartment. There shall also be two (2) fabricated Little Giant ladder mounting brackets supplied on the toolboard. The brackets shall be fabricated from aluminum. Reference 220096.

SIDE RUB RAILS (ALUMINUM CHANNEL)

The lowest edge of the apparatus body side compartments shall be trimmed with brightly anodized aluminum channel rub rail material.

The rub rails shall be approximately 3.00 inches high with flanges turned outwards for increased rigidity, with each end chamfered to a 45 degree angle. The rub rails shall not be constructed as an integral part of the apparatus body structure, allowing each rub rail to be easily removed in the event of damage.

The rub rails shall be secured with stainless steel fasteners and spaced away from the apparatus body with .50 inch nylon spacers to help absorb moderate side impacts and prevent the collection of water and debris for easier cleaning.

REAR RUB RAIL (ALUMINUM CHANNEL)

The rearward edge of the rear step shall be trimmed with brightly anodized aluminum channel rub rail.

The rub rail shall be approximately 3.00" high with flanges turned outwards for increased rigidity, with each end chamfered to a 45 degree angle. The rub rail shall not be constructed as an integral part of the apparatus body structure, allowing the rub rail to be easily removed in the event of damage.

The rub rail shall be secured with stainless steel fasteners and spaced away from the edge of the rear step with .50 inch nylon spacers, to help absorb moderate rear impacts and prevent the collection of water and debris for easier cleaning.

FOLDING STEPS

Innovative Controls Inc. steps, made of high strength die cast aluminum, conforming to current NFPA requirements, shall be provided and installed on the apparatus as specified.

The steps shall include a molded gasket and drain at the bottom to allow any water to escape the assembly, preventing water ingress and keeping the mount from damaging painted surfaces.

The steps shall have a minimum of 46 sq. inches of surface area capable of sustaining a 1200 lb. static load. The steps shall be mounted no more than 18" inches between each step.

The following components shall be provided on each step:

One (1) Logo label
One (1) White step light
One (1) White down light
One (1) Safety label
One (1) Flying leads termination

STEP LOCATION

Three (3) folding steps shall be installed on the right forward vertical wall of the front compartment.

10" HANDRAILS

One (1) 10.00 inch long by 1.25 inch diameter handrail constructed of extruded aluminum with a knurled grip, full length illuminated LED light strip shall be installed at the front of the catwalk at a 45 degree angle. There shall be a minimum of 2.00 inches of clearance between the bracket and the body.

ILLUMINATED HANDRAIL COLOR OPTIONS

ILLUMINATED HANDRAIL LIGHTING ACTIVATION

The illuminated handrail light shall be activated when the park brake is set.

STEP LIGHT ACTIVATION

The step light shall be activated when the park brake is set.

STEP LOCATION

Two (2) folding steps shall be installed on the right rear vertical face of the body.

NO REAR 10" HANDRAIL

There shall be no 10" handrails mounted at the rear steps of the apparatus. The rear steps shall utilize the vertical handrails, specified below, mounted at the rear of body to assist in climbing the steps in accordance with NFPA, Standard for Automotive Fire Apparatus.

STEP LIGHT ACTIVATION

The step light shall be activated when the park brake is set.

STEP LOCATION

Three (3) folding steps shall be installed on the left forward vertical wall of the front compartment.

10" HANDRAILS

One (1) 10.00 inch long by 1.25 inch diameter handrail constructed of extruded aluminum with a knurled grip, full length illuminated LED light strip shall be installed at the front of the catwalk at a 45 degree angle. There shall be a minimum of 2.00 inches of clearance between the bracket and the body.

ILLUMINATED HANDRAIL COLOR OPTIONS

ILLUMINATED HANDRAIL LIGHTING ACTIVATION

The illuminated handrail light shall be activated when the park brake is set.

STEP LIGHT ACTIVATION

The step light shall be activated when the park brake is set.

STEP LOCATION

Two (2) folding steps shall be installed on the left rear vertical face of the body.

STEP LIGHT ACTIVATION

The step light shall be activated when the park brake is set.

HANDRAILS KNURLED ALUMINUM ILLUMINATED

Handrails shall be 1.25 inches in diameter, constructed of extruded aluminum with a knurled grip, no red reflective strip shall be provided. Full length illuminated LED light strip shall be provided.

There shall be a 2.00 inch minimum clearance between the handrail and the body. The vertical handrail stanchions shall be spaced off the body 0.75 of an inch. The light shall illuminate an area adjacent to the handrail and in accordance with NFPA, Standard for Automotive Fire Apparatus, standard requirements.

The following handrails shall be installed at the approximate lengths noted:

REAR HANDRAIL LOCATION

Three (3) handrails shall be installed on the rear of the apparatus. Each handrail shall be of an adequate length, as available usable space allows, to provide a suitable gripping area for personnel.

The handrails shall be spaced away from the body using chrome plated straight stanchions. Two (2) vertical handrails shall be installed, one on each side, just below the hose bed sides. These vertical handrail(s) shall utilize an offset stanchion with the offset directed away from storage door openings for added clearance, where applicable. The remaining handrail shall be installed horizontally, just below the hose bed area.

ILLUMINATED HANDRAIL COLOR OPTIONS

ILLUMINATED HANDRAIL LIGHTING ACTIVATION

The illuminated handrail light shall be activated when the park brake is set.

TOW EYES

There shall be two (2) rear tow eyes installed to the frame rails, one each side, accessible below the rear of the apparatus.

They shall be manufactured of 1.00 inch plate steel and each plate shall be bolted to the chassis frame rail with a minimum quantity of six (6) grade 8 bolts. The two plates shall be anchored together with 1.00 inch steel tubing to prevent swaying of the frame rails during a towing operation. All steel components shall be painted black.

LOW-VOLTAGE ELECTRICAL SYSTEM

The apparatus shall be equipped with a Logic Controlled, Low-Voltage (12v) Electrical System, compliant with the latest revision of the NFPA, Standard for Automotive Fire Apparatus.

The system shall be capable of performing total load management, load management sequencing, and load shedding via continuous monitoring of the low-voltage electrical system. In addition, the system shall be capable of switching loads (similar to operating as an emergency warning lamp flasher) eliminating the dependency on many archaic electrical components such as conventional flasher modules. The system shall also incorporate provisions for future expansion or system modification.

The low-voltage electrical system shall be designed to distribute the placement of electrical system hardware throughout the apparatus thereby enabling a smaller, optimized wire harness. The programmable, logic controlled system shall eliminate redundant electrical hardware such as extra harnesses, circuit boards, relays, circuit breakers, and separate electrical or interlock subsystems and associated electronics for controlling various electrical loads and inputs.

As-built electrical system drawings and an apparatus-specific reference of I/O shall be furnished in the final delivery manuals. These drawings shall illustrate the electrical system broken down into separate functions, or small groups of related functions. Drawings shall depict circuit numbers, electrical components and connectors

from beginning to end. **A single drawing for all electrical circuits installed by the apparatus manufacturer shall not be accepted**.

FD requests full amps draw report at build specs.

Need to match 220096 pumphouse breaker layout decal that was installed.

MULTIPLEXED ELECTRICAL WARRANTY

A four (4) year limited (V-MUX) multiplex system warranty shall be provided by the apparatus manufacture for parts and labor, while under normal use and service; against mechanical, electrical and physical defects from the date of installation.

The warranty shall exclude; sensors, shunt interface modules, serial or USB kits, transceivers, cameras, GPS, and electrical display screens, which shall be limited to a period of one a (1) year repair parts and labor from the date of installation.

VEHICLE SCREEN LAYOUT APPROVAL

Vehicle display layouts shall be provided prior to manufacturing for fire department approval.

New Vista layout shall match the provided layout in the truck folder (Different than 220096).

NODE

An electrical distribution node or relay shall be installed in the below locations of the apparatus body.

The pump node shall be mounted as high as practical in the full depth portion of the right front compartment.

The rear body nodes shall be mounted as high and as far inboard as practical on the rear wall in the rearmost compartment.

A protective cover shall be installed to prevent damage to the node or electrical system during equipment installation and or removal. Node covers shall be approximately 16.00 to 22.00 inches in length with an inspection hole positioned for view of the node indicator LED lights. The finish of the cover shall match the compartments interior finish. Node covers will not include any type of shelve mounting structure and shall limit the height of unistrut or shelf height within the compartments.

PERIMETER LIGHTS LOCATION

There shall be six (6) underbody perimeter lights installed on the apparatus positioned to provide illumination to the immediate ground area around the unit.

One (1) under each side of the walkway, one (1) under each side at the front of the body, and two (2) under the rear tailboard.

PERIMETER LIGHTS

The underbody perimeter lights provided will be TecNiq model T44 series, 4" round, 8 diode LED lights.

PERIMETER LIGHTS ACTIVATION

The perimeter lights under the body shall illuminate the area with the activation of the chassis ground lights, excluding any chassis door programming.

UPPER LIGHTING PACKAGE

The following NFPA lighting package, manufactured by Whelen, shall be supplied and installed in the upper areas of the vehicle.

All warning lights that are able shall include DVI mode to match the chassis.

AUXILIARY WARNING LIGHTS UPPER ZONE B&D

There shall be four (4) auxiliary Whelen ION-T series LED lights with chrome bezels installed two (2) each side.

One (1) shall be installed in front and one (1) behind the rear axle on the upper body sides. These four (4) lights shall be installed in the upper section of the side compartment header centered above the forward and rearmost compartments.

SIDE WARNING LIGHTS FLASH

The upper side lights shall feature multiple flash patterns including steady burn for solid colors and multiple flash patterns for split colors. The warning lights shall be set to emit the “ActionScan” flash pattern.

SIDE WARNING LIGHTS COLOR

The upper warning lights mounted on the side positions shall be red with clear lenses.

UPPER SIDE WARNING LIGHT SWITCH E-MASTER/DISPLAY

The upper side warning lights shall be controlled through the master warning switch and a secondary side warning switch located on the vehicle display control screen. The switches shall be clearly labeled for ease of identification.

UPPER ZONE C:

There shall be two (2) Whelen model L31H*FN beacons with 360 degree LED lights, provided and installed on the apparatus.

One (1) each side on the rear upper outboard corners of the apparatus.

REAR WARNING LIGHTS COLOR

The upper warning lights mounted at the rear shall be red with clear lenses.

LIGHT MOUNT LOCATION

The upper ZONE C specified lights shall be mounted directly to the horizontal body surface as far rearward as possible.

UPPER REAR WARNING LIGHT SWITCH E-MASTER/DISPLAY

The upper rear warning lights shall be controlled through the master warning switch and a secondary rear warning switch located on the vehicle display control screen. The switches shall be clearly labeled for ease of identification.

LOWER LED WARNING LIGHTING

The following NFPA lighting package, manufactured by Whelen, shall be supplied and installed in the lower areas of the vehicle.

All warning lights that are able shall include DVI mode to match the chassis.

LOWER ZONE B&D:

There shall be four (4) Whelen model M6 series LED lights with chrome bezels, two (2) each side, provided and installed with the apparatus.

SIDE WARNING LIGHTS FLASH

The lower side lights shall feature multiple flash patterns including steady burn for solid colors and multiple flash patterns for split colors. The warning lights shall be set to emit the “DoubleFlash 150” in/out flash pattern.

SIDE WARNING LIGHTS LOW INTENSITY FLASH

The lower side warning lights shall feature low intensity standard flash pattern.

SIDE WARNING LIGHTS COLOR

The lower side warning lights mounted shall be red at the front side location and blue at the rear location with clear lenses.

SIDE WARNING LIGHTS LOCATION

The warning lights on the side of the apparatus shall be mounted at the pump panel location and at the rear tailboard location.

The warning light at the pumphouse shall be moved as far rearward on the lower sill as possible.

AUXILIARY WARNING LIGHTS LOWER ZONE B&D

There shall be four (4) auxiliary Whelen ION-T series LED lights with chrome bezels installed two (2) each side. The lights shall be capable of low power mode.

One (1) shall be installed in front and one (1) behind the rear axle on the lower body sides. These four (4) lights shall be installed in the rear fender (wheel well) area of the body.

SIDE WARNING LIGHTS FLASH

The lower side lights shall feature multiple flash patterns including steady burn for solid colors and multiple flash patterns for split colors. The warning lights shall be set to emit the “ActionScan” flash pattern.

SIDE WARNING LIGHTS COLOR

The lower side warning lights mounted on the side positions shall be red with clear lenses.

LOWER ZONES B&D CAST ALUMINUM ANGLED LIGHT HOUSING WITH PAINTED INSERT

A cast aluminum light housing with painted outward facing inserts, shall be installed for the rearmost warning light in zones B&D. The housing will ensure the light is mounted as far rearward as possible on the tailboard.

The inserts shall be painted to color match the body.

LOWER SIDE WARNING LIGHT SWITCH E-MASTER/DISPLAY

The lower side warning lights shall be controlled through the master warning switch and a secondary side warning switch located on the vehicle display control screen. The switches shall be clearly labeled for ease of identification.

LOWER ZONE C:

There shall be two (2) Whelen model M6 series Super-LED lights with chrome bezels, one (1) each side, on provided and installed on the rear of the body.

REAR WARNING LIGHTS FLASH

The lower rear lights shall feature multiple flash patterns including steady burn for solid colors and multiple flash patterns for split colors. The warning lights shall be set to emit the “DoubleFlash 150” in/out flash pattern.

REAR WARNING LIGHTS LOW INTENSITY FLASH

The lower rear lights shall feature low intensity flash pattern.

REAR WARNING LIGHTS COLOR

The lower rear warning lights mounted at the rear shall be red with clear lenses.

LOWER REAR WARNING LIGHT SWITCH E-MASTER/DISPLAY

The lower rear warning lights shall be controlled through the master warning switch and a secondary rear warning switch located on the vehicle display control screen. The switches shall be clearly labeled for ease of identification.

LED REAR TAILLIGHT ASSEMBLY

There shall be Whelen M6-Series Super LED rear taillight assemblies provided and installed with the apparatus, one (1) each side at the rear.

The following shall be installed in the order as specified from top to bottom:

One (1) M62BTT LED red brake light
One (1) M62T LED series amber turn signal light Program to Seq-Sol 80 FPM
One (1) M62BU LED clear back-up light

MOUNTING FLANGES

There shall be individual chrome bezels provided for each light of the taillight assembly.

REAR TAILLIGHTS COLOR

The taillights mounted at the rear shall have colored lenses to match the color of the optics.

BACKUP LIGHTS

The backup lights shall illuminate when the apparatus is placed in reverse.

AUXILIARY UPPER & LOWER WARNING LIGHT ACTIVATION

All upper and lower warning lights shall be activated automatically when the transmission is placed in reverse.

LED DOT LIGHTING

There shall be a total of eleven (11) red clearance lights and two (2) amber clearance lights installed on the apparatus.

There shall be seven (7) red clearance lights located on the rear of the apparatus,Two (2) lights shall be located in the lower rear rubrail, outboard, and three (3) lights shall be located between the recessed step area and the B1 compartment. Two (2) additional lights shall be located on the rear outboard locations, one (1) each side, as high as possible.

On the sides of the apparatus there shall be four (4) red clearance lights, two (2) located on each side of the apparatus in the lower body at the front and rear portion of the rear side compartments. Additionally, the sides of the apparatus shall have two (2) amber clearance lights installed, one (1) located on each side of the apparatus in the lower body at the front portion of front compartments.

The lights shall be TecNiq S17 series LED red and amber markers.

LED INTERMEDIATE TURN SIGNAL LIGHTING

There shall be two (2) amber intermediate turn signals and two (2) amber intermediate marker lights on the sides of the apparatus (one (1) each per side) between the front and rear axles.

The lights shall be TecNiq S17 series LED amber markers.

INTERMEDIATE TURN SIGNALS

The intermediate turn signals will steady burn when not blinking.

BRITAX LIGHTING

There shall be two (2) LED Britax lights, model number 63-4610, with rubber stalk mounts installed on the body, one (1) each side, as far to the rear as possible in the cast housing on the rear tailboard (rearward of the warning light). Reference placement on 220096.

MARKER LIGHT LENS COLOR

The above specified marker lights shall have clear lenses.

REAR DIRECTIONAL LIGHTBAR

There shall be six (6) rear directional lights provided and installed on the rear of the apparatus body. The lights shall be installed above the B1 compartment.

The lights shall be Whelen LED ION-T amber lights with clear lenses and chrome bezels. Each light shall be surface mounted and equally spaced, spanning horizontally across the rear of the apparatus.

Shall be capable of low power

RDL CONTROL HEAD MOUNTING

Rear Directional Lightbar control head shall be provided and installed by the chassis manufacturer.

The lightbar shall come on in "Rapid Random" with the E-Master.

REAR VIEW CAMERA LOCATION

A camera shipped loose with the chassis shall be recess mounted at the center location on the rear of the apparatus body for maximum viewing capability. A brushed stainless steel trim ring shall be installed around the box opening.

SIDE SCENE LIGHT LOCATION

There shall be two (2) scene lights installed on the side of the apparatus, one (1) on each side center location.

SCENE LIGHT MODEL

Fire Research Spectra Max LED model #SPA260-Q20 scene lighting shall be surface mounted on the apparatus.

Each lamp head shall be no more than 5.875 inches high by 14.50 inches wide and have a profile of less than 1.875 inches beyond the mounting surface.

Each lamp head shall have sixty (60) ultra-bright white LEDs, 56 for flood lighting and 4 to provide a spotlight beam pattern. Each lamp head shall draw 13/6.5 amps and generate 20,000 lumens of light. The lamp head shall have a unique lens that directs flood lighting onto the work area and focuses the spotlight beam into the distance. The light housing shall be powder coated Black

BODY SIDE SCENE LIGHT ACTIVATION

The scene lighting shall be activated by two (2) virtual buttons on the vehicle display control screen and two (2) weather resistant rocker switches at the pump operator's panel, one (1) for each side of the apparatus. The switches shall also activate the chassis side scene lights.

The switch shall be labeled as follows:

Left Scene

Right Scene

REAR SCENE LIGHT LOCATION

There shall be two (2) scene lights installed on the rear facing vertical surface of the apparatus, one (1) on each side.

SCENE LIGHT MODEL

Fire Research Spectra Max LED model #SPA260-Q20 scene lighting shall be surface mounted on the apparatus.

Each lamp head shall be no more than 5.875 inches high by 14.50 inches wide and have a profile of less than 1.875 inches beyond the mounting surface.

Each lamp head shall have sixty (60) ultra-bright white LEDs, 56 for flood lighting and 4 to provide a spotlight beam pattern. Each lamp head shall draw 13/6.5 amps and generate 20,000 lumens of light. The lamp head shall have a unique lens that directs flood lighting onto the work area and focuses the spotlight beam into the distance. The light housing shall be powder coated Black

REAR SCENE LIGHT ACTIVATION

The rear scene lighting shall be activated when the apparatus transmission is shifted into reverse and by a virtual button on the vehicle display control screen in the cab and a weather resistant rocker switch at the pump operator's panel. The scene shall also be interlocked with the park brake.

The switch shall be labeled as follows:

Rear Scene

FRONT SCENE LIGHT ACTIVATION

The front scene lighting shall be activated by a weather resistant rocker switch at the pump operator's panel in addition to the chassis provided switching.

The switch shall be labeled as follows:

Brow Light

LINE VOLTAGE OUTLETS

NEMA 5-20 DUPLEX RECEPTACLE(S)

There shall be one (1) type NEMA 5-20 120V/20A duplex receptacle with a cover installed in the below specified location(s).

RECEPTACLE LOCATION

Two (2) receptacles shall be provided and installed inside the chassis cab center EMS compartment. The receptacles shall be high on the back wall, in the upper corners of the compartment, one (1) each side.

The outlet(s) shall be powered by the shoreline connection and shall be live when the shoreline power is provided.

REFLECTIVE STRIPING

The reflective striping shall be supplied and installed by the Dealer.

REAR RETRO-REFLECTIVE CHEVRON STRIPING

A minimum of 50 percent of the rear-facing vertical surface, visible from the rear of the apparatus, shall be equipped with 3M vinyl, retro-reflective striping in a chevron pattern, sloping downward and away from the centerline of the vehicle at an angle of 45-degrees.

The stripe shall be 6.00 inches (152.40 mm) wide alternating in colors.

CHEVRON COLOR

The retro-reflective chevron striping shall be red and black in color.

FIRE DEPARTMENT SUPPLIED LETTERING

The apparatus lettering shall be provided and installed by the Fire Department after final delivery of the completed apparatus.

FIRE DEPARTMENT SUPPLIED DECALS

The apparatus decals shall be provided and installed by the Fire Department after final delivery of the completed apparatus.

LICENSE PLATE MOUNTING

A Cast Products, model LP0004-1-B, cast aluminum fully enclosed license plate bracket shall be installed. The bracket shall incorporate a clear LED light (WL0501) to illuminate the license plate and meet DOT requirements.

LICENSE PLATE BRACKET LOCATION

The above specified license plate bracket shall be installed at the back of the apparatus on the right side. The bracket shall be mounted to meet all applicable DOT standards.

MISCELLANEOUS EQUIPMENT

The following equipment list shall be provided with the completed apparatus.

GROUND LADDERS

The following ground ladders shall be provided:

One (1) Little Giant Defender model 17 aluminum ladder with patented triple-locking hinges and a 300 pound capacity.

City Council Meeting

Item Number: 7.
Meeting Date: October 14, 2025
To: City Council
From:
Subject: RESOLUTION APPROVING THE PURCHASE OF TWO (2) AMBULANCES FROM STERLING MCCALL FORD THROUGH THE HOUSTON-GALVESTON AREA COUNCIL FOR A TOTAL COST OF $814,602.00; AND AUTHORIZING PAYMENT FOR SAID PURCHASE

Purpose:
Resolution for the purchase of two (2) ambulances from Sterling McCall Ford through the Houston-Galveston Area Council (H-GAC) contract #AM10-23 for a total cost of $814,602.00.

Recommended Action:
Approve

Fiscal Impact:
Funds are available in the Garage Fund FY26 Operating Budget.

Strategic Priority:
SET THE STANDARD FOR A SAFE AND SECURE CITY

Discussion:
Staff recommends purchasing these ambulances from Sterling McCall Ford through the Houston-Galveston Area Council (H-GAC) contract #AM10-23 for a total cost of 814,602.00. We are members of the H-GAC cooperative and Subchapter F, Section 271.102 of the Local Government Code provides that a local government may participate in a cooperative purchasing program and that purchasing goods or services under Subchapter F satisfies any state law requiring the local government to seek competitive bids for those purchases. The budget for this equipment for fiscal year 2026 is $900,000.00. Please refer to the memo from Michael Tully, Fire Chief, for further discussion concerning this purchase.

Therefore, please consider a resolution approving the purchase of two (2) ambulances from Sterling McCall Ford through the Houston-Galveston Area Council (H-GAC) contract #AM10-23 for a total cost of $814,602.00.

Attachments:
A. FY2026 MFD - Ambulance Supporting Memo
B. RESOLUTION - HGAC - Ambulances Reso
C. EXH A - Midland Fire Department Q4229-1 Exh to Reso
D. Midland F.D. HGAC Quote 4229

E. Midland Fire Department Q4229-1

Erika Munoz, General Services	Created/Initiated - 10/1/2025
Regina Stephenson, General Services	Approved - 10/1/2025
Linda Ochoa, Legal	Approved - 10/7/2025
Morris Williams, City Manager	New -
Rachel Guentensberger, City Secretary	

MIDLAND Fire Department

Interoffice Memorandum

Date: **9-23-2025**

To: **Regina Stephenson**

From: **Fire Chief Michael Tully**

Subject: **FY2026 Ambulance Purchase**

Midland Fire Department's ambulance fleet is of vital importance for the care of the Citizens of Midland. The Midland Fire Department operates eight front-line EMS units. With the rise in population, there has been a significant increase in run volume. The department's run volume continues to grow which puts a stress on our units. This purchase of two units will replace two older units, which has the most maintenance costs.

This purchase was budgeted for FY2026.

Michael Tully

Fire Chief

RESOLUTION NO. _____

RESOLUTION APPROVING THE PURCHASE OF TWO (2) AMBULANCES FROM STERLING MCCALL FORD THROUGH THE HOUSTON-GALVESTON AREA COUNCIL FOR A TOTAL COST OF $814,602.00; AND AUTHORIZING PAYMENT FOR SAID PURCHASE

WHEREAS, the Houston-Galveston Area Council ("*H-GAC*") is a cooperative purchasing agency with which the City participates with on purchases through a cooperative purchasing program in accordance with TEX. LOC. GOV'T CODE § 271.102; and

WHEREAS, Sterling McCall Ford has submitted a total proposed cost to the City of $814,602.00 for the purchase of two (2) ambulances through H-GAC, as shown on the quote that is attached hereto as Exhibit "A" and incorporated herein for all purposes; and

WHEREAS, the City Council finds the price proposed by Sterling McCall Ford for said ambulances to be fair and reasonable; and

WHEREAS, the City Council finds it to be in the public interest to purchase said ambulances from Sterling McCall Ford through H-GAC;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the City Manager is hereby authorized and directed to purchase two (2) ambulances from Sterling McCall Ford through H-GAC for a total cost of $814,602.00.

SECTION TWO. Funding shall be available in the Garage Fund FY26 Operating Budget.

SECTION THREE. That the City Comptroller is hereby authorized and directed to pay Sterling McCall Ford for said ambulances upon receipt of proper invoices or statements approved by the City Manager or his designee.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of

the City of Midland at a regular meeting on the _____ day of _____, A.D., 2025, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Regina Stephenson, General Services Director

APPROVED AS TO FORM ONLY:

_____
Nicholas Toulet, Interim City Attorney

Customer Quote

9/10/2025 2:57:33 PM

Estimate No:	Q4229-0001
Quote Date:	9/10/2025
Expiration Date:	11/1/2025
Salesperson:	KS
Payment Terms:	Due on Delivery

Invoice To: 10617

Michael Tully
Midland Fire Department
P.O. Box 1152
Midland TX 79702
US

Deliver To:

Michael Tully
Kevin Keith
Midland Fire Department
1701 East Orchard
Midland TX 79701
US

Order Instructions:

TERMS:

The unit will be invoiced approximately 30 days prior to vehicle completion and is due upon acceptance of the completed unit, unless alternate terms have been approved in writing.

All ownership documentation—including the Manufacturer's Statement of Origin (MSO), Buyer's Order, and delivery paperwork—will be held until full payment of all open invoices has been received. This won't delay you from inspecting or taking delivery—but you won't receive the paperwork until payment is complete

TERMS:

A progress payment for the chassis portion will be invoiced upon arrival at the dealership and is due within 30 days of the invoice date. The remaining balance will be invoiced approximately 30 days prior to vehicle completion and is due upon delivery of the completed unit, unless alternate terms have been approved in writing.

POLICY ON CUSTOMER PROVIDED ITEMS INSTALLATION:

To ensure optimal performance and longevity of installed equipment, we require that all customer-provided items be new in the box, with the following exceptions: cot retention systems, Knox MedVaults, and Knox KeySecures. In the event that a used cot retention system is provided, it must be accompanied by a new floor plate, wiring harness, and mounting hardware to guarantee functionality and safety. Failure to provide new in the box items, as requested, may result in the equipment not being installed and returned loose with the completed vehicle.

All customer provided items must be at Frazer 60 days prior to the projected production start date. This allows us time to inventory and inspect all items prior to production beginning. Failure to provide the items on time, as requested, may result in the equipment not being installed and returned loose with the completed vehicle.

No.	Item	Qty	U/M:		Unit Price		Net Amount
1	MODULE Type I 12' XT Module	2.00	EA	$	289,925.00	$	579,850.00
2	CHASSIS 2026 Ford F-350 Gasoline	2.00	EA	$	66,500.00	$	133,000.00

This chassis price is derived from the latest information provided by Ford. The exact pricing details will not be ascertainable until the chassis physically arrives at the dealership, at which juncture adjustments to this price may be made. In the event of any price adjustment, you will receive written notification detailing the changes.

3	DELIVERY Customer Pick Up - FOB Frazer	1.00	M	$	0.00	$	0.00

Frazer will accept returns on parts up to 180 days after shipment. No restocking fee will be charged if the item is returned within 90 days of the original invoice date. All parts returns should be shipped back freight prepaid and require prior approval with a "Returns Material Authorization" (RMA) clearly displayed on the exterior of the shipping package. A credit will be issued towards the customer's account within approximately 7 business days of receipt of the item. If a part is returned after 90 days of the original invoice date a 15% restocking fee will be applied. Frazer Ltd reserves the right to accept returned items at its sole discretion based upon the condition of the item to be placed back into stock. :

Customer Quote

9/10/2025 2:57:33 PM

Estimate No:	Q4229-0001
Quote Date:	9/10/2025
Expiration Date:	11/1/2025
Salesperson:	KS
Payment Terms:	Due on Delivery

Order Instructions:

No.	Item	Qty	U/M:		Unit Price		Net Amount
	Customer must pick up in Houston at Frazer or additional delivery charges will apply.						
4	HGAC-NEW Contract No. AM10-23	1.00	EA	$	1,000.00	$	1,000.00
5	STRYKER POWER-PRO 2 Cot-Stryker Power-PRO 2 6507 High Config	2.00	EA	$	38,543.00	$	77,086.00
	High Config						
6	STRYKER STAIR-PRO Stair Chair-Stryker Stair-PRO 6252	2.00	EA	$	5,076.00	$	10,152.00
7	SpecDoc Configurable item to create the SpecDoc	1.00	EA	$	0.00	$	0.00
8	MISC First Tactical Supplies	1.00	EA	$	7,600.00	$	7,600.00

Per Quote 02272025:

8-First Tactical Jump bags-Item #-FT-180029-400

8-Orange Trauma Kit-#-FT-180045-300

8-Med Kit Yellow-#- FT-180043-275

8-Airway kit Blue-#-FT-180041-700

8-I.V. Kit Red-#-FT180042-400

16- Hook and Loop 9x10 Pouch-#-FT-180030-015

Frazer will accept returns on parts up to 180 days after shipment. No restocking fee will be charged if the item is returned within 90 days of the original invoice date. All parts returns should be shipped back freight prepaid and require prior approval with a "Returns Material Authorization" (RMA) clearly displayed on the exterior of the shipping package. A credit will be issued towards the customer's account within approximately 7 business days of receipt of the item. If a part is returned after 90 days of the original invoice date a 15% restocking fee will be applied. Frazer Ltd reserves the right to accept returned items at its sole discretion based upon the condition of the item to be placed back into stock. :

Customer Quote

9/10/2025 2:57:33 PM

Estimate No:	Q4229-0001
Quote Date:	9/10/2025
Expiration Date:	11/1/2025
Salesperson:	KS
Payment Terms:	Due on Delivery

Order Instructions:

No.	Item	Qty	U/M:		Unit Price		Net Amount
8-DOT TAC Name Tapes-#- FT-180046-015							
9	55706 Kit-Service, Alvarium Battery	2.00	EA	$	1,200.00	$	2,400.00
10	55707 Assy-Battery Charger, Power Pro 2	2.00	EA	$	1,717.00	$	3,434.00
11	55708 Assy-Power Cord, 120V AC, Power Pro 2	2.00	EA	$	40.00	$	80.00

Remit To:

Frazer, Ltd.
7219 Rampart Street
Houston TX 77081

Sale Amount:	814,602.00
Order Disc(0.0000%):	0.00
Surcharge:	N/A
Sales Tax:	0.00
Misc Charges:	0.00
Total Amount:	814,602.00

Frazer will accept returns on parts up to 180 days after shipment. No restocking fee will be charged if the item is returned within 90 days of the original invoice date. All parts returns should be shipped back freight prepaid and require prior approval with a "Returns Material Authorization" (RMA) clearly displayed on the exterior of the shipping package. A credit will be issued towards the customer's account within approximately 7 business days of receipt of the item. If a part is returned after 90 days of the original invoice date a 15% restocking fee will be applied. Frazer Ltd reserves the right to accept returned items at its sole discretion based upon the condition of the item to be placed back into stock. :

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For your convenience, all pricing has been itemized below per quote Q4229-0001 for Midland Fire Department

Base Module	$	153,350.00
Chassis Exterior	$	8,600.00
Module Exterior	$	63,225.00
Chassis Interior	$	5,250.00
Module Interior	$	59,500.00
	Total $	**289,925.00**

Items included in above totals:

1. Pricing Model Year: 2025.5	$	
2. Type I - Truck Front End with Modular Body 12' XT Module	$	incl
3. This is a Triple K Unit	$	incl
Chassis Exterior:		
4. 2 Chassis Keys Provided	$	incl
5. Chassis Paint Layout: Keep Factory Paint Color - Red	$	incl
6. Chassis : 2026 Ford F-350, Gas, 4x2, Regular Cab, 84" Cab to Axle, PQ - Race Red	$	incl
7. Camera System: Ford OEM Back-up Camera System	$	825.00
8. Wheel type: Factory Aluminum	$	incl
9. Dual Dynamics Valve Stem Extender with Equalization and Pressure Indicator	$	450.00
10. Road Force Elite tire and wheel balancing	$	incl
11. Chassis Steps: Luverne Running Boards	$	1,575.00
12. Grille Guard: Grille Guard with Wraparounds	$	incl
13. Chassis Mud Flaps	$	525.00
14. 10" and 12" Air Horns	$	1,675.00
15. Compressor Type: Fast Recovery	$	2,175.00
16. Air Horn Switching Options: Truck Horn/ Air Horn	$	225.00
17. Passenger's side Grille Light: Whelen M4 Red Light	$	incl
18. Driver's side Grille Light: Whelen M4 Red Light	$	incl
19. Passenger's side Intersect Light: Whelen M4 Blue Light	$	incl
20. Driver's side Intersect Light: Whelen M4 Blue Light	$	incl
21. *Note to Engineering* Reroute fuel line to be downhill (see E-3870/71)	$	incl
22. *Note to truckshop": Install both front OEM hub covers, in lieu of shipping loose	$	incl
23. UNOC #3442 - Furnish and install modified D/S and P/S rear wheel wells, including bump-outs in module interior, to accomodate chassis with narrow track rear axle	$	1,150.00
	Chassis Exterior Subtotal $	**8,600.00**

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Module Exterior:

24. LizardSkin Thermal Coating on Module Roof - Roof Will be White	$	incl
25. Module Paint Layout: Non-White One Tone - PQ - Race Red	$	3,300.00
26. No Design Package	$	incl
27. Frazer Provided Tier 2 - Standard Graphics	$	6,500.00
28. Front Wall Placard: 11" x 8.5" Painted Side-Loading Aluminum Holder with Lasco	$	300.00
29. Driver Side Placard: 11" x 8.5" Painted Top-Loading Aluminum Holder with Lasco	$	300.00
30. Rear Wall Placard: 11" x 8.5" Painted Side-Loading Aluminum Holder with Lasco	$	300.00
31. Passenger Side Placard: 11" x 8.5" Painted Top-Loading Aluminum Holder with Lasco	$	300.00
32. Graphics Write-In Option 1: Graphics Write-In Option 2: Furnish and install labels on gauges in compartment below front I/O, identifying air horns and tire chains compressors	$	incl
33. Graphics Write-In Option 2: *Note to Graphics: (4) placard holders, Item 50098-P (color same as E-3780/81)	$	incl
34. Graphics Write-In Option 3: *Note to graphics: All placards to be top loading.	$	incl
35. Graphics Write-In Option 4: *Note to graphics*: Install clear 1/4" vinyl to all edges of rear conspicuity per customer request	$	incl
36. Body Drop on the Passenger's Side Forward of Rear Wheels	$	incl
37. GPS Opticom	$	8,425.00
38. Opticom Switching: On/Off Switch and Cut-off with park	$	incl
39. Shore Power: Single 30 Amp auto eject w/ Red cover on Driver's Side Wall	$	750.00
40. Pigtail/Plug Option: Pigtail	$	incl
41. Coax 1: Run coax from location 1 to Chassis	$	incl
42. Coax 2: Run coax from location 2 to Electrical Compartment terminated to GPS Opticom	$	incl
43. Coax 3: Run coax from location 3 to Electrical Compartment	$	incl
44. Coax 4: Run coax from location 4 to Electrical Compartment	$	incl
45. UNOC #196 - Install customer provided radio equipment: - Motorola APX8500 radio base in electrical compartment; ignition hot - Radio base to be turned 180-degrees so back is facing outward in compartment - Larson multi-band antenna at module roof location #3, connected to radio base in electrical compartment - Radio head in console slot 2; ignition hot - 30' long radio control cable - Speaker on front of console -Mic on front D/S of console	$	1,225.00

- Radio head below action wall cabinet toward rear; ignition hot - 15' long radio control cable - Speaker beneath action wall cabinet, behind radio head - Mic beneath action wall cabinet, to right of radio head		
46. UNOC #2224 - Furnish and Install Cradlepoint IBR1700 (Item 52957) in electrical compartment (P/N IBR1100LP6), ignition hot; multi-band antenna with multiple coaxes on module roof	$	3,400.00
47. UNOC #1722 - Furnish and install ethernet cables: - (1) from modem to docking station at action wall - (1) from modem to docking station at console - (1) from modem to Keysecure in electrical compartment	$	275.00
48. Front Wall Light Layout: Lower 5 Lights	$	incl
49. Front Wall Light #1: Whelen M6 Red Light	$	incl
50. Front Wall Light #2: Whelen M6 Blue Light	$	incl
51. Front Wall Light #3: Whelen M6 Clear Light	$	incl
52. Front Wall Light #4: Whelen M6 Blue Light	$	incl
53. Front Wall Light #5: Whelen M6 Red Light	$	incl
54. Front Wall Driver Side Box Light: Whelen M6 Red Light	$	incl
55. Front Wall Passenger Box Light: Whelen M6 Red Light	$	incl
56. Driver Wall Front Box Light: Whelen M6 Red Light	$	incl
57. Driver Wall Rear Box Light: Whelen M6 Red Light	$	incl
58. Driver Wheel Well Light: Whelen M6 Blue Light	$	incl
59. Side Scene Lights: Spectra SPA260	$	4,000.00
60. O2 Compartment Style: Laydown O2 with Adjustable Shelf	$	incl
61. O2 Rollers for an H Cylinder	$	incl
62. O2 Cylinder Changing Wrench	$	175.00
63. Electrical Compartment Style: Standard Electrical Compartment	$	incl
64. Power Source: MEPS	$	21,725.00
65. Lower Storage Style: Standard Lower Storage	$	incl
66. Compartment Above Wheel Well with No I/O Access	$	incl
67. Dometic Self-Contained A/C: Includes Exhaust Fan and Air Deflectors	$	incl
68. Rear Storage Compartment Style: Rear Storage with Flatbars for SCBA Brackets	$	375.00
69. (2) SC-50-H-6-SF SCBA brackets in rear storage in Rear Storage Compartment Raised 10 inches off the Floor	$	1,650.00
70. UNOC #587 - Furnish and install half depth shelf in D/S rear storage compartment, 6-	$	200.00

1/2" from shelf to ceiling with 1" x 2" angle on botom of the shelf with (2) coat hooks evenly spaced; mount SCBA brackets at bottom of flat bars		
71. UNOC #1723 - Furnish and install Knox KeySecure Series 5 with 60 degree bracket in the electrical compartment with 1 key option (no blue strobe); wired battery hot	$	2,725.00
72. UNOC #1724 - Furnish and install 30" Paratech Haligan Pro Bar 30" (P/N FHU-PB-30) w/ PAC mount (P/N K5032-Y) on the front wall of the D/S rear storage compartment near the opening	$	800.00
73. UNOC #1725 - Furnish and install (2) Streamlight Survivor orange LED flashlights centered on back wall of D/S rear storage compartment below the shelf, on charging platform	$	1,225.00
74. *NOTE* Install SCBA brackets the exact same as units E-3780-3781	$	incl
75. UNOC #1726 - Furnish and install RIDGID brand 24" Heavy Duty bolt cutters and Zicomatic Quic-mount bolt cutter bracket on rear wall of D/S rear storage compartment near the opening	$	625.00
76. *Note to Engineering: Customer will bring Tech Key with them on day of pick-up so installation of KeySecure can be completed then	$	incl
77. *Note to documentation*: Ensure coax labeling matches revisions made to E-4009 & E-4010	$	incl
78. UNOC#??? Connect both ends of coax #3 to radio base in electrical compartment	$	100.00
79. Module Window Option: Sliding Window	$	incl
80. Ceramic Window Tint on Rear and Side Entry Doors	$	550.00
81. Upper Rear Wall Light Layout: 3 Across	$	incl
82. Upper Light #1: Whelen M6 Load Light	$	incl
83. Upper Light #2: Whelen M6 Amber Light	$	incl
84. Upper Light #3: Whelen M6 Load Light	$	incl
85. Lower Light #1: Whelen M6 Brake/Tail/Turn Red Light with Clear Lens	$	incl
86. Lower Light #2: Whelen M6 Brake/Tail/Turn Red Light with Clear Lens	$	incl
87. Lower Light #3: Whelen M6 Blue Light	$	incl
88. Lower Light #4: Whelen M6 Blue Light	$	incl
89. Rear Wall Driver Box Light: Whelen M6 Red Light	$	incl
90. Rear Wall Passenger Box Light: Whelen M6 Red Light	$	incl
91. Rear Backboard Options: 5" Compartment Shelf	$	375.00
92. Lower BTTs: 2 Grote Lights on each side	$	incl
93. Rear Bumper	$	incl
94. Door Grabbers	$	incl

95. License Plate Light	$	incl
96. UNOC #1727 - Furnish and install brushed stainless steel panels in lieu of diamond plate at all exterior locations (like DC Fire)	$	1,825.00
97. Passenger Wall Front Box Light: Whelen M6 Red Light	$	incl
98. Passenger Wall Rear Box Light: Whelen M6 Red Light	$	incl
99. Passenger Wheel Well Light: Whelen M6 Blue Light	$	incl
100. Interior Step Option: Double Step Well	$	incl
101. Passenger Rear Compartment Style: Passenger Side Storage Compartment	$	incl
102. Gas Hold Open on All Compartments	$	1,800.00
Module Exterior Subtotal	**$**	**63,225.00**

Chassis Interior:

103. Siren Speakers: Whelen SA 315 Speakers	$	incl
104. Tap-2 on Primary Siren	$	incl
105. Siren Option: Whelen C9 Siren in Console	$	incl
106. Mic 1 shipped loose	$	incl
107. HAAS Alert System: HAAS Alert Responder to Vehicle - 3 Year Sub	$	incl
108. Slot 1: Extended MDT plate - swivel, no fuel gauge (swivel on passenger side)	$	750.00
109. Slot 2: Radio Plate: 7.5 L X 2.5 W opening dims Item ID 2398	$	incl
110. Slot 3: Single Slot Switch Panel	$	incl
111. Slot 4: Siren 1	$	incl
112. Console Switch Layout : Primary - Secondary - Opticom - Air Horn - Side Scene (Driver's Side) - Side Scene (Passenger's Side) - Rear Load - Interior Lights - Blank -	$	incl
113. New Armrest	$	375.00
114. Console Layout: 4-Slot Console	$	incl
115. Floor in Front of Console: (2) Survivor Flashlights wired Failsafe	$	1,050.00
116. Rear of Console: Single Mapholder with Cup Holder	$	525.00
117. Chassis Rear Wall: 3 High Glove Box Holder	$	375.00
118. Secure-Idle Anti-Theft System	$	1,000.00
119. UNOC #1728 - Install customer provided Havis docking station for Panasonic laptop with universal adapter plate and Lind power supply, mounted on extended MDT plate; battery hot (see E-3781)	$	325.00
120. UNOC #1729 - Furnish and install Panorama Sharkee dual band WiFi and cellular antenna (MiMo 2G/3G/4G WiFi Black Antenna, P/N IN1960-B) on chassis roof; run coax to docking station at console	$	550.00

121. UNOC #1730 - Furnish and install Havis tilt/swivel motion device on MDT plate (P/N C-MD-202)	$	300.00
Chassis Interior Subtotal	**$**	**5,250.00**

Module Interior:

122. Protek Cushions	$	incl
123. Cobalt Blue Interior	$	incl
124. Stainless Steel Countertops	$	incl
125. Stainless Steel Grab Rails	$	incl
126. Front I/O with Lexan Doors	$	incl
127. Quad Outlet in the Front I/O	$	incl
128. Map Holder on Side of Front I/O	$	300.00
129. Duplex Outlet on the Front Wall	$	incl
130. Netting at the Front Corner Area	$	incl
131. Medvault w/ Wifi	$	4,175.00
132. UNOC #1731 - Furnish and install fire extinguisher with Amerex 807 bracket on the inside of the front I/O cabinet, centered on the back wall above the shelf (same position as E3387-E3392)	$	325.00
133. UNOC #598 - Furnish and install (2) SAE compliant Zico QR-D-2 "D" cylinder holders against driver's side cladding below the action wall	$	750.00
134. UNOC#??? (Like 2090): Furnish and install ethernet cable from modem in electrical compartment to Medvault	$	150.00
135. Location 1: 4 Switch w/Thermostat	$	incl
136. Location 2: Double O2 Outlet	$	incl
137. Location 3: Dual USB receptacles	$	375.00
138. Location 4: Volume Control Knob	$	incl
139. Location 6: Suction	$	incl
140. Location 7: Quad 120 VAC	$	incl
141. Location 8: Blank	$	incl
142. Location 9: Blank	$	incl
143. Action Wall Switch Layout : Interior Lights; Dimmer; Ventilation Fan; Module Heater - Hi/None/Low;	$	incl
144. Technimount ZOLL X Monitor Mount (Heavy Duty) on the Action Wall Countertop	$	2,525.00
145. Sharps Container at Action Wall	$	incl
146. New Action Wall Acrylic Holder	$	incl
147. Single CPR Seat	$	incl

148. New 6pt Harness at the CPR Seat	$	825.00
149. Acrylic Holder Aft CPR Seat	$	incl
150. Rear Door Switch Layout : Blank; Blank; Blank; Rear Load;	$	incl
151. UNOC #1728 - Install customer provided Havis docking station for Panasonic laptop with universal adapter, mounted on action wall countertop, with Lind power supply mounted behind action wall; battery hot (see E-3781)	$	325.00
152. UNOC #1730 - Furnish and install Havis tilt/swivel motion device at action wall (P/N C-MD-202)	$	300.00
153. UNOC #1729 - Furnish and install Panorama Sharkee dual band WiFi and cellular antenna (MiMo 2G/3G/4G WiFi Black Antenna, P/N IN1960-B) on module roof; run coax to docking station at action wall	$	550.00
154. UNOC #2228 - Furnish and Install (2) flow meters (Item 27611) at O2 outlets at action wall	$	625.00
155. *Note to Engineering: - Connect (1) WiFi and (1) cellular coax from Sharkee antenna on module roof to docking station at action wall - Connect (1) WiFi and (1) cellular coax from Sharkee antenna on module roof to docking station at console - Remaining coaxes from Sharkee antenna to be left in electrical compartment - Label all coaxes toward connector end at docking stations at action wall and console (whether WiFi, celluar, etc.) *Refer to E-3780/81	$	incl
156. Two Seating Positions at the Squad Bench - 1 and 3	$	incl
157. Harness Type for Seat Position 1: New 6pt Harness	$	825.00
158. Harness Type for Seat Position 3: New 6pt Harness	$	825.00
159. 22 Pocket Acrylic Holder	$	1,000.00
160. Double Squad Bench Cabinet	$	1,000.00
161. New Glove Box & Handrail at the Head of the Squad Bench	$	525.00
162. Trashcan With Lid at the Head of the Squad Bench	$	incl
163. O2 Outlet at the Squad Bench Wall	$	incl
164. Large Black Trashcan at the Side Entry Door	$	300.00
165. IV Hanger on Ceiling Raceway	$	incl
166. Driver Side Stainless Steel Ceiling Grab Rail for 12' Unit	$	incl
167. IV Hanger on Squad Bench Ceiling	$	incl
168. Rear Headknocker Options: With Speakers only	$	1,050.00
169. Stryker cot tower only (no antler and bar)	$	incl

170. Frazer Provided Stryker Power-LOAD System - Gen 2 (floor track, power harness, carriage and trolley)	$	40,500.00
171. Loncoin II Onyx Floor	$	incl
172. Laydown O2 Cabinet	$	incl
173. Captain's Chair Type: Captain's Chair with Child Safety Seat and 4pt. Harness	$	1,100.00
174. Module Heater : New	$	incl
175. Customer Provided Items Processing Fee	$	1,150.00
Module Interior Subtotal	**$**	**59,500.00**

Standard Terms and Conditions

INVOICING AND PAYMENT TERMS: Vendor shall submit one (1) original invoice per payment due. The invoice(s) shall include the items listed in accordance with the quote mentioned in the Sale Agreement with reference to the Customer's Purchase Order Number.

If the Sale Agreement provides for any progress (or advance) payments based on specific milestones or activities, Vendor's invoice shall certify to the accomplishment or performance by Vendor of said milestone or activity, and that Customer has obtained a security interest in such Products to the extent of such payment.

Payment shall be due upon receipt of the invoice and delivery of the unit to the Customer unless previously negotiated.

CANCELLATION POLICY: Cancellation of orders must be submitted in writing to sales@frazerbilt.com at least 180 days before the projected production completion date. Failure to adhere to this timeline may result in the application of a cancellation fee amounting to 25% of the total purchase order price.

CHASSIS PAYMENT CONSIDERATION: Please note that payment for the chassis may have been issued prior to the 180-day cancellation window. Therefore, cancellation requests or refunds pertaining to the chassis will be at the discretion of the respective dealerships.

DELIVERY TERMS: The products listed in the estimate are to be delivered Free On Board (FOB) Destination to Houston,TX. Customer representative(s) will pick up the unit at upfitter location, 7219 Rampart St., Houston, TX 77081 and transport it to their final destination at customer expense unless otherwise specified in the Vendor quote.

TERMINATION FOR CAUSE: Customer may terminate this Sale Agreement and any corresponding Purchase Order, or any part thereof, for cause including, but not limited to the following Vendor actions: (1) any default or breach of any of the terms and conditions of the Sale Agreement, (2) failure to provide Customer, upon request, a reasonable assurance of future performance, or (3) bankruptcy, dissolution, or suspension of payments by judicial decree. If Vendor does not cure such failure within a period of five (5) days or such a longer period as Customer may authorize in writing after the date such notice is sent to Vendor, then termination may proceed.

Vendor may also terminate this Sale Agreement and any corresponding Purchase Order for cause, and Vendor will not be in breach of same, in the event any supplier to Vendor fails to deliver Products and/or component parts in a timely fashion and Vendor cannot make alternate accommodations in order to comply with the Parties' agreed upon completion and delivery dates.

CHANGE ORDERS: Vendor has the right to modify the Purchase Order requirements and conditions as needed and will advise Customer in writing of such requested changes. Vendor shall not proceed with any changes without Customer's written authorization. Any request by Customer to change the terms or conditions of the Purchase Order, including product specifications, options, and price, must be made in advance of the production job order release. Any changes made after the release of the production job order will incur a $350 fee per change order made in a 24 hour period and will be included on a secondary invoice. Vendor reserves the right to refuse changes requested by the Customer.

MARKET VOLATILITY AND FEATURE AVAILABILITY: Frazer strives to maintain transparency and proactive communication with its customers. Due to market volatility, supply chain disruptions, or other unforeseen circumstances, certain options, brand names, materials, or features may become unavailable during the production process. In such instances, Frazer will notify the customer promptly and work collaboratively to identify and implement suitable alternatives that uphold the functionality, quality, and design standards of the product. Frazer appreciates the customer's understanding as it navigates these challenges and remains committed to delivering products that meet or exceed customer expectations.

IMPORT DUTIES AND TARIFF DISCLAIMER: The pricing provided in this estimate is based on current market conditions as of the date of issuance and does not account for potential import duties, tariffs, or other fees that may be imposed on goods imported from non-U.S. countries. Should such charges come into effect prior to the fulfillment of the order, these additional costs may be reflected in the final pricing. Frazer will provide timely notice of any such changes, including a detailed explanation of the impact, and will work in good faith with the customer to minimize any adverse effects. Frazer values its relationship with the customer and encourages open communication to address any questions or concerns that may arise.

PROPRIETARY INFORMATION, CONFIDENTIALITY AND ADVERTISING: All commercial, financial or technical information in any form that Vendor provides to Customer shall be deemed proprietary and confidential and Customer shall not disclose such information to third parties without Vendor's written consent. Termination of the Sale Agreement shall not relieve Customer of this confidentiality obligation. Upon Vendor's request, Customer shall return all confidential information to Vendor along with any reproductions, in whole or in part. The confidentiality obligation does not apply to information that is in the public domain through no fault of Customer or to information lawfully within Customer's possession prior to the date of the Purchase Order, as evidenced by Customer's written records. Notwithstanding any contrary provision contained herein, the provisions of Standard Terms and Conditions in no way affect, modify, or limit the obligation of City of Midland to comply with the Texas Public Information Act (the "Act") or any

ruling or decision of the Office of the Texas Attorney General ("OAG"). Additionally, Vendor acknowledges and agrees that the following shall not be considered a violation of these Standard Terms and Conditions, including the confidentiality provisions referenced above: (i) City's issuance of a request for a ruling from the OAG as to whether the disclosure of Vendor's claimed confidential or proprietary information is required under the Act in response to a public information request received by the City of Midland, or (ii) the City of Midland's disclosure of Vendor's claimed confidential or proprietary information pursuant to a ruling from the OAG requiring such disclosure.

Customer Initials: _____

LIMITATIONS ON DAMAGES: In the event of any dispute, disagreement or breach alleged by Customer on the part of Vendor, Customer's exclusive and sole remedy shall be repair or replacement, if practical, of the module, or component part, by Vendor. If Vendor is not able to effectuate a repair, replacement, or cure that brings the module, or component part, into compliance with the Parties' agreement, then Vendor shall refund the sale price to Customer. In no event shall Vendor be liable to Customer, or to any third-party acting through Customer, for any additional, consequential or punitive damages, or damages for lost sales, revenue or profits claimed by Customer or any third-party acting through Customer.

FORCE MAJEURE: A force majeure delay shall mean any delay or other unforeseeable causes beyond the reasonable control of the party affected, provided that any such delay is not caused, in whole or in part, by the acts or omissions of the party so delayed and further provided that such party is unable to make up for such delay with reasonable diligence and speed. If any such cause delays Vendor's performance, the delivery date or time for completion may be extended by a period of time reasonably necessary to overcome the effect of such delay; however, Vendor shall take all reasonable measures to mitigate the effects of the force majeure event and to minimize such delay. A party affected by a force majeure event shall notify the other party of such force majeure event within forty-eight (48) hours of its knowledge of such event for the event to be considered a bona fide force majeure event.

TITLE AND RISK OF LOSS: Title to the Products shall transfer to Customer upon receipt of Products by Customer or its agent unless otherwise stated in the Sale Agreement. Notwithstanding the above, risk of loss of the Products shall remain with Vendor until delivered to Customer.

WAIVER: Vendor's failure to exercise or enforce any right in the Purchase Order, or any other right or privilege under law, or Vendor's waiver of any breach by Customer shall not constitute a waiver or modification of any terms, conditions, privileges or rights whether of the same or similar type, unless Vendor gives such waiver in writing.

LIENS: Vendor waives and relinquishes all existing and future liens and claims (statutory or otherwise) for the Products specified in the Purchase Order, and warrants that the Products will be free and clear of all liens, claims or encumbrances of any kind.

INSPECTION, REVIEW AND WITNESSING: Customer and/or the ultimate owner of the Products have the right to inspect and attend testing of the Products at Vendor's premises (or its supplier's or subcontractor's premises) with reasonable advance notice. If any inspection is made on the premises of Vendor or its supplier, Vendor, without additional charge, shall provide all reasonable facilities and assistance for the safety and convenience of the inspectors in the performance of their duties.

APPLICABLE LAW AND VENUE: The Sale Agreement shall be governed and interpreted in accordance with the laws of the State of Texas, without reference to any principle of conflict of laws. Customer and Vendor expressly exclude the application of the Convention on International Sale of Goods to the Sale Agreement. Venue for all judicial, administrative, or regulatory proceedings shall be Midland County.

OWNERSHIP OF DOCUMENTS: Title to all drawings, specifications, calculations, technical data and other documents that Customer submits in accordance with the Purchase Order shall vest with Vendor. Vendor shall have the right to use such documents for any purpose pertaining to the manufacture, assembly, and delivery of the Products.

Title to all drawings, specifications, calculations, technical data, and other documents that Vendor submits to the Customer shall vest with the Customer. Customer shall have the right to use such documents for any purpose pertaining to the installation, operation, and maintenance of the Products.

INSURANCE: Vendor shall comply with the project insurance requirements for which the Products are being provided. Customer shall provide specific reasonable levels required as soon as such levels are available, which shall not exceed $1,000,000 for any non-statutory category other than excess liability umbrella, which shall not exceed $4,000,000. When requested by Customer, Vendor shall provide certificates of insurance as proof of same.

SURVIVAL: The provisions of the following Paragraphs of these Terms and Conditions shall survive any cancellation or termination of the Purchase Order: (Proprietary Information, Confidentiality and Advertising), (Indemnification), (Liens), and (Applicable Law and Venue).

HGACBuy	CONTRACT PRICING WORKSHEET For MOTOR VEHICLES Only	Contract No.:	AM10-23	Date Prepared:	8/15/2025

Due to global supply chain constraints, any delivery date contained herein is a good faith estimate as of the date of this order/contract.
As needed, delivery updates will be provided as soon as possible.

Buying Agency:	Midland Fire Dept.	**Contractor:**	Sterling McCall Ford	4229	HGAC
Contact Person:	Charles Blumenauer	**Prepared By:**	Amanda Myers		
Phone:		**Phone:**	(281) 588-5007		
Fax:		**Fax:**	(281) 588-5150		
Email:	cblumenauer@midlandtexas.gov	**Email:**	AMyers@sterlingmccallford.com		
Product Description	Type I - 12'XTFord F-350 Gas 4x4 Reg Cab-84"CA w/ Aluminum wheels				

A. Product Item Base Unit Price Per Contractor's H-GAC Contract: AM10-23 — $215,000.00

B. Published Options - Itemize below - Attach additional sheet(s) if necessary.
(Note: Published Options are "manufacturer standard options" which were submitted and priced in Contractor's proposal.)

Description	Cost	Description	Cost
Current Stryker Catelog List Price	$87,250.00	Rear Wall Headknocker with Speakers and Volume Control knob	$1,000.00
MEPS	$20,775.00	Customer Provided Item Tier 2 processing fee	$850.00
Graphics Package Standard	$6,200.00	OEM Equipment not listed above, cost (to include shipping) + $5	$1,325.00
GPS Opitcom	$8,050.00	MDT Plate - with Swivel Holes	$700.00
4pt Captains Chair with child safety	$2,950.00	Single Map Holder with Cup Holder on the Rear of Console	$500.00
Medvault w/ Wifi	$3,975.00	6pt Harness (each) (includes structure)	$775.00
Spectra SPA260	$3,100.00	6pt Harness (each) (includes structure)	$775.00
Fast Recover Compressor	$2,075.00	6pt Harness (each) (includes structure)	$775.00
Current Technimount System Catelog List Price	$3,575.00	Valve Extenders	$425.00
Dual 10" & 12" Air Horns	$1,600.00	Chassis Mud Flaps	$500.00
Paint One Color	$7,300.00	Flat bars on Rear Storage	$350.00
Current Motorola Solutions Product Catelog List Price	$1,225.00	Rear back board w/ shelf	$350.00
2 Survivor Flashlights	$1,000.00	Armrest	$350.00
Gas Hold-Open in Compartment(Except Genset)	$1,175.00	3 High Glove Box Holder	$350.00
22 Pocket Acrylic Holder	$950.00	Fire Extinguisher and Amerex 807 bracket	$400.00
Secure-Idle Anti-Theft System	$950.00	Frazer Parts Catelog (available online https://store.frazerbilt.com	$7,600.00
Double Squad Bench Cabinet	$950.00	**Subtotal B:**	$170,125.00

C. Customization Category Totals - Itemize below / Attach additional sheet(s) if necessary.
(Note: Customization options are "manufacturer non-standard options" which were submitted and priced in Contractors's proposal.)

Description	Cost	Description	Cost
Module Exterior Customer Requested Unpublished Custom Options	$10,576.00	Chassis Exterior Customer Requested Unpublished Custom Options	$2,550.00
Module Interior Customer Requested Unpublished Custom Options	$8,550.00	**Subtotal C:**	$21,676.00

Check: Total cost of Customization Categories (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B). — **For this transaction the percentage is:** 5.63%

D. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C)

Quantity Ordered:	2	X Subtotal of A + B + C:	$406,801.00	=	Subtotal D:	$813,602.00

E. H-GAC Order Processing Charge (Amount Per Current Policy) — **Subtotal E:** $1,000.00

F. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges

Description	Cost	Description	Cost
		Subtotal F:	$0.00

Delivery Date: | **G. Total Purchase Price (D+E+F):** $814,602.00

Customer Quote

9/10/2025 2:57:33 PM

Estimate No:	Q4229-0001
Quote Date:	9/10/2025
Expiration Date:	11/1/2025
Salesperson:	KS
Payment Terms:	Due on Delivery

Invoice To: 10617

Michael Tully
Midland Fire Department
P.O. Box 1152
Midland TX 79702
US

Deliver To:

Michael Tully
Kevin Keith
Midland Fire Department
1701 East Orchard
Midland TX 79701
US

Order Instructions:

TERMS:

The unit will be invoiced approximately 30 days prior to vehicle completion and is due upon acceptance of the completed unit, unless alternate terms have been approved in writing.

All ownership documentation—including the Manufacturer's Statement of Origin (MSO), Buyer's Order, and delivery paperwork—will be held until full payment of all open invoices has been received. This won't delay you from inspecting or taking delivery—but you won't receive the paperwork until payment is complete

TERMS:

A progress payment for the chassis portion will be invoiced upon arrival at the dealership and is due within 30 days of the invoice date. The remaining balance will be invoiced approximately 30 days prior to vehicle completion and is due upon delivery of the completed unit, unless alternate terms have been approved in writing.

POLICY ON CUSTOMER PROVIDED ITEMS INSTALLATION:

To ensure optimal performance and longevity of installed equipment, we require that all customer-provided items be new in the box, with the following exceptions: cot retention systems, Knox MedVaults, and Knox KeySecures. In the event that a used cot retention system is provided, it must be accompanied by a new floor plate, wiring harness, and mounting hardware to guarantee functionality and safety. Failure to provide new in the box items, as requested, may result in the equipment not being installed and returned loose with the completed vehicle.

All customer provided items must be at Frazer 60 days prior to the projected production start date. This allows us time to inventory and inspect all items prior to production beginning. Failure to provide the items on time, as requested, may result in the equipment not being installed and returned loose with the completed vehicle.

No.	Item	Qty	U/M:		Unit Price		Net Amount
1	MODULE Type I 12' XT Module	2.00	EA	$	289,925.00	$	579,850.00
2	CHASSIS 2026 Ford F-350 Gasoline	2.00	EA	$	66,500.00	$	133,000.00

This chassis price is derived from the latest information provided by Ford. The exact pricing details will not be ascertainable until the chassis physically arrives at the dealership, at which juncture adjustments to this price may be made. In the event of any price adjustment, you will receive written notification detailing the changes.

3	DELIVERY Customer Pick Up - FOB Frazer	1.00	M	$	0.00	$	0.00

Frazer will accept returns on parts up to 180 days after shipment. No restocking fee will be charged if the item is returned within 90 days of the original invoice date. All parts returns should be shipped back freight prepaid and require prior approval with a "Returns Material Authorization" (RMA) clearly displayed on the exterior of the shipping package. A credit will be issued towards the customer's account within approximately 7 business days of receipt of the item. If a part is returned after 90 days of the original invoice date a 15% restocking fee will be applied. Frazer Ltd reserves the right to accept returned items at its sole discretion based upon the condition of the item to be placed back into stock. :

Customer Quote

9/10/2025 2:57:33 PM

Estimate No:	Q4229-0001
Quote Date:	9/10/2025
Expiration Date:	11/1/2025
Salesperson:	KS
Payment Terms:	Due on Delivery

Order Instructions:

No.	Item	Qty	U/M:		Unit Price		Net Amount
	Customer must pick up in Houston at Frazer or additional delivery charges will apply.						
4	HGAC-NEW Contract No. AM10-23	1.00	EA	$	1,000.00	$	1,000.00
5	STRYKER POWER-PRO 2 Cot-Stryker Power-PRO 2 6507 High Config	2.00	EA	$	38,543.00	$	77,086.00
	High Config						
6	STRYKER STAIR-PRO Stair Chair-Stryker Stair-PRO 6252	2.00	EA	$	5,076.00	$	10,152.00
7	SpecDoc Configurable item to create the SpecDoc	1.00	EA	$	0.00	$	0.00
8	MISC First Tactical Supplies	1.00	EA	$	7,600.00	$	7,600.00

Per Quote 02272025:

8-First Tactical Jump bags-Item #-FT-180029-400

8-Orange Trauma Kit-#-FT-180045-300

8-Med Kit Yellow-#- FT-180043-275

8-Airway kit Blue-#-FT-180041-700

8-I.V. Kit Red-#-FT180042-400

16- Hook and Loop 9x10 Pouch-#-FT-180030-015

Frazer will accept returns on parts up to 180 days after shipment. No restocking fee will be charged if the item is returned within 90 days of the original invoice date. All parts returns should be shipped back freight prepaid and require prior approval with a "Returns Material Authorization" (RMA) clearly displayed on the exterior of the shipping package. A credit will be issued towards the customer's account within approximately 7 business days of receipt of the item. If a part is returned after 90 days of the original invoice date a 15% restocking fee will be applied. Frazer Ltd reserves the right to accept returned items at its sole discretion based upon the condition of the item to be placed back into stock. :

Customer Quote

9/10/2025 2:57:33 PM

Estimate No:	Q4229-0001
Quote Date:	9/10/2025
Expiration Date:	11/1/2025
Salesperson:	KS
Payment Terms:	Due on Delivery

Order Instructions:

No.	Item	Qty	U/M:		Unit Price		Net Amount
8-DOT TAC Name Tapes-#- FT-180046-015							
9	55706 Kit-Service, Alvarium Battery	2.00	EA	$	1,200.00	$	2,400.00
10	55707 Assy-Battery Charger, Power Pro 2	2.00	EA	$	1,717.00	$	3,434.00
11	55708 Assy-Power Cord, 120V AC, Power Pro 2	2.00	EA	$	40.00	$	80.00

Remit To:

Frazer, Ltd.
7219 Rampart Street
Houston TX 77081

Sale Amount:	814,602.00
Order Disc(0.0000%):	0.00
Surcharge:	N/A
Sales Tax:	0.00
Misc Charges:	0.00
Total Amount:	814,602.00

Frazer will accept returns on parts up to 180 days after shipment. No restocking fee will be charged if the item is returned within 90 days of the original invoice date. All parts returns should be shipped back freight prepaid and require prior approval with a "Returns Material Authorization" (RMA) clearly displayed on the exterior of the shipping package. A credit will be issued towards the customer's account within approximately 7 business days of receipt of the item. If a part is returned after 90 days of the original invoice date a 15% restocking fee will be applied. Frazer Ltd reserves the right to accept returned items at its sole discretion based upon the condition of the item to be placed back into stock. :

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For your convenience, all pricing has been itemized below per quote Q4229-0001 for Midland Fire Department

Base Module	$	153,350.00
Chassis Exterior	$	8,600.00
Module Exterior	$	63,225.00
Chassis Interior	$	5,250.00
Module Interior	$	59,500.00
	Total $	**289,925.00**

Items included in above totals:

1. Pricing Model Year: 2025.5	$	
2. Type I - Truck Front End with Modular Body 12' XT Module	$	incl
3. This is a Triple K Unit	$	incl
Chassis Exterior:		
4. 2 Chassis Keys Provided	$	incl
5. Chassis Paint Layout: Keep Factory Paint Color - Red	$	incl
6. Chassis : 2026 Ford F-350, Gas, 4x2, Regular Cab, 84" Cab to Axle, PQ - Race Red	$	incl
7. Camera System: Ford OEM Back-up Camera System	$	825.00
8. Wheel type: Factory Aluminum	$	incl
9. Dual Dynamics Valve Stem Extender with Equalization and Pressure Indicator	$	450.00
10. Road Force Elite tire and wheel balancing	$	incl
11. Chassis Steps: Luverne Running Boards	$	1,575.00
12. Grille Guard: Grille Guard with Wraparounds	$	incl
13. Chassis Mud Flaps	$	525.00
14. 10" and 12" Air Horns	$	1,675.00
15. Compressor Type: Fast Recovery	$	2,175.00
16. Air Horn Switching Options: Truck Horn/ Air Horn	$	225.00
17. Passenger's side Grille Light: Whelen M4 Red Light	$	incl
18. Driver's side Grille Light: Whelen M4 Red Light	$	incl
19. Passenger's side Intersect Light: Whelen M4 Blue Light	$	incl
20. Driver's side Intersect Light: Whelen M4 Blue Light	$	incl
21. *Note to Engineering* Reroute fuel line to be downhill (see E-3870/71)	$	incl
22. *Note to truckshop": Install both front OEM hub covers, in lieu of shipping loose	$	incl
23. UNOC #3442 - Furnish and install modified D/S and P/S rear wheel wells, including bump-outs in module interior, to accomodate chassis with narrow track rear axle	$	1,150.00
Chassis Exterior Subtotal	**$**	**8,600.00**

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Module Exterior:

24. LizardSkin Thermal Coating on Module Roof - Roof Will be White	$	incl
25. Module Paint Layout: Non-White One Tone - PQ - Race Red	$	3,300.00
26. No Design Package	$	incl
27. Frazer Provided Tier 2 - Standard Graphics	$	6,500.00
28. Front Wall Placard: 11" x 8.5" Painted Side-Loading Aluminum Holder with Lasco	$	300.00
29. Driver Side Placard: 11" x 8.5" Painted Top-Loading Aluminum Holder with Lasco	$	300.00
30. Rear Wall Placard: 11" x 8.5" Painted Side-Loading Aluminum Holder with Lasco	$	300.00
31. Passenger Side Placard: 11" x 8.5" Painted Top-Loading Aluminum Holder with Lasco	$	300.00
32. Graphics Write-In Option 1: Graphics Write-In Option 2: Furnish and install labels on gauges in compartment below front I/O, identifying air horns and tire chains compressors	$	incl
33. Graphics Write-In Option 2: *Note to Graphics: (4) placard holders, Item 50098-P (color same as E-3780/81)	$	incl
34. Graphics Write-In Option 3: *Note to graphics: All placards to be top loading.	$	incl
35. Graphics Write-In Option 4: *Note to graphics*: Install clear 1/4" vinyl to all edges of rear conspicuity per customer request	$	incl
36. Body Drop on the Passenger's Side Forward of Rear Wheels	$	incl
37. GPS Opticom	$	8,425.00
38. Opticom Switching: On/Off Switch and Cut-off with park	$	incl
39. Shore Power: Single 30 Amp auto eject w/ Red cover on Driver's Side Wall	$	750.00
40. Pigtail/Plug Option: Pigtail	$	incl
41. Coax 1: Run coax from location 1 to Chassis	$	incl
42. Coax 2: Run coax from location 2 to Electrical Compartment terminated to GPS Opticom	$	incl
43. Coax 3: Run coax from location 3 to Electrical Compartment	$	incl
44. Coax 4: Run coax from location 4 to Electrical Compartment	$	incl
45. UNOC #196 - Install customer provided radio equipment: - Motorola APX8500 radio base in electrical compartment; ignition hot - Radio base to be turned 180-degrees so back is facing outward in compartment - Larson multi-band antenna at module roof location #3, connected to radio base in electrical compartment - Radio head in console slot 2; ignition hot - 30' long radio control cable - Speaker on front of console -Mic on front D/S of console	$	1,225.00

- Radio head below action wall cabinet toward rear; ignition hot
- 15' long radio control cable
- Speaker beneath action wall cabinet, behind radio head
- Mic beneath action wall cabinet, to right of radio head

46. UNOC #2224 - Furnish and Install Cradlepoint IBR1700 (Item 52957) in electrical compartment (P/N IBR1100LP6), ignition hot; multi-band antenna with multiple coaxes on module roof	$	3,400.00
47. UNOC #1722 - Furnish and install ethernet cables: - (1) from modem to docking station at action wall - (1) from modem to docking station at console - (1) from modem to Keysecure in electrical compartment	$	275.00
48. Front Wall Light Layout: Lower 5 Lights	$	incl
49. Front Wall Light #1: Whelen M6 Red Light	$	incl
50. Front Wall Light #2: Whelen M6 Blue Light	$	incl
51. Front Wall Light #3: Whelen M6 Clear Light	$	incl
52. Front Wall Light #4: Whelen M6 Blue Light	$	incl
53. Front Wall Light #5: Whelen M6 Red Light	$	incl
54. Front Wall Driver Side Box Light: Whelen M6 Red Light	$	incl
55. Front Wall Passenger Box Light: Whelen M6 Red Light	$	incl
56. Driver Wall Front Box Light: Whelen M6 Red Light	$	incl
57. Driver Wall Rear Box Light: Whelen M6 Red Light	$	incl
58. Driver Wheel Well Light: Whelen M6 Blue Light	$	incl
59. Side Scene Lights: Spectra SPA260	$	4,000.00
60. O2 Compartment Style: Laydown O2 with Adjustable Shelf	$	incl
61. O2 Rollers for an H Cylinder	$	incl
62. O2 Cylinder Changing Wrench	$	175.00
63. Electrical Compartment Style: Standard Electrical Compartment	$	incl
64. Power Source: MEPS	$	21,725.00
65. Lower Storage Style: Standard Lower Storage	$	incl
66. Compartment Above Wheel Well with No I/O Access	$	incl
67. Dometic Self-Contained A/C: Includes Exhaust Fan and Air Deflectors	$	incl
68. Rear Storage Compartment Style: Rear Storage with Flatbars for SCBA Brackets	$	375.00
69. (2) SC-50-H-6-SF SCBA brackets in rear storage in Rear Storage Compartment Raised 10 inches off the Floor	$	1,650.00
70. UNOC #587 - Furnish and install half depth shelf in D/S rear storage compartment, 6-	$	200.00

1/2" from shelf to ceiling with 1" x 2" angle on botom of the shelf with (2) coat hooks evenly spaced; mount SCBA brackets at bottom of flat bars		
71. UNOC #1723 - Furnish and install Knox KeySecure Series 5 with 60 degree bracket in the electrical compartment with 1 key option (no blue strobe); wired battery hot	$	2,725.00
72. UNOC #1724 - Furnish and install 30" Paratech Haligan Pro Bar 30" (P/N FHU-PB-30) w/ PAC mount (P/N K5032-Y) on the front wall of the D/S rear storage compartment near the opening	$	800.00
73. UNOC #1725 - Furnish and install (2) Streamlight Survivor orange LED flashlights centered on back wall of D/S rear storage compartment below the shelf, on charging platform	$	1,225.00
74. *NOTE* Install SCBA brackets the exact same as units E-3780-3781	$	incl
75. UNOC #1726 - Furnish and install RIDGID brand 24" Heavy Duty bolt cutters and Zicomatic Quic-mount bolt cutter bracket on rear wall of D/S rear storage compartment near the opening	$	625.00
76. *Note to Engineering: Customer will bring Tech Key with them on day of pick-up so installation of KeySecure can be completed then	$	incl
77. *Note to documentation*: Ensure coax labeling matches revisions made to E-4009 & E-4010	$	incl
78. UNOC#??? Connect both ends of coax #3 to radio base in electrical compartment	$	100.00
79. Module Window Option: Sliding Window	$	incl
80. Ceramic Window Tint on Rear and Side Entry Doors	$	550.00
81. Upper Rear Wall Light Layout: 3 Across	$	incl
82. Upper Light #1: Whelen M6 Load Light	$	incl
83. Upper Light #2: Whelen M6 Amber Light	$	incl
84. Upper Light #3: Whelen M6 Load Light	$	incl
85. Lower Light #1: Whelen M6 Brake/Tail/Turn Red Light with Clear Lens	$	incl
86. Lower Light #2: Whelen M6 Brake/Tail/Turn Red Light with Clear Lens	$	incl
87. Lower Light #3: Whelen M6 Blue Light	$	incl
88. Lower Light #4: Whelen M6 Blue Light	$	incl
89. Rear Wall Driver Box Light: Whelen M6 Red Light	$	incl
90. Rear Wall Passenger Box Light: Whelen M6 Red Light	$	incl
91. Rear Backboard Options: 5" Compartment Shelf	$	375.00
92. Lower BTTs: 2 Grote Lights on each side	$	incl
93. Rear Bumper	$	incl
94. Door Grabbers	$	incl

95. License Plate Light	$	incl
96. UNOC #1727 - Furnish and install brushed stainless steel panels in lieu of diamond plate at all exterior locations (like DC Fire)	$	1,825.00
97. Passenger Wall Front Box Light: Whelen M6 Red Light	$	incl
98. Passenger Wall Rear Box Light: Whelen M6 Red Light	$	incl
99. Passenger Wheel Well Light: Whelen M6 Blue Light	$	incl
100. Interior Step Option: Double Step Well	$	incl
101. Passenger Rear Compartment Style: Passenger Side Storage Compartment	$	incl
102. Gas Hold Open on All Compartments	$	1,800.00
Module Exterior Subtotal	**$**	**63,225.00**

Chassis Interior:

103. Siren Speakers: Whelen SA 315 Speakers	$	incl
104. Tap-2 on Primary Siren	$	incl
105. Siren Option: Whelen C9 Siren in Console	$	incl
106. Mic 1 shipped loose	$	incl
107. HAAS Alert System: HAAS Alert Responder to Vehicle - 3 Year Sub	$	incl
108. Slot 1: Extended MDT plate - swivel, no fuel gauge (swivel on passenger side)	$	750.00
109. Slot 2: Radio Plate: 7.5 L X 2.5 W opening dims Item ID 2398	$	incl
110. Slot 3: Single Slot Switch Panel	$	incl
111. Slot 4: Siren 1	$	incl
112. Console Switch Layout : Primary - Secondary - Opticom - Air Horn - Side Scene (Driver's Side) - Side Scene (Passenger's Side) - Rear Load - Interior Lights - Blank -	$	incl
113. New Armrest	$	375.00
114. Console Layout: 4-Slot Console	$	incl
115. Floor in Front of Console: (2) Survivor Flashlights wired Failsafe	$	1,050.00
116. Rear of Console: Single Mapholder with Cup Holder	$	525.00
117. Chassis Rear Wall: 3 High Glove Box Holder	$	375.00
118. Secure-Idle Anti-Theft System	$	1,000.00
119. UNOC #1728 - Install customer provided Havis docking station for Panasonic laptop with universal adapter plate and Lind power supply, mounted on extended MDT plate; battery hot (see E-3781)	$	325.00
120. UNOC #1729 - Furnish and install Panorama Sharkee dual band WiFi and cellular antenna (MiMo 2G/3G/4G WiFi Black Antenna, P/N IN1960-B) on chassis roof; run coax to docking station at console	$	550.00

121. UNOC #1730 - Furnish and install Havis tilt/swivel motion device on MDT plate (P/N C-MD-202)	$	300.00
Chassis Interior Subtotal	**$**	**5,250.00**

Module Interior:

122. Protek Cushions	$	incl
123. Cobalt Blue Interior	$	incl
124. Stainless Steel Countertops	$	incl
125. Stainless Steel Grab Rails	$	incl
126. Front I/O with Lexan Doors	$	incl
127. Quad Outlet in the Front I/O	$	incl
128. Map Holder on Side of Front I/O	$	300.00
129. Duplex Outlet on the Front Wall	$	incl
130. Netting at the Front Corner Area	$	incl
131. Medvault w/ Wifi	$	4,175.00
132. UNOC #1731 - Furnish and install fire extinguisher with Amerex 807 bracket on the inside of the front I/O cabinet, centered on the back wall above the shelf (same position as E3387-E3392)	$	325.00
133. UNOC #598 - Furnish and install (2) SAE compliant Zico QR-D-2 "D" cylinder holders against driver's side cladding below the action wall	$	750.00
134. UNOC#??? (Like 2090): Furnish and install ethernet cable from modem in electrical compartment to Medvault	$	150.00
135. Location 1: 4 Switch w/Thermostat	$	incl
136. Location 2: Double O2 Outlet	$	incl
137. Location 3: Dual USB receptacles	$	375.00
138. Location 4: Volume Control Knob	$	incl
139. Location 6: Suction	$	incl
140. Location 7: Quad 120 VAC	$	incl
141. Location 8: Blank	$	incl
142. Location 9: Blank	$	incl
143. Action Wall Switch Layout : Interior Lights; Dimmer; Ventilation Fan; Module Heater - Hi/None/Low;	$	incl
144. Technimount ZOLL X Monitor Mount (Heavy Duty) on the Action Wall Countertop	$	2,525.00
145. Sharps Container at Action Wall	$	incl
146. New Action Wall Acrylic Holder	$	incl
147. Single CPR Seat	$	incl

148. New 6pt Harness at the CPR Seat	$	825.00
149. Acrylic Holder Aft CPR Seat	$	incl
150. Rear Door Switch Layout : Blank; Blank; Blank; Rear Load;	$	incl
151. UNOC #1728 - Install customer provided Havis docking station for Panasonic laptop with universal adapter, mounted on action wall countertop, with Lind power supply mounted behind action wall; battery hot (see E-3781)	$	325.00
152. UNOC #1730 - Furnish and install Havis tilt/swivel motion device at action wall (P/N C-MD-202)	$	300.00
153. UNOC #1729 - Furnish and install Panorama Sharkee dual band WiFi and cellular antenna (MiMo 2G/3G/4G WiFi Black Antenna, P/N IN1960-B) on module roof; run coax to docking station at action wall	$	550.00
154. UNOC #2228 - Furnish and Install (2) flow meters (Item 27611) at O2 outlets at action wall	$	625.00
155. *Note to Engineering: - Connect (1) WiFi and (1) cellular coax from Sharkee antenna on module roof to docking station at action wall - Connect (1) WiFi and (1) cellular coax from Sharkee antenna on module roof to docking station at console - Remaining coaxes from Sharkee antenna to be left in electrical compartment - Label all coaxes toward connector end at docking stations at action wall and console (whether WiFi, celluar, etc.) *Refer to E-3780/81	$	incl
156. Two Seating Positions at the Squad Bench - 1 and 3	$	incl
157. Harness Type for Seat Position 1: New 6pt Harness	$	825.00
158. Harness Type for Seat Position 3: New 6pt Harness	$	825.00
159. 22 Pocket Acrylic Holder	$	1,000.00
160. Double Squad Bench Cabinet	$	1,000.00
161. New Glove Box & Handrail at the Head of the Squad Bench	$	525.00
162. Trashcan With Lid at the Head of the Squad Bench	$	incl
163. O2 Outlet at the Squad Bench Wall	$	incl
164. Large Black Trashcan at the Side Entry Door	$	300.00
165. IV Hanger on Ceiling Raceway	$	incl
166. Driver Side Stainless Steel Ceiling Grab Rail for 12' Unit	$	incl
167. IV Hanger on Squad Bench Ceiling	$	incl
168. Rear Headknocker Options: With Speakers only	$	1,050.00
169. Stryker cot tower only (no antler and bar)	$	incl

170. Frazer Provided Stryker Power-LOAD System - Gen 2 (floor track, power harness, carriage and trolley)	$	40,500.00
171. Loncoin II Onyx Floor	$	incl
172. Laydown O2 Cabinet	$	incl
173. Captain's Chair Type: Captain's Chair with Child Safety Seat and 4pt. Harness	$	1,100.00
174. Module Heater : New	$	incl
175. Customer Provided Items Processing Fee	$	1,150.00
Module Interior Subtotal	**$**	**59,500.00**

Standard Terms and Conditions

INVOICING AND PAYMENT TERMS: Vendor shall submit one (1) original invoice per payment due. The invoice(s) shall include the items listed in accordance with the quote mentioned in the Sale Agreement with reference to the Customer's Purchase Order Number.

If the Sale Agreement provides for any progress (or advance) payments based on specific milestones or activities, Vendor's invoice shall certify to the accomplishment or performance by Vendor of said milestone or activity, and that Customer has obtained a security interest in such Products to the extent of such payment.

Payment shall be due upon receipt of the invoice and delivery of the unit to the Customer unless previously negotiated.

CANCELLATION POLICY: Cancellation of orders must be submitted in writing to sales@frazerbilt.com at least 180 days before the projected production completion date. Failure to adhere to this timeline may result in the application of a cancellation fee amounting to 25% of the total purchase order price.

CHASSIS PAYMENT CONSIDERATION: Please note that payment for the chassis may have been issued prior to the 180-day cancellation window. Therefore, cancellation requests or refunds pertaining to the chassis will be at the discretion of the respective dealerships.

DELIVERY TERMS: The products listed in the estimate are to be delivered Free On Board (FOB) Destination to Houston,TX. Customer representative(s) will pick up the unit at upfitter location, 7219 Rampart St., Houston, TX 77081 and transport it to their final destination at customer expense unless otherwise specified in the Vendor quote.

TERMINATION FOR CAUSE: Customer may terminate this Sale Agreement and any corresponding Purchase Order, or any part thereof, for cause including, but not limited to the following Vendor actions: (1) any default or breach of any of the terms and conditions of the Sale Agreement, (2) failure to provide Customer, upon request, a reasonable assurance of future performance, or (3) bankruptcy, dissolution, or suspension of payments by judicial decree. If Vendor does not cure such failure within a period of five (5) days or such a longer period as Customer may authorize in writing after the date such notice is sent to Vendor, then termination may proceed.

Vendor may also terminate this Sale Agreement and any corresponding Purchase Order for cause, and Vendor will not be in breach of same, in the event any supplier to Vendor fails to deliver Products and/or component parts in a timely fashion and Vendor cannot make alternate accommodations in order to comply with the Parties' agreed upon completion and delivery dates.

CHANGE ORDERS: Vendor has the right to modify the Purchase Order requirements and conditions as needed and will advise Customer in writing of such requested changes. Vendor shall not proceed with any changes without Customer's written authorization. Any request by Customer to change the terms or conditions of the Purchase Order, including product specifications, options, and price, must be made in advance of the production job order release. Any changes made after the release of the production job order will incur a $350 fee per change order made in a 24 hour period and will be included on a secondary invoice. Vendor reserves the right to refuse changes requested by the Customer.

MARKET VOLATILITY AND FEATURE AVAILABILITY: Frazer strives to maintain transparency and proactive communication with its customers. Due to market volatility, supply chain disruptions, or other unforeseen circumstances, certain options, brand names, materials, or features may become unavailable during the production process. In such instances, Frazer will notify the customer promptly and work collaboratively to identify and implement suitable alternatives that uphold the functionality, quality, and design standards of the product. Frazer appreciates the customer's understanding as it navigates these challenges and remains committed to delivering products that meet or exceed customer expectations.

IMPORT DUTIES AND TARIFF DISCLAIMER: The pricing provided in this estimate is based on current market conditions as of the date of issuance and does not account for potential import duties, tariffs, or other fees that may be imposed on goods imported from non-U.S. countries. Should such charges come into effect prior to the fulfillment of the order, these additional costs may be reflected in the final pricing. Frazer will provide timely notice of any such changes, including a detailed explanation of the impact, and will work in good faith with the customer to minimize any adverse effects. Frazer values its relationship with the customer and encourages open communication to address any questions or concerns that may arise.

PROPRIETARY INFORMATION, CONFIDENTIALITY AND ADVERTISING: All commercial, financial or technical information in any form that Vendor provides to Customer shall be deemed proprietary and confidential and Customer shall not disclose such information to third parties without Vendor's written consent. Termination of the Sale Agreement shall not relieve Customer of this confidentiality obligation. Upon Vendor's request, Customer shall return all confidential information to Vendor along with any reproductions, in whole or in part. The confidentiality obligation does not apply to information that is in the public domain through no fault of Customer or to information lawfully within Customer's possession prior to the date of the Purchase Order, as evidenced by Customer's written records. Notwithstanding any contrary provision contained herein, the provisions of Standard Terms and Conditions in no way affect, modify, or limit the obligation of City of Midland to comply with the Texas Public Information Act (the "Act") or any

ruling or decision of the Office of the Texas Attorney General ("OAG"). Additionally, Vendor acknowledges and agrees that the following shall not be considered a violation of these Standard Terms and Conditions, including the confidentiality provisions referenced above: (i) City's issuance of a request for a ruling from the OAG as to whether the disclosure of Vendor's claimed confidential or proprietary information is required under the Act in response to a public information request received by the City of Midland, or (ii) the City of Midland's disclosure of Vendor's claimed confidential or proprietary information pursuant to a ruling from the OAG requiring such disclosure.

Customer Initials: _____

LIMITATIONS ON DAMAGES: In the event of any dispute, disagreement or breach alleged by Customer on the part of Vendor, Customer's exclusive and sole remedy shall be repair or replacement, if practical, of the module, or component part, by Vendor. If Vendor is not able to effectuate a repair, replacement, or cure that brings the module, or component part, into compliance with the Parties' agreement, then Vendor shall refund the sale price to Customer. In no event shall Vendor be liable to Customer, or to any third-party acting through Customer, for any additional, consequential or punitive damages, or damages for lost sales, revenue or profits claimed by Customer or any third-party acting through Customer.

FORCE MAJEURE: A force majeure delay shall mean any delay or other unforeseeable causes beyond the reasonable control of the party affected, provided that any such delay is not caused, in whole or in part, by the acts or omissions of the party so delayed and further provided that such party is unable to make up for such delay with reasonable diligence and speed. If any such cause delays Vendor's performance, the delivery date or time for completion may be extended by a period of time reasonably necessary to overcome the effect of such delay; however, Vendor shall take all reasonable measures to mitigate the effects of the force majeure event and to minimize such delay. A party affected by a force majeure event shall notify the other party of such force majeure event within forty-eight (48) hours of its knowledge of such event for the event to be considered a bona fide force majeure event.

TITLE AND RISK OF LOSS: Title to the Products shall transfer to Customer upon receipt of Products by Customer or its agent unless otherwise stated in the Sale Agreement. Notwithstanding the above, risk of loss of the Products shall remain with Vendor until delivered to Customer.

WAIVER: Vendor's failure to exercise or enforce any right in the Purchase Order, or any other right or privilege under law, or Vendor's waiver of any breach by Customer shall not constitute a waiver or modification of any terms, conditions, privileges or rights whether of the same or similar type, unless Vendor gives such waiver in writing.

LIENS: Vendor waives and relinquishes all existing and future liens and claims (statutory or otherwise) for the Products specified in the Purchase Order, and warrants that the Products will be free and clear of all liens, claims or encumbrances of any kind.

INSPECTION, REVIEW AND WITNESSING: Customer and/or the ultimate owner of the Products have the right to inspect and attend testing of the Products at Vendor's premises (or its supplier's or subcontractor's premises) with reasonable advance notice. If any inspection is made on the premises of Vendor or its supplier, Vendor, without additional charge, shall provide all reasonable facilities and assistance for the safety and convenience of the inspectors in the performance of their duties.

APPLICABLE LAW AND VENUE: The Sale Agreement shall be governed and interpreted in accordance with the laws of the State of Texas, without reference to any principle of conflict of laws. Customer and Vendor expressly exclude the application of the Convention on International Sale of Goods to the Sale Agreement. Venue for all judicial, administrative, or regulatory proceedings shall be Midland County.

OWNERSHIP OF DOCUMENTS: Title to all drawings, specifications, calculations, technical data and other documents that Customer submits in accordance with the Purchase Order shall vest with Vendor. Vendor shall have the right to use such documents for any purpose pertaining to the manufacture, assembly, and delivery of the Products.

Title to all drawings, specifications, calculations, technical data, and other documents that Vendor submits to the Customer shall vest with the Customer. Customer shall have the right to use such documents for any purpose pertaining to the installation, operation, and maintenance of the Products.

INSURANCE: Vendor shall comply with the project insurance requirements for which the Products are being provided. Customer shall provide specific reasonable levels required as soon as such levels are available, which shall not exceed $1,000,000 for any non-statutory category other than excess liability umbrella, which shall not exceed $4,000,000. When requested by Customer, Vendor shall provide certificates of insurance as proof of same.

SURVIVAL: The provisions of the following Paragraphs of these Terms and Conditions shall survive any cancellation or termination of the Purchase Order: (Proprietary Information, Confidentiality and Advertising), (Indemnification), (Liens), and (Applicable Law and Venue).

City Council Meeting

Item Number: 8.
Meeting Date: October 14, 2025
To: City Council
From: Erika Munoz, Assistant General Services Director
Subject: RESOLUTION APPROVING THE PURCHASE OF FIFTY (50) BUNKER COATS AND FIFTY (50) BUNKER PANTS FROM DOOLEY TACKABERRY, INC., THROUGH BUYBOARD AT A TOTAL COST OF $192,907.50; AND AUTHORIZING PAYMENT FOR SAID PURCHASE

Purpose:
Resolution approving the purchase of fifty (50) Bunker Coats and fifty (50) Bunker Pants from Dooley Tackaberry, Inc. through Buyboard contract 703-23 for a cost of $192,907.50.

Recommended Action:
Approve

Fiscal Impact:
Funds are available in the General Fund FY26 Operating Budget.

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
Staff recommends purchasing fifty (50) Bunker Coats and fifty (50) Bunker Pants from Dooley Tackaberry, Inc. through Buyboard contract 703-23. We are members of this cooperative and Subchapter F, Section 271.102 of the Local Government Code provides that a local government may participate in a cooperative purchasing program and that purchasing goods or services under Subchapter F satisfies any state law requiring the local government to seek competitive bids for those purchases. This purchase is a budgeted yearly purchase of personal protective equipment in accordance with NFPA 1851. Please see the attached memo from Michael Tully, Fire Chief, for additional information.

Therefore, please consider a resolution approving the purchase of fifty (50) Bunker Coats and fifty (50) Bunker Pants from Dooley Tackaberry, Inc. through Buyboard contract 703-23 for a cost of $192,907.50.

Attachments:
A. 2025 MFD - PPE supporting Memo
B. RESOLUTION - Buyboard - Bunker Coats and Pants2
C. EXH A - QuotForm-Buyboard - 1110937. 2025 Gear REV 10-07-25 Exh to Reso

Erika Munoz, General Services	Created/Initiated - 10/1/2025
Regina Stephenson, General Services	Approved - 10/1/2025
Linda Ochoa, Legal	Approved - 10/7/2025
Morris Williams, City Manager	New -
Rachel Guentensberger, City Secretary	

MIDLAND Fire Department

Interoffice Memorandum

Date: **09/23/2025**

To: **Regina Stephenson**

From: **Fire Chief Michael Tully**

Subject: **2025-26 Personal Protective Equipment (PPE) purchase**

The Midland Fire Department is requesting City Council approval for the annual purchase of firefighter Personal Protective Equipment (PPE). This purchase is in accordance with the NFPA 1971 Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting and is required to ensure the continued safety and readiness of our personnel.

As part of the process, the Texas Commission on Fire Protection (TCFP) requires departments to complete a risk assessment prior to any new PPE purchase. The Midland Fire Department has completed this assessment and confirmed that our current Inno-Tex PPE specifications meet operational needs and remain compliant with NFPA 1971 standards.

This purchase was budgeted in **FY 2025–2026** to both replace worn and outdated gear as well as to equip new employees. Maintaining proper PPE is essential to firefighter safety, operational effectiveness, and compliance with state and national standards.

Michael Tully

Fire Chief

RESOLUTION NO. _____

RESOLUTION APPROVING THE PURCHASE OF FIFTY (50) BUNKER COATS AND FIFTY (50) BUNKER PANTS FROM DOOLEY TACKABERRY, INC., THROUGH BUYBOARD FOR A TOTAL COST OF $192,907.50; AND AUTHORIZING PAYMENT FOR SAID PURCHASE

WHEREAS, Buyboard is a cooperative purchasing agency with which the City participates with on purchases through a cooperative purchasing program in accordance with TEX. LOC. GOV'T CODE § 271.102; and

WHEREAS, Dooley Tackaberry, Inc., submitted a total proposed cost to the City of $192,907.50 for the purchase of fifty (50) bunker coats and fifty (50) bunker pants through Buyboard, as shown on the quote attached hereto as Exhibit "A", which is incorporated herein for all purposes; and

WHEREAS, the Council finds the price proposed by Dooley Tackaberry, Inc., through Buyboard for fifty (50) bunker coats and fifty (50) bunker pants to be fair and reasonable; and

WHEREAS, the City Council finds it to be in the public interest to purchase fifty (50) bunker coats and fifty (50) bunker pants through Buyboard;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the City Manager is hereby authorized and directed to purchase fifty (50) bunker coats and fifty (50) bunker pants from Dooley Tackaberry, Inc., through Buyboard for a total cost of $192,907.50.

SECTION TWO. That the City Comptroller is hereby authorized and directed to pay Dooley Tackaberry, Inc., for fifty (50) bunker coats and fifty (50) bunker pants from funds available in the General Fund FY26 Operating Budget upon proper receipt of invoices or statements approved by the City Manager.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of

the City of Midland at a regular meeting on the _____ day of _____, A.D., 2025, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Regina Stephenson, General Services Director

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

Total Safety U.S., Inc.
1515 W. 13th Street
Deer Park TX 77536 USA
Phone: 281.479.9700

QUOTATION

Date: 9/15/2025
Our Reference: 1110937
Your Reference:
Reference Desc.
Sales Person: Jason Billings
Estimator: Natasha Perez
Email: naperez@totalsafety.com
Revision: 0

Quote To: 064204

MIDLAND FIRE DEPARTMENT
P.O. BOX 1152
MIDLAND TX 79702
USA

Ship To:

MIDLAND FIRE DEPARTMENT
1500 W. WALL
MIDLAND TX 79701

***** PRICING SUBJECT TO CHANGE BASED ON U.S. GOVERNMENT IMPOSED TARIFFS ON U.S. IMPORTS *****

ITEM	QTY	PART NUMBER AND DESCRIPTION	ORIGIN	ECCN	SCHEDULE B	UNIT PRICE	UOM	Extension
1	50	INNOENERGY-C-SPL Bunker Coat Energy Series Per Customer Specifications **Lead Time** Back-order - 42 to 47 Days ARO			6201.93.0000	2,278.89	EA	113,944.50
2	50	INNOENERGY-P-SPL Bunker Pants Energy Series Per Customer Specifications **Lead Time** 9 to 10 Weeks ARO			6203.43.5010	1,579.26	PR	78,963.00

Terms: Net 30
Shipping Terms: Ex-works - Factory
Prices Firm:
Ship Via: Best Way
Freight Terms: Prepay and Add

The terms and conditions governing the goods and/or services subject to this documentation shall be, as applicable and in order of precedence: (i) proposal terms submitted to you by Total Safety that expressly override prior written contract terms; (ii) an enforceable executed MSA or service contract between the parties; and (iii) terms and conditions attached to Total Safety's written proposal.

QUOTE TOTAL USD
192,907.50

Exhibit "A"

Total Safety U.S., Inc.
1515 W. 13th Street
Deer Park TX 77536 USA
Phone: 281.479.9700

QUOTATION

Date: 9/15/2025
Our Reference: 1110937
Your Reference:
Reference Desc.

Revision: 0

***** PRICING SUBJECT TO CHANGE BASED ON U.S. GOVERNMENT IMPOSED TARIFFS ON U.S. IMPORTS *****

ITEM	QTY	PART NUMBER AND DESCRIPTION	ORIGIN	ECCN	SCHEDULE B	UNIT PRICE	UOM	Extension
3	1	BUYBOARD-FEE Buyboard Contracts Valid 2023 - 2026 Contract # 698-23698-23 (Public Safety and Firehouse Supplies and Equipment) Contract 704-23 | First Aid, Emergency Medical, and Athletic Trainer Supplies and Equipment 703-23 Addendum 1 (Highway Safety and Traffic Control Products) **Lead Time** Back-order - 1 to 6 Days ARO				0.00	EA	0.00

Total Safety / S &S Terms and Conditions

1. Customer has agreed purchase bunker coats and bunker pants(the "Products") as specified in that certain quote dated September 15, 2025 from Total Safety U.S., Inc. and/ or S&S Supplies and Solutions (hereinafter "Company"). These terms and conditions (the "Agreement") shall apply to all Products provided by Company, and any purchase, service or work order issued by Customer containing alternative terms and conditions shall be for informational purposes only and shall not modify or change any provision of this Agreement.

2. Use of Equipment or Products. Customer warrants and represents that anyone using the Products and/or Equipment has received complete instructions, both in classroom and hands on, on the proper use and limitations of the Products and Equipment.

3. Payment. Unless an alternative payment plan is contained in the quote or proposal or has otherwise been agreed in writing between the parties, all Payments shall be made within thirty (30) days of receipt of invoice.

4. Late Charge. If any payment hereunder is not paid when due, Customer agrees to pay in addition to the amount of the overdue payment a late charge of one and one half percent (1.5%) of the amount of the overdue payment per month and recover its collection costs and reasonable attorney's fees.

5. Taxes and Indemnification. Customer agrees to pay and discharge when due any and all taxes and governmental charges of any kind or character, federal, state, county, or municipal, which may be levied and/or assessed at any time by reason of the Products, rental of the Equipment, Vending Equipment or the Services and interest and penalties, if any, on such taxes or charges, and Customer will at all times fully protect and save Company and its successors and assigns harmless from and against any such taxes, governmental charges and interest and penalties thereon and not allow any liens to be assessed against the Equipment, including Vending Equipment.

6. Return of Product. Customer may return the Product in the same condition it was received within thirty (30) days of purchase, subject to a fifteen percent (15%) restocking fee, net cost of shipping. For custom or special Product, this return policy does not apply.

7. Warranty. For all Products sold under this Agreement, Company warrants that all such Product will (a) conform to Customer's written specifications, descriptions and/or samples, (b) unless otherwise specified by Customer, will be new, and (c) be free of any and all liens and other encumbrances. Further, Company assigns to Customer any and all manufacturers' product warranties and remedies thereunder applicable to such Products. Product found to be defective within one year of delivery will be replaced by Company provided it is returned to Company's regular place of business or such other place of business designated by Company during normal working hours. Services shall be performed diligently, efficiently, in a safe and workmanlike manner in accordance with Agreement and generally consistent with practices applicable to such Services in the area in which the Services are to be performed. Defective Services shall be reperformed. ***Customer's sole and exclusive remedy for breach of warranty, tortious conduct, breach of contract, or any other cause of action against Company or its officers, agents or employees, if any, shall be limited to the warranty set forth herein. Customer specifically understands and agrees that no other remedy (including but not limited to claims for incidental, special, consequential, or punitive damages for any cause whatsoever or injury to persons or property or any other consequential, economic, special or incidental loss) shall be available to Customer***.

8. Mutual Indemnification. Company and Customer shall, to the extent permitted by law, indemnify, defend, and hold harmless the other from and against any and all claims, demands, complaints or actions of third parties (including employees of the parties or government agencies) arising from or relating to the Products (including personal injury, death, property damage or damage to the environment), to the extent caused or arising out of the negligence, willful misconduct, breach of this Agreement, or violation of law of either Party, as Indemnitor. In no event shall either Party have any liability to the other Party for, and each Party releases the other Party from, any lost profits, loss of use, costs of procurement of substitute goods or services, or for any indirect, special, incidental, punitive, or consequential damages, however caused, and whether in contract, tort, or under any other theory of liability.

9. Limitation of Liability. The total liability of Company for all claims, whether in tort, contract or otherwise, arising out of or relating to the performance or breach of this Agreement or use of any Services and Equipment shall not exceed, on a per order basis, the price of the Work Order giving rise to the claim.

10. Insurance. With respect to any Services provided by Company, upon request of Customer, Customer shall be included as an additional insured on Company's policies of insurance, to the extent of Company's indemnity obligations under this Agreement.

11. Shipment. Company endeavors to pack or prepare all shipments so that they will not break, rust or deteriorate in transit, but does not guarantee against such damage. Unless requested in writing by the Customer, no shipments are insured by Company against damage

or loss in transit. Company will place insurance as nearly as possible in accordance with Customer's written instructions but in such case Company acts only as agent between insurance company and the Customer, and assumes no liability whatsoever.

12. Confidentiality. All drawings, diagrams, specifications and other material furnished by Company and identified as confidential relating to the use and service of articles furnished hereunder and the information therein are proprietary to Company. Such material has been developed at great expense and contains trade secrets of Company. Customer may not reproduce or distribute such materials except to Customer's employees who may use the articles as part of their duties. All such materials relating to the articles supplied directly by Company (except information as may be established to be in the public domain or disclosed pursuant to judicial government action) shall be received in confidence and Customer shall exercise reasonable care to hold such information in confidence. Notwithstanding, Company recognizes and acknowledges that Customer, a governmental entity, is subject to the Texas Public Information Act and agrees that any disclosures made by Customer pursuant to compliance with the Texas Public Information Act are not subject to the restrictions of this provision.

13. Force Majeure. If either Party is unable to perform its obligations under this Agreement or any Service Order as a result of a Force Majeure Event and the affected Party notifies the other Party, the Service Order may be terminated by the affected Party giving notice to the other Party that the Force Majeure Event is of sufficient duration to substantially diminish the affected Party's ability to perform under this Agreement. For purposes of this paragraph, a Force Majeure Event shall be defined to mean any event beyond the control of the affected Party which prevents the performance of that Party's obligations under this Agreement, including, without limitation, epidemic, pandemic, shelter- in-place orders, quarantines, government shutdowns, substantial interruption to air travel, substantial interruption in supply chains and other economic ripples caused by the response to an epidemic or pandemic, national or global health emergencies, acts of God, earthquakes, hurricanes, tornadoes, floods, a named storm, fires, and other physical natural disasters, war, terrorism, riot, civil war, or any other cause beyond the reasonable control of a Party. The term "Force Majeure" includes the effects of the Force Majeure Event.

14. Entire Agreement. The terms set forth herein constitute the entire Agreement between Company and Customer with respect to the Products, Equipment and the Services, and shall not be amended except in a writing signed by both Parties.

15. Governing Law, Venue and Jurisdiction. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas applicable to contracts made and to be performed therein, exclusive of the choice of law or conflict of laws provisions thereof. The Parties agree that venue shall exclusively be in Midland County, Texas for any action or proceeding seeking to enforce any provision of, or based on any right arising out of, this Agreement.

City Council Meeting

Item Number: 9.
Meeting Date: October 14, 2025
To: City Council
From: Erika Munoz, Assistant General Services Director
Subject: RESOLUTION AUTHORIZING THE PURCHASE OF ONE THERMOPLASTIC PAVEMENT MARKING TRUCK FOR THE ENGINEERING SERVICES DEPARTMENT FROM MARK RITE LINES EQUIPMENT COMPANY, INC. THROUGH SOURCEWELL FOR A TOTAL COST OF $1,081,956.58

Purpose:
Resolution for the purchase of one (1) Thermoplastic Pavement Marking Truck from Mark Rite Lines Equipment Company, Inc. through Sourcewell contract #050625-MAR-1 for a total cost of $1,081,956.58.

Recommended Action:
Approve

Fiscal Impact:
Funds are available in the Garage Fund FY26 Operating Budget.

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
Staff recommends purchasing this Thermoplastic Pavement Marking Truck from Mark Rite Lines Equipment Company, Inc. through Sourcewell contract #050625-MAR-1 for a total cost of $1,081,956.58. We are members of the Sourcewell cooperative and Subchapter F, Section 271.102 of the Local Government Code provides that a local government may participate in a cooperative purchasing program and that purchasing goods or services under Subchapter F satisfies any state law requiring the local government to seek competitive bids for those purchases. The budget for this equipment for fiscal year 2026 is $950,000.00. Staff recommends proceeding with the updated cost of $1,081,956.58 to improve safety, reduce outsourcing costs, and increase the City's ability to maintain road striping in-house. Please refer to the memos from Taha Sakrani, P.E., City Traffic Engineer, for further discussion concerning this purchase.

Therefore, please consider a resolution approving the purchase of one (1) Thermoplastic Pavement Marking Truck from Mark Rite Lines Equipment Company, Inc. through Sourcewell contract #050625-MAR-1 for a total cost of $1,081,956.58.

Attachments:

A. IO Memo - Purchase of Thermoplastic Pavement marking Truck
B. RESOLUTION W EXH - Purchase Thermoplastic Pavement Marking Truck - Sourcewell Reso w Exh
C. City of Midland Texas 4-12000 REV 3 12 September 2025 Quote
D. Trucks Photos

Erika Munoz, General Services	Created/Initiated - 10/2/2025
Regina Stephenson, General Services	Approved - 10/3/2025
Linda Ochoa, Legal	Approved - 10/7/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Rachel Guentensberger, City Secretary	Final Approval - 10/7/2025

INTEROFFICE MEMORANDUM

TO: Erika Munoz Martinez; City of Midland, Assistant General Services Director

FROM: Taha Sakrani, P.E.; City of Midland, City Traffic Engineer

SUBJECT: Purchase of Thermoplastic Pavement marking Truck

DATE: September 18, 2025

City Council approved funding in the FY 25 26 budget for the purchase of a thermoplastic striping truck at $950,000. The price has changed from when the request was made and now, with updated pricing at $1,081,956.58 due to higher equipment and material costs.

With 95% of Midland's roads now striped in thermoplastic, outsourcing is no longer cost-effective, costing more than $300,000 annually and still not keeping up with demand. Having our own truck will allow us to do the work in-house, saving money over time, improving safety, and providing longer-lasting markings that are easier for drivers to see, especially at night and at busy intersections. It will also allow us to respond more quickly to resident concerns about faded striping.

This investment directly supports the City's goals of improving safety, strengthening infrastructure, and using resources more efficiently. Staff recommends moving forward with the purchase at the updated price to ensure Midland has the in-house capacity needed to maintain our roadways.

Thank you,

Taha Sakrani, P.E.
City Traffic Engineer

RESOLUTION NO._____

RESOLUTION AUTHORIZING THE PURCHASE OF ONE THERMOPLASTIC PAVEMENT MARKING TRUCK FOR THE ENGINEERING SERVICES DEPARTMENT FROM MARK RITE LINES EQUIPMENT COMPANY, INC. THROUGH SOURCEWELL FOR A TOTAL COST OF $1,081,956.58

WHEREAS, Sourcewell is a cooperative purchasing agency with which the City participates in purchases through a cooperative purchasing program in accordance with Section 271.102 of the Texas Local Government Code; and

WHEREAS, Mark Rite Lines Equipment Company, Inc. ("Seller") submitted a total cost to the City of $1,081,956.58 for the City's proposed purchase of one thermoplastic pavement marking truck (the "Goods") for the Engineering Services Department through Sourcewell as shown on the quote attached hereto as Exhibit A, which is incorporated herein for all purposes; and

WHEREAS, the City Council finds the price proposed for the Goods to be fair and reasonable; and

WHEREAS, the City Council finds it to be in the public interest to authorize the purchase of the Goods from Seller through Sourcewell;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the City Manager is hereby authorized and directed to purchase the Goods from Seller through Sourcewell for a total cost of $1,081,956.58.

SECTION TWO. That the City Comptroller is hereby authorized and directed to pay Seller for the Goods from funds available in the Garage Fund FY26 Operating Budget upon receipt of proper invoices or statements approved by the City Manager.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2025, by the following vote:

Council members voting "AYE":

Council members voting “NAY”:

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Regina Stephenson, General Services Director

_____
Gabe McClelland, Engineering Services Director

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

Built by Stripers for Stripers

MRL Equipment Company
5379 Southgate Dr.
Billings, MT 59101
406.869.9900
markritelines.com

MRL THERMOpro

Photo Disclaimer: The photo provided is not representative of the proposed truck.

Proposal For:

City of Midland Texas

Presented On:

September 12th 2025

Prepared By:

David Kautz

Thermoplastic

406.670.9013

dkautz@markritelines.com

EXHIBIT A

Initials _____

Built by Stripers for Stripers

MRL Equipment Company
5379 Southgate Dr.
Billings, MT 59101
406.869.9900
markritelines.com

Company Overview

Built by Stripers for Stripers
MRL Equipment Co. Inc. has manufactured pavement marking, grooving, and pavement maintenance equipment for over 35 years. Founded by road stripers with first-hand knowledge and a background in striping operations, MRL engineers and builds traffic paint, thermoplastic, plural component, line/pavement grooving, and water blasting equipment.

Our Commitment to Customers
Our customer-driven innovation philosophy powers our commitment to build trucks and equipment unique to the customers they serve. Each MRL truck is designed to meet the customer's demands, without compromising reliability and productivity. Backed by our sales, customer service, and parts teams, MRL customers and their trucks are supported each step of the way.

Experience Matters

MRL products are used worldwide, and our experienced and dedicated team stands behind the products.

- A seasoned parts fulfillment team with over 65 years of experience
- Sales & Marketing professionals who work together with our production teams to build industry-leading equipment.
- End-to-end engineering and design teams
- 140,000 sq. ft. of assembly, testing, fabrication, and R&D facilities
- Experienced service technicians who can assist with start-up, training, and customized support.
- A partnership with HighMark Traffic Services, with decades of road marking knowledge and experience.

MRL is dedicated to making customized, reliable equipment for the line striping industry!

MRL Equipment Company
5379 Southgate Dr.
Billings, MT 59101
406.869.9900
markritelines.com

Overview and Specifications

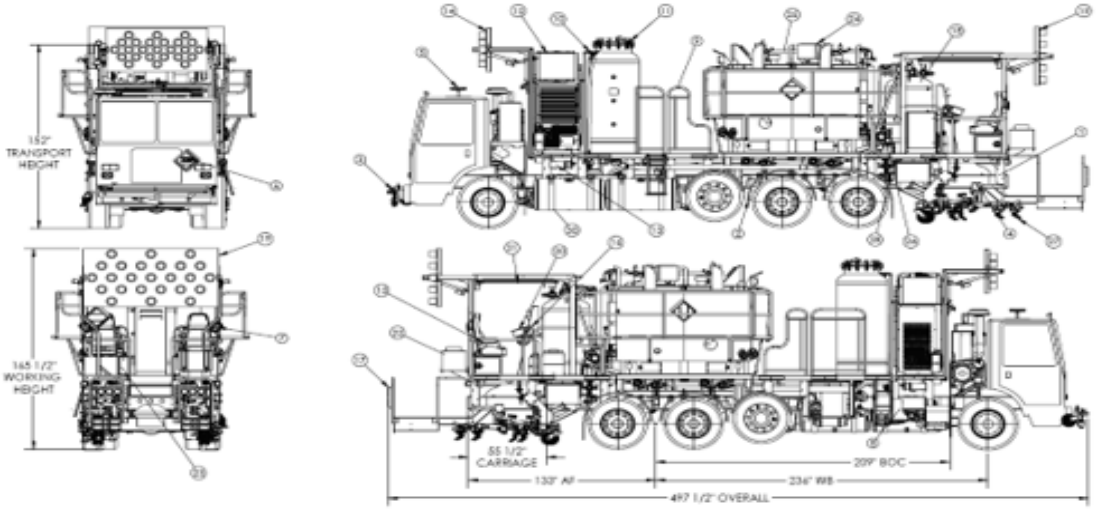

Illustration Disclaimer: The drawing provided above is for illustration purposes only and does not represent the exact equipment, accessories, and parts being quoted. MRL will provide the customer with exact drawings based on the accepted proposal for approval sign-off before production begins. If changes are needed after the approved drawings and production has begun, there will be additional costs associated with the change order and addendum.

Training and Support

MRL offers training along with each new purchase of a unit. Training is scheduled upon equipment completion. MRL does offer both training on-site and at our Billings headquarters. Our technicians are the best in the industry with many of them having years of experience on the very equipment they are training on. Our technicians will conduct a thorough training session where your staff and operators will understand the components, recommended maintenance, and use of the equipment. Once the training session is complete, you will be asked to sign an acknowledgment of the training before usage of the equipment.

MRL Service technicians are the most experienced and road-tested support team in the industry, with expertise earned through years as stripers. From on-site training to virtual visits and phone calls, let our experts assist you with technical issues, questions, and troubleshooting.

MRL parts sales team is always there to help your operators with questions or to assist with your parts needs. We strive to meet your parts requests as quickly as possible, with many items shipping the same day they are ordered. With over 65 years of experience, our parts team understands how important it is to keep your equipment up and running.

Customizing trucks for over 35 years!

Date: **September 12th 20**

Quote #: **1** **MRL Unit Number:**

REV: **3**

Company Name: **City of Midland Texas**

Company Address: **300 N. Loraine**

From: **David Kautz**

Phone: **406.670.9013**

Email: dkautz@markritelines.com

Attention: **Troy Clabaugh**

Phone: **432-685-7285**

Email: **tclabaugh@midlandtexas.gov**

Sourcewell# 106268

Code	BASE MODULE
4-12000	Mark Rite Lines Thermo Unit - 12,000 lbs Capacity Melters. **(Boss 250 WB 248 / Boss 375 WB 264) (Note all 264" will be over 40' length-Special Permit)**

Code	POWER EQUIPMENT
TH1000	BOSS 250 CFM air compressor - John Deere diesel powered. **(Push button interrupt system for Quad - 4-12,000 and 4-16,000)**
TH1001	Tier 4 Final (T4F) air compressor emissions.
TH1002	Air compressor air end oil cooler.
TH1003	Battery jump switch installed between the compressor power unit and chassis batteries.
TH1004	Hydrauliclly driven oil cooler
TH1005	PTO hydraulic drive system
TH1006	Top Mount Supplemental PTO - **For Quads (4-12,000 and 4-16,000) only**

Code	MATERIAL PUMP AND PLUMBING
TH2000	Two (2) hydraulically driven MRL/ROPER material pumps w/dual speed capability. **(Deselect this line if selecting either line 57/58)**
TH2001	Electrically operated knife gate vales at pump inlets.
TH2002	Two (2) heated valves under the material pumps allowing for material transfer from a "nurse" truck. Customer to install connecting system.
TH2003	Low RPM pump control to enable ribbon or screen extrusion applications.
TH2004	Thermoplastic material re-circulation with 1" I.D. re-circ lines on both material pumps.
TH2005	1-1/2" I.D. oil-jacked lines from material pump outlet to filter/manifold assemblies.
TH2006A	Two (2) oil-jacked material filter/manifold assemblies mounted on gun carts. One (1) per side. **(Deselect this line if selecting line 65)**
TH2007	1-1/4" I.D. oil-jacked lines from filter/manifold to guns.
TH2007	Air blow down system for pumps, manifolds, material lines, and guns for cleanout.
TH2009	Material plumbing external pump crossover under deck

Code	MARKING MATERIAL SYSTEM - Melter Unit Number #_____
TH3001A	Four (4) 3,000 pound capacity, air-jacketed, vertical designed thermoplastic pre-melting kettles (12,000 lb. total capacity).
TH3002	Filter manifold read only temperature gauges at the bag loader area
TH3003	Center line corner mounted plug type outlet valve installed - corner of front melter to facility filling of customer hand-liner applicator.
TH3004	Edge Line corner mounted plug type outlet valve installed - corner of front melter to facility filling of customer hand-liner applicator.
TH3005	Hydraulically driven kettle agitators.
TH3006	Thermostatically controlled automatic burner ignition system.
TH3007	Kettle burner compartments lined with stainless steel.
TH3008	Stainless steel deflector plates.
TH3009	High temperature insulation lining the burner compartment floors.
TH3010	Abrasion resistant, replaceable agitator shaft ends installed with replaceable, bottom mounted bushings.
TH3011	Kettles interconnected and separated with stainless steel, flexible joint and insulated knife gate valve w/wrapped flex bellow coupler.
TH3012	Dual Diesel burners installed vertically in each melter. • Dual burner system has automatic safety parameters installed.
TH3013A	Top Re-circ crossover from C/L to E/L of rear kettles only. (Can also be used for material transfer between the rear mettlers)
RFQ	Texas crossover
RFQ	Material Handling Penta Pallet Lifts

Code	MARKING MATERIAL HEAT TRANSFER OIL SYSTEM
TH4001	Diesel fired oil furnace w/diesel burner assembly and thermostatically controlled, automatic electronic ignition system.
TH4002	Fire suppression system installed over hot oil furnace area.
TH4003	Heat transfer oil expansion tank w/heat shield and overflow hose mounted on deck.
TH4004	Two (2) hydraulically driven heat transfer oil circulation pumps. One (1) for E/L and C/L pump, lines, and guns.
TH4005	Heat transfer oil temperature gauges installed at various points in the oil circulation system.

Code	GLASS BEAD SYSTEM
TH7000	One (1) A.S.M.E. certified - **Select size from drop down** [3000LB] capacity bead tank mounted between the material pumps on the operator's deck. The bead tank will have a lid and 3" suction inlet. (use dropdown to select proper tank) - Ground load not available
TH7001	Air accuaated butterfly valve
TH7002	Venturi vacuum bead loading system installed. Venturi exhausted through muffler below bed.
TH7003	15' bead suction hose(s) included. **(single drop one hose / double drop two hoses)**
TH7004	Butterfly valve for load hose.
TH7005	Three (3) sight glasses installed in rear bead tank.

Select One Front Tank Below

Code	Elements

Code	Paint System

Code	CENTERLINE GUN CARRIAGE
TH5000	MRL "Convertible" thermoplastic guns. (2 convertible spray guns standard)
TH5001	12-volt linear actuators to raise and lower spray guns.
TH5002	MRL bead guns w/adjustable fan attachments
TH5003	One (1) bead manifold or Two (2) Bead manifolds if double drop is selected (***Must select TH6003A under Edgeline Gun Carriage / Need TH7008 selected***)
TH5004	Blow air nozzles directly in front of guns.
TH5005	Oil jacketed "white only" material line installed from white filter manifold to C/L gun carriage. • Plumbing mounted under the striper deck. And separate cairrage mount • Separate heat transfer oil plumbing allows heating of dedicated white only gun on the C/L side from C/L heat transfer oil system, and E/L side origin of the dedicated system to be heated utilizing E/L heat transfer oil system.
TH5007	C/L carriage auto reverse up feature.
TH5008	Centerline 1/2" spray nozzle.

Code	EDGELINE GUN CARRIAGE
TH6000	Oil-jacketed MRL "Convertible" thermoplastic gun
TH6001	12-volt linear actuator to raise and lowe the spray gun.
TH6002	MRL bead guns w/adjustable fan attachments.
TH6003	One (1) bead manifold or Two (2) Bead manifolds if double drop is selected **(Must select TH5003 under Centerline Gun Carriage / Need TH7008 selected)**
TH6005A	Second white gun installed side-by-side with bead gun(s) and additional blow air
TH6007	Centerline 1/2" spray nozzle.

Code	AIR SYSTEM
TH10001	Blow air system plumbed to the gun carts. System has on, off, and auto functions.
TH10002	High efficiency air cooler w/hydraulically driven fan installed on compressed air system to cool compressed air.
TH10003	Self-expelling moisture traps on main airline and bead tank supply.
TH10004	Laman Dyer(s)/extrators(s) installed on air supply line to bead tank(s)
TH10005	Coalescing dryer tank on compressed air system to condense moisture.
TH10006	One (1) oiler installed on main airlines to gun carriage solenoids.
TH10007	Quick coupler to air system at rear of unit to facilitate the use of air tools.
TH10008	Air pressure regulators are installed under the deck to control bead tank pressure and spray gun atomizing pressures.

Code **SKIP TIMING SYSTEM**

TH11001 **MRL Dynamic Touchscreen Control System** - SC-12 timing system w/HDVO-318 drop down monitor

- Two (2) switch boxes located at the rear operator's stations.
- Material pump potentiometers installed in operator's timing boxes.
- Each switchbox has individual control of skip cycles, footage counters, digital speedometers, bead lead/lag controls, etc.
- The single LCD display in each switchbox serves the skip cycle, footage counter, and digital speedometer display functions.
- Switchboxes will be fully interchangeable and enable simultaneous application of different skip cycles.
- System to incorporate metric conversion capability and profile with rock-hop application capability.
- Diagnostic tools.
- Multiple display options.
- Real-time display of:
  - Vehicle speed
  - Material temperature in kettles/melters
  - Filter manifold material temperature
  - Furnace temperature

QTY [4] Kettle read only display in chassis cab monitor.
Filter manifold read only display in chassis cab monitor.
Furnace read only display in chassis cab monitor.

TH11002 Ribbon footage printer installed.

Th11003 Handheld bomb switch.

Code **DATA LOGGING SYSTEM**

Code **ELECTRONICS**

TH13000 All profile solenoids installed to enable screed and profile with rock-hop.

TH13001 Flip die wiring for all guns installed.

TH13002 Three (3) station aviation type intercom system w/three (3) ultralight headsets.

TH13014 LifeSyS Litereader VCMS 1230F-4 - 3 line 12" character, full matrix sign Upper (pivot) mount

TH13015 Two (2) weather resistant boxes, one per gun cart, installed on gun carriages to house gun actuating and atomized air solenoids.

TH13016 One (1) low light back-up camera display in chassis cab.

TH13017 One (1) Federal Signal ~47" LED amber beacon bar mounted on chassis cab w/short riser.

TH13018 MRL strobe safety package. Package includes: [xxxx] Amber /White [ ] Amber

- Two (2) Federal Signal dual flashing amber strobes mounted at rear of unit.
- Six (6) Federal Signal amber mini-strobes for cross traffic - mounted fore, mid, and aft of the material deck.
- Four (4) Federal Signal amber mini-strobes for carriage end caps - two (2) per carriage (one facing front and one facing rear). Two (2) separate switches for
- Four (4) Federal Signal 4" x 6" amber strobes - two (2) mounted at rear tailboard area and two (2) mounted on front of cab.

TH13021 Install 360 birds eye camera system as standard. NO backup cameras installed.

Code	VIDEO GUIDANCE
TH14001	**MRL Dynamic Touchscreen - DEFAULT**- HD Color video guidance w/Skip-Line Pilot system installed and displayed on HDVO. System includes: • A video crosshair generator w/controller. • Two (2) color cameras w/auto iris lenses mounted inside MRL weather-resistant self-leveling housings. • Two (2) electrically actuated camera mounting brackets under striper bed.

Code	12-VOLT LED WORK LIGHTS
TH15001	Two (2) Federal Signal 2200 lumen LED lights mounted to illuminate forward area of guns - One (1) per side.
TH15002	Two (2) Federal Signal 2200 lumen LED lights mounted to illuminate rear gun package.
TH15003	One (1) Federal Signal 2200 lumen LED light mounted to illuminate control console.
TH15004	Two (2) Federal Signal 2200 lumen LED lights mounted on extendable posts between air compressor and material storage area w/ground access slide feature
TH15005	One (1) Federal Signal 2200 lumen LED light to illuminate furnace burner. Switch located near furnace burner.
TH15006	Two (2) approximately 47" LED light bars installed - one (1) per side of the operator's canopy w/swing up/down mounts.
TH15008	Two (2) Federal Signal 2200 lumen LED lights on leading edge of operator's canopy to illuminate the recirculation valves during blow-down procedures.
TH15009	Two (2) Federal Signal 2200 lumen LED lights to illuminate each of the fuel tanks. One for the front tanks, and one for the rear tank. Switches located near
TH15010	Two (2) Federal Signal 2200 lumen LED lights mounted at the rear corners under the operator's bed to facilitate the observation of bead application during
TH15011	Two (2) Flood Light 14" infront of carriage and under melter area

Code	OPERATOR SYSTEMS
TH16001	Swing up steering orbital mounts CL and EL includes tilt and telescoping steering wheel.
TH16004	Two 12-volt fans mounted on orbital stands.

Code	ADDITIONAL FEATURES
TH17000	One (1) 5-gallon water cooler.
TH17001	One (1) 5 gallon water cooler - bag thrower area.
TH17002	Four (4) mounted fire extinguishers.
TH17003	First Aid kit and warning triangles.
TH17004A	Three (3) mounted 3257 placards. One (1) 3257 placard shipped loose.
TH17005	Insulated covers for the material filter/manifolds.
TH17006	Conspicuity tape mounted on aluminum panels installed around the striper perimeter.
TH17007	Quick release aluminum fenders w/mudflaps installed over the rear wheels and tires.
TH17008	Three (3) mudflap type material squares w/three (3) springs w/eyelets and six (6) quick couplers for facilitating wrapping of material lines after extended
TH17009	Foldable, center mount pointer bar mounted to the front bumper w/hydraulic lift.
TH17010	Steel platform w/railings, built-in rear access steps, side access ladders.
TH17011	72" x 24" rear deck w/expanded steel insert and inset step. (4) Popping Pans
TH17012	55" tall steel side railings at material storage areas.
TH17013	Heavy duty, hydraulically extendable, diamond tube gun carriage assemblies - 4' extension on both sides from edge of bed.
TH17014	Hydraulically raised/lowered, heavy duty, scissor style gun carts.
TH17015	One (1) split wheel assembly for rumble strips - shipped loose. Jpeg
TH17016	Two (2) mounted hydraulic steering orbitals w/steering wheels to control the lateral movement of gun carriages. One for each C/L and E/L carriage.
TH17017	Two (2) jacketed material filter/manifold assemblies w/internal screens and full flow SST outlet valves mounted on gun carts - one (1) per side.
TH17018	Two (2) bead manifolds w/exhaust muffler. One (1) for each carriage.
TH17019	Lights in toolboxes
TH17020	Overhead rear operator's control console mounted from front canopy.
TH17021	Two (2) Aluminum lockable toolboxes mounted on rear of the deck area w/two (2) high back bucket seats w/armrests and seat belts mounted on top of toolboxes 4 drawer slides and a compartment.
TH17022	Two (2) weather-resistant, stainless-steel boxes to protect timing switch boxes.
TH17023	Hydraulic reservoir w/sight gauge and magnetic particle separator mounted on top of compressor housing.
TH17024	Steel step assemblies/handrails mounted to bed to access material re-circ valve handles.
TH17025	Steel and aluminum canopy installed over the rear operator's stations.
TH17027	(2) Laserline GL-3000PMB-S carriage lasers installed w/quick connects on the carriage.
TH17028	20 gallon non-potable tank - 2 spigots for popping pans

Code	SPECIAL REQUESTS
RFQ	
RFQ	Two (2) separate 3 Day follow up/ reenforcement trainings at a mutually agreed upon date.

Code	CHASSIS
DEALCHS	Dealer supplied chassis.
CHASSIS	2026 Peterbilt 520, single steer, 13,500lb lift axle, 79,500 GVWR, 4500RDS Allison, 248" WB
CHSMODS	5-year/200,000 miles engine, Aftertreatment, towing for 5-years, 5 year electrical warranty (covers harness).
TH18002	100 gallon fuel transfer tank.
TH18003	MRL low-speed cruise control system.
TH18004	Additional 100-gallon fuel tank installed and plumbed to chassis fuel tank.

Code	MISCELLANEOUS
TH19001	MRL supplied test material.
FREIGHT	Fregiht F.O.B Billings, MT -F.O.B. Billings, MT
TRAINING	MRL Equipment Training.

Code	NOTES

Sourcewell Discount of 7% applied to the apparatus pricing. Sourcewell contract number - 050625-MAR

COST BREAKDOWN

MRL Thermo Pro (includes FET):	**$827,216.71**	**MRL Supplied Chassis**	
Chassis (includes FET):	**$228,916.32**	**Per Sourcewell Contract**	
Freight F.O.B. Billings, MT:	**F.O.B. Billings, MT**	**$**	**221,844.00**
		3%	**$ 7,072.32**
Trade-In:	**$0.00**	**$**	**228,916.32**
Total Sales Price:	**$1,076,573.71**		
Tariff Surcharge - Will be a Line item on the Final Invoice	**$ 5,382.87**		
Due Net 30 Upon Delivery	**$1,081,956.58**		

TERMS OF PAYMENT

The purchase price of this piece or item of equipment is **$1,076,573.71**, which includes all applicable FET, F.O.B. Billings, MT.

The Total of **$1,081,956.58** is due via overnight cashier's check or ACH wire transfer of funds Net 30 upon delivery.

All applicable state and local sales taxes will be assessed on the MRL balance due invoice. F Invoicing will be sent when the truck ships and will include shipping costs. Shipping costs will be supplied two weeks prioir to shipping.

WITNESS WHEREOF, the parties have executed this Purchase Agreement the day and year written below.

MARK RITE LINES EQUIPMENT CO, INC.	**City of Midland Texas**
Company	Company
_____	_____
Signed	Signed
_____	_____
Title	Title
_____	_____
Date	Date

STATE OF MONTANA)
) ss.
County of Yellowstone)

On this _____ day of _____, 20_____, before me personally appeared known to me to be the person whose name

_____

NOTARY PUBLIC for the State of Montana.
Residing at Billings, MT.
My Commission Expires _____

STATE OF _____)
) ss.
County of _____)

On this _____ day of _____, 20____, before me personally appeared known to me to be the person whose name is

_____

NOTARY PUBLIC for the State of _____
Residing at _____
My Commission Expires _____

Paint Schematic

MRL offers standard paint colors for trucks of Black, White, and Yellow. Additional charges will be incurred by the customer for Chassis custom painting or customized truck colors. Below, are the components on the truck that you can specify your Standard or customized colors. If you choose a customized color, please provide your color details and numbers.

Truck #			**Date**			**Thermo Truck**	
Chassis	As Received	x	Custom				
Chassis Wheels	As Received	x	Custom				
Chassis Decals	As Received	x	Custom				
		Standard Colors - N/C				**Custom Colors - Additional Charge**	
Bed	Black PC	x	White PC			Custom	
Handrails (Weld on)	Black PC	x	White PC			Custom	
Handrails (Bolt on)	Black PC	x	White PC			Custom	
Canopy	Black PC	x	White PC			Custom	
Cart Extension Tubes	Black PC	x	White PC			Custom	
Cart Boxes	Black	x	White			Custom	
Bead tank Top	Black		White	x		Custom	
Bead tank Bottom	Black	x	White			Custom	
Expansion Tank	Black	x	White			Custom	
Expansion Tank Cover	Black	x	White			Custom	
Bead Muffler	Black		White	x		Custom	
Melter	Black		White	x		Custom	
Melter Steps	Black PC	x	White PC			Custom	
Scissors	Black	x	White			Custom	
Propane Tanks	Black		White			Custom	
Propane Tank Mounts	Black		White			Custom	
Hydraulic Tank	Black		White	x		Custom	
Hydraulic Tank Mount	Black		White	x		Custom	
Compressor	Black		White	x		Custom	
Canmera Tubes	Black	x	White			Custom	
Console	Black		White	x		Custom	
Tail Board	Black PC	x	White PC			Custom	
Tool boxes	Black		White			Custom	
Moyno Mount	Black	x	White			Custom	
Moyno Box Covers	Black		White	x		Custom	
Seat Boxes	Black		White			Custom	aluminum with 4 drawer
Main Box Mount	Black	x	White			Custom	
Main Box	Black		White	x		Custom	
Rear Hinged Steps	Black PC	x	White PC			Custom	
Bumper	Black		White			Custom	
Stinger	Black	x	White			Custom	
Moyno Steps/Handrails	Black PC	x	White PC			Custom	
Battery Box	Black		White			Custom	
Coalescing Dryer	Black		White	x		Custom	
						Custom	
						Custom	
						Custom	

I agree to the above color schmatic for the truck. Any additional requests or changes could result in manufacutring delays and additional costs.

Custom Paint Code:

Other Notes:

Signed

City of Midland Texas
Company

Date

MRL TERMS AND CONDITIONS OF SALES

CUSTOMER AND MRL EQUIPMENT COMPANY, INC. (THE "SELLER"), AGREE THAT SALES OF SELLER'S PRODUCTS (THE "PRODUCTS") ARE MADE ONLY UNDER THESE TERMS AND CONDITIONS, AND THAT SELLER SHALL NOT BE BOUND BY CUSTOMER'S ADDITIONAL OR DIFFERENT TERMS. THE ACCEPTANCE OF THE CUSTOMER'S ORDER IS CONDITIONED ON THE CUSTOMER'S ACCEPTANCE OF THESE TERMS. CUSTOMER SHALL INDICATE ITS AGREEMENT TO BE BOUND BY THESE TERMS BY WRITTEN ACKNOWLEDGEMENT, BY IMPLICATION, OR BY ACCEPTANCE OF DELIVERY OF THE PRODUCTS.

Seller reserves the right to increase the quoted order price set forth in this order acknowledgment at any time before delivery to Buyer to reflect any increase in Seller's costs to manufacture or deliver the ordered product due to any factor beyond the reasonable control of Seller. Seller shall provide Buyer with prompt electronic notice of any such price increase. Buyer shall have five days from receipt of such notice to cancel its order, absent which Buyer shall be deemed to have consented to the price increase.

PRICES: All orders are subject to current prices in effect at the time of order acknowledgment. F.O.B. Point: Unless otherwise stated, all prices listed are F.O.B. factory. MRL reserves the right to increase the order price set forth in this Proposal Summary at any time before delivery to Buyer to reflect any increase in MRL's costs to manufacture or deliver the ordered product due to any factor beyond the reasonable control of MRL. MRL shall provide Buyer with prompt electronic notice of any such price increase. Buyer shall have five days from receipt of such notice to cancel its order, absent which Buyer shall be deemed to have consented to the price increase."

NOTICE TO SELLER'S DEALERS AND DISTRIBUTORS:

IF THE CUSTOMER IS A PARTY TO AN AGREEMENT THAT INCLUDES TERMS AND CONDITIONS OF SALE THAT WOULD NORMALLY APPLY TO THE TRANSACTION UNDER WHICH THESE TERMS AND CONDITIONS WERE ISSUED, THEN THESE TERMS AND CONDITIONS SHALL NOT MODIFY, SUPERSEDE OR OTHERWISE AFFECT SUCH DEALER OR DISTRIBUTOR AGREEMENT AND THE TERMS AND CONDITIONS OF SALE INCLUDED WITH SUCH AGREEMENT SHALL CONTROL.

1. **TITLE AND RISK OF LOSS:** After delivery of the Equipment in good order to the Carrier of Purchaser's choice, risk of loss shall be with the Purchaser and Mark Rite Lines Equipment Company's responsibility shall cease. As long as Mark Rite Lines Equipment Company remains unpaid it shall have a lien on the Equipment and shall have a right to repossession and disposal of the Equipment notwithstanding delivery to the Carrier.

A. If the Products are subject to state vehicle title laws, title and risk of loss or damage will pass to Customer on the first of the following to occur: (i) delivery of the Products to Customer; (ii) delivery of the Products to Customer's authorized agent; or (iii) delivery of the Products to any common carrier for shipment. The manufacturer's statement of origin ("MSO") shall be delivered from the Seller to the Customer upon the Seller's receipt of payment in full.

B. If the Products are not subject to a state vehicle title law, title and risk of loss or damage will pass to Customer on the first to occur of the following: (i) delivery of the Products to Customer; (ii) delivery of the Products to Customer's authorized agent; or (iii) delivery of the Products to any common carrier for shipment.

2. **TAXES:** Product prices are exclusive of, and Customer shall pay, applicable sales, use, service, value added or like taxes, unless Customer has provided Seller with an appropriate exemption certificate for the delivery destination acceptable to the applicable taxing authorities.

3. **PRICES AND PAYMENT:** All quotations shall expire thirty (30) days from the date of issuance unless otherwise set forth on the quotation or agreed in writing. Quoted prices include packing and packaging. Customer shall make payment in full prior to or upon delivery by ACH transfer unless Seller approves Customer for credit terms. If Seller approves Customer's credit application, payment shall be due no later than 30 days from the date of Seller's invoice. All sums not paid when due shall accrue interest daily at the lesser of a monthly rate of 1.0% or the highest rate permissible by law on the unpaid balance until paid in full. Unless otherwise agreed in writing by Seller, payments shall be made in U.S. Dollars. In the event of any order for several units, each unit(s) will be invoiced when shipped.

4. **ORDERS:** All orders are subject to acceptance by the Seller, which shall be indicated in writing.

5. **DELIVERY:** Seller shall deliver the Products F.O.B. Seller factory and, if the Products are sold to a Customer outside the United States, shall clear the Products for export destined outside the United States. The customer shall pay all freight charges, applicable import duties, and other necessary fees and shall bear the risks of carrying out customs formalities and clearance. Orders are entered as close as possible to the Customer's requested shipment date, if any. Shipment dates are scheduled after acceptance of orders and receipt of necessary documents. Claims for shipment shortage shall be deemed waived unless presented to Seller in writing within forty-five (45) days of shipment.

6. **NON-CONFORMING DELIVERY:** Customer shall notify Seller of any visible defects, quantity shortages, or incorrect product shipments in writing within five (5) working days of receipt by Customer. Failure to notify Seller within such time period shall be deemed an unqualified waiver of Customer's right to subsequently raise such objections.

7. **LIMITED WARRANTY:** IF THE PRODUCTS PURCHASED ARE SOLD PURSUANT TO A WARRANTY POLICY SPECIFIC TO SUCH PRODUCTS, THEN THE POLICY SET FORTH IN SECTIONS 7-8 SHALL NOT BE EFFECTIVE AS TO SUCH PRODUCTS AND THE SPECIFIC WARRANTY POLICY SHALL CONTROL.

Subject to the foregoing paragraph, Seller's Products are warranted against defects in material and workmanship and shall conform to Seller's published specifications or other specifications accepted in writing by Seller for one year from the date Seller ships the Products to Customer ("Delivery Date"). ***Please review the full Limited Warranty statement after #22***

8. **CUSTOMER REMEDIES:** Seller's sole obligation (and Customer's sole remedy) with respect to the foregoing Limited Warranty shall be to, at its option, return the fees paid or repair/replace

any defective Products, provided that the Seller receives written notice of such defects during the applicable warranty period. Customer may not bring an action to enforce its remedies under the foregoing Limited Warranty more than one (1) year after the accrual of such cause of action.

9. **RETURN/CANCELLATION/CHANGE POLICY:** Customer may return unwanted parts Products within thirty (30) days of the Delivery Date, provided such Products are in new, unused, and undamaged condition and are resalable as new products without modification or repackaging. The customer shall pay a twenty percent (20%) restocking charge on any unwanted Products returned to the Seller. No returns will be accepted after the thirty (30) day period has expired. Where custom products or services are involved, Customer shall be responsible for all related work in progress; however, Seller shall take reasonable steps to mitigate damages immediately upon receipt of a written cancellation notice from Customer. A Return-Material Authorization number must be obtained from the Seller for the return of any Products. Seller may terminate any order if representatives made by Customer to Seller are false or misleading. Changes to orders shall not be binding upon nor be put into effect by Seller unless confirmed in writing by Seller's appropriate representative.

10. **NO OTHER WARRANTIES:** EXCEPT AS EXPRESSLY SET FORTH ABOVE, THE PRODUCTS ARE PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, AND NO OTHER WARRANTIES, EITHER EXPRESS OR IMPLIED ARE MADE WITH RESPECT TO THE PRODUCTS, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTIES OR MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE OR NON-INFRINGEMENT OR ANY OTHER WARRANTIES THAT MAY ARISE FROM USAGE OF TRADE OR COURSE OF DEALING. SELLER DOES NOT WARRANT, GUARANTEE, OR MAKE ANY REPRESENTATIONS REGARDING THE USE OF OR THE RESULTS OF THE USE OF THE PRODUCTS IN TERMS OF CORRECTNESS, ACCURACY, RELIABILITY, OR OTHERWISE. SELLER EXPRESSLY DISCLAIMS ANY WARRANTIES NOT STATED HEREIN.

11. **Environmental Indemnification**

1. **Compliance with EPA and CARB Regulations**
   The Customer acknowledges and agrees that it is solely responsible for ensuring the purchased Products, including but not limited to chassis and related equipment, are compliant with all applicable federal, state, and local environmental regulations, including but not limited to those established by the Environmental Protection Agency ("EPA") and the California Air Resources Board ("CARB"). The Customer further agrees that it has conducted its own due diligence to verify compliance with these regulations as they pertain to the intended use, operation, and jurisdiction of the products.
2. **Indemnification Obligation**
   The Customer shall indemnify, defend, and hold the Seller, its affiliates, subsidiaries, officers, directors, employees, agents, and assigns (collectively, the "Indemnified Parties") from and against any and all claims, liabilities, damages, losses, penalties, fines, costs, or expenses (including reasonable attorneys' fees and legal expenses) arising out of or relating to:
   (a) The Customer's failure to ensure compliance with EPA or CARB regulations, including but not limited to any modifications, alterations, or uses of the chassis or equipment that render them non-compliant;
   (b) The Customer's use, operation, or resale of the products in violation of any

applicable environmental laws or regulations;
(c) Any third-party claims, governmental investigations, or enforcement actions arising from alleged noncompliance with EPA or CARB standards attributable to the Customer's activities; or (d) Any breach by the Customer of its representations, warranties, or obligations under this Agreement as they pertain to regulatory compliance.

3. **Mark Rite Lines Equipment Company Compliance Representations**
   Seller warrants that, as of the date of delivery, the Products comply with applicable EPA and CARB standards and regulations for their intended use, as expressly stated in the Seller's specifications. Seller shall have no liability for any modifications, alterations, or uses of the products made by the Customer or any third party that results in non-compliance.
4. **Limitation of Liability**
   The Seller's liability under these Terms and Conditions shall be limited solely to the compliance representations explicitly stated in this clause. Under no circumstances shall Seller be liable for any indirect, incidental, consequential, or punitive damages arising from the Customer's noncompliance with EPA or CARB regulations.

12. **NO LIABILITY FOR CONSEQUENTIAL DAMAGES:** The entire liability of Seller and its licensors, distributors, and suppliers (including its and their directors, officers, employees, and agents) is set forth above. To the maximum extent permitted by applicable law, in no event shall Seller and its licensors, distributors, and suppliers (including its and their directors, officers, employees, and agents) to be liable for any damages, including, but not limited to, any special, direct, indirect, incidental exemplary, or consequential damages, expenses, lost profits, lost savings, business interrupting, lost business information, or any other damages arising out of the use or inability to use the Products, even if Seller or its licensors, distributors, and suppliers has been advised of the possibility of such damages. The customer acknowledges that the applicable purchase price or license fee for the Products reflects this allocation of risk. Because some states/jurisdictions do not allow the exclusion or limitation of liability for consequential or incidental damages, the above limitation may not apply. If the foregoing limitation of liability is not enforceable because a Seller product sold or licensed to Customer is determined by a court of competent jurisdiction in a final, non-appealable judgment to be defective and to have directly caused bodily injury, death, or property damage, in no event shall Seller's liability for property damage exceed the greater of $50,000 or fees paid for the specific product that caused such damage.

13. **FORCE MAJEURE:** Seller shall be excused for any delay or failure to perform due to any cause beyond its reasonable control, including but not limited to civil commotion or riot, natural disaster, lightning, fire, earthquake, storm, flood, drought, severe weather conditions, other acts of God, disease, health epidemic or pandemic, accident, explosion, power surges, industrial action, boycotts, lockouts, strikes or other labor trouble or concerted acts of workmen, delays in transportation or delivery, shortages or inability to secure raw materials, fuel, power, machinery or other equipment necessary for production, currency restriction, embargo, acts of civil or military authority, acts of the public enemy, acts of war, action or inaction by a government (including a change in law), material changes in import or export duties, terrorism or threats of terrorism. The seller's shipping schedule shall be extended by a period equal to the time lost because of any excusable delay. In the event Seller is unable to perform in whole or in part

because of any excusable failure to perform, Seller may cancel orders without liability to Customer.

14. **LIMITED INDEMNITY AGAINST INFRINGEMENT:** Seller, shall, at its own expense, defend any litigation resulting from sales of the Products to the extent that such litigation alleges that the Products or any part thereof infringes any United States patent, copyright, or trademark, provided that such claim does not arise from the use of the Products in combination with equipment or devices not made by Seller or from modification of the Products, and further provided that Customer notifies Seller immediately upon its obtaining notice of such impending claim and cooperatives fully with Seller in preparing a defense. If Customer provides to Seller the authority, assistance, and information Seller needs to defend or settle such claim, Seller shall pay any final award of damages in such suit and any expense Customer incurs at Seller's written request, but Seller shall not be liable for a settlement made without its prior written consent. If the Products are held to be infringing and the use thereof is enjoined, Seller shall, at its option, either (i) procure for the Customer the right to use the Products, (ii) replace the Products with others which do not constitute infringement, or (iii) remove the infringing Products and refund the payment(s) made therefor by Customer. The foregoing states the Customer's sole remedy for, and Seller's entire liability and responsibility for, infringement of any patent, trademark, or copyright relating to the Products provided hereunder. THIS LIMITED INDEMNITY IS IN LIEU OF ANY OTHER STATUTORY OR IMPLIED WARRANTY AGAINST INFRINGEMENT.

15. **ACKNOWLEDGMENT/GOVERNING LAW:** Customer acknowledges reading these Terms and Conditions, understands them, and agrees to be bound by them. A waiver of any provision of this agreement shall not be construed as a waiver or modification of any other term hereof. With respect to all orders accepted by Seller in the United States, disputes arising in connection with these Terms and Conditions of Sale shall be governed by the laws of the State in which Seller's factory is located without regard to principles of conflicts of laws. With respect to all orders accepted by Seller outside the United States, disputes arising in connection with these Terms and Conditions of Sale shall be governed by the laws of the country and locality in which Seller accepts the order without regard to principles of conflicts of laws.

16. **INTELLECTUAL PROPERTY RIGHTS:** All drawings, data, designs, tooling, equipment, procedures, engineering changes, inventions, trade secrets, copyrights, mask works, source code, object code, patents, patent applications, know-how, computer and/or Product software and all parts thereof, trademarks and all other information, technical or otherwise which was developed, made or supplied by or for Seller in the production of any Product sold hereunder will be and remain the sole property of Seller (or its licensors, if any). The customer agrees not to reverse engineer any Products purchased hereunder.

17. **EXPORT REGULATIONS:** Customer agrees to comply fully with all laws and regulations concerning the export of Products for the United States.

18. **ASSIGNMENT AND SUBCONTRACTING:** Seller may assign his rights and obligations by giving the Customer a written notice thereof but without being obligated to obtain the Customer's consent prior thereto. In the event of an assignment, Seller shall be discharged of any liability pursuant to those purchase orders which have been assigned or delegated.

Customer may not assign its rights nor delegate its obligations under any or all of its purchase orders unless Seller's written consent is obtained prior thereto and any such assignment or delegation without such consent shall be void."

19. **WAIVER:** No waiver will be valid unless in writing, signed by an authorized representative of Seller and no waiver granted will release Customer from subsequent strict compliance herewith.

20. **SEVERABILITY HEADINGS:** Any provision here under found to be legally enforceable shall be deemed deleted and replaced with a legally enforceable provision having the closest possible intent. All other provisions shall remain in full force and effect. Headings and subheadings are for convenience only and shall not be construed to limit the applicability of individual provisions or sub-provisions.

21. **QUOTE EXPIRITION:** This proposal is valid for a period of thirty (30) days from the date of issue. The individual provisions of the proposal are severable and if any provision of this proposal shall be inv id such invalidity shall not affect any other provision that can be given effect without such invalid provision.

22. **ACCEPTANCE**: This proposal may be withdrawn or altered in any way or to *any* extent at any time prior to the written acceptance of your purchase order by an authorized agent of MRL and shall not be binding upon us or create any obligation on our part unless or until we have accepted your order for the equipment offered herein. After acceptance, the contract between us relating to the sale and purchase of the equipment shall be construed in accordance with the laws of the State of Montana.

MRL Limited Warranty

Each machine manufactured by MARK RITE LINES EQUIPMENT COMPANY, INC. (or, "the Company") is warranted against defects in material and workmanship for a period of 12 months, provided the machine is used in a normal and reasonable manner and in accordance with all operating instructions. This limited warranty is the sole and exclusive warranty given by the Company.

Exclusive Remedy. Should any warranted product fail during the warranty period, the Company will cause to be repaired or replaced, as the Company may elect, any part or parts of such machine that the Company's examination discloses to be defective in material or factory workmanship. In lieu of repair or replacement, the Company may elect, at its sole discretion, to refund the purchase price of any product deemed defective. The foregoing remedies shall be the sole and exclusive remedies of any party making a valid warranty claim.

This Limited Warranty shall not apply to (and the Company shall not be responsible for):

1. Major components or trade accessories that have a separate warranty from their original manufacturer, such as, but not limited to, trucks, engines, hydraulic pumps, motors, tires, and batteries.

2. Normal adjustments and maintenance services.

3. Normal wear parts such as, but not limited to, oils, fluids, vacuum hose, light bulbs, fuses and gaskets.

4. Failures resulting from the machine being operated in a manner or for a purpose not recommended by the Company

5. Repairs, modifications or alterations without the express written consent of the Company, which in the Company's sole judgment, have adversely affected the machine's stability, operation or reliability as originally designed and manufactured.

6. Items subject to misuse, negligence, accident or improper maintenance.

NOTE The use in the product of any part other than parts approved by the Company may invalidate this warranty. The Company reserves the right to determine, in its sole discretion, if the use of non-approved parts operates to invalidate the warranty. Nothing contained in this warranty shall make the Company liable for loss, injury, or damage of any kind to any person or entity resulting from any defect or failure in the machine.

THIS WARRANTY SHALL BE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION, ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, ALL OF WHICH ARE DISCLAIMED.

This warranty is in lieu of all other obligations or liabilities, contractual and otherwise, on the part of the Company. For the avoidance of doubt, the Company shall not be liable for any indirect, special, incidental, or consequential damages, including, but not limited to, loss of use or lost profits. The Company makes no representation that the machine has the capacity to perform any functions other than as contained in the Company's written literature, catalogs, or specifications accompanying delivery of the machine. No person or affiliated company representative is authorized to alter the terms of this warranty, to give any other warranties, or to assume any other liability on behalf of the Company in connection with the sale, servicing, or repair of any machine manufactured by the Company. Any legal action based hereon must be commenced within eighteen (18) months of the event or facts giving rise to such action.

The Company reserves the right to make design changes or improvements in its products without imposing any obligation upon itself to change or improve previously manufactured products

Payment

MRL only accepts payment in US currency. Payments can be made in the form of wire transfer (ACH) from banks based within the USA or an overnighted cashier check (with tracking). Outside of the USA, Wire transfers (ACH) are accepted. Federal Excise Tax (FET) will be included on the invoice if applicable. All applicable state and local taxes will be assessed on the MRL final balance due invoice.

The Terms of Payment

1. 40% deposit is due upon a signed proposal or purchase order.
2. 60% due before release of equipment from our facilities

The customer agrees to pay the final payment(s) no later than fifteen (15) days prior to the completion of the equipment and the estimated shipping date from MRL. Failure to do so will result in a late payment fee of 8% interest on the unpaid balance. In addition, failure to pick up your equipment or approve delivery by the date specified by MRL will result in a late delivery fee of $150.00 a day past the shipment date. All late penalties will need to be paid before the equipment is released.

The complete equipment will be released from the MRL facility once the final payment is received.

As a customary business practice for international transactions, MRL utilizes an Irrevocable Letter of Credit when the full amount of the quote herein is not paid in advance, the Customer, through their bank, will issue an Irrevocable Letter of Credit naming MRL as the beneficiary for the full amount of the quote herein denominated in the United State dollar. For collection of the Letter of Credit, MRL will present the following documents: Commercial Invoice, Packing List, Bill of Lading, Certificate of Origin, and Insurance Certificate, if applicable.

Chassis Payment

The Customer agrees to directly pay through a wire transfer (ACH) to the chassis dealer unless otherwise noted in the sales document. The chassis is due in full upon signing of the sales agreement and receipt of the chassis invoice. If the Customer does not pay within receipt of the invoice, you will be subject to additional interest charges assessed by the chassis dealer.

For chassis that are purchased by a municipality, they will be due upon delivery of the finished equipment on Net 30 terms.

Built by Stripers for Stripers

MRL Equipment Company
5379 Southgate Dr.
Billings, MT 59101
406.869.9900
markritelines.com

THERMOpro

Photo Disclaimer: The photo provided is not representative of the proposed truck.

Proposal For:

City of Midland Texas

Presented On:

September 12th 2025

Prepared By:

David Kautz

Thermoplastic

406.670.9013

dkautz@markritelines.com

Built by Stripers for Stripers

MRL Equipment Company
5379 Southgate Dr.
Billings, MT 59101
406.869.9900
markritelines.com

Company Overview

Built by Stripers for Stripers
MRL Equipment Co. Inc. has manufactured pavement marking, grooving, and pavement maintenance equipment for over 35 years. Founded by road stripers with first-hand knowledge and a background in striping operations, MRL engineers and builds traffic paint, thermoplastic, plural component, line/pavement grooving, and water blasting equipment.

Our Commitment to Customers
Our customer-driven innovation philosophy powers our commitment to build trucks and equipment unique to the customers they serve. Each MRL truck is designed to meet the customer's demands, without compromising reliability and productivity. Backed by our sales, customer service, and parts teams, MRL customers and their trucks are supported each step of the way.

Experience Matters

MRL products are used worldwide, and our experienced and dedicated team stands behind the products.

- A seasoned parts fulfillment team with over 65 years of experience
- Sales & Marketing professionals who work together with our production teams to build industry-leading equipment.
- End-to-end engineering and design teams
- 140,000 sq. ft. of assembly, testing, fabrication, and R&D facilities
- Experienced service technicians who can assist with start-up, training, and customized support.
- A partnership with HighMark Traffic Services, with decades of road marking knowledge and experience.

MRL is dedicated to making customized, reliable equipment for the line striping industry!

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markritelines.com

Overview and Specifications

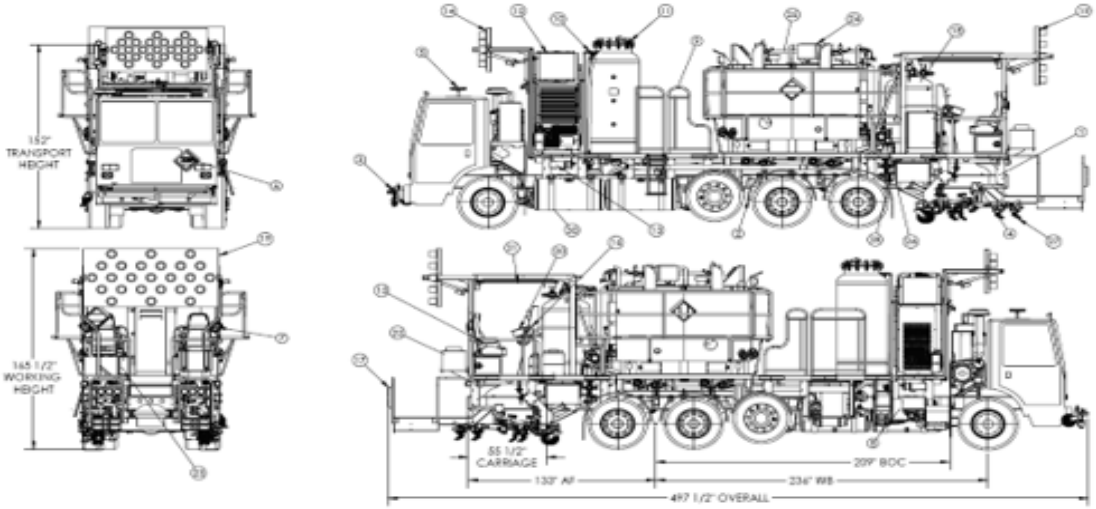

Illustration Disclaimer: The drawing provided above is for illustration purposes only and does not represent the exact equipment, accessories, and parts being quoted. MRL will provide the customer with exact drawings based on the accepted proposal for approval sign-off before production begins. If changes are needed after the approved drawings and production has begun, there will be additional costs associated with the change order and addendum.

Training and Support

MRL offers training along with each new purchase of a unit. Training is scheduled upon equipment completion. MRL does offer both training on-site and at our Billings headquarters. Our technicians are the best in the industry with many of them having years of experience on the very equipment they are training on. Our technicians will conduct a thorough training session where your staff and operators will understand the components, recommended maintenance, and use of the equipment. Once the training session is complete, you will be asked to sign an acknowledgment of the training before usage of the equipment.

MRL Service technicians are the most experienced and road-tested support team in the industry, with expertise earned through years as stripers. From on-site training to virtual visits and phone calls, let our experts assist you with technical issues, questions, and troubleshooting.

MRL parts sales team is always there to help your operators with questions or to assist with your parts needs. We strive to meet your parts requests as quickly as possible, with many items shipping the same day they are ordered. With over 65 years of experience, our parts team understands how important it is to keep your equipment up and running.

Customizing trucks for over 35 years!

Date: **September 12th 20**

Quote #: **1**

REV: **3**

Company Name: **City of Midland Texas**

Sourcewell Agency # 106268

MRL Unit Number:

From: **David Kautz**

Phone: **406.670.9013**

Email: dkautz@markritelines.com

Sourcewell Contract #: 050625-MAR-1

Company Address: **300 N. Loraine**

Attention: **Troy Clabaugh**

Phone: **432-685-7285**

Email: **tclabaugh@midlandtexas.gov**

Sourcewell# 106268

Code	**BASE MODULE**
4-12000	Mark Rite Lines Thermo Unit - 12,000 lbs Capacity Melters. **(Boss 250 WB 248 / Boss 375 WB 264) (Note all 264" will be over 40' length-Special Permit)**

Code	**POWER EQUIPMENT**
TH1000	BOSS 250 CFM air compressor - John Deere diesel powered. **(Push button interrupt system for Quad - 4-12,000 and 4-16,000)**
TH1001	Tier 4 Final (T4F) air compressor emissions.
TH1002	Air compressor air end oil cooler.
TH1003	Battery jump switch installed between the compressor power unit and chassis batteries.
TH1004	Hydrauliclly driven oil cooler
TH1005	PTO hydraulic drive system
TH1006	Top Mount Supplemental PTO - **For Quads (4-12,000 and 4-16,000) only**

Code	**MATERIAL PUMP AND PLUMBING**
TH2000	Two (2) hydraulically driven MRL/ROPER material pumps w/dual speed capability. **(Deselect this line if selecting either line 57/58)**
TH2001	Electrically operated knife gate vales at pump inlets.
TH2002	Two (2) heated valves under the material pumps allowing for material transfer from a "nurse" truck. Customer to install connecting system.
TH2003	Low RPM pump control to enable ribbon or screen extrusion applications.
TH2004	Thermoplastic material re-circulation with 1" I.D. re-circ lines on both material pumps.
TH2005	1-1/2" I.D. oil-jacked lines from material pump outlet to filter/manifold assemblies.
TH2006A	Two (2) oil-jacked material filter/manifold assemblies mounted on gun carts. One (1) per side. **(Deselect this line if selecting line 65)**
TH2007	1-1/4" I.D. oil-jacked lines from filter/manifold to guns.
TH2007	Air blow down system for pumps, manifolds, material lines, and guns for cleanout.
TH2009	Material plumbing external pump crossover under deck

Code	**MARKING MATERIAL SYSTEM - Melter Unit Number #_____**
TH3001A	Four (4) 3,000 pound capacity, air-jacketed, vertical designed thermoplastic pre-melting kettles (12,000 lb. total capacity).
TH3002	Filter manifold read only temperature gauges at the bag loader area
TH3003	Center line corner mounted plug type outlet valve installed - corner of front melter to facility filling of customer hand-liner applicator.
TH3004	Edge Line corner mounted plug type outlet valve installed - corner of front melter to facility filling of customer hand-liner applicator.
TH3005	Hydraulically driven kettle agitators.
TH3006	Thermostatically controlled automatic burner ignition system.
TH3007	Kettle burner compartments lined with stainless steel.
TH3008	Stainless steel deflector plates.
TH3009	High temperature insulation lining the burner compartment floors.
TH3010	Abrasion resistant, replaceable agitator shaft ends installed with replaceable, bottom mounted bushings.
TH3011	Kettles interconnected and separated with stainless steel, flexible joint and insulated knife gate valve w/wrapped flex bellow coupler.
TH3012	Dual Diesel burners installed vertically in each melter. • Dual burner system has automatic safety parameters installed.
TH3013A	Top Re-circ crossover from C/L to E/L of rear kettles only. (Can also be used for material transfer between the rear mettlers)
RFQ	Texas crossover
RFQ	Material Handling Penta Pallet Lifts

Code	MARKING MATERIAL HEAT TRANSFER OIL SYSTEM
TH4001	Diesel fired oil furnace w/diesel burner assembly and thermostatically controlled, automatic electronic ignition system.
TH4002	Fire suppression system installed over hot oil furnace area.
TH4003	Heat transfer oil expansion tank w/heat shield and overflow hose mounted on deck.
TH4004	Two (2) hydraulically driven heat transfer oil circulation pumps. One (1) for E/L and C/L pump, lines, and guns.
TH4005	Heat transfer oil temperature gauges installed at various points in the oil circulation system.

Code	GLASS BEAD SYSTEM
TH7000	One (1) A.S.M.E. certified - **Select size from drop down** [3000LB] capacity bead tank mounted between the material pumps on the operator's deck. The bead tank will have a lid and 3" suction inlet. (use dropdown to select proper tank) - Ground load not available
TH7001	Air accuaated butterfly valve
TH7002	Venturi vacuum bead loading system installed. Venturi exhausted through muffler below bed.
TH7003	15' bead suction hose(s) included. **(single drop one hose / double drop two hoses)**
TH7004	Butterfly valve for load hose.
TH7005	Three (3) sight glasses installed in rear bead tank.

Select One Front Tank Below

Code	Elements

Code	Paint System

Code	CENTERLINE GUN CARRIAGE
TH5000	MRL "Convertible" thermoplastic guns. (2 convertible spray guns standard)
TH5001	12-volt linear actuators to raise and lower spray guns.
TH5002	MRL bead guns w/adjustable fan attachments
TH5003	One (1) bead manifold or Two (2) Bead manifolds if double drop is selected (***Must select TH6003A under Edgeline Gun Carriage / Need TH7008 selected***)
TH5004	Blow air nozzles directly in front of guns.
TH5005	Oil jacketed "white only" material line installed from white filter manifold to C/L gun carriage. • Plumbing mounted under the striper deck. And separate cairrage mount • Separate heat transfer oil plumbing allows heating of dedicated white only gun on the C/L side from C/L heat transfer oil system, and E/L side origin of the dedicated system to be heated utilizing E/L heat transfer oil system.
TH5007	C/L carriage auto reverse up feature.
TH5008	Centerline 1/2" spray nozzle.

Code	EDGELINE GUN CARRIAGE
TH6000	Oil-jacketed MRL "Convertible" thermoplastic gun
TH6001	12-volt linear actuator to raise and lowe the spray gun.
TH6002	MRL bead guns w/adjustable fan attachments.
TH6003	One (1) bead manifold or Two (2) Bead manifolds if double drop is selected **(Must select TH5003 under Centerline Gun Carriage / Need TH7008 selected)**
TH6005A	Second white gun installed side-by-side with bead gun(s) and additional blow air
TH6007	Centerline 1/2" spray nozzle.

Code	AIR SYSTEM
TH10001	Blow air system plumbed to the gun carts. System has on, off, and auto functions.
TH10002	High efficiency air cooler w/hydraulically driven fan installed on compressed air system to cool compressed air.
TH10003	Self-expelling moisture traps on main airline and bead tank supply.
TH10004	Laman Dyer(s)/extrators(s) installed on air supply line to bead tank(s)
TH10005	Coalescing dryer tank on compressed air system to condense moisture.
TH10006	One (1) oiler installed on main airlines to gun carriage solenoids.
TH10007	Quick coupler to air system at rear of unit to facilitate the use of air tools.
TH10008	Air pressure regulators are installed under the deck to control bead tank pressure and spray gun atomizing pressures.

Code **SKIP TIMING SYSTEM**

TH11001 **MRL Dynamic Touchscreen Control System** - SC-12 timing system w/HDVO-318 drop down monitor

- Two (2) switch boxes located at the rear operator's stations.
- Material pump potentiometers installed in operator's timing boxes.
- Each switchbox has individual control of skip cycles, footage counters, digital speedometers, bead lead/lag controls, etc.
- The single LCD display in each switchbox serves the skip cycle, footage counter, and digital speedometer display functions.
- Switchboxes will be fully interchangeable and enable simultaneous application of different skip cycles.
- System to incorporate metric conversion capability and profile with rock-hop application capability.
- Diagnostic tools.
- Multiple display options.
- Real-time display of:
  - Vehicle speed
  - Material temperature in kettles/melters
  - Filter manifold material temperature
  - Furnace temperature

QTY [4] Kettle read only display in chassis cab monitor.
Filter manifold read only display in chassis cab monitor.
Furnace read only display in chassis cab monitor.

TH11002 Ribbon footage printer installed.

Th11003 Handheld bomb switch.

Code **DATA LOGGING SYSTEM**

Code **ELECTRONICS**

TH13000 All profile solenoids installed to enable screed and profile with rock-hop.

TH13001 Flip die wiring for all guns installed.

TH13002 Three (3) station aviation type intercom system w/three (3) ultralight headsets.

TH13014 LifeSyS Litereader VCMS 1230F-4 - 3 line 12" character, full matrix sign Upper (pivot) mount

TH13015 Two (2) weather resistant boxes, one per gun cart, installed on gun carriages to house gun actuating and atomized air solenoids.

TH13016 One (1) low light back-up camera display in chassis cab.

TH13017 One (1) Federal Signal ~47" LED amber beacon bar mounted on chassis cab w/short riser.

TH13018 MRL strobe safety package. Package includes: [xxxx] Amber /White [ ] Amber

- Two (2) Federal Signal dual flashing amber strobes mounted at rear of unit.
- Six (6) Federal Signal amber mini-strobes for cross traffic - mounted fore, mid, and aft of the material deck.
- Four (4) Federal Signal amber mini-strobes for carriage end caps - two (2) per carriage (one facing front and one facing rear). Two (2) separate switches for
- Four (4) Federal Signal 4" x 6" amber strobes - two (2) mounted at rear tailboard area and two (2) mounted on front of cab.

TH13021 Install 360 birds eye camera system as standard. NO backup cameras installed.

Code	VIDEO GUIDANCE
TH14001	**MRL Dynamic Touchscreen - DEFAULT**- HD Color video guidance w/Skip-Line Pilot system installed and displayed on HDVO. System includes: • A video crosshair generator w/controller. • Two (2) color cameras w/auto iris lenses mounted inside MRL weather-resistant self-leveling housings. • Two (2) electrically actuated camera mounting brackets under striper bed.

Code	12-VOLT LED WORK LIGHTS
TH15001	Two (2) Federal Signal 2200 lumen LED lights mounted to illuminate forward area of guns - One (1) per side.
TH15002	Two (2) Federal Signal 2200 lumen LED lights mounted to illuminate rear gun package.
TH15003	One (1) Federal Signal 2200 lumen LED light mounted to illuminate control console.
TH15004	Two (2) Federal Signal 2200 lumen LED lights mounted on extendable posts between air compressor and material storage area w/ground access slide feature
TH15005	One (1) Federal Signal 2200 lumen LED light to illuminate furnace burner. Switch located near furnace burner.
TH15006	Two (2) approximately 47" LED light bars installed - one (1) per side of the operator's canopy w/swing up/down mounts.
TH15008	Two (2) Federal Signal 2200 lumen LED lights on leading edge of operator's canopy to illuminate the recirculation valves during blow-down procedures.
TH15009	Two (2) Federal Signal 2200 lumen LED lights to illuminate each of the fuel tanks. One for the front tanks, and one for the rear tank. Switches located near
TH15010	Two (2) Federal Signal 2200 lumen LED lights mounted at the rear corners under the operator's bed to facilitate the observation of bead application during
TH15011	Two (2) Flood Light 14" infront of carriage and under melter area

Code	OPERATOR SYSTEMS
TH16001	Swing up steering orbital mounts CL and EL includes tilt and telescoping steering wheel.
TH16004	Two 12-volt fans mounted on orbital stands.

Code	ADDITIONAL FEATURES
TH17000	One (1) 5-gallon water cooler.
TH17001	One (1) 5 gallon water cooler - bag thrower area.
TH17002	Four (4) mounted fire extinguishers.
TH17003	First Aid kit and warning triangles.
TH17004A	Three (3) mounted 3257 placards. One (1) 3257 placard shipped loose.
TH17005	Insulated covers for the material filter/manifolds.
TH17006	Conspicuity tape mounted on aluminum panels installed around the striper perimeter.
TH17007	Quick release aluminum fenders w/mudflaps installed over the rear wheels and tires.
TH17008	Three (3) mudflap type material squares w/three (3) springs w/eyelets and six (6) quick couplers for facilitating wrapping of material lines after extended
TH17009	Foldable, center mount pointer bar mounted to the front bumper w/hydraulic lift.
TH17010	Steel platform w/railings, built-in rear access steps, side access ladders.
TH17011	72" x 24" rear deck w/expanded steel insert and inset step. (4) Popping Pans
TH17012	55" tall steel side railings at material storage areas.
TH17013	Heavy duty, hydraulically extendable, diamond tube gun carriage assemblies - 4' extension on both sides from edge of bed.
TH17014	Hydraulically raised/lowered, heavy duty, scissor style gun carts.
TH17015	One (1) split wheel assembly for rumble strips - shipped loose. Jpeg
TH17016	Two (2) mounted hydraulic steering orbitals w/steering wheels to control the lateral movement of gun carriages. One for each C/L and E/L carriage.
TH17017	Two (2) jacketed material filter/manifold assemblies w/internal screens and full flow SST outlet valves mounted on gun carts - one (1) per side.
TH17018	Two (2) bead manifolds w/exhaust muffler. One (1) for each carriage.
TH17019	Lights in toolboxes
TH17020	Overhead rear operator's control console mounted from front canopy.
TH17021	Two (2) Aluminum lockable toolboxes mounted on rear of the deck area w/two (2) high back bucket seats w/armrests and seat belts mounted on top of toolboxes 4 drawer slides and a compartment.
TH17022	Two (2) weather-resistant, stainless-steel boxes to protect timing switch boxes.
TH17023	Hydraulic reservoir w/sight gauge and magnetic particle separator mounted on top of compressor housing.
TH17024	Steel step assemblies/handrails mounted to bed to access material re-circ valve handles.
TH17025	Steel and aluminum canopy installed over the rear operator's stations.
TH17027	(2) Laserline GL-3000PMB-S carriage lasers installed w/quick connects on the carriage.
TH17028	20 gallon non-potable tank - 2 spigots for popping pans

Code	SPECIAL REQUESTS
RFQ	
RFQ	Two (2) separate 3 Day follow up/ reenforcement trainings at a mutually agreed upon date.

Code	CHASSIS
DEALCHS	Dealer supplied chassis.
CHASSIS	2026 Peterbilt 520, single steer, 13,500lb lift axle, 79,500 GVWR, 4500RDS Allison, 248" WB
CHSMODS	5-year/200,000 miles engine, Aftertreatment, towing for 5-years, 5 year electrical warranty (covers harness).
TH18002	100 gallon fuel transfer tank.
TH18003	MRL low-speed cruise control system.
TH18004	Additional 100-gallon fuel tank installed and plumbed to chassis fuel tank.

Code	MISCELLANEOUS
TH19001	MRL supplied test material.
FREIGHT	Fregiht F.O.B Billings, MT -F.O.B. Billings, MT
TRAINING	MRL Equipment Training.

Code	NOTES

Sourcewell Discount of 7% applied to the apparatus pricing. Sourcewell contract number - 050625-MAR

COST BREAKDOWN

MRL Thermo Pro (includes FET):	**$827,216.71**	**MRL Supplied Chassis**	
Chassis (includes FET):	**$228,916.32**	**Per Sourcewell Contract**	
Freight F.O.B. Billings, MT:	**F.O.B. Billings, MT**	**$**	**221,844.00**
		3%	**$ 7,072.32**
Trade-In:	**$0.00**	**$**	**228,916.32**
Total Sales Price:	**$1,076,573.71**		
Tariff Surcharge - Will be a Line item on the Final Invoice	**$ 5,382.87**		
Due Net 30 Upon Delivery	**$1,081,956.58**		

TERMS OF PAYMENT

The purchase price of this piece or item of equipment is **$1,076,573.71**, which includes all applicable FET, F.O.B. Billings, MT.

The Total of **$1,081,956.58** is due via overnight cashier's check or ACH wire transfer of funds Net 30 upon delivery.

All applicable state and local sales taxes will be assessed on the MRL balance due invoice. F Invoicing will be sent when the truck ships and will include shipping costs. Shipping costs will be supplied two weeks prioir to shipping.

WITNESS WHEREOF, the parties have executed this Purchase Agreement the day and year written below.

MARK RITE LINES EQUIPMENT CO, INC.	**City of Midland Texas**
Company	Company
_____	_____
Signed	Signed
_____	_____
Title	Title
_____	_____
Date	Date

STATE OF MONTANA)
) ss.
County of Yellowstone)

On this _____ day of _____, 20_____, before me personally appeared known to me to be the person whose name

_____

NOTARY PUBLIC for the State of Montana.
Residing at Billings, MT.
My Commission Expires _____

STATE OF _____)
) ss.
County of _____)

On this _____ day of _____, 20____, before me personally appeared known to me to be the person whose name is

_____

NOTARY PUBLIC for the State of _____
Residing at _____
My Commission Expires _____

Paint Schematic

MRL offers standard paint colors for trucks of Black, White, and Yellow. Additional charges will be incurred by the customer for Chassis custom painting or customized truck colors. Below, are the components on the truck that you can specify your Standard or customized colors. If you choose a customized color, please provide your color details and numbers.

Truck #		**Date**		**Thermo Truck**	
Chassis	As Received	x	Custom		
Chassis Wheels	As Received	x	Custom		
Chassis Decals	As Received	x	Custom		

	Standard Colors - N/C				**Custom Colors - Additional Charge**	
Bed	Black PC	x	White PC		Custom	
Handrails (Weld on)	Black PC	x	White PC		Custom	
Handrails (Bolt on)	Black PC	x	White PC		Custom	
Canopy	Black PC	x	White PC		Custom	
Cart Extension Tubes	Black PC	x	White PC		Custom	
Cart Boxes	Black	x	White		Custom	
Bead tank Top	Black		White	x	Custom	
Bead tank Bottom	Black	x	White		Custom	
Expansion Tank	Black	x	White		Custom	
Expansion Tank Cover	Black	x	White		Custom	
Bead Muffler	Black		White	x	Custom	
Melter	Black		White	x	Custom	
Melter Steps	Black PC	x	White PC		Custom	
Scissors	Black	x	White		Custom	
Propane Tanks	Black		White		Custom	
Propane Tank Mounts	Black		White		Custom	
Hydraulic Tank	Black		White	x	Custom	
Hydraulic Tank Mount	Black		White	x	Custom	
Compressor	Black		White	x	Custom	
Canmera Tubes	Black	x	White		Custom	
Console	Black		White	x	Custom	
Tail Board	Black PC	x	White PC		Custom	
Tool boxes	Black		White		Custom	
Moyno Mount	Black	x	White		Custom	
Moyno Box Covers	Black		White	x	Custom	
Seat Boxes	Black		White		Custom	aluminum with 4 drawer
Main Box Mount	Black	x	White		Custom	
Main Box	Black		White	x	Custom	
Rear Hinged Steps	Black PC	x	White PC		Custom	
Bumper	Black		White		Custom	
Stinger	Black	x	White		Custom	
Moyno Steps/Handrails	Black PC	x	White PC		Custom	
Battery Box	Black		White		Custom	
Coalescing Dryer	Black		White	x	Custom	
					Custom	
					Custom	
					Custom	

I agree to the above color schmatic for the truck. Any additional requests or changes could result in manufacutring delays and additional costs.

Custom Paint Code:

Other Notes:

Signed

City of Midland Texas

Company

Date

Built By Stripers for Stripers

MRL TERMS AND CONDITIONS OF SALES

CUSTOMER AND MRL EQUIPMENT COMPANY, INC. (THE "SELLER"), AGREE THAT SALES OF SELLER'S PRODUCTS (THE "PRODUCTS") ARE MADE ONLY UNDER THESE TERMS AND CONDITIONS, AND THAT SELLER SHALL NOT BE BOUND BY CUSTOMER'S ADDITIONAL OR DIFFERENT TERMS. THE ACCEPTANCE OF THE CUSTOMER'S ORDER IS CONDITIONED ON THE CUSTOMER'S ACCEPTANCE OF THESE TERMS. CUSTOMER SHALL INDICATE ITS AGREEMENT TO BE BOUND BY THESE TERMS BY WRITTEN ACKNOWLEDGEMENT, BY IMPLICATION, OR BY ACCEPTANCE OF DELIVERY OF THE PRODUCTS.

Seller reserves the right to increase the quoted order price set forth in this order acknowledgment at any time before delivery to Buyer to reflect any increase in Seller's costs to manufacture or deliver the ordered product due to any factor beyond the reasonable control of Seller. Seller shall provide Buyer with prompt electronic notice of any such price increase. Buyer shall have five days from receipt of such notice to cancel its order, absent which Buyer shall be deemed to have consented to the price increase.

PRICES: All orders are subject to current prices in effect at the time of order acknowledgment. F.O.B. Point: Unless otherwise stated, all prices listed are F.O.B. factory. MRL reserves the right to increase the order price set forth in this Proposal Summary at any time before delivery to Buyer to reflect any increase in MRL's costs to manufacture or deliver the ordered product due to any factor beyond the reasonable control of MRL. MRL shall provide Buyer with prompt electronic notice of any such price increase. Buyer shall have five days from receipt of such notice to cancel its order, absent which Buyer shall be deemed to have consented to the price increase."

NOTICE TO SELLER'S DEALERS AND DISTRIBUTORS:

IF THE CUSTOMER IS A PARTY TO AN AGREEMENT THAT INCLUDES TERMS AND CONDITIONS OF SALE THAT WOULD NORMALLY APPLY TO THE TRANSACTION UNDER WHICH THESE TERMS AND CONDITIONS WERE ISSUED, THEN THESE TERMS AND CONDITIONS SHALL NOT MODIFY, SUPERSEDE OR OTHERWISE AFFECT SUCH DEALER OR DISTRIBUTOR AGREEMENT AND THE TERMS AND CONDITIONS OF SALE INCLUDED WITH SUCH AGREEMENT SHALL CONTROL.

1. **TITLE AND RISK OF LOSS:** After delivery of the Equipment in good order to the Carrier of Purchaser's choice, risk of loss shall be with the Purchaser and Mark Rite Lines Equipment Company's responsibility shall cease. As long as Mark Rite Lines Equipment Company remains unpaid it shall have a lien on the Equipment and shall have a right to repossession and disposal of the Equipment notwithstanding delivery to the Carrier.

A. If the Products are subject to state vehicle title laws, title and risk of loss or damage will pass to Customer on the first of the following to occur: (i) delivery of the Products to Customer; (ii) delivery of the Products to Customer's authorized agent; or (iii) delivery of the Products to any common carrier for shipment. The manufacturer's statement of origin ("MSO") shall be delivered from the Seller to the Customer upon the Seller's receipt of payment in full.

B. If the Products are not subject to a state vehicle title law, title and risk of loss or damage will pass to Customer on the first to occur of the following: (i) delivery of the Products to Customer; (ii) delivery of the Products to Customer's authorized agent; or (iii) delivery of the Products to any common carrier for shipment.

2. **TAXES:** Product prices are exclusive of, and Customer shall pay, applicable sales, use, service, value added or like taxes, unless Customer has provided Seller with an appropriate exemption certificate for the delivery destination acceptable to the applicable taxing authorities.

3. **PRICES AND PAYMENT:** All quotations shall expire thirty (30) days from the date of issuance unless otherwise set forth on the quotation or agreed in writing. Quoted prices include packing and packaging. Customer shall make payment in full prior to or upon delivery by ACH transfer unless Seller approves Customer for credit terms. If Seller approves Customer's credit application, payment shall be due no later than 30 days from the date of Seller's invoice. All sums not paid when due shall accrue interest daily at the lesser of a monthly rate of 1.0% or the highest rate permissible by law on the unpaid balance until paid in full. Unless otherwise agreed in writing by Seller, payments shall be made in U.S. Dollars. In the event of any order for several units, each unit(s) will be invoiced when shipped.

4. **ORDERS:** All orders are subject to acceptance by the Seller, which shall be indicated in writing.

5. **DELIVERY:** Seller shall deliver the Products F.O.B. Seller factory and, if the Products are sold to a Customer outside the United States, shall clear the Products for export destined outside the United States. The customer shall pay all freight charges, applicable import duties, and other necessary fees and shall bear the risks of carrying out customs formalities and clearance. Orders are entered as close as possible to the Customer's requested shipment date, if any. Shipment dates are scheduled after acceptance of orders and receipt of necessary documents. Claims for shipment shortage shall be deemed waived unless presented to Seller in writing within forty-five (45) days of shipment.

6. **NON-CONFORMING DELIVERY:** Customer shall notify Seller of any visible defects, quantity shortages, or incorrect product shipments in writing within five (5) working days of receipt by Customer. Failure to notify Seller within such time period shall be deemed an unqualified waiver of Customer's right to subsequently raise such objections.

7. **LIMITED WARRANTY:** IF THE PRODUCTS PURCHASED ARE SOLD PURSUANT TO A WARRANTY POLICY SPECIFIC TO SUCH PRODUCTS, THEN THE POLICY SET FORTH IN SECTIONS 7-8 SHALL NOT BE EFFECTIVE AS TO SUCH PRODUCTS AND THE SPECIFIC WARRANTY POLICY SHALL CONTROL.

Subject to the foregoing paragraph, Seller's Products are warranted against defects in material and workmanship and shall conform to Seller's published specifications or other specifications accepted in writing by Seller for one year from the date Seller ships the Products to Customer ("Delivery Date"). ***Please review the full Limited Warranty statement after #22***

8. **CUSTOMER REMEDIES:** Seller's sole obligation (and Customer's sole remedy) with respect to the foregoing Limited Warranty shall be to, at its option, return the fees paid or repair/replace

any defective Products, provided that the Seller receives written notice of such defects during the applicable warranty period. Customer may not bring an action to enforce its remedies under the foregoing Limited Warranty more than one (1) year after the accrual of such cause of action.

9. **RETURN/CANCELLATION/CHANGE POLICY:** Customer may return unwanted parts Products within thirty (30) days of the Delivery Date, provided such Products are in new, unused, and undamaged condition and are resalable as new products without modification or repackaging. The customer shall pay a twenty percent (20%) restocking charge on any unwanted Products returned to the Seller. No returns will be accepted after the thirty (30) day period has expired. Where custom products or services are involved, Customer shall be responsible for all related work in progress; however, Seller shall take reasonable steps to mitigate damages immediately upon receipt of a written cancellation notice from Customer. A Return-Material Authorization number must be obtained from the Seller for the return of any Products. Seller may terminate any order if representatives made by Customer to Seller are false or misleading. Changes to orders shall not be binding upon nor be put into effect by Seller unless confirmed in writing by Seller's appropriate representative.

10. **NO OTHER WARRANTIES:** EXCEPT AS EXPRESSLY SET FORTH ABOVE, THE PRODUCTS ARE PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, AND NO OTHER WARRANTIES, EITHER EXPRESS OR IMPLIED ARE MADE WITH RESPECT TO THE PRODUCTS, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTIES OR MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE OR NON-INFRINGEMENT OR ANY OTHER WARRANTIES THAT MAY ARISE FROM USAGE OF TRADE OR COURSE OF DEALING. SELLER DOES NOT WARRANT, GUARANTEE, OR MAKE ANY REPRESENTATIONS REGARDING THE USE OF OR THE RESULTS OF THE USE OF THE PRODUCTS IN TERMS OF CORRECTNESS, ACCURACY, RELIABILITY, OR OTHERWISE. SELLER EXPRESSLY DISCLAIMS ANY WARRANTIES NOT STATED HEREIN.

11. **Environmental Indemnification**

1. **Compliance with EPA and CARB Regulations**
   The Customer acknowledges and agrees that it is solely responsible for ensuring the purchased Products, including but not limited to chassis and related equipment, are compliant with all applicable federal, state, and local environmental regulations, including but not limited to those established by the Environmental Protection Agency ("EPA") and the California Air Resources Board ("CARB"). The Customer further agrees that it has conducted its own due diligence to verify compliance with these regulations as they pertain to the intended use, operation, and jurisdiction of the products.
2. **Indemnification Obligation**
   The Customer shall indemnify, defend, and hold the Seller, its affiliates, subsidiaries, officers, directors, employees, agents, and assigns (collectively, the "Indemnified Parties") from and against any and all claims, liabilities, damages, losses, penalties, fines, costs, or expenses (including reasonable attorneys' fees and legal expenses) arising out of or relating to:
   (a) The Customer's failure to ensure compliance with EPA or CARB regulations, including but not limited to any modifications, alterations, or uses of the chassis or equipment that render them non-compliant;
   (b) The Customer's use, operation, or resale of the products in violation of any

applicable environmental laws or regulations;
(c) Any third-party claims, governmental investigations, or enforcement actions arising from alleged noncompliance with EPA or CARB standards attributable to the Customer's activities; or (d) Any breach by the Customer of its representations, warranties, or obligations under this Agreement as they pertain to regulatory compliance.

3. **Mark Rite Lines Equipment Company Compliance Representations**
   Seller warrants that, as of the date of delivery, the Products comply with applicable EPA and CARB standards and regulations for their intended use, as expressly stated in the Seller's specifications. Seller shall have no liability for any modifications, alterations, or uses of the products made by the Customer or any third party that results in non-compliance.
4. **Limitation of Liability**
   The Seller's liability under these Terms and Conditions shall be limited solely to the compliance representations explicitly stated in this clause. Under no circumstances shall Seller be liable for any indirect, incidental, consequential, or punitive damages arising from the Customer's noncompliance with EPA or CARB regulations.

12. **NO LIABILITY FOR CONSEQUENTIAL DAMAGES:** The entire liability of Seller and its licensors, distributors, and suppliers (including its and their directors, officers, employees, and agents) is set forth above. To the maximum extent permitted by applicable law, in no event shall Seller and its licensors, distributors, and suppliers (including its and their directors, officers, employees, and agents) to be liable for any damages, including, but not limited to, any special, direct, indirect, incidental exemplary, or consequential damages, expenses, lost profits, lost savings, business interrupting, lost business information, or any other damages arising out of the use or inability to use the Products, even if Seller or its licensors, distributors, and suppliers has been advised of the possibility of such damages. The customer acknowledges that the applicable purchase price or license fee for the Products reflects this allocation of risk. Because some states/jurisdictions do not allow the exclusion or limitation of liability for consequential or incidental damages, the above limitation may not apply. If the foregoing limitation of liability is not enforceable because a Seller product sold or licensed to Customer is determined by a court of competent jurisdiction in a final, non-appealable judgment to be defective and to have directly caused bodily injury, death, or property damage, in no event shall Seller's liability for property damage exceed the greater of $50,000 or fees paid for the specific product that caused such damage.

13. **FORCE MAJEURE:** Seller shall be excused for any delay or failure to perform due to any cause beyond its reasonable control, including but not limited to civil commotion or riot, natural disaster, lightning, fire, earthquake, storm, flood, drought, severe weather conditions, other acts of God, disease, health epidemic or pandemic, accident, explosion, power surges, industrial action, boycotts, lockouts, strikes or other labor trouble or concerted acts of workmen, delays in transportation or delivery, shortages or inability to secure raw materials, fuel, power, machinery or other equipment necessary for production, currency restriction, embargo, acts of civil or military authority, acts of the public enemy, acts of war, action or inaction by a government (including a change in law), material changes in import or export duties, terrorism or threats of terrorism. The seller's shipping schedule shall be extended by a period equal to the time lost because of any excusable delay. In the event Seller is unable to perform in whole or in part

because of any excusable failure to perform, Seller may cancel orders without liability to Customer.

14. **LIMITED INDEMNITY AGAINST INFRINGEMENT:** Seller, shall, at its own expense, defend any litigation resulting from sales of the Products to the extent that such litigation alleges that the Products or any part thereof infringes any United States patent, copyright, or trademark, provided that such claim does not arise from the use of the Products in combination with equipment or devices not made by Seller or from modification of the Products, and further provided that Customer notifies Seller immediately upon its obtaining notice of such impending claim and cooperatives fully with Seller in preparing a defense. If Customer provides to Seller the authority, assistance, and information Seller needs to defend or settle such claim, Seller shall pay any final award of damages in such suit and any expense Customer incurs at Seller's written request, but Seller shall not be liable for a settlement made without its prior written consent. If the Products are held to be infringing and the use thereof is enjoined, Seller shall, at its option, either (i) procure for the Customer the right to use the Products, (ii) replace the Products with others which do not constitute infringement, or (iii) remove the infringing Products and refund the payment(s) made therefor by Customer. The foregoing states the Customer's sole remedy for, and Seller's entire liability and responsibility for, infringement of any patent, trademark, or copyright relating to the Products provided hereunder. THIS LIMITED INDEMNITY IS IN LIEU OF ANY OTHER STATUTORY OR IMPLIED WARRANTY AGAINST INFRINGEMENT.

15. **ACKNOWLEDGMENT/GOVERNING LAW:** Customer acknowledges reading these Terms and Conditions, understands them, and agrees to be bound by them. A waiver of any provision of this agreement shall not be construed as a waiver or modification of any other term hereof. With respect to all orders accepted by Seller in the United States, disputes arising in connection with these Terms and Conditions of Sale shall be governed by the laws of the State in which Seller's factory is located without regard to principles of conflicts of laws. With respect to all orders accepted by Seller outside the United States, disputes arising in connection with these Terms and Conditions of Sale shall be governed by the laws of the country and locality in which Seller accepts the order without regard to principles of conflicts of laws.

16. **INTELLECTUAL PROPERTY RIGHTS:** All drawings, data, designs, tooling, equipment, procedures, engineering changes, inventions, trade secrets, copyrights, mask works, source code, object code, patents, patent applications, know-how, computer and/or Product software and all parts thereof, trademarks and all other information, technical or otherwise which was developed, made or supplied by or for Seller in the production of any Product sold hereunder will be and remain the sole property of Seller (or its licensors, if any). The customer agrees not to reverse engineer any Products purchased hereunder.

17. **EXPORT REGULATIONS:** Customer agrees to comply fully with all laws and regulations concerning the export of Products for the United States.

18. **ASSIGNMENT AND SUBCONTRACTING:** Seller may assign his rights and obligations by giving the Customer a written notice thereof but without being obligated to obtain the Customer's consent prior thereto. In the event of an assignment, Seller shall be discharged of any liability pursuant to those purchase orders which have been assigned or delegated.

Customer may not assign its rights nor delegate its obligations under any or all of its purchase orders unless Seller's written consent is obtained prior thereto and any such assignment or delegation without such consent shall be void."

19. **WAIVER:** No waiver will be valid unless in writing, signed by an authorized representative of Seller and no waiver granted will release Customer from subsequent strict compliance herewith.

20. **SEVERABILITY HEADINGS:** Any provision here under found to be legally enforceable shall be deemed deleted and replaced with a legally enforceable provision having the closest possible intent. All other provisions shall remain in full force and effect. Headings and subheadings are for convenience only and shall not be construed to limit the applicability of individual provisions or sub-provisions.

21. **QUOTE EXPIRITION:** This proposal is valid for a period of thirty (30) days from the date of issue. The individual provisions of the proposal are severable and if any provision of this proposal shall be inv id such invalidity shall not affect any other provision that can be given effect without such invalid provision.

22. **ACCEPTANCE**: This proposal may be withdrawn or altered in any way or to *any* extent at any time prior to the written acceptance of your purchase order by an authorized agent of MRL and shall not be binding upon us or create any obligation on our part unless or until we have accepted your order for the equipment offered herein. After acceptance, the contract between us relating to the sale and purchase of the equipment shall be construed in accordance with the laws of the State of Montana.

MRL Limited Warranty

Each machine manufactured by MARK RITE LINES EQUIPMENT COMPANY, INC. (or, "the Company") is warranted against defects in material and workmanship for a period of 12 months, provided the machine is used in a normal and reasonable manner and in accordance with all operating instructions. This limited warranty is the sole and exclusive warranty given by the Company.

Exclusive Remedy. Should any warranted product fail during the warranty period, the Company will cause to be repaired or replaced, as the Company may elect, any part or parts of such machine that the Company's examination discloses to be defective in material or factory workmanship. In lieu of repair or replacement, the Company may elect, at its sole discretion, to refund the purchase price of any product deemed defective. The foregoing remedies shall be the sole and exclusive remedies of any party making a valid warranty claim.

This Limited Warranty shall not apply to (and the Company shall not be responsible for):

1. Major components or trade accessories that have a separate warranty from their original manufacturer, such as, but not limited to, trucks, engines, hydraulic pumps, motors, tires, and batteries.

2. Normal adjustments and maintenance services.

3. Normal wear parts such as, but not limited to, oils, fluids, vacuum hose, light bulbs, fuses and gaskets.

4. Failures resulting from the machine being operated in a manner or for a purpose not recommended by the Company

5. Repairs, modifications or alterations without the express written consent of the Company, which in the Company's sole judgment, have adversely affected the machine's stability, operation or reliability as originally designed and manufactured.

6. Items subject to misuse, negligence, accident or improper maintenance.

NOTE The use in the product of any part other than parts approved by the Company may invalidate this warranty. The Company reserves the right to determine, in its sole discretion, if the use of non-approved parts operates to invalidate the warranty. Nothing contained in this warranty shall make the Company liable for loss, injury, or damage of any kind to any person or entity resulting from any defect or failure in the machine.

THIS WARRANTY SHALL BE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION, ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, ALL OF WHICH ARE DISCLAIMED.

This warranty is in lieu of all other obligations or liabilities, contractual and otherwise, on the part of the Company. For the avoidance of doubt, the Company shall not be liable for any indirect, special, incidental, or consequential damages, including, but not limited to, loss of use or lost profits. The Company makes no representation that the machine has the capacity to perform any functions other than as contained in the Company's written literature, catalogs, or specifications accompanying delivery of the machine. No person or affiliated company representative is authorized to alter the terms of this warranty, to give any other warranties, or to assume any other liability on behalf of the Company in connection with the sale, servicing, or repair of any machine manufactured by the Company. Any legal action based hereon must be commenced within eighteen (18) months of the event or facts giving rise to such action.

The Company reserves the right to make design changes or improvements in its products without imposing any obligation upon itself to change or improve previously manufactured products

Payment

MRL only accepts payment in US currency. Payments can be made in the form of wire transfer (ACH) from banks based within the USA or an overnighted cashier check (with tracking). Outside of the USA, Wire transfers (ACH) are accepted. Federal Excise Tax (FET) will be included on the invoice if applicable. All applicable state and local taxes will be assessed on the MRL final balance due invoice.

The Terms of Payment

1. 40% deposit is due upon a signed proposal or purchase order.
2. 60% due before release of equipment from our facilities

The customer agrees to pay the final payment(s) no later than fifteen (15) days prior to the completion of the equipment and the estimated shipping date from MRL. Failure to do so will result in a late payment fee of 8% interest on the unpaid balance. In addition, failure to pick up your equipment or approve delivery by the date specified by MRL will result in a late delivery fee of $150.00 a day past the shipment date. All late penalties will need to be paid before the equipment is released.

The complete equipment will be released from the MRL facility once the final payment is received.

As a customary business practice for international transactions, MRL utilizes an Irrevocable Letter of Credit when the full amount of the quote herein is not paid in advance, the Customer, through their bank, will issue an Irrevocable Letter of Credit naming MRL as the beneficiary for the full amount of the quote herein denominated in the United State dollar. For collection of the Letter of Credit, MRL will present the following documents: Commercial Invoice, Packing List, Bill of Lading, Certificate of Origin, and Insurance Certificate, if applicable.

Chassis Payment

The Customer agrees to directly pay through a wire transfer (ACH) to the chassis dealer unless otherwise noted in the sales document. The chassis is due in full upon signing of the sales agreement and receipt of the chassis invoice. If the Customer does not pay within receipt of the invoice, you will be subject to additional interest charges assessed by the chassis dealer.

For chassis that are purchased by a municipality, they will be due upon delivery of the finished equipment on Net 30 terms.

Current Marking Truck

New Thermo Marking Truck

City Council Meeting

Item Number: 10.
Meeting Date: October 14, 2025
To: City Council
From: Erika Munoz, Assistant General Services Director
Subject: RESOLUTION AUTHORIZING THE SOLE-SOURCE PURCHASE OF A 13-MONTH MAINTENANCE AND LICENSE RENEWAL FOR THE UTILITY BILLING MANAGEMENT SYSTEM FROM N. HARRIS COMPUTER CORPORATION FOR A TOTAL COST OF $123,823.14; AND AUTHORIZING PAYMENT FOR SAID PURCHASE

Purpose:
Consider a resolution authorizing the sole-source purchase of thirteen (13) months maintenance and license renewal for the Utility Billing Management System from N. Harris Computer Corporation for a total of $123,823.14.

Recommended Action:
Approve

Fiscal Impact:
Funds are available in the ITSD Tech Fund FY26 Operating Budget.

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
The City Customer Service Department would like to continue with the automatic meter system for the water meters. Smart Works, a division of N. Harris Computer Corporation is the sole source provider of service for this Utility Data Management System. According to Texas Local Government Code 252.022 (a) (7) (A), competitive bidding requirements do not apply to items that are available from only one source because of patents, copyrights, secret processes, or natural monopolies. Please see the attached memo from Mihir Patel, Deputy Chief Information Officer, for additional information.

Therefore, please consider authorizing the sole source purchase of thirteen (13) months maintenance and license renewal for the Utility Billing Management System from N. Harris Computer Corporation for a total of $123,823.14.

Attachments:
A. IO MEMO - NorthstarSilverBlaze Renewal
B. RESOLUTION - Sole Source - Maintenance and License Renewal Utility Billing Management System Reso

C. EXH A - MID05 - NSEMN0001118 Exh to Reso
D. Midland - NorthStar Sole Source Letter 2025
E. MID05 - NSEMN0001118

Erika Munoz, General Services	Created/Initiated - 10/2/2025
Regina Stephenson, General Services	Approved - 10/2/2025
Linda Ochoa, Legal	Approved - 10/7/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Rachel Guentensberger, City Secretary	Final Approval - 10/7/2025

City Council Agenda Item

MEETING DATE: **10/14/2025**

TO: Erika Munoz, Purchasing Manager

FROM: Mihir Patel, Deputy Chief Information Officer

CC: Gorgees Eskander, Chief Information Officer

SUBJECT: Consider a resolution authorizing the purchase of 13 months for maintenance and license renewal of the Utility Billing Management System from N. Harris Computer Corporation for a total of $123,823.14 via Sole-Source.

Purpose:
Consider a resolution authorizing the sole-source purchase of 13 months for maintenance and license renewal of the Utility Billing Management System from N. Harris Computer Corporation for a total of $123,823.14.

Discussion:
The Utility Billing Management System is a specialized software solution designed to handle the billing and management of public utilities such as water, garbage, and sewage services. This system manages customer accounts, billing, and invoicing.

Why It Matters – In Simple Terms:

- Ensures customers receive correct and timely bills
- NorthStar is like the City's cash register for utilities and sanitation. It keeps track of every transaction, makes sure the numbers add up, and gives customers a receipt. Without it, we'd be adding things up by hand and hoping the math checks out.
- The system is like the online banking app for your water bill. Instead of mailing checks or standing in line, you can see your balance, pay instantly, and get alerts when something changes.
- Provides reporting tools for staff to analyze revenues and collections.

The total cost of the renewal of the license and maintenance is $123,823.14 and is budgeted in the Tech Fund.

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE SOLE-SOURCE PURCHASE OF A 13-MONTH MAINTENANCE AND LICENSE RENEWAL FOR THE UTILITY BILLING MANAGEMENT SYSTEM FROM N. HARRIS COMPUTER CORPORATION FOR A TOTAL COST OF $123,823.14; AND AUTHORIZING PAYMENT FOR SAID PURCHASE

WHEREAS, the City's Utility Billing Management System is a specialized software solution designed to handle the billing and management of public utilities; and

WHEREAS, the sole-source provider of maintenance and license renewals for the said system, N. Harris Computer Corporation, submitted a total quote of $123,823.14 for a 13-month renewal, as shown on the quote attached hereto as Exhibit "A" and incorporated herein for all purposes; and

WHEREAS, a maintenance and license renewal for said system is available only from N. Harris Computer Corporation; and

WHEREAS, the City Council finds the price proposed for the 13-month maintenance and license renewal for said system to be fair and reasonable; and

WHEREAS, the City Council finds it to be in the public interest to authorize the purchase of a 13-month maintenance and license renewal for said system from N. Harris Computer Corporation;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the City Manager is hereby authorized and directed to purchase a 13-month maintenance and license renewal, as indicated on Exhibit "A", from N. Harris Computer Corporation for a total cost of $123,823.14.

SECTION TWO. That funding shall be available in the ITSD Tech Fund FY26 Operating Budget.

SECTION THREE. That the City Comptroller is hereby authorized and directed to pay N. Harris Computer Corporation from available funds upon receipt of proper invoices or statements approved by the City Manager.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2025, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Regina Stephenson, General Services Director

APPROVED AS TO FORM ONLY:

_____
Nicholas Toulet, Interim City Attorney

Invoice No.	**NSEMN0001118**
Date	**08/28/2025**
Due Date	**10/01/2025**
Customer No.	**MID05**
Page	**1 of 1**

HARRIS

Bill To

City of Midland
Accounts Payable
300 N. Loraine
P.O. Box 1152
Midland, TX 79702
USA

Ship To

City of Midland
300 N. Loraine
P.O. Box 1152
Midland, TX 79702
USA

Contract/Project Number	Purchase Order	Payment Terms	Currency
		MN OCT	USD $

Item Number	Description	Quantity	Unit Price	Amount
NSTR	Northstar CIS: 10/1/2025 to 10/31/2026	1.00	87,573.62	87,573.62
NS-HOST	Hosting - Annual Hosting Agreement: 10/1/2025 to 10/31/2026	1.00	20,119.14	20,119.14
NSTR	Maintenance CO3 - Metersense Interface: 10/1/2025 to 10/31/2026	1.00	2,668.06	2,668.06
NSTR	Cashiering Deployment Maintenance: 10/1/2025 to 10/31/2026	1.00	863.44	863.44
NSTR	Silverblaze Maintenance: 10/1/2025 to 10/31/2026	1.00	12,598.88	12,598.88

Remit To: Harris Computer Systems
62133 Collections Center Drive
Chicago, IL 60693-0621

Subtotal	123,823.14
Misc	0.00
Taxes	0.00
Total	123,823.14

Tax Exempt? Please send your exemption certificate to the email below.

Invoice Questions? Please call Muskan Kaur at +1 (778) 312-0627 or at our toll-free number +1 (888)847-7747 Ext. 500855. You can also reach us by email at MKaur2@harriscomputer.com

Thank you for your business!

Exhibit "A"

NORTH|STAR™
UTILITIES SOLUTIONS

(844) 888-9904
info@northstarutilities.com
www.northstarutilities.com
1 Antares Dr, Ottawa, ON, K2E 8C4

Jennifer Shipp
Customer Service and Utility Billing, Division Manager III
1030 Andrews Highway Ste 220
Midland, TX
79701

July 24, 2025

RE: NorthStar and City of Midland Partnership

Jennifer,

Since 1978, NorthStar Utilities Solutions (NorthStar) listed as N. Harris Corporation under Constellation Software Inc (CSI) has been a leader in providing utility billing software solutions. This letter is to confirm that NorthStar CIS and company add on modules and training are a sole source product, manufactured, sold, consulted on and distributed exclusively by NorthStar. As such, associated products or consulting must be purchased directly from NorthStar.

NorthStar is a member of the Harris Utilities Group, one of the largest CIS providers in North America. As such, NorthStar supports approximately 200 municipalities across the continent, remaining focused exclusively on Municipal Utility Customer Service and Billing. NorthStar continues to invest heavily in new products and technologies, with approximately 15% of total revenue reinvested in product development and 35% of our staff devoted to Research & Development. Midland continues to benefit from this ongoing investment. NorthStar's most recent solution is the CIS7 suite of products. This includes CSR7, a cloud-based SaaS customer information system that has all the features you expect from NorthStar, in a newly designed, web-based interface. NorthStar has also expanded the Harris implementation options by offering solutions such as SilverBlaze (customer engagement portal), SmartVX (personalized video marketing), and Service-Link (mobile service order management).

Our product direction and priorities are driven by customers like Midland. Our ongoing R&D investment ensures continuous and significant enhancements to the solutions our customers and the communities you serve depend on. Beyond considerable organizational and process improvements, our commitment to modernization continues to be a priority, having undergone complete UI/UX redesigns of core solutions. This revitalization has resonated with both existing customers and prospective ones.

Thank you for your continued partnership.

Karen McKernan
VP, Support Services
kmckernan@harriscomputer.com

Invoice No.	**NSEMN0001118**
Date	**08/28/2025**
Due Date	**10/01/2025**
Customer No.	**MID05**
Page	**1 of 1**

HARRIS

Bill To

City of Midland
Accounts Payable
300 N. Loraine
P.O. Box 1152
Midland, TX 79702
USA

Ship To

City of Midland
300 N. Loraine
P.O. Box 1152
Midland, TX 79702
USA

Contract/Project Number	Purchase Order	Payment Terms	Currency
		MN OCT	USD $

Item Number	Description	Quantity	Unit Price	Amount
NSTR	Northstar CIS: 10/1/2025 to 10/31/2026	1.00	87,573.62	87,573.62
NS-HOST	Hosting - Annual Hosting Agreement: 10/1/2025 to 10/31/2026	1.00	20,119.14	20,119.14
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NSTR	Cashiering Deployment Maintenance: 10/1/2025 to 10/31/2026	1.00	863.44	863.44
NSTR	Silverblaze Maintenance: 10/1/2025 to 10/31/2026	1.00	12,598.88	12,598.88

Remit To: Harris Computer Systems
62133 Collections Center Drive
Chicago, IL 60693-0621

Subtotal	123,823.14
Misc	0.00
Taxes	0.00
Total	123,823.14

Tax Exempt? Please send your exemption certificate to the email below.

Invoice Questions? Please call Muskan Kaur at +1 (778) 312-0627 or at our toll-free number +1 (888)847-7747 Ext. 500855. You can also reach us by email at MKaur2@harriscomputer.com

Thank you for your business!

City Council Meeting

Item Number: 11.
Meeting Date: October 14, 2025
To: City Council
From: Erika Munoz, Assistant General Services Director
Subject: RESOLUTION AUTHORIZING THE SOLE-SOURCE PURCHASE OF A ONE-YEAR MAINTENANCE AND LICENSE RENEWAL FOR THE WATER METER DATA MANAGEMENT SYSTEM FROM CORE & MAIN LP FOR A TOTAL COST OF $101,203.77

Purpose:
Resolution awarding a sole source for the purchase of a one-year maintenance and license contract of the Water Meter Data Management System from Core & Main LP for a total of $101,203.77.

Recommended Action:
Approve

Fiscal Impact:
Funds are available in the ITSD Tech Fund FY26 Operating Budget.

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
The Customer Service Division of the Utilities Department recommends the purchase of maintenance and license contract for the City's Advanced Metering Infrastructure (AMI) system. Core & Main LP is the sole authorized distributor for the Neptune Technology Group in the state of Texas. According to Texas Local Government Code 252.022 (a)(7)(A), competitive bidding requirements do not apply to items that are available from only one source due to “patents”, copyrights, secret processes, or natural monopolies. Please see the attached memo from Mihir Patel, Deputy Chief Information Officer, for additional information.

Therefore, please consider a resolution awarding a sole source of a one year maintenance and license of the Water Meter Data Management System from Core & Main LP for a total of $101,203.77.

Attachments:
A. IO MEMO - Neptune360 Renewal
B. RESOLUTION - Sole Source - Maintenance and License Renewal Water Meter Data Management System Reso
C. EXH A - Midland 2026 Maintenance Contract_Midland_TX_Bid#_4340261 Exh to Reso

D. Core and Main SoleSource Letter Midland, TX 2-18-25
E. Midland 2026 Maintenance Contract_Midland_TX_Bid#_4340261_9-18-2025_0934_AM

Erika Munoz, General Services	Created/Initiated - 10/1/2025
Regina Stephenson, General Services	Approved - 10/1/2025
Linda Ochoa, Legal	Approved - 10/6/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Jan Hamilton, City Secretary	Approved - 10/7/2025
Rachel Guentensberger, City Secretary	Final Approval - 10/7/2025

City Council Agenda Item

MEETING DATE: **10/14/2025**

TO: Erika Munoz, Purchasing Manager

FROM: Mihir Patel, Deputy Chief Information Officer

CC: Gorgees Eskander, Chief Information Officer

SUBJECT: Consider a resolution authorizing the purchase of a one-year maintenance and license of the Water Meter Data Management System from Core & Main LP for a total of $101,203.77 via Sole-Source.

Purpose:
Consider a resolution authorizing the sole-source purchase of a one-year maintenance and license of the Water Meter Data Management System from Core & Main LP for a total of $101,203.77.

Discussion:
The Water Meter Data Management System is a specialized software solution designed to handle the meter reads from the water meters. This system allows the utility billing team to verify the meter reads as well as proactively check for water leaks, reverse flow, and bad meters.

Why It Matters – In Simple Terms:

- “Think of it like going to the doctor for regular checkups” - Neptune 360 constantly checks the ‘health’ of our water system and alerts us to problems before they become emergencies.
- **Operational Efficiency**: Staff can remotely access data instead of sending someone into the field for manual reads, saving time and resources.
- **Cost Avoidance**: Without Neptune 360, the City would need to spend far more on manual labor, vehicle use, and delayed leak detection.
- **Conservation Benefits**: Helps the City and residents identify leaks or unusually high usage early, which saves water.

The total cost of the renewal of the license and maintenance is $101,203.77 and is budgeted in the Tech Fund.

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE SOLE-SOURCE PURCHASE OF A ONE-YEAR MAINTENANCE AND LICENSE RENEWAL FOR THE WATER METER DATA MANAGEMENT SYSTEM FROM CORE & MAIN LP FOR A TOTAL COST OF $101,203.77

WHEREAS, the City utilizes Neptune Technology Group products for its Water Meter Data Management System which is a specialized software solution designed to handle water meter readings and allow for proactive checks for water leaks, reverse flows, and bad meters; and

WHEREAS, the sole-source provider of maintenance and license renewals for the Neptune Technology Group products utilized for said system, Core & Main LP, submitted a total quote of $101,203.77, as shown on the proposal attached hereto as Exhibit A and incorporated herein for all purposes; and

WHEREAS, a one-year maintenance and license renewal for said system is available only from Core & Main LP; and

WHEREAS, the City Council finds the price proposed for the one-year maintenance and license renewal for said system to be fair and reasonable; and

WHEREAS, the City Council finds it to be in the public interest to authorize the purchase of a one-year maintenance and license renewal for said system from Core & Main LP;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the City Manager is hereby authorized and directed to purchase a one-year maintenance and license renewal, as indicated on Exhibit A, from Core & Main LP for a total cost of $101,203.77.

SECTION TWO. That funding shall be available in the ITSD Tech Fund FY26 Operating Budget.

SECTION THREE. That the City Comptroller is hereby authorized and directed to pay Core & Main LP from available funds upon receipt of proper invoices or statements approved by the City Manager.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2025, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Regina Stephenson, General Services Director

APPROVED AS TO FORM ONLY:

_____
Nicholas Toulet, Interim City Attorney

Bid Proposal for Midland 2026 Maintenance Contract

CUSTOMER

CITY OF MIDLAND
1606 ORCHARD
MIDLAND, TX 79701
Contact: Jennifer Shipp
jshipp@midlandtexas.gov

Job
Midland 2026 Maintenance Contract
Midland, TX
Bid Date: 09/30/2025 10:00 pm
Bid #: 4340261

CONTACT

Sales Representative
Arnold Osuna
(M) 915-449-0418
(T) 915-590-6922
(F) 915-590-7034
Arnold.Osuna@coreandmain.com

Core & Main
930 Pendale Rd
El Paso, TX 79907
(T) 9155906922

NOTES

Subscription Start Date: 10/1/2025
Subscription End Date: 9/30/2026

DRAFT

Exhibit "A"

Bid Proposal for Midland 2026 Maintenance Contract

CITY OF MIDLAND
Job Location: Midland, TX
Bid Date: 09/30/2025 10:00 pm
Core & Main Bid #: 4340261

Core & Main
930 Pendale Rd
El Paso, TX 79907
Phone: 9155906922
Fax: 9155907034

Seq#	Qty	Description	Units	Price	Ext Price
10	4677	NEPTUNE 360 AMR 20001-50000 CONNECTED ENDPOINTS ANNUAL	EA	0.93	4,349.61
		SUBSCRIPTION 14099-107			
		AMR READINGS			
30	43628	NEPTUNE 360 AMI 20001-50000 CONNECTED ENDPOINTS ANNUAL	EA	2.22	96,854.16
		SUBSCRIPTION 14099-117			
		AMI READINGS			
				Sub Total	**101,203.77**
				Tax	0.00
				Total	**101,203.77**

UNLESS OTHERWISE SPECIFIED HEREIN, PRICES QUOTED ARE VALID IF ACCEPTED BY CUSTOMER AND PRODUCTS ARE RELEASED BY CUSTOMER FOR MANUFACTURE WITHIN THIRTY (30) CALENDAR DAYS FROM THE DATE OF THIS QUOTATION. CORE & MAIN LP RESERVES THE RIGHT TO INCREASE PRICES TO ADDRESS FACTORS, INCLUDING BUT NOT LIMITED TO, GOVERNMENT REGULATIONS, TARIFFS, TRANSPORTATION, FUEL AND RAW MATERIAL COSTS. DELIVERY WILL COMMENCE BASED UPON MANUFACTURER LEAD TIMES. ANY MATERIAL DELIVERIES DELAYED BEYOND MANUFACTURER LEAD TIMES MAY BE SUBJECT TO PRICE INCREASES AND/OR APPLICABLE STORAGE FEES. THIS BID PROPOSAL IS CONTINGENT UPON BUYER'S ACCEPTANCE OF SELLER'S TERMS AND CONDITIONS OF SALE, AS MODIFIED FROM TIME TO TIME, WHICH CAN BE FOUND AT: https://coreandmain.com/terms-of-sale/

THIS BID MAY INCLUDE GLOBALLY SOURCED (IMPORTED) MATERIALS THAT ARE SUBJECT TO CHANGING TARIFFS. PRICES ARE SUBJECT TO CHANGE DUE TO POTENTIAL ADDITIONAL TARIFFS IMPOSED BY THE U.S. GOVERNMENT. IF IMPOSED, PRICES WILL INCREASE BY THE SAME PERCENTAGE AND WILL BE EFFECTIVE ON THE DATE THAT THE NEW TARIFFS ARE IMPLEMENTED. THESE ITEMS SHOULD BE PURCHASED WITH HASTE TO AVOID ANY ADDITIONAL RISING TARIFF COSTS.

February 18, 2025

Jennifer Shipp, MBA
City of Midland Utility Billing
Division Manager III
1030 Andrews Highway Ste 220
Midland, TX 79701

Jennifer,

I am writing this letter to confirm that Core and Main is the sole authorized distributor for Neptune Technology Group Products for the City of Midland and the entire State of Texas.

Core and Main handles our full line of Neptune Meters, Radio Frequency Meter Reading Systems, and parts. Their local sales person for the City of Midland is Arnold Osuna and he can be reached at (915) 449-0418. Core and Main also has a Meter and System Specialist on board that covers the Permian Basin area and his name is Ray Richardson and he can be reached at (505) 400-6464.

If you have any question or need anything else, please give me a call at (281) 794-3133. We appreciate your business.

Sincerely,

Charlie Trimble
Senior Territory Manager

1600 Alabama
Highway 229
Tallassee, AL 36078

800-633-8754
neptunetg.com

Bid Proposal for Midland 2026 Maintenance Contract

CUSTOMER

CITY OF MIDLAND
1606 ORCHARD
MIDLAND, TX 79701
Contact: Jennifer Shipp
jshipp@midlandtexas.gov

Job
Midland 2026 Maintenance Contract
Midland, TX
Bid Date: 09/30/2025 10:00 pm
Bid #: 4340261

CONTACT

Sales Representative
Arnold Osuna
(M) 915-449-0418
(T) 915-590-6922
(F) 915-590-7034
Arnold.Osuna@coreandmain.com

Core & Main
930 Pendale Rd
El Paso, TX 79907
(T) 9155906922

NOTES

Subscription Start Date: 10/1/2025
Subscription End Date: 9/30/2026

DRAFT

Bid Proposal for Midland 2026 Maintenance Contract

CITY OF MIDLAND
Job Location: Midland, TX
Bid Date: 09/30/2025 10:00 pm
Core & Main Bid #: 4340261

Core & Main
930 Pendale Rd
El Paso, TX 79907
Phone: 9155906922
Fax: 9155907034

Seq#	Qty	Description	Units	Price	Ext Price
10	4677	NEPTUNE 360 AMR 20001-50000 CONNECTED ENDPOINTS ANNUAL	EA	0.93	4,349.61
		SUBSCRIPTION 14099-107			
		AMR READINGS			
30	43628	NEPTUNE 360 AMI 20001-50000 CONNECTED ENDPOINTS ANNUAL	EA	2.22	96,854.16
		SUBSCRIPTION 14099-117			
		AMI READINGS			
				Sub Total	**101,203.77**
				Tax	0.00
				Total	**101,203.77**

UNLESS OTHERWISE SPECIFIED HEREIN, PRICES QUOTED ARE VALID IF ACCEPTED BY CUSTOMER AND PRODUCTS ARE RELEASED BY CUSTOMER FOR MANUFACTURE WITHIN THIRTY (30) CALENDAR DAYS FROM THE DATE OF THIS QUOTATION. CORE & MAIN LP RESERVES THE RIGHT TO INCREASE PRICES TO ADDRESS FACTORS, INCLUDING BUT NOT LIMITED TO, GOVERNMENT REGULATIONS, TARIFFS, TRANSPORTATION, FUEL AND RAW MATERIAL COSTS. DELIVERY WILL COMMENCE BASED UPON MANUFACTURER LEAD TIMES. ANY MATERIAL DELIVERIES DELAYED BEYOND MANUFACTURER LEAD TIMES MAY BE SUBJECT TO PRICE INCREASES AND/OR APPLICABLE STORAGE FEES. THIS BID PROPOSAL IS CONTINGENT UPON BUYER'S ACCEPTANCE OF SELLER'S TERMS AND CONDITIONS OF SALE, AS MODIFIED FROM TIME TO TIME, WHICH CAN BE FOUND AT: https://coreandmain.com/terms-of-sale/

THIS BID MAY INCLUDE GLOBALLY SOURCED (IMPORTED) MATERIALS THAT ARE SUBJECT TO CHANGING TARIFFS. PRICES ARE SUBJECT TO CHANGE DUE TO POTENTIAL ADDITIONAL TARIFFS IMPOSED BY THE U.S. GOVERNMENT. IF IMPOSED, PRICES WILL INCREASE BY THE SAME PERCENTAGE AND WILL BE EFFECTIVE ON THE DATE THAT THE NEW TARIFFS ARE IMPLEMENTED. THESE ITEMS SHOULD BE PURCHASED WITH HASTE TO AVOID ANY ADDITIONAL RISING TARIFF COSTS.

City Council Meeting

Item Number: 12.
Meeting Date: October 14, 2025
To: City Council
From: Erika Munoz, Assistant General Services Director
Subject: RESOLUTION SELECTING ALLEN TEINERT CONSTRUCTION COMPANY DBA TEINERT CONSTRUCTION OF LUBBOCK, TEXAS AS THE CONSTRUCTION MANAGER-AT-RISK FOR THE BEAL PARK PHASE 2 DEVELOPMENT PROJECT; AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ALLEN TEINERT CONSTRUCTION COMPANY DBA TEINERT CONSTRUCTION FOR PRE-CONSTRUCTION SERVICES FOR SAID PROJECT IN AN AMOUNT NOT TO EXCEED $15,000; AUTHORIZING PAYMENT FOR SAID AGREEMENT FOR PRE-CONSTRUCTION SERVICES; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH ALLEN TEINERT CONSTRUCTION COMPANY DBA TEINERT CONSTRUCTION TO PROVIDE CONSTRUCTION MANAGER-AT-RISK SERVICES FOR SAID PROJECT; AND PROVIDING THAT SAID AGREEMENT FOR CONSTRUCTION MANAGER-AT-RISK SERVICES SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE MIDLAND CITY COUNCIL

Purpose:
Resolution selecting Allen Teinert Construction Co dba Teinert Construction of Lubbock, Texas as the Construction Manager at Risk for Construction of the Beal Park Phase 2 development project; authorizing the City Manager and or designee to negotiate and execute an agreement with Allen Teinert Construction Co dba Teinert Construction for pre-construction services for said project in an amount not to exceed $15,000; authorizing the City Manager and or designee to negotiate an agreement with Allen Teinert Construction Co dba Teinert Construction to provide Construction Manager at Risk services for said project; and providing that said agreement for Construction Manager at Risk services shall not become effective until approved by the Midland City Council.

Recommended Action:
Approve

Fiscal Impact:
Funding for these services is available in the Beal Park Improvement Project.

Strategic Priority:
STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE

Discussion:
The evaluation team reviewed the three (3) proposals for the Construction Manager at Risk for Construction of the Beal Park Phase 2 development project. The committee recommends that the City Council authorize the City Manager or Ciy Manager designee to negotiate a contract with Allen Teinert Construction Co dba Teinert Construction of Lubbock, Texas as the Construction Manager at Risk for the project.

Attachments:
A. IO Memo - 10142025Beal2CMARSupportingmemoFINAL
B. RESOLUTION W EXH - CMaR Pre-Construction Services – Beal Park Phase 2 Reso
C. 25006665 RFP Beal Park Phase II Scoring Summary
D. 25006665 Cost Proposal BAFO
E. Contract 26000011

Erika Munoz, General Services	Created/Initiated - 10/6/2025
Regina Stephenson, General Services	Approved - 10/6/2025
Christy Weakland, Finance	Approved - 10/6/2025
Linda Ochoa, Legal	Approved - 10/6/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Jan Hamilton, City Secretary	Final Approval - 10/7/2025

Parks Division
Interoffice Memorandum

Date: September 30, 2025
To: Jose Ortiz, Deputy City Manager
From: Laurie M. Williams, Parks and Recreation Director
Subject: Construction Manager at Risk for Beal Park Project Phase 2

The City of Midland closed a Request for Proposals to engage a Construction Manager at Risk (CMAR) to provide pre-construction and construction services for the Phase 2 development at Beal Park. Three firms submitted proposals, and the evaluation team then asked for a best and final offer from the firm that they agreed was best qualified to move forward as the Construction Manager at Risk (CMAR).

Phase 2 of the project will entail specialized construction of amenities to include a splash park, an amphitheater, a playground, soccer fields, and parking areas. The CMAR will ensure the project is completed within the allocated budget and within the proposed schedule. The CMAR method of contracting this project will allow for on-going value engineering throughout the design process, and this together with the ability to acquire materials and adjust timelines will provide the best value to the City of Midland for the Beal Phase 2 construction.

The review team recommends Teinert Construction as the most qualified to provide the following services:

- Pre-construction services:
  - Cost estimating during all design stages
  - Budgeting
  - Scheduling for the pre-construction and construction phases of the project
  - Participation in all programming, design, and project meetings and reviews
  - Subcontractor prequalification, solicitation, and bidding
- Construction services:
  - Procure and furnish all materials, equipment, tools, services, and labor required to complete the work
  - Conduct regular progress/coordination meetings
  - Prepare and submit monthly cost and schedule updates

The Phase 2 Beal Park project budget is $15,630,000. Teinert Construction offered a pre-construction fee of $15,000. The construction phase fee percentage is 3.5% of the construction budget, or $547,050. The final portion of the offer is the Not-to-exceed General Conditions percentage, which allows for an 18 month construction period at an amount of 6.74%, or $975,714.

At this time, staff recommends moving into a contract with Teinert Construction for pre-construction services for a fee of $15,000. Once the pre-construction services are complete, a construction contract for the balance of the project, to include the construction services, will be brought to Council for approval.

Funding in the amount of $15,000 for pre-construction services is already appropriated to Project 900464-126 Beal Park Renovation Project.

RESOLUTION NO. _____

RESOLUTION SELECTING ALLEN TEINERT CONSTRUCTION COMPANY DBA TEINERT CONSTRUCTION OF LUBBOCK, TEXAS AS THE CONSTRUCTION MANAGER-AT-RISK FOR THE BEAL PARK PHASE 2 DEVELOPMENT PROJECT; AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ALLEN TEINERT CONSTRUCTION COMPANY DBA TEINERT CONSTRUCTION FOR PRE-CONSTRUCTION SERVICES FOR SAID PROJECT IN AN AMOUNT NOT TO EXCEED $15,000; AUTHORIZING PAYMENT FOR SAID AGREEMENT FOR PRE-CONSTRUCTION SERVICES; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH ALLEN TEINERT CONSTRUCTION COMPANY DBA TEINERT CONSTRUCTION TO PROVIDE CONSTRUCTION MANAGER-AT-RISK SERVICES FOR SAID PROJECT; AND PROVIDING THAT SAID AGREEMENT FOR CONSTRUCTION MANAGER-AT-RISK SERVICES SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE MIDLAND CITY COUNCIL

WHEREAS, the City of Midland issued a request for proposals for a construction manager-at-risk for the Beal Park Phase 2 Development Project (the "Project") in accordance with Texas Government Code § 2269.253; and

WHEREAS, the City of Midland's evaluation committee reviewed three (3) proposals and recommends Allen Teinert Construction Company DBA Teinert Construction as the construction manager-at-risk for the Project; and

WHEREAS, the City Council finds it to be in the public interest to select Allen Teinert Construction Company DBA Teinert Construction as the construction manager-at-risk for the Project; and

WHEREAS, the City Council finds it to be in the public interest to authorize the execution of an agreement with Allen Teinert Construction Company DBA Teinert Construction for pre-construction services for the Project in an amount not to exceed $15,000.00; and

WHEREAS, the City Council finds it to be in the public interest to authorize the City Manager to negotiate an agreement with Allen Teinert Construction Company DBA Teinert Construction to provide construction manager-at-risk services for the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That Allen Teinert Construction Company DBA Teinert Construction is hereby selected as the construction manager-at-risk for the Project.

SECTION TWO. That the City Manager and City Secretary are hereby authorized and directed to execute and attest, respectively, on behalf of the City of Midland, an agreement with Allen Teinert Construction Company DBA Teinert Construction for pre-construction services for the Project in an amount not to exceed $15,000.00. Said agreement being in a form substantially similar to Exhibit A, which is attached hereto and incorporated herein for all purposes.

SECTION THREE. That the City Comptroller is hereby authorized and directed to pay Allen Teinert Construction Company DBA Teinert Construction in accordance with the provisions of the above-referenced agreement for pre-construction services from funds available in the Beal Park Renovation Project (900464-126) upon receipt of proper invoices or statements approved by the City Manager or his designee.

SECTION FOUR. That the City Manager is hereby authorized and directed to negotiate, on behalf of the City of Midland, an agreement with Allen Teinert Construction Company DBA Teinert Construction to provide construction manager-at-risk services for the Project; provided, however, that said agreement for construction manager-at-risk services shall not become effective until approved by the Midland City Council.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2025, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Regina Stephenson, General Services Director

APPROVED AS TO FORM ONLY:

_____
Nicholas Toulet, Interim City Attorney

THE CITY OF MIDLAND

CONTRACT

Contract No. 26000011

THIS CONTRACT, effective the 15th day of October 2025, by and between the City of Midland, hereinafter referred to as "CITY", and Allen Teinert Construction Co dba Teinert Construction, hereinafter referred to as "COMPANY", is made for the following considerations:

1. **Cost:** Total Proposal: $ 15,000.00 DOLLARS

2. **Scope of Work:** COMPANY shall perform all work described and shall perform pre-construction services for the Beal Park Phase II Project. Said work being more particularly described in the following documents, which are attached hereto and incorporated herein for all purposes.

EXHIBIT A..... Specifications, Proposal or Cost Summary
EXHIBIT B.....Intentionally Omitted
EXHIBIT C..... Intentionally Omitted
EXHIBIT D..... Intentionally Omitted

3. **City:** The words "CITY's Representative" or "representative" shall mean Laurie Williams or the designee under whose supervision these contract documents, including the plans and specifications, were prepared, or who may inspect work performed under this Contract; or such other representative, supervisor, or inspector as may be authorized by CITY to act in any particular capacity under this Contract.

4. **City's Representative:** CITY's Representative may make periodic visits to the site to observe the progress and quality of the executed work and to determine, in general, if the work is proceeding in accordance with the contract documents. CITY's representative will not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the work, nor will such representative be responsible for the construction means, methods, techniques, sequences or procedures, or the safety precautions incident thereto. CITY's representative will not be responsible for COMPANY's failure to perform the work in accordance with the contract.

5. **Company:** Unless otherwise stipulated, COMPANY shall provide and pay for all materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and all water, light, power, fuel,

transportation and all other facilities necessary for the execution and completion of the work covered by the contract documents. Unless otherwise specified, all materials shall be new, and both workmanship and materials shall be of a good quality. COMPANY shall, if required, furnish satisfactory evidence as to the kind and quality of materials.

5.1. COMPANY shall, at its expense, obtain all permits and licenses necessary for the performance of this contract and pay all fees and taxes required by law, and comply with all laws, ordinances, rules and regulations governing COMPANY's performance of the contract, including all environmental laws and regulations, whether state or federal.

5.2. All work shall be done and all materials furnished in strict conformity with the contract and specifications.

6. **Minor Work Not Mentioned:** All minor detail of the work not specifically mentioned in the Specifications but obviously necessary for the proper completion of the work, such as the proper connection of new work to old, shall be considered as incidental to and a part of the work for which the prices are named in the contract. COMPANY will not be entitled to any additional compensation therefor unless specifically stated otherwise. Otherwise the term "extra work" as used in this contract shall mean and include all work that may be required by CITY to be done by COMPANY to accomplish any alteration or addition to the work as shown on the Specifications.

6.1. COMPANY shall perform all extra work under the direction of CITY's Representative when presented with a written work order signed by CITY's Representative, subject, however, to the right of the COMPANY to require written confirmation of such extra work order by CITY. Payment for extra work shall be as agreed in the work order.

7. **Safety:** COMPANY shall at all times exercise reasonable precaution for the safety of employees and others on or near the work and shall comply with all applicable provisions of federal, state and municipal laws. All machinery and equipment and other physical hazards shall be guarded in accordance with federal, state or municipal laws or regulations.

8. **INDEMNITY: COMPANY SHALL INDEMNIFY AND HOLD HARMLESS AND DEFEND CITY AND ALL OF CITY'S OFFICERS, AGENTS AND EMPLOYEES FROM ALL SUITS, ACTIONS, CLAIMS, DAMAGES, PERSONAL INJURIES, ACCIDENTAL DEATH, LOSSES, PROPERTY DAMAGE AND EXPENSES OF ANY CHARACTER WHATSOEVER, INCLUDING ATTORNEY'S FEES, BROUGHT FOR OR ON ACCOUNT OF ANY INJURIES OR DAMAGES RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR**

PROPERTY, ON ACCOUNT OF ANY NEGLIGENT ACT OF COMPANY, THEIR AGENTS OR EMPLOYEES, OR ANY SUBCONTRACTOR, IN THE EXECUTION, SUPERVISION AND OPERATIONS GROWING OUT OF OR IN ANY WAY CONNECTED WITH THE PERFORMANCE OF THIS CONTRACT, AND COMPANY WILL BE REQUIRED TO PAY ANY JUDGMENT WITH COSTS WHICH MAY BE OBTAINED AGAINST CITY OR ANY OF ITS OFFICERS, AGENTS OR EMPLOYEES, INCLUDING ATTORNEY'S FEES. THE OBLIGATIONS CONTAINED IN THIS SECTION 8 SHALL SURVIVE THE TERMINATION OF THIS CONTRACT.

8.1. **COMPANY SHALL INDEMNIFY AND HOLD HARMLESS AND DEFEND CITY AND ALL OF CITY'S OFFICERS, AGENTS AND EMPLOYEES FROM ALL SUITS, ACTIONS, CLAIMS, DAMAGES, PERSONAL INJURIES, ACCIDENTAL DEATH, PROPERTY DAMAGE, LOSSES, AND EXPENSES OF ANY CHARACTER WHATSOEVER INCLUDING ATTORNEY'S FEES, BROUGHT FOR OR ON ACCOUNT OF ANY INJURIES OR DAMAGES RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, ON ACCOUNT OF ANY NEGLIGENT ACT OF CITY, CITY'S OFFICERS, AGENTS AND EMPLOYEES, WHETHER SUCH NEGLIGENT ACT WAS THE SOLE PROXIMATE CAUSE OF THE INJURY OR DAMAGE OR A PROXIMATE CAUSE JOINTLY AND CONCURRENTLY WITH COMPANY OR COMPANY'S EMPLOYEES, AGENTS OR SUBCONTRACTORS NEGLIGENCE IN THE EXECUTION, SUPERVISION AND OPERATIONS GROWING OUT OF OR IN ANY WAY CONNECTED WITH THE PERFORMANCE OF THIS CONTRACT, AND COMPANY WILL BE REQUIRED TO PAY ANY JUDGMENT WITH COSTS WHICH MAY BE OBTAINED AGAINST CITY OR ANY OF ITS OFFICERS, AGENTS OR EMPLOYEES, INCLUDING ATTORNEY'S FEES. THE OBLIGATIONS CONTAINED IN THIS SECTION 8.1 SHALL SURVIVE THE TERMINATION OF THIS CONTRACT.**

8.2. **COMPANY AGREES THAT IT WILL INDEMNIFY AND SAVE CITY HARMLESS FROM ALL CLAIMS GROWING OUT OF ANY DEMANDS OF SUBCONTRACTORS, LABORERS, WORKMEN, MECHANICS, MATERIALMEN, AND FURNISHERS OF MACHINERY AND PARTS THEREOF, EQUIPMENT, POWER TOOLS AND ALL SUPPLIES, INCURRED IN THE FURTHERANCE OF THE PERFORMANCE OF THIS CONTRACT. WHEN CITY SO DESIRES, COMPANY SHALL FURNISH SATISFACTORY EVIDENCE THAT ALL OBLIGATIONS OF THE NATURE HEREINABOVE DESIGNATED HAVE BEEN PAID, DISCHARGED OR WAIVED. COMPANY, ITS SURETIES AND INSURANCE CARRIERS SHALL DEFEND, INDEMNIFY AND SAVE HARMLESS CITY AND**

ALL OF ITS OFFICERS, AGENTS AND EMPLOYEES FROM ALL SUITS, ACTIONS, OR CLAIMS OF ANY CHARACTER WHATSOEVER, BROUGHT FOR OR ON ACCOUNT OF ANY INJURIES OR DAMAGES RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, ARISING FROM ANY ACT OF COMPANY OR ANY SUBCONTRACTOR, THEIR AGENTS OR EMPLOYEES, IN THE EXECUTION AND SUPERVISION OF THIS CONTRACT, AND WILL BE REQUIRED TO PAY ANY JUDGMENT WITH COSTS WHICH MAY BE OBTAINED AGAINST CITY OR ANY OF ITS OFFICERS, AGENTS, OR EMPLOYEES INCLUDING ATTORNEY'S FEES. THE OBLIGATIONS CONTAINED IN THIS SECTION 8.2 SHALL SURVIVE THE TERMINATION OF THIS CONTRACT.

9. **Start of Work:** COMPANY shall commence work no later than ten (10) days after receipt of the execution of this document or other written release to proceed and shall complete such work no later than 550 calendar days after release to proceed.

10. **Clean Up:** COMPANY shall promptly remove from CITY's premises all materials condemned by CITY's Representative on account of failure to conform to the contract, whether actually incorporated in the work or not, and COMPANY shall at its own expense promptly replace such condemned materials with other materials conforming to the requirements of the contract. COMPANY shall also bear the expense of restoring all work of other contractors damaged by any such removal or replacement. If COMPANY does not remove and replace any such condemned materials within a reasonable time after a written notice by CITY, CITY may remove and replace such at COMPANY's expense.

11. **Warranty:** Neither the final payment nor any provision in this contract shall relieve COMPANY of responsibility for faulty materials or workmanship, and he shall remedy any defects due thereto and pay for any damage to other work resulting therefrom, which shall appear within a period of one (1) year from the date of substantial completion. CITY shall give notice of observed defects with reasonable promptness.

12. **Remedy:** CITY may, on account of subsequently discovered evidence, withhold whole or part of any payment to such extent as may be necessary to protect itself from loss on account of:

12.1. Defective work not remedied; or

12.2. Claims filed or reasonable evidence indicating possible filing of claims; or

12.3. Failure of COMPANY to make payments promptly to subcontractors or for material or labor which CITY may pay as an agent for the COMPANY; or

12.4. Damages to another contractor or subcontractor.

When the above grounds to withhold payment are removed, or COMPANY provides a surety bond satisfactory to CITY, which will protect CITY in the amount withheld, payment may be released.

13. **Funding Out:** In the event no funds or insufficient funds are appropriated and budgeted or are otherwise unavailable in any fiscal period for contract payments due under the contract, then this contract shall terminate on the last day of the fiscal period for which full appropriations were made, without penalty or expense to CITY of any kind whatsoever.

14. **Wage Scale:** COMPANY agrees to pay all workmen in his employ no less than the generally prevailing wage rate for employees of similar category in the Permian Basin Area, as is depicted in the wage rate scale attached hereto as EXHIBIT D, and incorporated herein by reference for all legal purposes.

14.1. If applicable, the Davis-Bacon Act, 29 CFR 5.5, and any related acts or regulations are hereby incorporated by reference and made a part of this Contract, and all terms and requirements under said laws, by such incorporation, are made terms and requirements of this Contract, to which the parties to this Contract have agreed to be bound.

15. **Prompt Pay Act:** CITY and COMPANY agree that Texas Government Code, Chapter 2251, Payment for Goods and Services (the "Prompt Pay Act") does not waive governmental immunity.

16. **Payment:** After all work is completed by COMPANY, including all Change Orders altering the original scope and amount of said contract are completed, and CITY has inspected and approved that the work is completed and in compliance with the contract and all subsequent Change Orders, CITY shall thereafter issue payment to COMPANY in the amount of the contract and all Change Orders. CITY shall be the final judge of when the work is completed by COMPANY. CITY, in its sole discretion, shall determine if the work under the contract and under any Change Orders has been done to CITY's requirements. CITY may make periodic payments to COMPANY, however such periodic payments may only be made pursuant to this paragraph, and only after all work and all Change Orders are completed by COMPANY and approved by CITY. For contracts exceeding $25,000 and construction time exceeds ninety days, requests for progress payments may be made to the extent of the materials and labor completed at the end of each month. Upon approval by the Owner's Representative the request and invoice shall be forwarded for payment less 5% retainage. The total of these payments shall not exceed 95% of the total contract amount.

17. **No Third-Party Beneficiary:** CITY's approval of this contract does not create a third-party beneficiary. There is no third-party beneficiary to this contract. No person or entity who is not a party to

this contract shall have any third-party beneficiary or other rights hereunder.

18. WAIVER OF ATTORNEY FEES: BY EXECUTING THIS CONTRACT, COMPANY AGREES TO WAIVE AND DOES HEREBY KNOWINGLY, CONCLUSIVELY, VOLUNTARILY AND INTENTIONALLY WAIVE ANY CLAIM IT HAS OR MAY HAVE IN THE FUTURE AGAINST CITY REGARDING THE AWARD OR ATTORNEY'S FEES, WHICH ARE IN ANY WAY RELATED TO THIS CONTRACT, OR THE CONSTRUCTION, INTERPRETATION OR BREACH OF THIS CONTRACT. COMPANY SPECIFICALLY AGREES THAT IF COMPANY BRINGS OR COMMENCES ANY LEGAL ACTION OR PROCEEDING RELATED TO THIS CONTRACT, THE CONSTRUCTION, INTERPRETATION, VALIDITY OR BREACH OF THIS CONTRACT, INCLUDING, BUT NOT LIMITED TO, ANY ACTION PURSUANT TO THE PROVISIONS OF THE TEXAS UNIFORM DECLARATORY JUDGMENTS ACT (TEXAS CIVIL PRACTICE AND REMEDIES CODE SECTION 37.001, ET SEQ., AS AMENDED), OR CHAPTER 271 OF THE TEXAS LOCAL GOVERNMENT CODE, COMPANY AGREES TO ABANDON, WAIVE AND RELINQUISH ANY AND ALL RIGHTS TO THE RECOVERY OF ATTORNEY'S FEES TO WHICH COMPANY MIGHT OTHERWISE BE ENTITLED.

COMPANY AGREES THAT THIS IS THE VOLUNTARY AND INTENTIONAL RELINQUISHMENT AND ABANDONMENT OF A PRESENTLY-EXISTING KNOWN RIGHT. COMPANY ACKNOWLEDGES THAT IT UNDERSTANDS ALL TERMS AND CONDITIONS OF THIS CONTRACT. COMPANY FURTHER ACKNOWLEDGES AND AGREES THAT THERE WAS AND IS NO DISPARITY OF BARGAINING POWER BETWEEN CITY AND COMPANY. THIS SECTION SHALL NOT BE CONSTRUED OR INTERPRETED AS A WAIVER OR GOVERNMENTAL IMMUNITY AND SHALL SURVIVE THE TERMINATION OF THIS CONTRACT.

COMPANY IS RELYING ON ITS OWN JUDGMENT. COMPANY HAD THE OPPORTUNITY TO DISCUSS THIS CONTRACT WITH COMPETENT LEGAL COUNSEL PRIOR TO ITS EXECUTION. THE OBLIGATIONS CONTAINED IN THIS SECTION 18 SHALL SURVIVE THE TERMINATION OF THIS CONTRACT.

19. **Governmental Immunity:** By executing this contract CITY is not waiving its right of governmental immunity. CITY is retaining its immunity from suit. CITY is not granting consent to be sued by legislative resolution or action.

THERE IS NO WAIVER OF GOVERNMENTAL IMMUNITY.

20. **Insurance:**

COMPANY shall at all times during the term of this Contract maintain and keep in full force and effect insurance in the following types and minimum amounts with companies authorized to do business in the State of Texas:

Commercial General Liability (including Contractual liability):	
-Personal Injury:	$1,000,000.00 per person
	$1,000,000.00 per occurrence
-Property Damage:	$500,000.00 per occurrence
Business Automobile Liability:	$250,000.00 combined single limit -
	Personal Injury and Property Damage
Workers' Compensation:	Statutory limits
Employers' Liability:	$500,000.00 per accident or occurrence

The Commercial General Liability shall be on a per project aggregate, including completed operations, and shall be on a claims-occurred basis. This insurance shall name CITY as an additional insured and waive subrogation in favor of CITY.

The Business Automobile Liability insurance provided by COMPANY shall cover any auto for bodily injury and property damage, including owned vehicles, hired and non-city vehicles, and employee non-ownership, and the amount of such policy shall be a minimum of $250,000.00 covering any vehicle used for the execution of the work that is the subject of this Contract. This insurance shall name CITY as an additional insured and waive subrogation in favor of CITY.

The Workers' Compensation coverage provided by COMPANY shall inure to the benefit of employees injured during the course and scope of their employment by COMPANY pursuant to this Contract. The Workers' Compensation shall waive all rights of subrogation in favor of CITY.

All insurance required pursuant to this Contract shall provide for a waiver of subrogation in favor of CITY. All insurance required pursuant to this Contract, except for Workers' Compensation Insurance, shall name CITY as an additional insured on a claims occurred basis. CITY shall be provided the notice by COMPANY's insurance provider not later than thirty (30) days prior to any reduction or termination of such coverage.

COMPANY shall contractually require all contractors, subcontractors, and sub-subcontractors that work on any portion of the work that is the subject of this Contract to obtain insurance coverage that meets or exceeds the policy requirements and minimum amounts specified herein. All contractors, subcontractors, and sub-subcontractors shall obtain insurance policies that provide blanket waivers of subrogation in favor of the City of Midland and policies that name the City of Midland as an additional insured on a claims occurred basis (except workers' compensation).

The parties agree that, prior to the execution of the Contract, COMPANY shall provide one or more certificates of insurance specifically stating that these requirements have been met and subject to the approval of CITY. CITY shall not be required to provide any insurance whatsoever pursuant to this Contract.

COMPANY certifies that the certificate of insurance provided as required herein complies with the requirements of Chapter 1811 of the Texas Insurance Code. COMPANY shall not use an unapproved certificate of insurance or insert inappropriate language on a certificate. Compliance with state law is the sole responsibility of COMPANY.

21. **Assignment**: COMPANY shall not, either directly or indirectly, assign all or any part of this Contract or any interest, right or privilege herein, without the prior written consent of CITY. The issue on whether or not to grant consent to an assignment is in the sole discretion of CITY.

22. **RELEASE: NOTWITHSTANDING ANY OTHER PROVISION CONTAINED HEREIN, COMPANY HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY AND CITY'S COUNCIL MEMBERS, EMPLOYEES, AND OFFICERS FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER THAT COMPANY HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING, BUT NOT LIMITED TO, BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKINGS CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS, OR CITY'S NEGLIGENCE. THE OBLIGATIONS CONTAINED IN THIS SECTION SHALL SURVIVE THE TERMINATION OF THIS CONTRACT**.

23. **Governing Law and Venue:** This contract shall be governed by the laws of the State of Texas. All performance and payment made pursuant to this contract shall be deemed to have occurred in Midland County, Texas. The obligations and undertakings of each of the parties to this Agreement shall be deemed to have occurred in Midland County, Texas. Exclusive venue for any claims, suits or any other action arising from or connected in any way to this contract or the performance of this contract shall be in Midland County, Texas.

24. **Independent Contractor:** COMPANY shall perform all work and services described herein as an independent contractor and not as an officer, agent, servant, or employee of CITY. COMPANY shall have exclusive control of, and the exclusive right to control the details of the services and work to be performed hereunder, and all persons performing the same. COMPANY shall be solely responsible for the acts and omissions of its officers, agents, employees, contractors and subcontractors and the doctrine

of respondeat superior shall not apply as between CITY and COMPANY, its officers, agents, employees, contractors and subcontractors. Nothing in this Contract shall be construed as creating a partnership or joint enterprise between CITY and COMPANY. No person performing any of the work and services described hereunder by COMPANY shall be considered an officer, agent, servant or employee of CITY. Further, it is specifically understood and agreed that nothing in this contract is intended or construed as creating a "Community of Pecuniary Interest" or an "Equal Right of Control" which would give rise to vicarious liability.

COMPANY shall be an independent contractor under this Contract and shall assume all of the rights, obligations and liabilities, applicable to it as such independent contractor hereunder. CITY does not have the power to direct the order in which the work is done. CITY shall not have the right to control the means, methods or details of COMPANY's work. COMPANY shall assume exclusive responsibility for the work. COMPANY is entirely free to do the work in its own way.

25. **Notice of Alleged Breach; Statutory Prerequisites:** As a condition precedent to filing suit for alleged damages incurred by an alleged breach of an express or implied provision of this Contract, COMPANY or its legal representative, shall give the City Manager, or any other reasonable official of CITY, notice in writing (consisting of one (1) original and seven (7) copies of notice attached to a copy of this Contract) of such damages, duly verified, within one hundred twenty (120) days after the same has been sustained. The discovery rule does not apply to the giving of this notice. The notice shall include when, where and how the damages occurred, the apparent extent thereof, the amount of damages sustained, the amount for which COMPANY shall settle, the physical and mailing addresses of COMPANY at the time and date the claim was presented and the physical and mailing addresses of COMPANY for the six (6) months immediately preceding the occurrence of such damages, and the names and addresses of the witnesses upon whom COMPANY relies to establish its claim; and a failure to provide such written notification within the time and manner provided herein shall exonerate, excuse and except CITY from any liability whatsoever. CITY is under no obligation to provide notice to COMPANY that COMPANY's notice is insufficient. CITY reserves the right to request additional information regarding the claim. Said additional information shall be supplied within thirty (30) days after receipt of notice.

The statutory prerequisites outlined herein constitute jurisdictional requirements pursuant to Section 271.154 of the Texas Local Government Code and Section 311.034 of the Texas Government Code. Notwithstanding any other provision to the contrary, COMPANY's failure to comply with the requirements of this Section shall perpetually bar COMPANY's claim for damages under Chapter 271 of the Texas Local Government Code, and Section 311.034 of the Texas Government Code, regardless if

CITY has actual or constructive notice or knowledge of said claim or alleged damages. COMPANY agrees that the requirements of this entire Contract are reasonable. The provisions and obligations of this Section shall survive the termination of this Contract.

26. **Consideration:** The terms of this Contract are supported by good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties named herein.

27. **Termination At Will:** CITY may terminate this Contract at will for no or any reason upon giving at least one hundred eighty (180) days written notice to COMPANY. The parties to this Contract understand and agree that it is in CITY's sole discretion to cancel the Contract during the term of the Contract without penalty to CITY. COMPANY has no expectation and has received no guarantees that this Contract will not be terminated before the end of the Contract term. The parties have bargained for the flexibility of terminating this Contract upon tender of the requisite notice at any time during the term of the Contract. All work and services under the Contract shall be suspended upon termination of the Contract becoming effective.

28. **Compliance:** COMPANY agrees that it shall comply with Texas Government Code Section 2252.908, *et seq.*, as amended. COMPANY agrees that it shall comply with Texas Local Government Code Section 176.006, *et seq.*, as amended.

29. To the extent that Sections 2271.002 and 2274.002, and 2276.002 of the Texas Government Code (collectively, the "Anti-Boycott Statutes") apply to this Contract, Company hereby verifies:

- that Company does not boycott Israel and will not boycott Israel during the term of this Contract;
- that Company does not boycott energy companies and will not boycott energy companies during the term of this Contract; and
- that Company does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and will not discriminate during the term of this Contract against a firearm entity or firearm trade association.

To the extent that the Anti-Boycott Statutes do not apply to this Contract, such verification is not required, and Company shall be deemed to have not made such verification.

30. **Records Retention and Production of Information.** To the extent that this Contract constitutes a contract described by Section 552.371 of the Texas Government Code, COMPANY shall: (i) preserve all contracting information related to this Contract as provided by the records retention requirements applicable to CITY for the duration of this Contract; (ii) promptly provide to CITY any contracting information related to the Contract that is in the custody or possession of COMPANY on request of CITY;

and (iii) on completion of the Contract, either: (a) provide at no cost to CITY all contracting information related to the Contract that is in the custody or possession of COMPANY; or (b) preserve the contracting information related to the Contract as provided by the records retention requirements applicable to CITY.

31. **Public Information.** To the extent that this Contract is a contract described by Section 552.371 of the Texas Government Code, COMPANY agrees as follows in accordance with Section 552.372(b) of the Texas Government Code: The requirements of Subchapter J, Chapter 552, Government Code, may apply to this Contract, and COMPANY agrees that the contract can be terminated if COMPANY knowingly or intentionally fails to comply with a requirement of that subchapter.

32. **Conflict of Terms.** If a conflict of terms or language exists between: (i) any of the provisions of this Contract and (ii) any of the provisions contained in any exhibit(s) attached to this Contract, precedence shall be given to the provisions of this Contract. For the avoidance of any doubt, the provisions contained in this Contract shall supersede any and all conflicting provisions contained in any exhibit(s) attached hereto. Furthermore, the parties acknowledge and agree that any provision contained in an exhibit(s) attached to this Contract that imposes an additional express or implied obligation on CITY is hereby made void and of no force or effect. CITY's sole and exclusive obligations under this Contract are contained in the provisions of this Contract that precede the signature page(s), which evidences the parties' execution.

33. Company agrees that all iron or steel products produced through a manufacturing process and used in the project that is the subject of this Contract shall be produced in the United States in accordance with Government Code § 2252.202, et seq., as amended.

EXECUTED IN DUPLICATE the day and year first above mentioned.

THE CITY OF MIDLAND, TEXAS

By: _____
Tommy Gonzalez, City Manager

ATTEST

_____
Marcia Bentley-German, City Governance Officer/City Secretary

APPROVED ONLY AS TO FORM

_____
Nicholas Toulet, Interim City Attorney

COMPANY:

By: _____

Name:_____

Title: _____

STATE OF _____ §
§
COUNTY OF_____ §

BEFORE ME, the undersigned authority, on this ____ day of _____, 2025 personally appeared, _____, an officer of Allen Teinert Construction Co dba Teinert Construction, known to me to be the person and official whose name is subscribed to the forgoing instrument, and acknowledged to me that he executed the same as the act and deed of said corporation, for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____day of _____, 2025.

_____

Notary Public, State of _____

Exhibit A

PROPOSAL FORM

Construction Manager-at-Risk for Midland, Texas – Beal Park Phase 2 Project

Submitted by: Teinert Construction

Having carefully examined the Request for Proposal, the offeror proposes to furnish Construction Management-At-Risk services as required for this Project as follows:

Pre-Construction Phase Fee, Construction Phase Fee and General Conditions shall be based on the following project construction budget of approximately: $15,630,000.00

Pre-Construction Phase Fee, Construction Phase Fee and General Conditions shall be based on the following project schedule:

Preconstruction 8 **months**

Construction 18 **months**

1. **Pre-Construction Phase Fee:** The offeror shall identify a Pre- Construction Phase Fee, to include personnel expense, project estimates, preliminary project schedules, value engineering, constructability reviews, pre-planning, overhead and profit, miscellaneous printing and travel costs, etc. and other services through the Pre-Construction phase of the Project. (estimated to be a duration of eight (8) months).

   Pre-Construction Phase Fee: $ 15,000.00**.**

2. **Construction Phase Fee:** The offeror shall identify a Construction Phase Fee Percentage and dollar amount of the construction budget for all home office expenses and any other expenses not included in the Allowable General Conditions Costs identified in Exhibit 'A', including all overhead and profit.

Construction Phase Fee Percentage: 3.5 **%**

Construction Phase Fee Dollars: $ 547,050.00

3. **Not-To-Exceed General Conditions Costs: General Conditions Percentage:** Using the Project Construction Schedule duration of eighteen (18) months, offeror shall identify a General Conditions not-to-exceed percentage and dollar amount of the construction budget. (Allowable General Conditions are identified in Exhibit A)

   General Conditions Percentage: 6.24 %

   General Conditions Dollars: $ 975,714.00

Using the not-to-exceed General Conditions identified above, offeror shall identify all project management, bonds, insurance, field office and office supplies costs for the Project(s).

Allowable General Conditions Line Items (see list below):

On Site Management Staff:	subtotal	$ 606,927.00
Bonds and Insurance	subtotal	$ 236,635.00
Temporary Project Utilities	subtotal	$ 40,032.00
Field Office & Office Supplies	subtotal	$ 92,120.00
Total		$ 975,714.00

Estimated On-Site Project Management Staff and Rates:

Position	Quantity	Months	Monthly Salary Rate	
Project Executive				
Project Manager	1	18	$11,251.00	Off Site - 50% Commitment
Superintendent(s)	1	18	$15,650.00	On Site - 100% Commitment
Asst. Superintendents	1	10	$10,398.00	On Site - 100% Commitment
Project Engineer(s)				
Fields/Office Engineers(s)				
Field Office Support Staff				
CPM Scheduler				
Safety Coordinator	1	18	$815.00	Off Site - 10% Commitment
Manager/Assistants				
Quality Assurance/Control				
Manager/Coordinator				

4. Addenda: Acknowledgement of Addenda to this RFP (if applicable).

No. 1 August 28, 2025

No. 2 _____

No. 3 _____

No. 4 _____

No. 5 _____

Respectfully Submitted and Certified By:

Jacob Kirkland
(Printed Name)

Chief Operating Officer
(Title)

(Authorized Signature)

September 26, 2025
(Date)

25006665 RFP Beal Park Phase II Scoring Summary

Active Submissions

	Total	Pre-construction Experience	Commercial and Park Construction Experience	Key Personnel Experience	Price/Fee Proposal	References	Claims History
Supplier	**/ 100 pts**	**/ 20 pts**	**/ 20 pts**	**/ 20 pts**	**/ 20 pts**	**/ 10 pts**	**/ 10 pts**
Teinert Construction	86.8 pts	18.6 pts	18.2 pts	17.4 pts	13.8 pts	9.4 pts	9.4 pts
Tarkett Sports Construction	85.4 pts	18 pts	16.2 pts	16 pts	16.8 pts	9.4 pts	9 pts
OPREX Construction	70.4 pts	11.8 pts	9.8 pts	12.2 pts	18 pts	9 pts	9.6 pts

25006665 RFP Beal Park Phase II BAFO
Bid Opening September 17, 2025

	Oprex Construction, LLC			Tarkett Sports/ FieldTurf USA Inc			Teinert Construction			
	Quantity	Months	Cost	Quantity	Months	Cost	Quantity	Months	Cost	
Pre-Construction Phase Fee, Construction Phase Fee and General Conditions shall be based on the following Project Schedule										
Pre-Constrction		7			8			8		
Construction		18			18			18		
Pre-Construction Phase Fee			$25,000.00			$25,000.00			$15,000.00	
Construction Phase Fee Percentage			2.25%			3%			4%	
Construction Phase Fee			$334,798.26			$468,900.00			$547,050.00	
General Conditions Percentage			5.95%			5.20%			6.24%	
General Conditions			$930,232.86			$810,000.00			$975,714.00	
Allowable General Conditions										
On Site Management Staff			$426,754.29			$375,150.00			$606,927.00	
Bonds and Insurance			$349,689.68			$345,750.00			$236,635.00	
Temporary Project Utilities			$18,900.00			$144,000.00			$40,032.00	
Field Office and Office Supplies			$27,300.00			$45,000.00			$92,120.00	
Total			$611,889.68			$810,000.00			$975,714.00	
Estimated On-Site Project Management Staff and Rates										
Project Executive				1	3	$10,100.00	1	18	$11,251.00	Off Site 50% Commitment
Project Manager	1	18	$7,714.29	1	4.5	$9,500.00	1	18	$15,650.00	Off Site 100% Commitment
Superintendent(s)	1	18	$12,000.00	1	12	$8,200.00	1	12	$10,398.00	Off Site 100% Commitment
Asst. Superintendent(s)				1	9	$6,800.00				
Project Engineer(s)	1	18	$1,371.43	1	5	$7,000.00				
Fields/Office Engineer(s)										
Field Office Support Staff				1	5	$5,000.00				
CPM Scheduler				1	2	$6,100.00				
Safety Coordinator	1	18	$600.00	1	2	$5,000.00	1	18	$815.00	Off Site 10% Commitment
Manager/Assistant(s)										
Quality Assurance/ Control				1	6	$6,500.00				
Manager/Coordinator				1	3	$7,100.00				

Bid Summary

28 Bid Requests were issued
3 Bids are listed above
0 NO BIDS were received
25 Bidders did not respond

THE CITY OF MIDLAND

CONTRACT

Contract No. 26000011

THIS CONTRACT, effective the 15th day of October 2025, by and between the City of Midland, hereinafter referred to as "CITY", and Allen Teinert Construction Co dba Teinert Construction, hereinafter referred to as "COMPANY", is made for the following considerations:

1. **Cost:** Total Proposal: $ 15,000.00 DOLLARS

2. **Scope of Work:** COMPANY shall perform all work described and shall perform pre-construction services for the Beal Park Phase II Project. Said work being more particularly described in the following documents, which are attached hereto and incorporated herein for all purposes.

EXHIBIT A..... Specifications, Proposal or Cost Summary
EXHIBIT B.....Intentionally Omitted
EXHIBIT C..... Intentionally Omitted
EXHIBIT D..... Intentionally Omitted

3. **City:** The words "CITY's Representative" or "representative" shall mean Laurie Williams or the designee under whose supervision these contract documents, including the plans and specifications, were prepared, or who may inspect work performed under this Contract; or such other representative, supervisor, or inspector as may be authorized by CITY to act in any particular capacity under this Contract.

4. **City's Representative:** CITY's Representative may make periodic visits to the site to observe the progress and quality of the executed work and to determine, in general, if the work is proceeding in accordance with the contract documents. CITY's representative will not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the work, nor will such representative be responsible for the construction means, methods, techniques, sequences or procedures, or the safety precautions incident thereto. CITY's representative will not be responsible for COMPANY's failure to perform the work in accordance with the contract.

5. **Company:** Unless otherwise stipulated, COMPANY shall provide and pay for all materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and all water, light, power, fuel,

transportation and all other facilities necessary for the execution and completion of the work covered by the contract documents. Unless otherwise specified, all materials shall be new, and both workmanship and materials shall be of a good quality. COMPANY shall, if required, furnish satisfactory evidence as to the kind and quality of materials.

5.1. COMPANY shall, at its expense, obtain all permits and licenses necessary for the performance of this contract and pay all fees and taxes required by law, and comply with all laws, ordinances, rules and regulations governing COMPANY's performance of the contract, including all environmental laws and regulations, whether state or federal.

5.2. All work shall be done and all materials furnished in strict conformity with the contract and specifications.

6. **Minor Work Not Mentioned:** All minor detail of the work not specifically mentioned in the Specifications but obviously necessary for the proper completion of the work, such as the proper connection of new work to old, shall be considered as incidental to and a part of the work for which the prices are named in the contract. COMPANY will not be entitled to any additional compensation therefor unless specifically stated otherwise. Otherwise the term "extra work" as used in this contract shall mean and include all work that may be required by CITY to be done by COMPANY to accomplish any alteration or addition to the work as shown on the Specifications.

6.1. COMPANY shall perform all extra work under the direction of CITY's Representative when presented with a written work order signed by CITY's Representative, subject, however, to the right of the COMPANY to require written confirmation of such extra work order by CITY. Payment for extra work shall be as agreed in the work order.

7. **Safety:** COMPANY shall at all times exercise reasonable precaution for the safety of employees and others on or near the work and shall comply with all applicable provisions of federal, state and municipal laws. All machinery and equipment and other physical hazards shall be guarded in accordance with federal, state or municipal laws or regulations.

8. **INDEMNITY: COMPANY SHALL INDEMNIFY AND HOLD HARMLESS AND DEFEND CITY AND ALL OF CITY'S OFFICERS, AGENTS AND EMPLOYEES FROM ALL SUITS, ACTIONS, CLAIMS, DAMAGES, PERSONAL INJURIES, ACCIDENTAL DEATH, LOSSES, PROPERTY DAMAGE AND EXPENSES OF ANY CHARACTER WHATSOEVER, INCLUDING ATTORNEY'S FEES, BROUGHT FOR OR ON ACCOUNT OF ANY INJURIES OR DAMAGES RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR**

PROPERTY, ON ACCOUNT OF ANY NEGLIGENT ACT OF COMPANY, THEIR AGENTS OR EMPLOYEES, OR ANY SUBCONTRACTOR, IN THE EXECUTION, SUPERVISION AND OPERATIONS GROWING OUT OF OR IN ANY WAY CONNECTED WITH THE PERFORMANCE OF THIS CONTRACT, AND COMPANY WILL BE REQUIRED TO PAY ANY JUDGMENT WITH COSTS WHICH MAY BE OBTAINED AGAINST CITY OR ANY OF ITS OFFICERS, AGENTS OR EMPLOYEES, INCLUDING ATTORNEY'S FEES. THE OBLIGATIONS CONTAINED IN THIS SECTION 8 SHALL SURVIVE THE TERMINATION OF THIS CONTRACT.

8.1. **COMPANY SHALL INDEMNIFY AND HOLD HARMLESS AND DEFEND CITY AND ALL OF CITY'S OFFICERS, AGENTS AND EMPLOYEES FROM ALL SUITS, ACTIONS, CLAIMS, DAMAGES, PERSONAL INJURIES, ACCIDENTAL DEATH, PROPERTY DAMAGE, LOSSES, AND EXPENSES OF ANY CHARACTER WHATSOEVER INCLUDING ATTORNEY'S FEES, BROUGHT FOR OR ON ACCOUNT OF ANY INJURIES OR DAMAGES RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, ON ACCOUNT OF ANY NEGLIGENT ACT OF CITY, CITY'S OFFICERS, AGENTS AND EMPLOYEES, WHETHER SUCH NEGLIGENT ACT WAS THE SOLE PROXIMATE CAUSE OF THE INJURY OR DAMAGE OR A PROXIMATE CAUSE JOINTLY AND CONCURRENTLY WITH COMPANY OR COMPANY'S EMPLOYEES, AGENTS OR SUBCONTRACTORS NEGLIGENCE IN THE EXECUTION, SUPERVISION AND OPERATIONS GROWING OUT OF OR IN ANY WAY CONNECTED WITH THE PERFORMANCE OF THIS CONTRACT, AND COMPANY WILL BE REQUIRED TO PAY ANY JUDGMENT WITH COSTS WHICH MAY BE OBTAINED AGAINST CITY OR ANY OF ITS OFFICERS, AGENTS OR EMPLOYEES, INCLUDING ATTORNEY'S FEES. THE OBLIGATIONS CONTAINED IN THIS SECTION 8.1 SHALL SURVIVE THE TERMINATION OF THIS CONTRACT.**

8.2. **COMPANY AGREES THAT IT WILL INDEMNIFY AND SAVE CITY HARMLESS FROM ALL CLAIMS GROWING OUT OF ANY DEMANDS OF SUBCONTRACTORS, LABORERS, WORKMEN, MECHANICS, MATERIALMEN, AND FURNISHERS OF MACHINERY AND PARTS THEREOF, EQUIPMENT, POWER TOOLS AND ALL SUPPLIES, INCURRED IN THE FURTHERANCE OF THE PERFORMANCE OF THIS CONTRACT. WHEN CITY SO DESIRES, COMPANY SHALL FURNISH SATISFACTORY EVIDENCE THAT ALL OBLIGATIONS OF THE NATURE HEREINABOVE DESIGNATED HAVE BEEN PAID, DISCHARGED OR WAIVED. COMPANY, ITS SURETIES AND INSURANCE CARRIERS SHALL DEFEND, INDEMNIFY AND SAVE HARMLESS CITY AND**

ALL OF ITS OFFICERS, AGENTS AND EMPLOYEES FROM ALL SUITS, ACTIONS, OR CLAIMS OF ANY CHARACTER WHATSOEVER, BROUGHT FOR OR ON ACCOUNT OF ANY INJURIES OR DAMAGES RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, ARISING FROM ANY ACT OF COMPANY OR ANY SUBCONTRACTOR, THEIR AGENTS OR EMPLOYEES, IN THE EXECUTION AND SUPERVISION OF THIS CONTRACT, AND WILL BE REQUIRED TO PAY ANY JUDGMENT WITH COSTS WHICH MAY BE OBTAINED AGAINST CITY OR ANY OF ITS OFFICERS, AGENTS, OR EMPLOYEES INCLUDING ATTORNEY'S FEES. THE OBLIGATIONS CONTAINED IN THIS SECTION 8.2 SHALL SURVIVE THE TERMINATION OF THIS CONTRACT.

9. **Start of Work:** COMPANY shall commence work no later than ten (10) days after receipt of the execution of this document or other written release to proceed and shall complete such work no later than 550 calendar days after release to proceed.

10. **Clean Up:** COMPANY shall promptly remove from CITY's premises all materials condemned by CITY's Representative on account of failure to conform to the contract, whether actually incorporated in the work or not, and COMPANY shall at its own expense promptly replace such condemned materials with other materials conforming to the requirements of the contract. COMPANY shall also bear the expense of restoring all work of other contractors damaged by any such removal or replacement. If COMPANY does not remove and replace any such condemned materials within a reasonable time after a written notice by CITY, CITY may remove and replace such at COMPANY's expense.

11. **Warranty:** Neither the final payment nor any provision in this contract shall relieve COMPANY of responsibility for faulty materials or workmanship, and he shall remedy any defects due thereto and pay for any damage to other work resulting therefrom, which shall appear within a period of one (1) year from the date of substantial completion. CITY shall give notice of observed defects with reasonable promptness.

12. **Remedy:** CITY may, on account of subsequently discovered evidence, withhold whole or part of any payment to such extent as may be necessary to protect itself from loss on account of:

12.1. Defective work not remedied; or

12.2. Claims filed or reasonable evidence indicating possible filing of claims; or

12.3. Failure of COMPANY to make payments promptly to subcontractors or for material or labor which CITY may pay as an agent for the COMPANY; or

12.4. Damages to another contractor or subcontractor.

When the above grounds to withhold payment are removed, or COMPANY provides a surety bond satisfactory to CITY, which will protect CITY in the amount withheld, payment may be released.

13. **Funding Out:** In the event no funds or insufficient funds are appropriated and budgeted or are otherwise unavailable in any fiscal period for contract payments due under the contract, then this contract shall terminate on the last day of the fiscal period for which full appropriations were made, without penalty or expense to CITY of any kind whatsoever.

14. **Wage Scale:** COMPANY agrees to pay all workmen in his employ no less than the generally prevailing wage rate for employees of similar category in the Permian Basin Area, as is depicted in the wage rate scale attached hereto as EXHIBIT D, and incorporated herein by reference for all legal purposes.

14.1. If applicable, the Davis-Bacon Act, 29 CFR 5.5, and any related acts or regulations are hereby incorporated by reference and made a part of this Contract, and all terms and requirements under said laws, by such incorporation, are made terms and requirements of this Contract, to which the parties to this Contract have agreed to be bound.

15. **Prompt Pay Act:** CITY and COMPANY agree that Texas Government Code, Chapter 2251, Payment for Goods and Services (the "Prompt Pay Act") does not waive governmental immunity.

16. **Payment:** After all work is completed by COMPANY, including all Change Orders altering the original scope and amount of said contract are completed, and CITY has inspected and approved that the work is completed and in compliance with the contract and all subsequent Change Orders, CITY shall thereafter issue payment to COMPANY in the amount of the contract and all Change Orders. CITY shall be the final judge of when the work is completed by COMPANY. CITY, in its sole discretion, shall determine if the work under the contract and under any Change Orders has been done to CITY's requirements. CITY may make periodic payments to COMPANY, however such periodic payments may only be made pursuant to this paragraph, and only after all work and all Change Orders are completed by COMPANY and approved by CITY. For contracts exceeding $25,000 and construction time exceeds ninety days, requests for progress payments may be made to the extent of the materials and labor completed at the end of each month. Upon approval by the Owner's Representative the request and invoice shall be forwarded for payment less 5% retainage. The total of these payments shall not exceed 95% of the total contract amount.

17. **No Third-Party Beneficiary:** CITY's approval of this contract does not create a third-party beneficiary. There is no third-party beneficiary to this contract. No person or entity who is not a party to

this contract shall have any third-party beneficiary or other rights hereunder.

18. WAIVER OF ATTORNEY FEES: BY EXECUTING THIS CONTRACT, COMPANY AGREES TO WAIVE AND DOES HEREBY KNOWINGLY, CONCLUSIVELY, VOLUNTARILY AND INTENTIONALLY WAIVE ANY CLAIM IT HAS OR MAY HAVE IN THE FUTURE AGAINST CITY REGARDING THE AWARD OR ATTORNEY'S FEES, WHICH ARE IN ANY WAY RELATED TO THIS CONTRACT, OR THE CONSTRUCTION, INTERPRETATION OR BREACH OF THIS CONTRACT. COMPANY SPECIFICALLY AGREES THAT IF COMPANY BRINGS OR COMMENCES ANY LEGAL ACTION OR PROCEEDING RELATED TO THIS CONTRACT, THE CONSTRUCTION, INTERPRETATION, VALIDITY OR BREACH OF THIS CONTRACT, INCLUDING, BUT NOT LIMITED TO, ANY ACTION PURSUANT TO THE PROVISIONS OF THE TEXAS UNIFORM DECLARATORY JUDGMENTS ACT (TEXAS CIVIL PRACTICE AND REMEDIES CODE SECTION 37.001, ET SEQ., AS AMENDED), OR CHAPTER 271 OF THE TEXAS LOCAL GOVERNMENT CODE, COMPANY AGREES TO ABANDON, WAIVE AND RELINQUISH ANY AND ALL RIGHTS TO THE RECOVERY OF ATTORNEY'S FEES TO WHICH COMPANY MIGHT OTHERWISE BE ENTITLED.

COMPANY AGREES THAT THIS IS THE VOLUNTARY AND INTENTIONAL RELINQUISHMENT AND ABANDONMENT OF A PRESENTLY-EXISTING KNOWN RIGHT. COMPANY ACKNOWLEDGES THAT IT UNDERSTANDS ALL TERMS AND CONDITIONS OF THIS CONTRACT. COMPANY FURTHER ACKNOWLEDGES AND AGREES THAT THERE WAS AND IS NO DISPARITY OF BARGAINING POWER BETWEEN CITY AND COMPANY. THIS SECTION SHALL NOT BE CONSTRUED OR INTERPRETED AS A WAIVER OR GOVERNMENTAL IMMUNITY AND SHALL SURVIVE THE TERMINATION OF THIS CONTRACT.

COMPANY IS RELYING ON ITS OWN JUDGMENT. COMPANY HAD THE OPPORTUNITY TO DISCUSS THIS CONTRACT WITH COMPETENT LEGAL COUNSEL PRIOR TO ITS EXECUTION. THE OBLIGATIONS CONTAINED IN THIS SECTION 18 SHALL SURVIVE THE TERMINATION OF THIS CONTRACT.

19. **Governmental Immunity:** By executing this contract CITY is not waiving its right of governmental immunity. CITY is retaining its immunity from suit. CITY is not granting consent to be sued by legislative resolution or action.

THERE IS NO WAIVER OF GOVERNMENTAL IMMUNITY.

20. **Insurance:**

COMPANY shall at all times during the term of this Contract maintain and keep in full force and effect insurance in the following types and minimum amounts with companies authorized to do business in the State of Texas:

Commercial General Liability (including Contractual liability):	
-Personal Injury:	$1,000,000.00 per person
	$1,000,000.00 per occurrence
-Property Damage:	$500,000.00 per occurrence
Business Automobile Liability:	$250,000.00 combined single limit - Personal Injury and Property Damage
Workers' Compensation:	Statutory limits
Employers' Liability:	$500,000.00 per accident or occurrence

The Commercial General Liability shall be on a per project aggregate, including completed operations, and shall be on a claims-occurred basis. This insurance shall name CITY as an additional insured and waive subrogation in favor of CITY.

The Business Automobile Liability insurance provided by COMPANY shall cover any auto for bodily injury and property damage, including owned vehicles, hired and non-city vehicles, and employee non-ownership, and the amount of such policy shall be a minimum of $250,000.00 covering any vehicle used for the execution of the work that is the subject of this Contract. This insurance shall name CITY as an additional insured and waive subrogation in favor of CITY.

The Workers' Compensation coverage provided by COMPANY shall inure to the benefit of employees injured during the course and scope of their employment by COMPANY pursuant to this Contract. The Workers' Compensation shall waive all rights of subrogation in favor of CITY.

All insurance required pursuant to this Contract shall provide for a waiver of subrogation in favor of CITY. All insurance required pursuant to this Contract, except for Workers' Compensation Insurance, shall name CITY as an additional insured on a claims occurred basis. CITY shall be provided the notice by COMPANY's insurance provider not later than thirty (30) days prior to any reduction or termination of such coverage.

COMPANY shall contractually require all contractors, subcontractors, and sub-subcontractors that work on any portion of the work that is the subject of this Contract to obtain insurance coverage that meets or exceeds the policy requirements and minimum amounts specified herein. All contractors, subcontractors, and sub-subcontractors shall obtain insurance policies that provide blanket waivers of subrogation in favor of the City of Midland and policies that name the City of Midland as an additional insured on a claims occurred basis (except workers' compensation).

The parties agree that, prior to the execution of the Contract, COMPANY shall provide one or more certificates of insurance specifically stating that these requirements have been met and subject to the approval of CITY. CITY shall not be required to provide any insurance whatsoever pursuant to this Contract.

COMPANY certifies that the certificate of insurance provided as required herein complies with the requirements of Chapter 1811 of the Texas Insurance Code. COMPANY shall not use an unapproved certificate of insurance or insert inappropriate language on a certificate. Compliance with state law is the sole responsibility of COMPANY.

21. **Assignment**: COMPANY shall not, either directly or indirectly, assign all or any part of this Contract or any interest, right or privilege herein, without the prior written consent of CITY. The issue on whether or not to grant consent to an assignment is in the sole discretion of CITY.

22. **RELEASE: NOTWITHSTANDING ANY OTHER PROVISION CONTAINED HEREIN, COMPANY HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY AND CITY'S COUNCIL MEMBERS, EMPLOYEES, AND OFFICERS FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER THAT COMPANY HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING, BUT NOT LIMITED TO, BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKINGS CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS, OR CITY'S NEGLIGENCE. THE OBLIGATIONS CONTAINED IN THIS SECTION SHALL SURVIVE THE TERMINATION OF THIS CONTRACT**.

23. **Governing Law and Venue:** This contract shall be governed by the laws of the State of Texas. All performance and payment made pursuant to this contract shall be deemed to have occurred in Midland County, Texas. The obligations and undertakings of each of the parties to this Agreement shall be deemed to have occurred in Midland County, Texas. Exclusive venue for any claims, suits or any other action arising from or connected in any way to this contract or the performance of this contract shall be in Midland County, Texas.

24. **Independent Contractor:** COMPANY shall perform all work and services described herein as an independent contractor and not as an officer, agent, servant, or employee of CITY. COMPANY shall have exclusive control of, and the exclusive right to control the details of the services and work to be performed hereunder, and all persons performing the same. COMPANY shall be solely responsible for the acts and omissions of its officers, agents, employees, contractors and subcontractors and the doctrine

of respondeat superior shall not apply as between CITY and COMPANY, its officers, agents, employees, contractors and subcontractors. Nothing in this Contract shall be construed as creating a partnership or joint enterprise between CITY and COMPANY. No person performing any of the work and services described hereunder by COMPANY shall be considered an officer, agent, servant or employee of CITY. Further, it is specifically understood and agreed that nothing in this contract is intended or construed as creating a "Community of Pecuniary Interest" or an "Equal Right of Control" which would give rise to vicarious liability.

COMPANY shall be an independent contractor under this Contract and shall assume all of the rights, obligations and liabilities, applicable to it as such independent contractor hereunder. CITY does not have the power to direct the order in which the work is done. CITY shall not have the right to control the means, methods or details of COMPANY's work. COMPANY shall assume exclusive responsibility for the work. COMPANY is entirely free to do the work in its own way.

25. **Notice of Alleged Breach; Statutory Prerequisites:** As a condition precedent to filing suit for alleged damages incurred by an alleged breach of an express or implied provision of this Contract, COMPANY or its legal representative, shall give the City Manager, or any other reasonable official of CITY, notice in writing (consisting of one (1) original and seven (7) copies of notice attached to a copy of this Contract) of such damages, duly verified, within one hundred twenty (120) days after the same has been sustained. The discovery rule does not apply to the giving of this notice. The notice shall include when, where and how the damages occurred, the apparent extent thereof, the amount of damages sustained, the amount for which COMPANY shall settle, the physical and mailing addresses of COMPANY at the time and date the claim was presented and the physical and mailing addresses of COMPANY for the six (6) months immediately preceding the occurrence of such damages, and the names and addresses of the witnesses upon whom COMPANY relies to establish its claim; and a failure to provide such written notification within the time and manner provided herein shall exonerate, excuse and except CITY from any liability whatsoever. CITY is under no obligation to provide notice to COMPANY that COMPANY's notice is insufficient. CITY reserves the right to request additional information regarding the claim. Said additional information shall be supplied within thirty (30) days after receipt of notice.

The statutory prerequisites outlined herein constitute jurisdictional requirements pursuant to Section 271.154 of the Texas Local Government Code and Section 311.034 of the Texas Government Code. Notwithstanding any other provision to the contrary, COMPANY's failure to comply with the requirements of this Section shall perpetually bar COMPANY's claim for damages under Chapter 271 of the Texas Local Government Code, and Section 311.034 of the Texas Government Code, regardless if

CITY has actual or constructive notice or knowledge of said claim or alleged damages. COMPANY agrees that the requirements of this entire Contract are reasonable. The provisions and obligations of this Section shall survive the termination of this Contract.

26. **Consideration:** The terms of this Contract are supported by good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties named herein.

27. **Termination At Will:** CITY may terminate this Contract at will for no or any reason upon giving at least one hundred eighty (180) days written notice to COMPANY. The parties to this Contract understand and agree that it is in CITY's sole discretion to cancel the Contract during the term of the Contract without penalty to CITY. COMPANY has no expectation and has received no guarantees that this Contract will not be terminated before the end of the Contract term. The parties have bargained for the flexibility of terminating this Contract upon tender of the requisite notice at any time during the term of the Contract. All work and services under the Contract shall be suspended upon termination of the Contract becoming effective.

28. **Compliance:** COMPANY agrees that it shall comply with Texas Government Code Section 2252.908, *et seq.*, as amended. COMPANY agrees that it shall comply with Texas Local Government Code Section 176.006, *et seq.*, as amended.

29. To the extent that Sections 2271.002 and 2274.002, and 2276.002 of the Texas Government Code (collectively, the "Anti-Boycott Statutes") apply to this Contract, Company hereby verifies:

- that Company does not boycott Israel and will not boycott Israel during the term of this Contract;
- that Company does not boycott energy companies and will not boycott energy companies during the term of this Contract; and
- that Company does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and will not discriminate during the term of this Contract against a firearm entity or firearm trade association.

To the extent that the Anti-Boycott Statutes do not apply to this Contract, such verification is not required, and Company shall be deemed to have not made such verification.

30. **Records Retention and Production of Information.** To the extent that this Contract constitutes a contract described by Section 552.371 of the Texas Government Code, COMPANY shall: (i) preserve all contracting information related to this Contract as provided by the records retention requirements applicable to CITY for the duration of this Contract; (ii) promptly provide to CITY any contracting information related to the Contract that is in the custody or possession of COMPANY on request of CITY;

and (iii) on completion of the Contract, either: (a) provide at no cost to CITY all contracting information related to the Contract that is in the custody or possession of COMPANY; or (b) preserve the contracting information related to the Contract as provided by the records retention requirements applicable to CITY.

31. **Public Information.** To the extent that this Contract is a contract described by Section 552.371 of the Texas Government Code, COMPANY agrees as follows in accordance with Section 552.372(b) of the Texas Government Code: The requirements of Subchapter J, Chapter 552, Government Code, may apply to this Contract, and COMPANY agrees that the contract can be terminated if COMPANY knowingly or intentionally fails to comply with a requirement of that subchapter.

32. **Conflict of Terms.** If a conflict of terms or language exists between: (i) any of the provisions of this Contract and (ii) any of the provisions contained in any exhibit(s) attached to this Contract, precedence shall be given to the provisions of this Contract. For the avoidance of any doubt, the provisions contained in this Contract shall supersede any and all conflicting provisions contained in any exhibit(s) attached hereto. Furthermore, the parties acknowledge and agree that any provision contained in an exhibit(s) attached to this Contract that imposes an additional express or implied obligation on CITY is hereby made void and of no force or effect. CITY's sole and exclusive obligations under this Contract are contained in the provisions of this Contract that precede the signature page(s), which evidences the parties' execution.

33. Company agrees that all iron or steel products produced through a manufacturing process and used in the project that is the subject of this Contract shall be produced in the United States in accordance with Government Code § 2252.202, et seq., as amended.

EXECUTED IN DUPLICATE the day and year first above mentioned.

THE CITY OF MIDLAND, TEXAS

By: _____
Tommy Gonzalez, City Manager

ATTEST

_____
Marcia Bentley-German, City Governance Officer/City Secretary

APPROVED ONLY AS TO FORM

_____
Nicholas Toulet, Interim City Attorney

COMPANY:

By: _____

Name:_____

Title: _____

STATE OF _____ §
§
COUNTY OF_____ §

BEFORE ME, the undersigned authority, on this ____ day of _____, 2025 personally appeared, _____, an officer of Allen Teinert Construction Co dba Teinert Construction, known to me to be the person and official whose name is subscribed to the forgoing instrument, and acknowledged to me that he executed the same as the act and deed of said corporation, for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____day of _____, 2025.

_____

Notary Public, State of _____

Exhibit A

PROPOSAL FORM

Construction Manager-at-Risk for
Midland, Texas – Beal Park Phase 2 Project

Submitted by: Teinert Construction

Having carefully examined the Request for Proposal, the offeror proposes to furnish Construction Management-At-Risk services as required for this Project as follows:

Pre-Construction Phase Fee, Construction Phase Fee and General Conditions shall be based on the following project construction budget of approximately: $15,630,000.00

Pre-Construction Phase Fee, Construction Phase Fee and General Conditions shall be based on the following project schedule:

Preconstruction 8 **months**

Construction 18 **months**

1. **Pre-Construction Phase Fee:** The offeror shall identify a Pre- Construction Phase Fee, to include personnel expense, project estimates, preliminary project schedules, value engineering, constructability reviews, pre-planning, overhead and profit, miscellaneous printing and travel costs, etc. and other services through the Pre-Construction phase of the Project. (estimated to be a duration of eight (8) months).

   Pre-Construction Phase Fee: $ 15,000.00**.**

2. **Construction Phase Fee:** The offeror shall identify a Construction Phase Fee Percentage and dollar amount of the construction budget for all home office expenses and any other expenses not included in the Allowable General Conditions Costs identified in Exhibit 'A', including all overhead and profit.

Construction Phase Fee Percentage: 3.5 **%**

Construction Phase Fee Dollars: $ 547,050.00

3. **Not-To-Exceed General Conditions Costs: General Conditions Percentage:** Using the Project Construction Schedule duration of eighteen (18) months, offeror shall identify a General Conditions not-to-exceed percentage and dollar amount of the construction budget. (Allowable General Conditions are identified in Exhibit A)

   General Conditions Percentage: 6.24 %

   General Conditions Dollars: $ 975,714.00

Using the not-to-exceed General Conditions identified above, offeror shall identify all project management, bonds, insurance, field office and office supplies costs for the Project(s).

Allowable General Conditions Line Items (see list below):

On Site Management Staff:	subtotal	$ 606,927.00
Bonds and Insurance	subtotal	$ 236,635.00
Temporary Project Utilities	subtotal	$ 40,032.00
Field Office & Office Supplies	subtotal	$ 92,120.00
Total		$ 975,714.00

Estimated On-Site Project Management Staff and Rates:

Position	Quantity	Months	Monthly Salary Rate	
Project Executive				
Project Manager	1	18	$11,251.00	Off Site - 50% Commitment
Superintendent(s)	1	18	$15,650.00	On Site - 100% Commitment
Asst. Superintendents	1	10	$10,398.00	On Site - 100% Commitment
Project Engineer(s)				
Fields/Office Engineers(s)				
Field Office Support Staff				
CPM Scheduler				
Safety Coordinator	1	18	$815.00	Off Site - 10% Commitment
Manager/Assistants				
Quality Assurance/Control				
Manager/Coordinator				

4. Addenda: Acknowledgement of Addenda to this RFP (if applicable).

No. 1 August 28, 2025

No. 2 _____

No. 3 _____

No. 4 _____

No. 5 _____

Respectfully Submitted and Certified By:

Jacob Kirkland
(Printed Name)

Chief Operating Officer
(Title)

(Authorized Signature)

September 26, 2025
(Date)

City Council Meeting

Item Number: 13.
Meeting Date: October 14, 2025
To: City Council
From: Garrick Clayton, Oil and Gas Officer
Subject: **RESOLUTION APPROVING THE ISSUANCE OF PERMITS TO PIONEER NATURAL RESOURCES, USA, INC. TO DRILL SIX OIL AND GAS WELLS LOCATED IN SECTION 6, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MARTIN COUNTY, TEXAS (GENERALLY LOCATED BETWEEN 8,840 FEET AND 8,940 FEET EAST OF STATE HIGHWAY 349 AND 7,272 FEET NORTH OF OCCIDENTAL PARKWAY); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT**

Purpose:
Resolution approving the issuance of permits to Pioneer Natural Resources, USA, Inc. ("Operator") for the drilling of the following oil and gas wells: NAIL-BURLEY 6L 712H; NAIL-BURLEY 6M 713H; NAIL-BURLEY 6N 714H; NAIL-BURLEY 6O 715H; NAIL-BURLEY 6P 716H; and NAIL-BURLEY 6Q 717H; said wells being generally located 7,272 feet north of Occidental Parkway and between 8,840 feet and 8,940 feet east of State Highway 349. The required 30-day public comment has passed, and the Council may consider this request. No notices of objection received.

Recommended Action:
Approve

Fiscal Impact:
There is no cost to the City to process this application.

Strategic Priority:
SET THE STANDARD FOR A SAFE AND SECURE CITY

Discussion:
The Oil and Gas Advisory Committee has reviewed the well sites in detail and recommends approval. Pioneer Natural Resources, USA Inc. will be using a 24' sound barrier along the entire length of the south side of the pad with the remaining 3 sides facing undeveloped land and oil field which will remain for the duration of drilling and fracing. A quiet type frac system will be used to complete the wells. A closed loop system will be used during drilling operations so no reserve pits will be used and drill cuttings will be removed from the property. The use of compression is requested which will also be behind sound dampening enclosures. The Tank Battery for these wells will be located in the county. Pioneer Natural Resources, USA Inc. is requesting the following variances:

1. No Road Repair Agreement be required because no City streets will be used to access the well site.

2. No landscaping or irrigation be required due to no access to city water.

3. Twenty-four hour hydraulic fracturing operations be permitted.

4. Drill cuttings be allowed to be removed from the surface location.

5. Allow for compressors to be used for gas lift during the production phase

Attachments:

A. RESOLUTION W/ EXH - Pioneer - SH 349 (6 Nail-Burley Wells pt 3) - Approve Permits; Waive RR Agreement Reso w Exh
B. Nail-Burley 6L 712H Permit Application
C. Nail-Burley 6L 712H Drill Site Map
D. Nail-Burley 6L 712H Location Map
E. Nail-Burley 6M 713H Permit Application
F. Nail-Burley 6M 713H Drill Site Map
G. Nail-Burley 6M 713H Location Map
H. Nail-Burley 6N 714H Permit Application
I. Nail-Burley 6N 714H Drill Site Map
J. Nail-Burley 6N 714H Location Map
K. Nail-Burley 6O 715H Permit Application
L. Nail-Burley 6O 715H Drill Site Map
M. Nail-Burley 6O 715H Location Map
N. Nail-Burley 6P 716H Permit Application
O. Nail-Burley 6P 716H Drill Site Map
P. Nail-Burley 6P 716H Location Map
Q. Nail-Burley 6Q 717H Permit Application
R. Nail-Burley 6Q 717H Drill Site Map
S. Nail-Burley 6Q 717H Location Map
T. Nail-Burley 6L 712H Permit
U. Nail-Burley 6M 713H Permit
V. Nail-Burley 6N 714H Permit
W. Nail-Burley 6O 715H Permit
X. Nail-Burley 6P 716H Permit
Y. Nail-Burley 6Q 717H Permit
Z. Nail-Burley 6 700s Exhibit H Transportation Route
AA. Nail-Burley Overall Location Map

Liliana Morales, Development Services - Oil and Gas	Created/Initiated - 9/24/2025
Garrick Clayton, Development Services - Oil and Gas	Approved - 9/24/2025
Elizabeth Triggs, Development Services	Approved - 10/3/2025
Linda Ochoa, Legal	Approved - 10/5/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Rachel Guentensberger, City Secretary	Final Approval - 10/7/2025

RESOLUTION NO. _____

RESOLUTION APPROVING THE ISSUANCE OF PERMITS TO PIONEER NATURAL RESOURCES, USA, INC. TO DRILL SIX OIL AND GAS WELLS LOCATED IN SECTION 6, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MARTIN COUNTY, TEXAS (GENERALLY LOCATED BETWEEN 8,840 FEET AND 8,940 FEET EAST OF STATE HIGHWAY 349 AND 7,272 FEET NORTH OF OCCIDENTAL PARKWAY); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT

WHEREAS, on December 8, 2009, the City Council of the City of Midland duly approved Ordinance No. 8769 which amended Title VI, "Police Regulations," Chapter 1, "General Offenses," of the City Code of Midland, Texas, so as to establish Section 23, "Oil and Gas Well Permits issued on or after January 1, 2010," which governs the granting or rejecting of Oil and Gas Well Permits; and

WHEREAS, the purpose of said section is to establish reasonable and uniform limitations, safeguards, and regulations for present and future operations related to the exploring, drilling, developing, producing, transporting and storing of oil or gas or other substances produced in association with oil and gas within the City of Midland to protect the health, safety, and general welfare of the public and the orderly development of the City of Midland; abate or prevent potential public nuisances; minimize the potential adverse impact to surface and mineral owners, protect the quality of the environment and encourage the orderly production of available mineral resources; and

WHEREAS, Section 6-1-23(C) of the City Code of Midland, Texas, makes it an offense to knowingly drill or participate in the drilling of any well or to re-enter any well within the corporate limits of the City of Midland without a permit having first been issued by the authority of the City Council; and

WHEREAS, Pioneer Natural Resources, USA, Inc. ("Operator") has submitted applications to the City of Midland to drill oil and gas wells on the property described in Section Two hereof; and

WHEREAS, notice of the public hearing on this matter was provided in accordance with Section 6-1-23(H)(1) and a public hearing was held on September 9, 2025; and

WHEREAS, subsequent to said public hearing, and in accordance with Section 6-1-23(H)(1), the City Council allowed the public and Operator thirty (30) days to submit written input to the City Manager regarding Operator's applications to drill oil and gas wells on the property described in Section Two hereof; and

WHEREAS, the City Council has considered those issues set forth in Section 6-1-23(I) in determining whether to grant or deny permits to Operator to drill oil and gas wells on the property described in Section Two hereof; and

WHEREAS, the City Council finds it to be in the public interest to approve the issuance of permits to Operator to drill oil and gas wells on the property described in Section Two hereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the above recitals are hereby adopted and approved by the City Council of the City of Midland.

SECTION TWO. That the Mayor is hereby authorized and directed to execute permits, on behalf of the City of Midland, that will allow Operator to drill the following oil and gas wells:

> Nail-Burley 6L 712H; Nail-Burley 6M 713H; Nail-Burley 6N 714H; Nail-Burley 6O 715H; Nail-Burley 6P 716H; and Nail-Burley 6Q 717H;

located in Section 6, Block 38, T-1-S, T&P RR Co. Survey, City of Midland, Martin County, Texas. Said permits shall be in forms substantially similar to those attached hereto as Exhibits A through F and incorporated herein for all legal purposes.

SECTION THREE. That the requirement of a Road Repair Agreement between Operator and the City of Midland is hereby waived in regard to said permits.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2025, by the following vote:

Council members voting "AYE":

Council members voting “NAY”:

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

EXHIBIT A

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on October 14, 2025, considered the application of Pioneer Natural Resources, USA, Inc. ("Operator") dated July 1, 2025, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Nail-Burley 6L 712H oil and gas well shall be 674 feet from the north line and 1,901 feet from the east line, Section 6, Block 38, T-1-S, T&P RR Co. Survey, Martin County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from October 14, 2025 through October 14, 2026, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. No road repair agreement is required because no City streets will be used to access the well site.
2. No landscaping or irrigation is required.
3. Twenty-four hour hydraulic fracturing operations are permitted.
4. Drill cuttings may be removed from the surface location.
5. On-site compressors are allowed to be used for gas lift during the production phase.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of October 2025.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREE THIS _____day of October 2025.

Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

EXHIBIT B

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on October 14, 2025, considered the application of Pioneer Natural Resources, USA, Inc. ("Operator") dated July 1, 2025, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Nail-Burley 6M 713H oil and gas well shall be 674 feet from the north line and 1,881 feet from the east line, Section 6, Block 38, T-1-S, T&P RR Co. Survey, Martin County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from October 14, 2025 through October 14, 2026, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. No road repair agreement is required because no City streets will be used to access the well site.
2. No landscaping or irrigation is required.
3. Twenty-four hour hydraulic fracturing operations are permitted.
4. Drill cuttings may be removed from the surface location.
5. On-site compressors are allowed to be used for gas lift during the production phase.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of October 2025.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREE THIS _____day of October 2025.

Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

EXHIBIT C

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on October 14, 2025, considered the application of Pioneer Natural Resources, USA, Inc. ("Operator") dated July 1, 2025, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Nail-Burley 6N 714H oil and gas well shall be 674 feet from the north line and 1,861 feet from the east line, Section 6, Block 38, T-1-S, T&P RR Co. Survey, Martin County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from October 14, 2025 through October 14, 2026, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. No road repair agreement is required because no City streets will be used to access the well site.
2. No landscaping or irrigation is required.
3. Twenty-four hour hydraulic fracturing operations are permitted.
4. Drill cuttings may be removed from the surface location.
5. On-site compressors are allowed to be used for gas lift during the production phase.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of October 2025.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREE THIS _____day of October 2025.

Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

EXHIBIT D

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on October 14, 2025, considered the application of Pioneer Natural Resources, USA, Inc. ("Operator") dated July 1, 2025, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Nail-Burley 6O 715H oil and gas well shall be 674 feet from the north line and 1,841 feet from the east line, Section 6, Block 38, T-1-S, T&P RR Co. Survey, Martin County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from October 14, 2025 through October 14, 2026, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

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NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

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Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. No road repair agreement is required because no City streets will be used to access the well site.
2. No landscaping or irrigation is required.
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4. Drill cuttings may be removed from the surface location.
5. On-site compressors are allowed to be used for gas lift during the production phase.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

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GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of October 2025.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREE THIS _____day of October 2025.

Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

EXHIBIT E

OIL AND GAS WELL PERMIT

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The location of Operator's Nail-Burley 6P 716H oil and gas well shall be 674 feet from the north line and 1,821 feet from the east line, Section 6, Block 38, T-1-S, T&P RR Co. Survey, Martin County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

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BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREE THIS _____day of October 2025.

Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

EXHIBIT F

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CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREE THIS _____day of October 2025.

Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
7/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	NOTE: All attachments need to bound and put in a binder before submitting.	Pages 1-4

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other properties within 860' are: City of Midland (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Burley 6L 712H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

674' FNL, 1901' FEL, Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

Description of water source to be used during Drilling:

The water source used during drilling can be found on Exhibit N

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

The route for electric lines can be found on Exhibit N

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]:

Reserve pits will not be used. Freshwater pits will be used. Please see Exhibit O for closure details.

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* are Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by Applicant are current. [See § J(29)].**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan approved by the City Engineer relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace
Laura Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

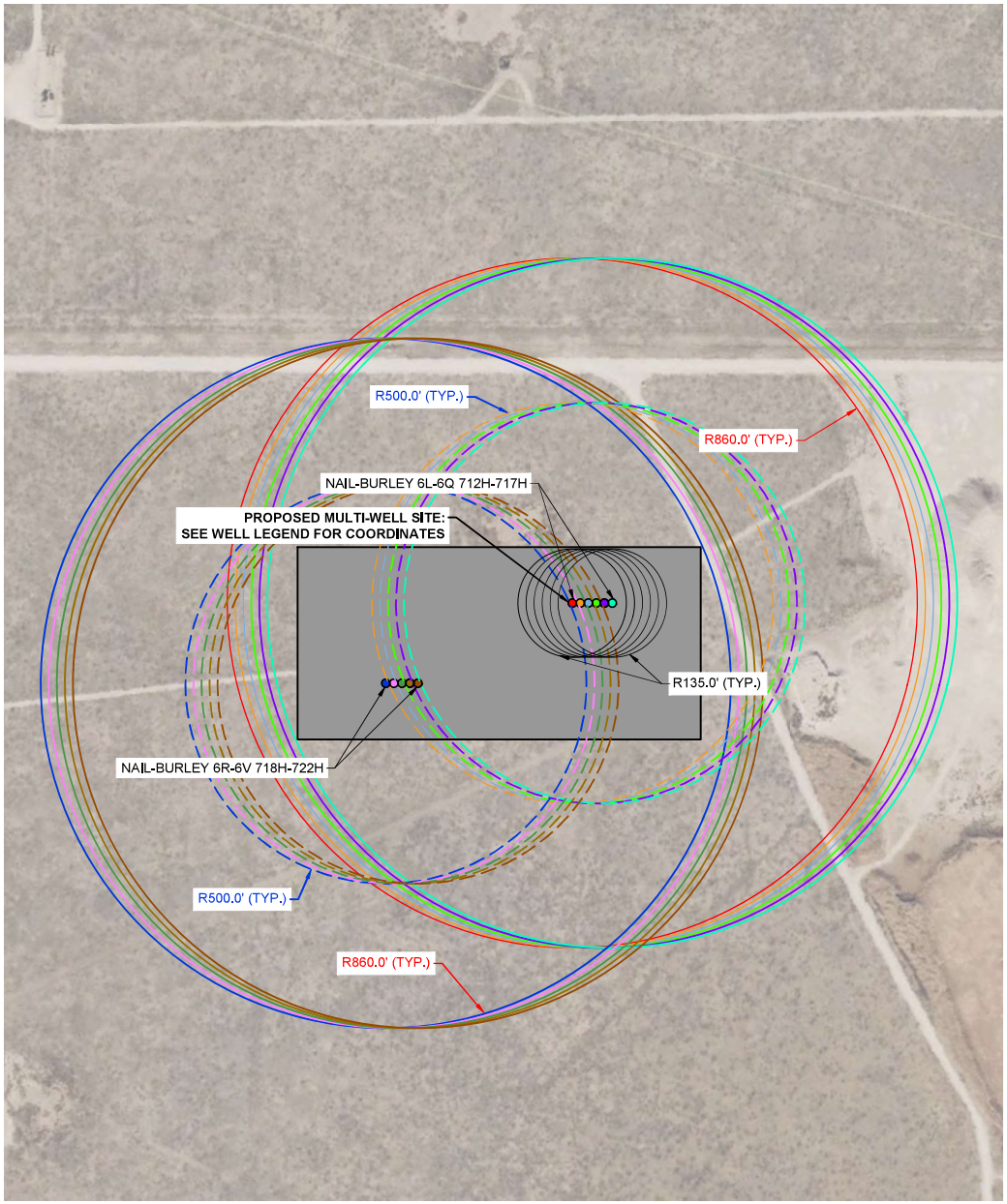
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

NAIL-BURLEY 6L 712H
674' FNL, 1901' FEL (SEC. 6)
SHL GROUND ELEVATION: 2831'
(NAD83)
X = 863256.4', Y = 6740319.4'
LAT.: 32°06'21.92", LON.: -102°04'11.61"
LAT.: 32.106088°, LON.: -102.069890°

NAIL-BURLEY 6M 713H
674' FNL, 1881' FEL (SEC. 6)
SHL GROUND ELEVATION: 2831'
(NAD83)
X = 863275.9', Y = 6740324.2'
LAT.: 32°06'21.97", LON.: -102°04'11.38"
LAT.: 32.106103°, LON.: -102.069828°

NAIL-BURLEY 6N 714H
674' FNL, 1861' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
X = 863295.3', Y = 6740329.0'
LAT.: 32°06'22.03", LON.: -102°04'11.16"
LAT.: 32.106118°, LON.: -102.069766°

NAIL-BURLEY 6O 715H
674' FNL, 1841' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
X = 863314.7', Y = 6740333.7'
LAT.: 32°06'22.08", LON.: -102°04'10.93"
LAT.: 32.106133°, LON.: -102.069704°

NAIL-BURLEY 6P 716H
674' FNL, 1821' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
X = 863334.2', Y = 6740338.5'
LAT.: 32°06'22.13", LON.: -102°04'10.71"
LAT.: 32.106148°, LON.: -102.069642°

NAIL-BURLEY 6Q 717H
674' FNL, 1801' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
X = 863353.6', Y = 6740343.2'
LAT.: 32°06'22.19", LON.: -102°04'10.49"
LAT.: 32.106163°, LON.: -102.069579°

NAIL-BURLEY 6R 718H
876' FNL, 2364' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862852.2', Y = 6740014.9'
LAT.: 32°06'18.77", LON.: -102°04'16.18"
LAT.: 32.105214°, LON.: -102.071162°

NAIL-BURLEY 6S 719H
876' FNL, 2344' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862871.6', Y = 6740019.6'
LAT.: 32°06'18.82", LON.: -102°04'15.96"
LAT.: 32.105229°, LON.: -102.071100°

NAIL-BURLEY 6T 720H
876' FNL, 2324' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862891.0', Y = 6740024.4'
LAT.: 32°06'18.88", LON.: -102°04'15.73"
LAT.: 32.105244°, LON.: -102.071037°

NAIL-BURLEY 6U 721H
876' FNL, 2304' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862910.5', Y = 6740029.1'
LAT.: 32°06'18.93", LON.: -102°04'15.51"
LAT.: 32.105258°, LON.: -102.070975°

NAIL-BURLEY 6V 722H
876' FNL, 2284' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862929.9', Y = 6740033.9'
LAT.: 32°06'18.98", LON.: -102°04'15.29"
LAT.: 32.105273°, LON.: -102.070913°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/25/2025
BY: J. ALVAREZ
REV.: 05/16/2025 J. ALVAREZ
AVO: 047474.884

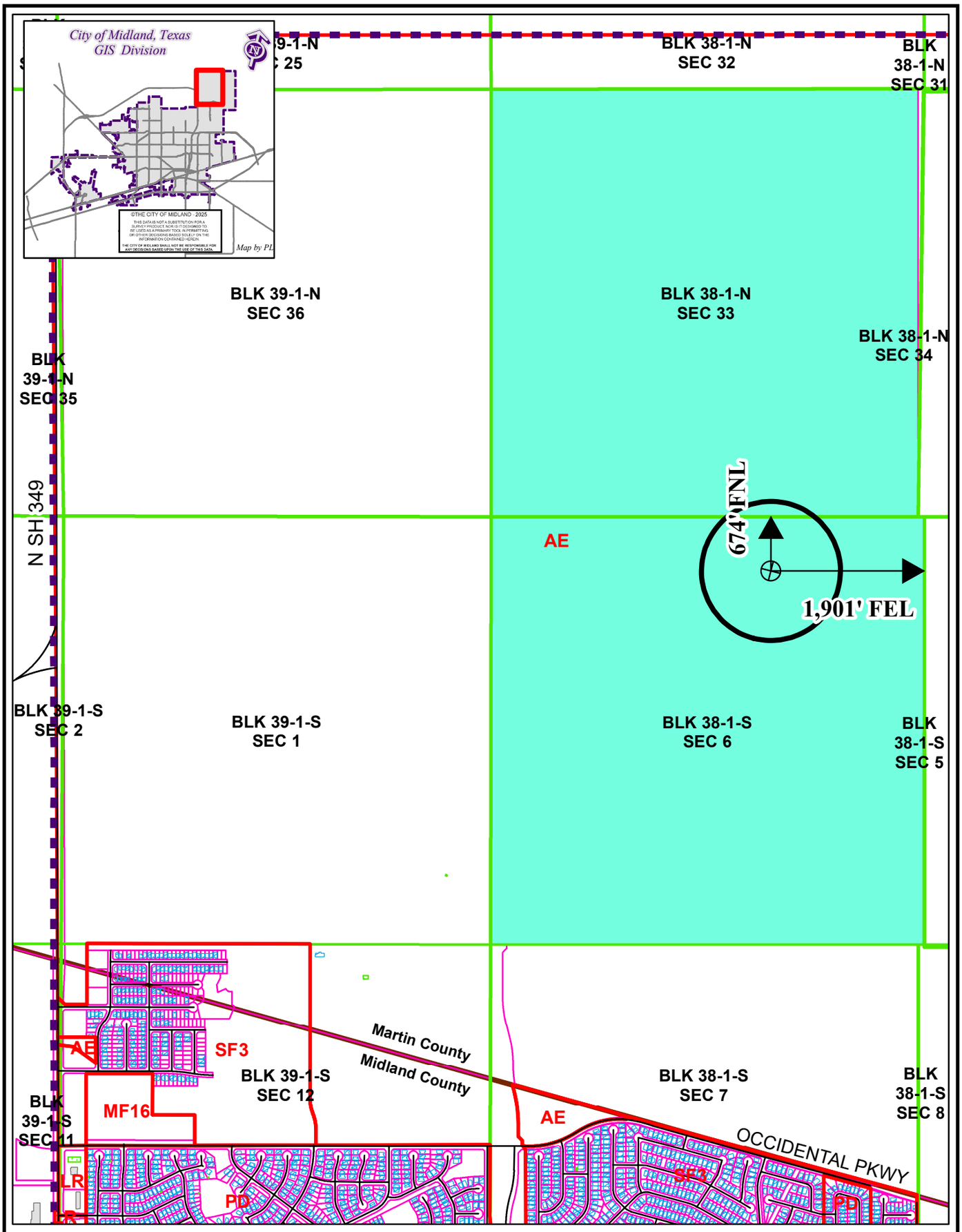
PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-BURLEY 6L-6V 712H-722H

LOCATED IN:
SECTION 6, BLOCK 38, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 671,
MARTIN COUNTY, TEXAS

P:\7000S\47474\884\SURV\CADD\SHEETS\EXHIBIT\047474.884_AERIAL_SITE_PLAN_EXHIBIT_E.DWG



LOCATION AND ZONING MAP

Oil-070255-2025 **Scale: 1" = 1500'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 674' FNL and 1,901' FEL, Section 6, Block 38-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 7,272 feet north of Occidental Pkwy and 8,840 feet east of SH 349.

Nail-Burley 6L 712H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
7/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	NOTE: All attachments need to bound and put in a binder before submitting.	Pages 1-4

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other properties within 860' are: City of Midland (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Burley 6M 713H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

674' FNL, 1881' FEL, Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

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***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

Description of water source to be used during Drilling:

The water source used during drilling can be found on Exhibit N

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

The route for electric lines can be found on Exhibit N

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]:

Reserve pits will not be used. Freshwater pits will be used. Please see Exhibit O for closure details.

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* are Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by Applicant are current. [See § J(29)].**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan approved by the City Engineer relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace
Laura Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

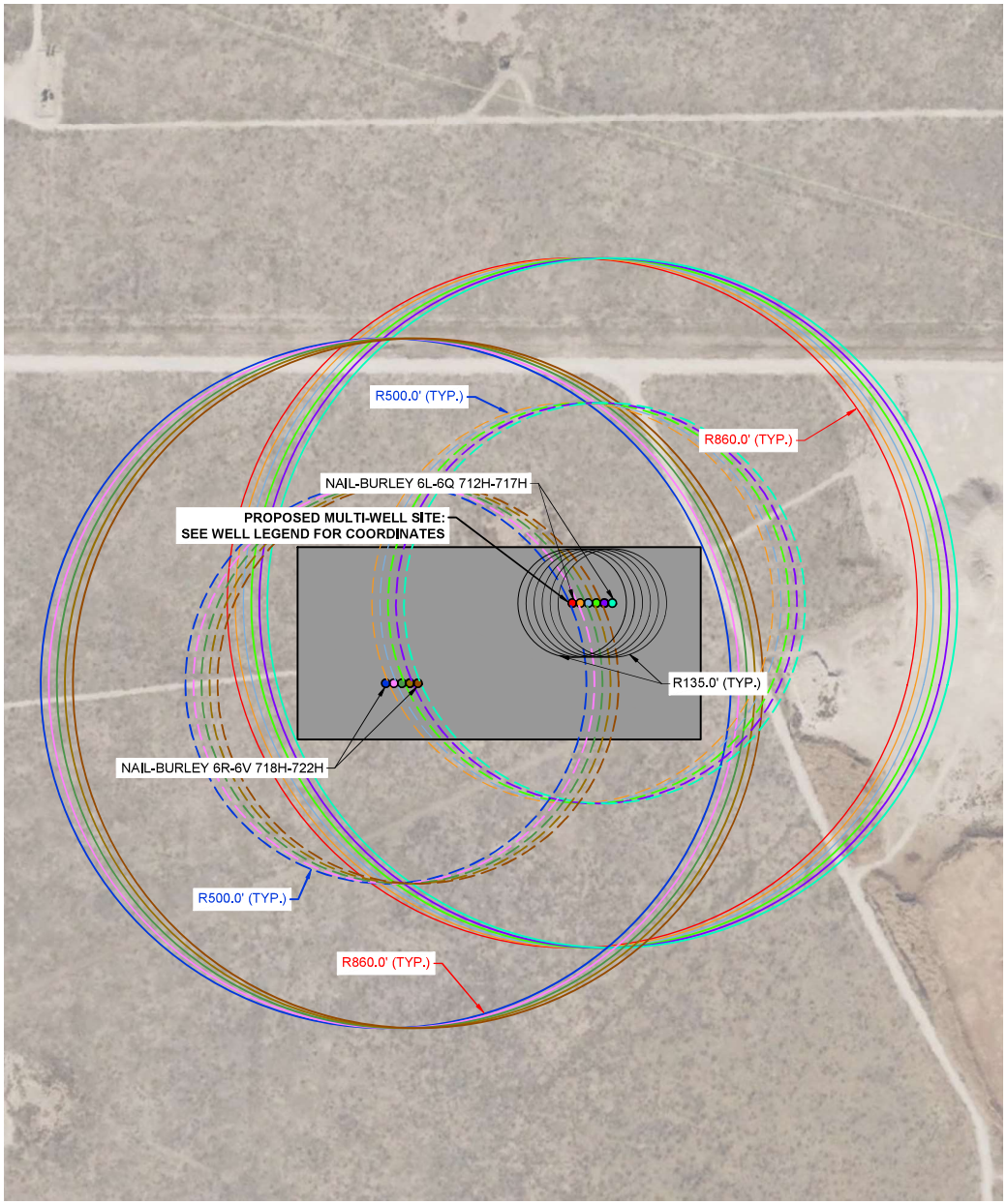
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

NAIL-BURLEY 6L 712H
674' FNL, 1901' FEL (SEC. 6)
SHL GROUND ELEVATION: 2831'
(NAD83)
X = 863256.4', Y = 6740319.4'
LAT.: 32°06'21.92", LON.: -102°04'11.61"
LAT.: 32.106088°, LON.: -102.069890°

NAIL-BURLEY 6M 713H
674' FNL, 1881' FEL (SEC. 6)
SHL GROUND ELEVATION: 2831'
(NAD83)
X = 863275.9', Y = 6740324.2'
LAT.: 32°06'21.97", LON.: -102°04'11.38"
LAT.: 32.106103°, LON.: -102.069828°

NAIL-BURLEY 6N 714H
674' FNL, 1861' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
X = 863295.3', Y = 6740329.0'
LAT.: 32°06'22.03", LON.: -102°04'11.16"
LAT.: 32.106118°, LON.: -102.069766°

NAIL-BURLEY 6O 715H
674' FNL, 1841' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
X = 863314.7', Y = 6740333.7'
LAT.: 32°06'22.08", LON.: -102°04'10.93"
LAT.: 32.106133°, LON.: -102.069704°

NAIL-BURLEY 6P 716H
674' FNL, 1821' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
X = 863334.2', Y = 6740338.5'
LAT.: 32°06'22.13", LON.: -102°04'10.71"
LAT.: 32.106148°, LON.: -102.069642°

NAIL-BURLEY 6Q 717H
674' FNL, 1801' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
X = 863353.6', Y = 6740343.2'
LAT.: 32°06'22.19", LON.: -102°04'10.49"
LAT.: 32.106163°, LON.: -102.069579°

NAIL-BURLEY 6R 718H
876' FNL, 2364' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862852.2', Y = 6740014.9'
LAT.: 32°06'18.77", LON.: -102°04'16.18"
LAT.: 32.105214°, LON.: -102.071162°

NAIL-BURLEY 6S 719H
876' FNL, 2344' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862871.6', Y = 6740019.6'
LAT.: 32°06'18.82", LON.: -102°04'15.96"
LAT.: 32.105229°, LON.: -102.071100°

NAIL-BURLEY 6T 720H
876' FNL, 2324' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862891.0', Y = 6740024.4'
LAT.: 32°06'18.88", LON.: -102°04'15.73"
LAT.: 32.105244°, LON.: -102.071037°

NAIL-BURLEY 6U 721H
876' FNL, 2304' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862910.5', Y = 6740029.1'
LAT.: 32°06'18.93", LON.: -102°04'15.51"
LAT.: 32.105258°, LON.: -102.070975°

NAIL-BURLEY 6V 722H
876' FNL, 2284' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862929.9', Y = 6740033.9'
LAT.: 32°06'18.98", LON.: -102°04'15.29"
LAT.: 32.105273°, LON.: -102.070913°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR
05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/25/2025
BY: J. ALVAREZ
REV.: 05/16/2025 J. ALVAREZ
AVO: 047474.884

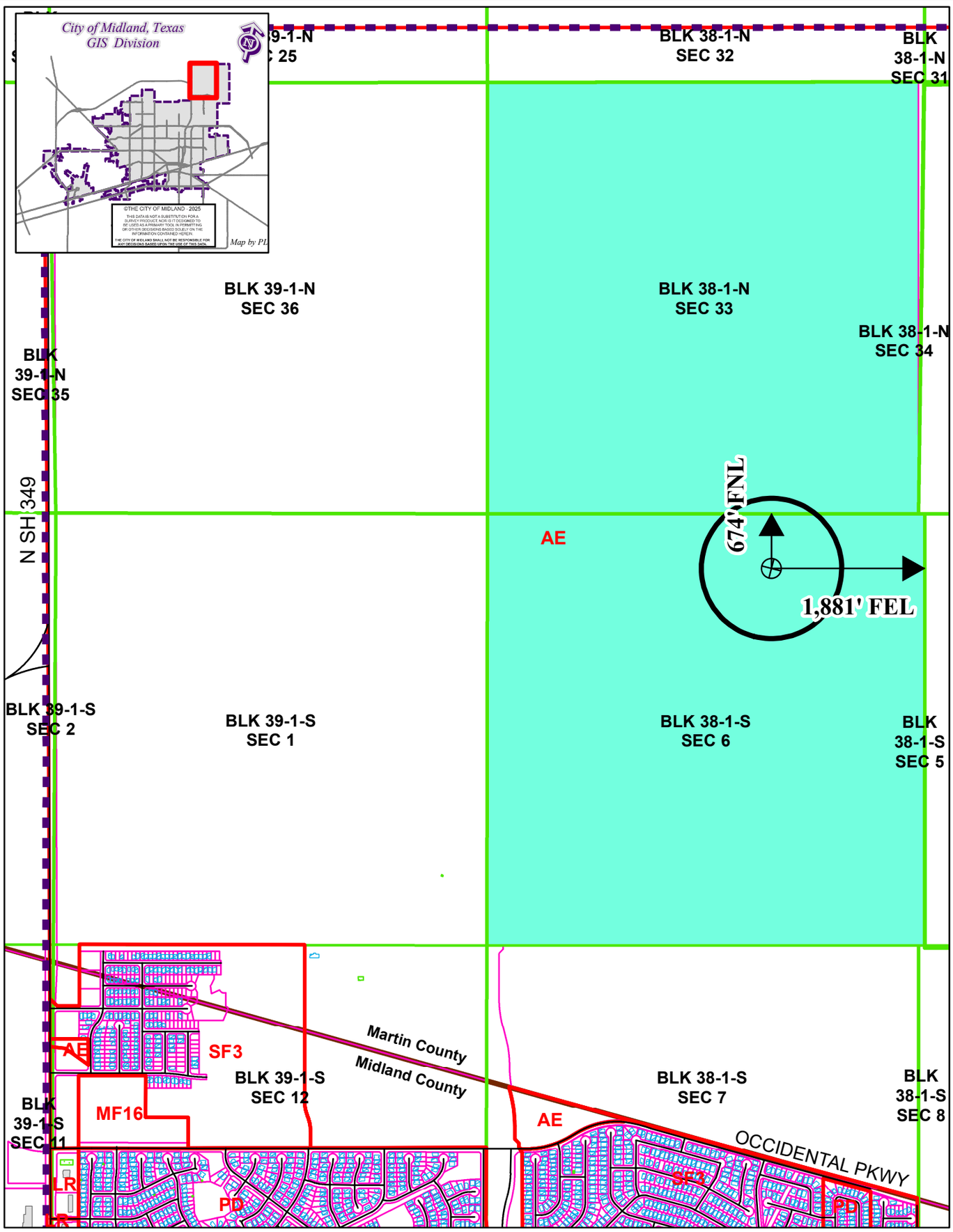
PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-BURLEY 6L-6V 712H-722H

LOCATED IN:
SECTION 6, BLOCK 38, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 671,
MARTIN COUNTY, TEXAS

I:\7000S\47474\884\SURV\CADD\SHEETS\EXHIBIT\047474.884_AERIAL_SITE_PLAN_EXHIBIT_E.DWG



LOCATION AND ZONING MAP

Oil-070256-2025 **Scale: 1" = 1500'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 674' FNL and 1,881' FEL, Section 6, Block 38-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 7,272 feet north of Occidental Pkwy and 8,860 feet east of SH 349.

Nail-Burley 6M 713H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
7/21/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	NOTE: All attachments need to bound and put in a binder before submitting.	Pages 1-4

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

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General Description of Current Surface Use (within 860 feet of proposed surface location):

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Currently undeveloped.

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IV. Well & Operations Information

Proposed Well Name: Nail-Burley 6M 714H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

674' FNL, 1861' FEL, Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas

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Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

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The water source used during drilling can be found on Exhibit N

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Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace 4/21/25
Its Laura Wallace Regulatory Advisor

State of Texas)

County of Dallas)

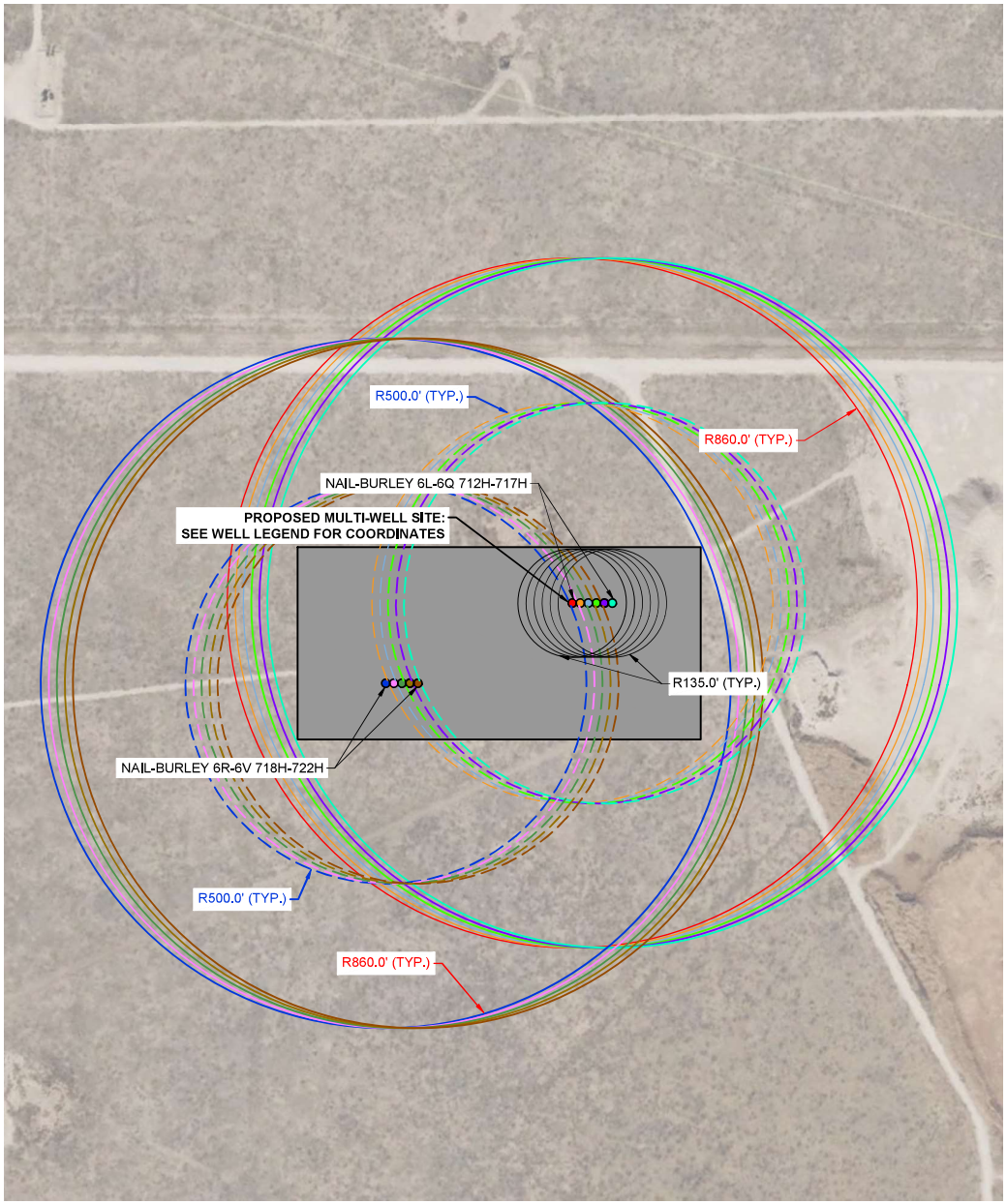
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

NAIL-BURLEY 6L 712H
674' FNL, 1901' FEL (SEC. 6)
SHL GROUND ELEVATION: 2831'
(NAD83)
X = 863256.4', Y = 6740319.4'
LAT.: 32°06'21.92", LON.: -102°04'11.61"
LAT.: 32.106088°, LON.: -102.069890°

NAIL-BURLEY 6M 713H
674' FNL, 1881' FEL (SEC. 6)
SHL GROUND ELEVATION: 2831'
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X = 863275.9', Y = 6740324.2'
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LAT.: 32.106103°, LON.: -102.069828°

NAIL-BURLEY 6N 714H
674' FNL, 1861' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
X = 863295.3', Y = 6740329.0'
LAT.: 32°06'22.03", LON.: -102°04'11.16"
LAT.: 32.106118°, LON.: -102.069766°

NAIL-BURLEY 6O 715H
674' FNL, 1841' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
X = 863314.7', Y = 6740333.7'
LAT.: 32°06'22.08", LON.: -102°04'10.93"
LAT.: 32.106133°, LON.: -102.069704°

NAIL-BURLEY 6P 716H
674' FNL, 1821' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
X = 863334.2', Y = 6740338.5'
LAT.: 32°06'22.13", LON.: -102°04'10.71"
LAT.: 32.106148°, LON.: -102.069642°

NAIL-BURLEY 6Q 717H
674' FNL, 1801' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
X = 863353.6', Y = 6740343.2'
LAT.: 32°06'22.19", LON.: -102°04'10.49"
LAT.: 32.106163°, LON.: -102.069579°

NAIL-BURLEY 6R 718H
876' FNL, 2364' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862852.2', Y = 6740014.9'
LAT.: 32°06'18.77", LON.: -102°04'16.18"
LAT.: 32.105214°, LON.: -102.071162°

NAIL-BURLEY 6S 719H
876' FNL, 2344' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862871.6', Y = 6740019.6'
LAT.: 32°06'18.82", LON.: -102°04'15.96"
LAT.: 32.105229°, LON.: -102.071100°

NAIL-BURLEY 6T 720H
876' FNL, 2324' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862891.0', Y = 6740024.4'
LAT.: 32°06'18.88", LON.: -102°04'15.73"
LAT.: 32.105244°, LON.: -102.071037°

NAIL-BURLEY 6U 721H
876' FNL, 2304' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862910.5', Y = 6740029.1'
LAT.: 32°06'18.93", LON.: -102°04'15.51"
LAT.: 32.105258°, LON.: -102.070975°

NAIL-BURLEY 6V 722H
876' FNL, 2284' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862929.9', Y = 6740033.9'
LAT.: 32°06'18.98", LON.: -102°04'15.29"
LAT.: 32.105273°, LON.: -102.070913°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/25/2025
BY: J. ALVAREZ
REV.: 05/16/2025 J. ALVAREZ
AVO: 047474.884

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-BURLEY 6L-6V 712H-722H

LOCATED IN:
SECTION 6, BLOCK 38, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 671,
MARTIN COUNTY, TEXAS

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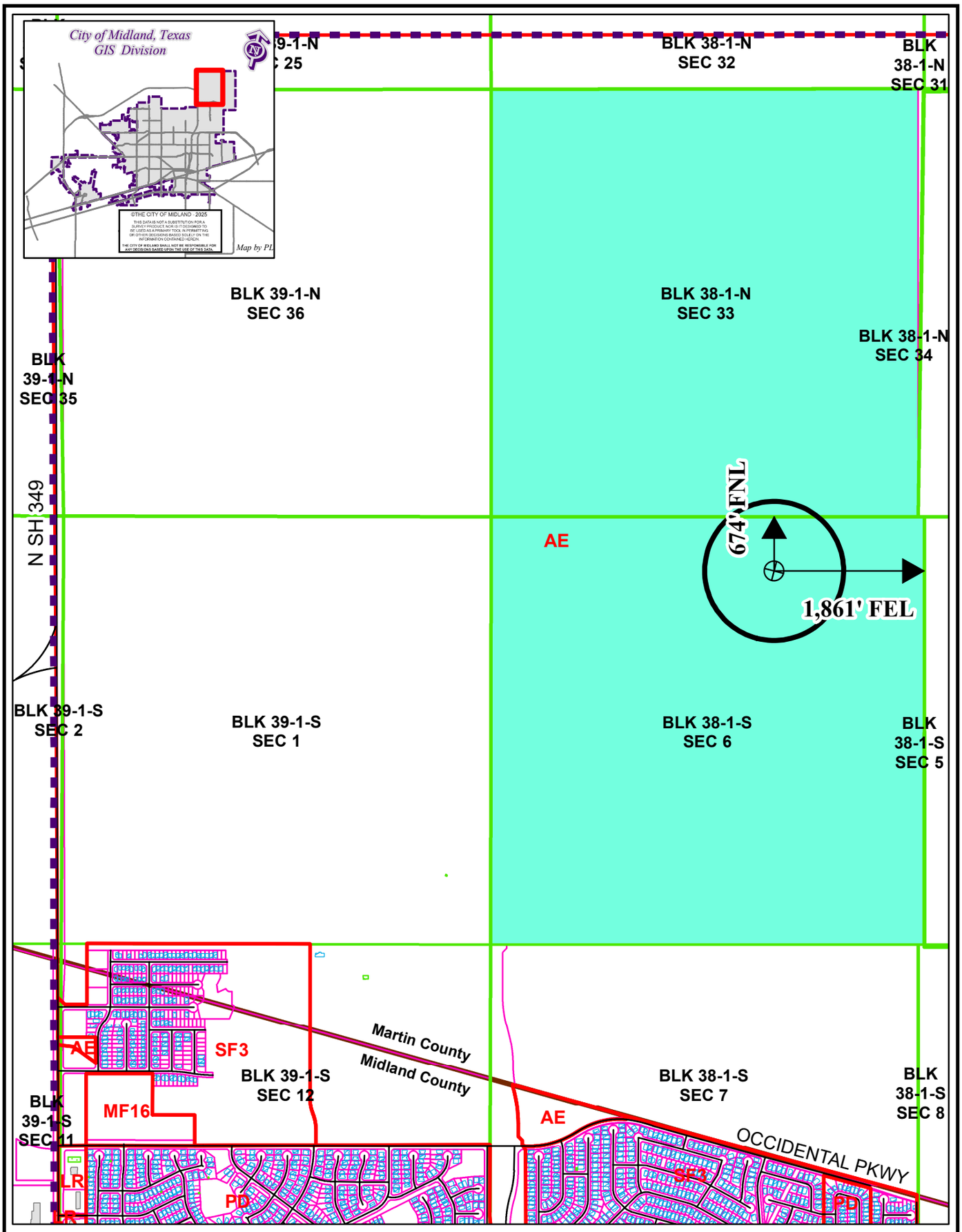


LOCATION AND ZONING MAP

Oil-070257-2025 **Scale: 1" = 1500'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 674' FNL and 1,861' FEL, Section 6, Block 38-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 7,272 feet north of Occidental Pkwy and 8,880 feet east of SH 349.

Nail-Burley 6N 714H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
7/21/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	NOTE: All attachments need to bound and put in a binder before submitting.	Pages 1-4

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other properties within 860' are: City of Midland (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Burley 6O 715H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

674' FNL, 1841' FEL, Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

Description of water source to be used during Drilling:

The water source used during drilling can be found on Exhibit N

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

The route for electric lines can be found on Exhibit N

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]:

Reserve pits will not be used. Freshwater pits will be used. Please see Exhibit O for closure details.

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* are Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by Applicant are current. [See § J(29)].**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan approved by the City Engineer relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

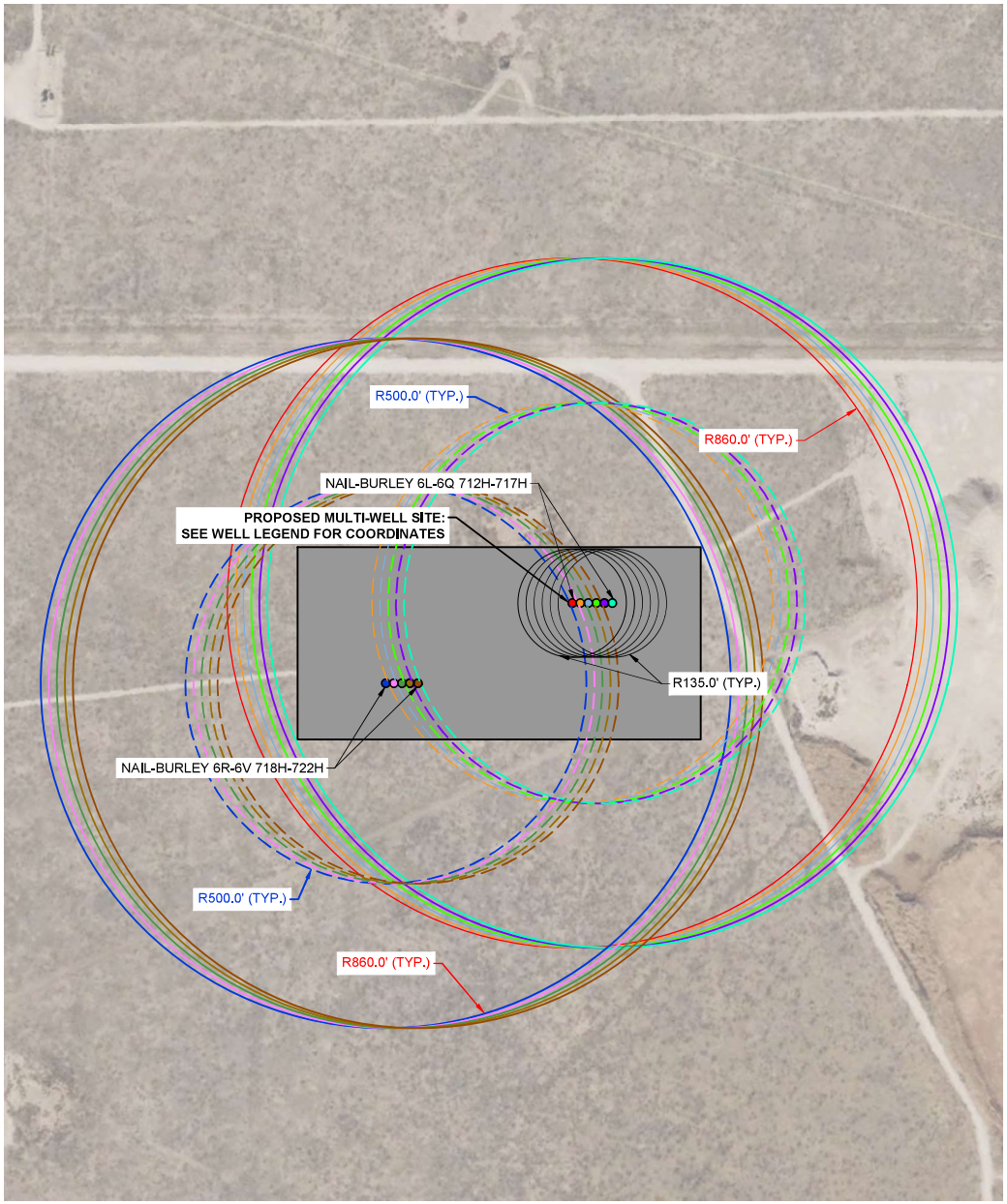
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

NAIL-BURLEY 6L 712H
674' FNL, 1901' FEL (SEC. 6)
SHL GROUND ELEVATION: 2831'
(NAD83)
X = 863256.4', Y = 6740319.4'
LAT.: 32°06'21.92", LON.: -102°04'11.61"
LAT.: 32.106088°, LON.: -102.069890°

NAIL-BURLEY 6M 713H
674' FNL, 1881' FEL (SEC. 6)
SHL GROUND ELEVATION: 2831'
(NAD83)
X = 863275.9', Y = 6740324.2'
LAT.: 32°06'21.97", LON.: -102°04'11.38"
LAT.: 32.106103°, LON.: -102.069828°

NAIL-BURLEY 6N 714H
674' FNL, 1861' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
X = 863295.3', Y = 6740329.0'
LAT.: 32°06'22.03", LON.: -102°04'11.16"
LAT.: 32.106118°, LON.: -102.069766°

NAIL-BURLEY 6O 715H
674' FNL, 1841' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
X = 863314.7', Y = 6740333.7'
LAT.: 32°06'22.08", LON.: -102°04'10.93"
LAT.: 32.106133°, LON.: -102.069704°

NAIL-BURLEY 6P 716H
674' FNL, 1821' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
X = 863334.2', Y = 6740338.5'
LAT.: 32°06'22.13", LON.: -102°04'10.71"
LAT.: 32.106148°, LON.: -102.069642°

NAIL-BURLEY 6Q 717H
674' FNL, 1801' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
X = 863353.6', Y = 6740343.2'
LAT.: 32°06'22.19", LON.: -102°04'10.49"
LAT.: 32.106163°, LON.: -102.069579°

NAIL-BURLEY 6R 718H
876' FNL, 2364' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862852.2', Y = 6740014.9'
LAT.: 32°06'18.77", LON.: -102°04'16.18"
LAT.: 32.105214°, LON.: -102.071162°

NAIL-BURLEY 6S 719H
876' FNL, 2344' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862871.6', Y = 6740019.6'
LAT.: 32°06'18.82", LON.: -102°04'15.96"
LAT.: 32.105229°, LON.: -102.071100°

NAIL-BURLEY 6T 720H
876' FNL, 2324' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862891.0', Y = 6740024.4'
LAT.: 32°06'18.88", LON.: -102°04'15.73"
LAT.: 32.105244°, LON.: -102.071037°

NAIL-BURLEY 6U 721H
876' FNL, 2304' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862910.5', Y = 6740029.1'
LAT.: 32°06'18.93", LON.: -102°04'15.51"
LAT.: 32.105258°, LON.: -102.070975°

NAIL-BURLEY 6V 722H
876' FNL, 2284' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862929.9', Y = 6740033.9'
LAT.: 32°06'18.98", LON.: -102°04'15.29"
LAT.: 32.105273°, LON.: -102.070913°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/25/2025
BY: J. ALVAREZ
REV.: 05/16/2025 J. ALVAREZ
AVO: 047474.884

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-BURLEY 6L-6V 712H-722H

LOCATED IN:
SECTION 6, BLOCK 38, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 671,
MARTIN COUNTY, TEXAS

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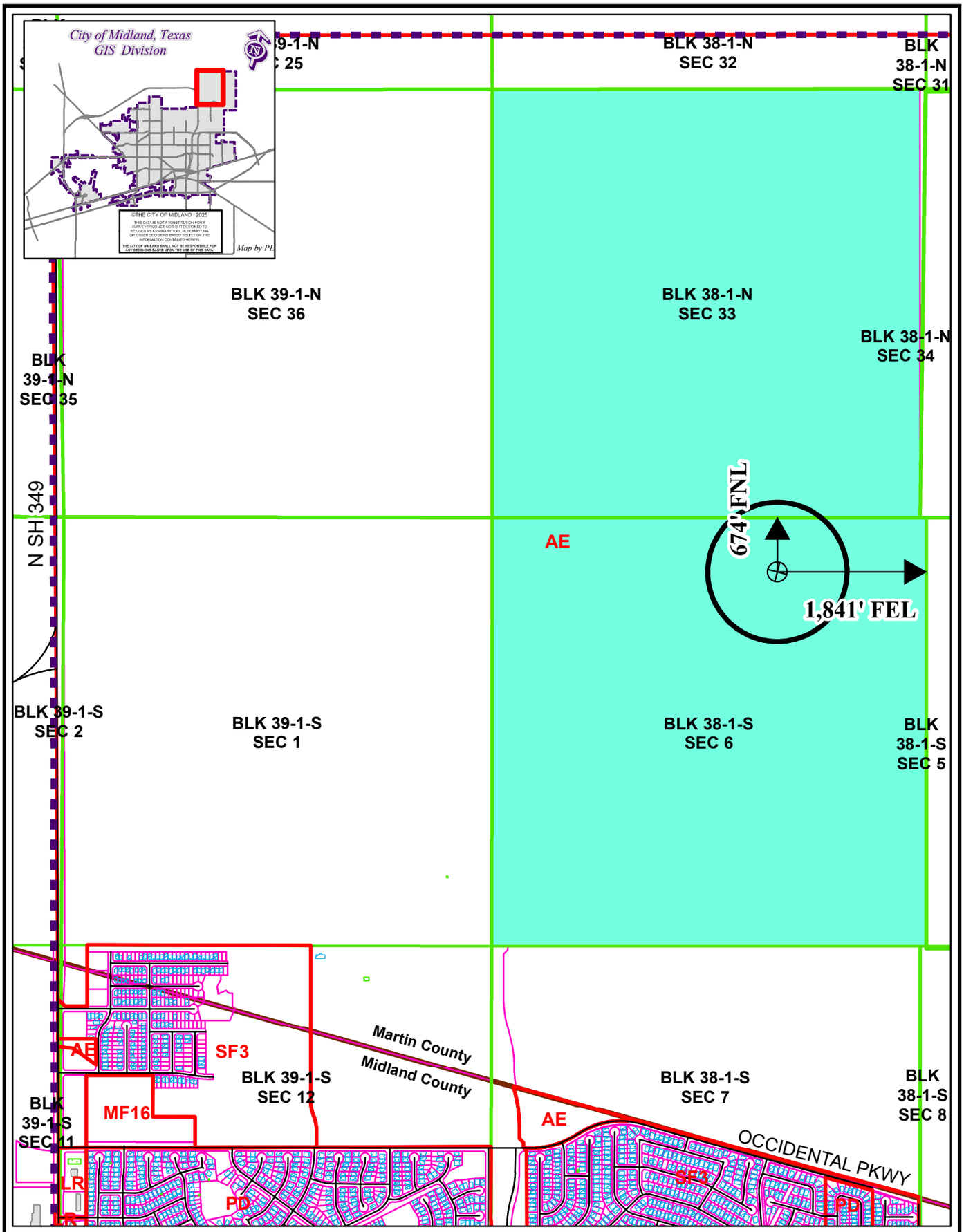

LOCATION AND ZONING MAP

Oil-070258-2025 **Scale: 1" = 1500'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 674' FNL and 1,841' FEL, Section 6, Block 38-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 7,272 feet north of Occidental Pkwy and 8,900 feet east of SH 349.

Nail-Burley 6O 715H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
7/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	NOTE: All attachments need to bound and put in a binder before submitting.	Pages 1-4

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other properties within 860' are: City of Midland (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Burley 6P 716H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

674' FNL, 1821' FEL, Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

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***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

Description of water source to be used during Drilling:

The water source used during drilling can be found on Exhibit N

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Reserve pits will not be used. Freshwater pits will be used. Please see Exhibit O for closure details.

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* are Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by Applicant are current. [See § J(29)].**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

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***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace Laura Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

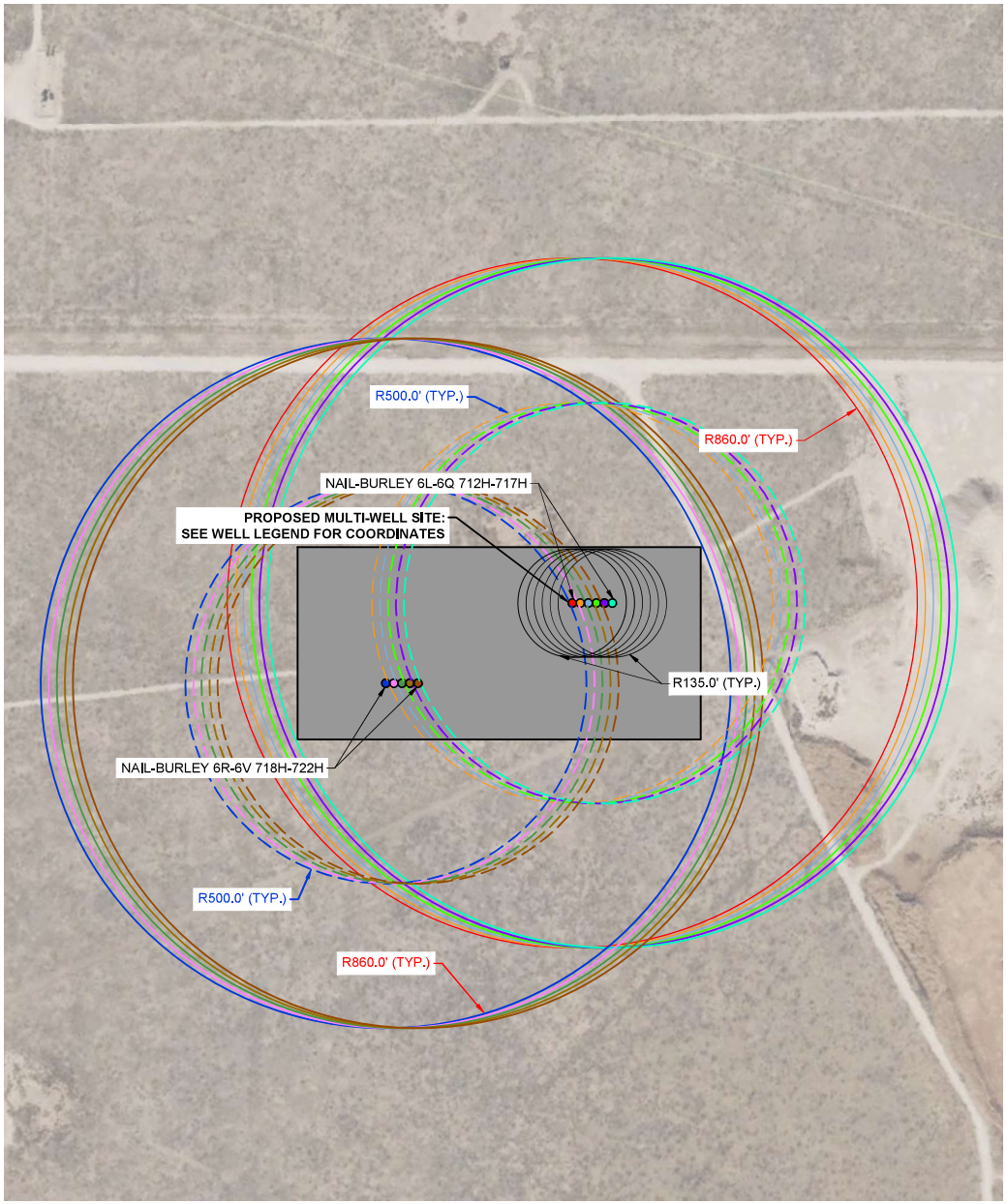
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

NAIL-BURLEY 6L 712H
674' FNL, 1901' FEL (SEC. 6)
SHL GROUND ELEVATION: 2831'
(NAD83)
X = 863256.4', Y = 6740319.4'
LAT.: 32°06'21.92", LON.: -102°04'11.61"
LAT.: 32.106088°, LON.: -102.069890°

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LAT.: 32.106133°, LON.: -102.069704°

NAIL-BURLEY 6P 716H
674' FNL, 1821' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
X = 863334.2', Y = 6740338.5'
LAT.: 32°06'22.13", LON.: -102°04'10.71"
LAT.: 32.106148°, LON.: -102.069642°

NAIL-BURLEY 6Q 717H
674' FNL, 1801' FEL (SEC. 6)
SHL GROUND ELEVATION: 2830'
(NAD83)
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LAT.: 32°06'22.19", LON.: -102°04'10.49"
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LAT.: 32°06'18.93", LON.: -102°04'15.51"
LAT.: 32.105258°, LON.: -102.070975°

NAIL-BURLEY 6V 722H
876' FNL, 2284' FEL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 862929.9', Y = 6740033.9'
LAT.: 32°06'18.98", LON.: -102°04'15.29"
LAT.: 32.105273°, LON.: -102.070913°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/25/2025
BY: J. ALVAREZ
REV.: 05/16/2025 J. ALVAREZ
AVO: 047474.884

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-BURLEY 6L-6V 712H-722H

LOCATED IN:
SECTION 6, BLOCK 38, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 671,
MARTIN COUNTY, TEXAS

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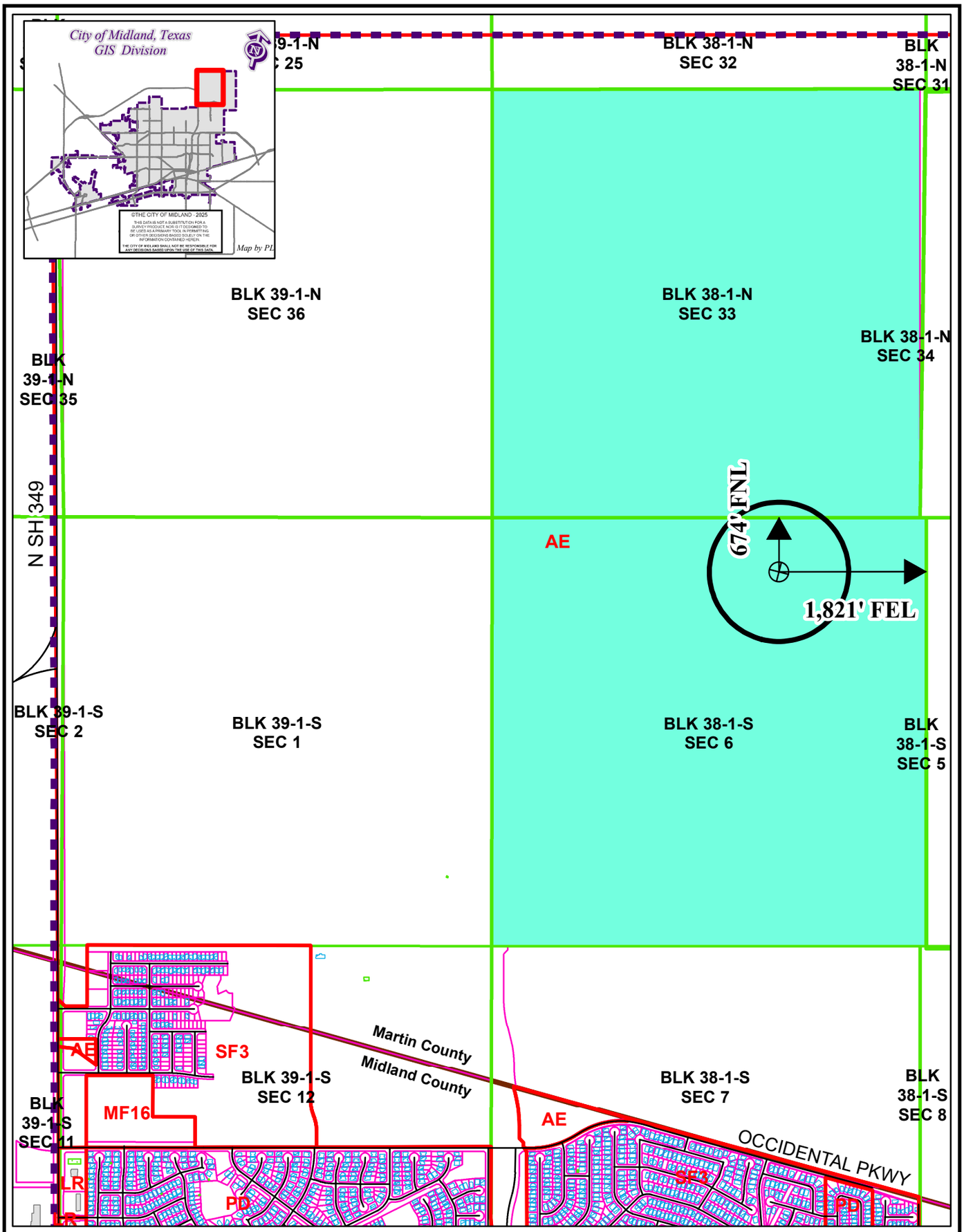

LOCATION AND ZONING MAP

Oil-070259-2025 **Scale: 1" = 1500'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 674' FNL and 1,821' FEL, Section 6, Block 38-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 7,272 feet north of Occidental Pkwy and 8,920 feet east of SH 349.

Nail-Burley 6P 716H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
7/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	NOTE: All attachments need to bound and put in a binder before submitting.	Pages 1-4

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other properties within 860' are: City of Midland (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Burley 6Q 717H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

674' FNL, 1801' FEL, Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

Description of water source to be used during Drilling:

The water source used during drilling can be found on Exhibit N

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

The route for electric lines can be found on Exhibit N

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]:

Reserve pits will not be used. Freshwater pits will be used. Please see Exhibit O for closure details.

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* are Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by Applicant are current. [See § J(29)].**

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Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace
Laura Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

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Notary Public, State of Texas

[S E A L]

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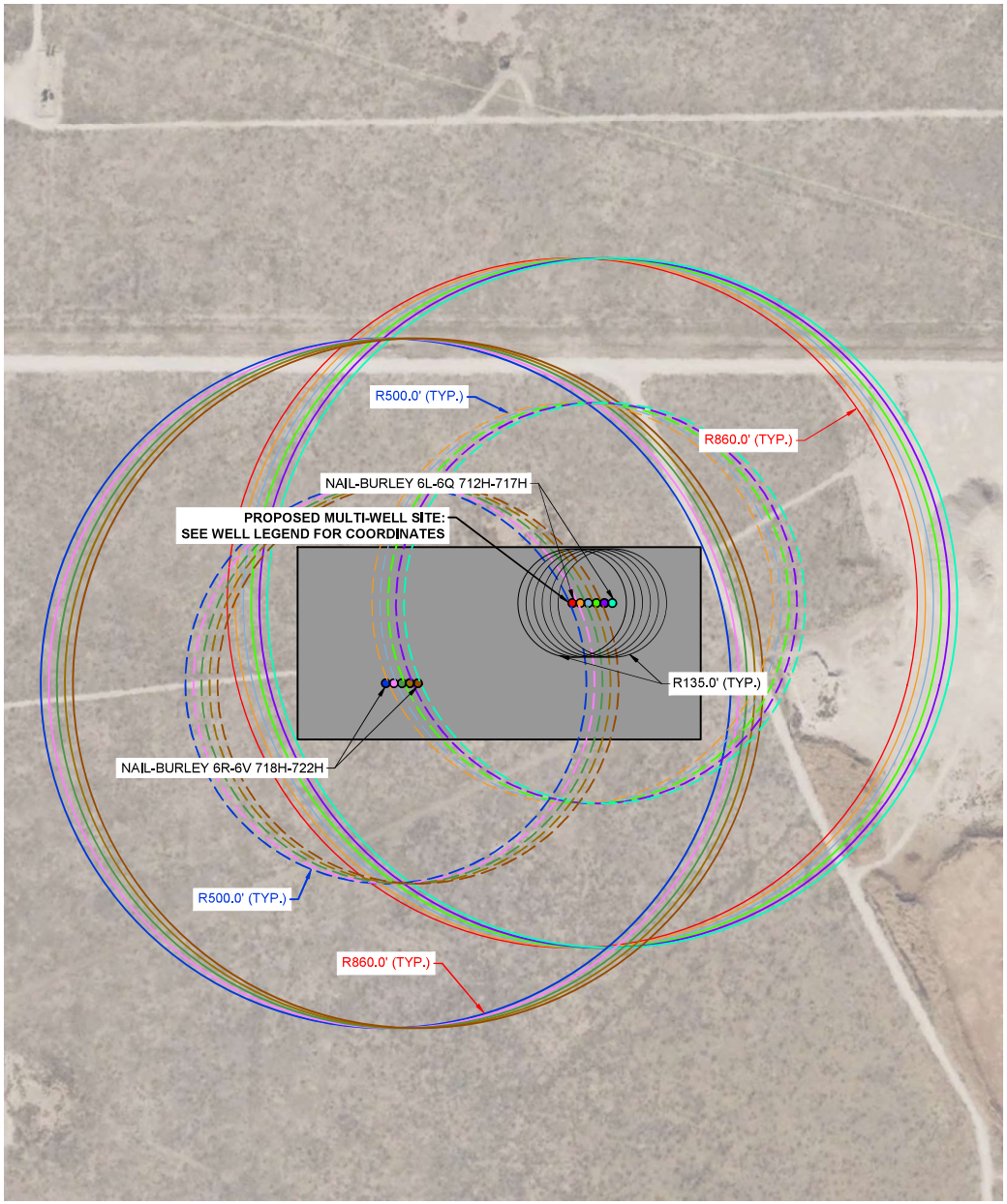

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LAT.: 32°06'18.93", LON.: -102°04'15.51"
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LAT.: 32°06'18.98", LON.: -102°04'15.29"
LAT.: 32.105273°, LON.: -102.070913°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

05/20/2025

N

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SCALE: 1" = 300'

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MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/25/2025
BY: J. ALVAREZ
REV.: 05/16/2025 J. ALVAREZ
AVO: 047474.884

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-BURLEY 6L-6V 712H-722H

LOCATED IN:
SECTION 6, BLOCK 38, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 671,
MARTIN COUNTY, TEXAS

PAGE 1 OF 2

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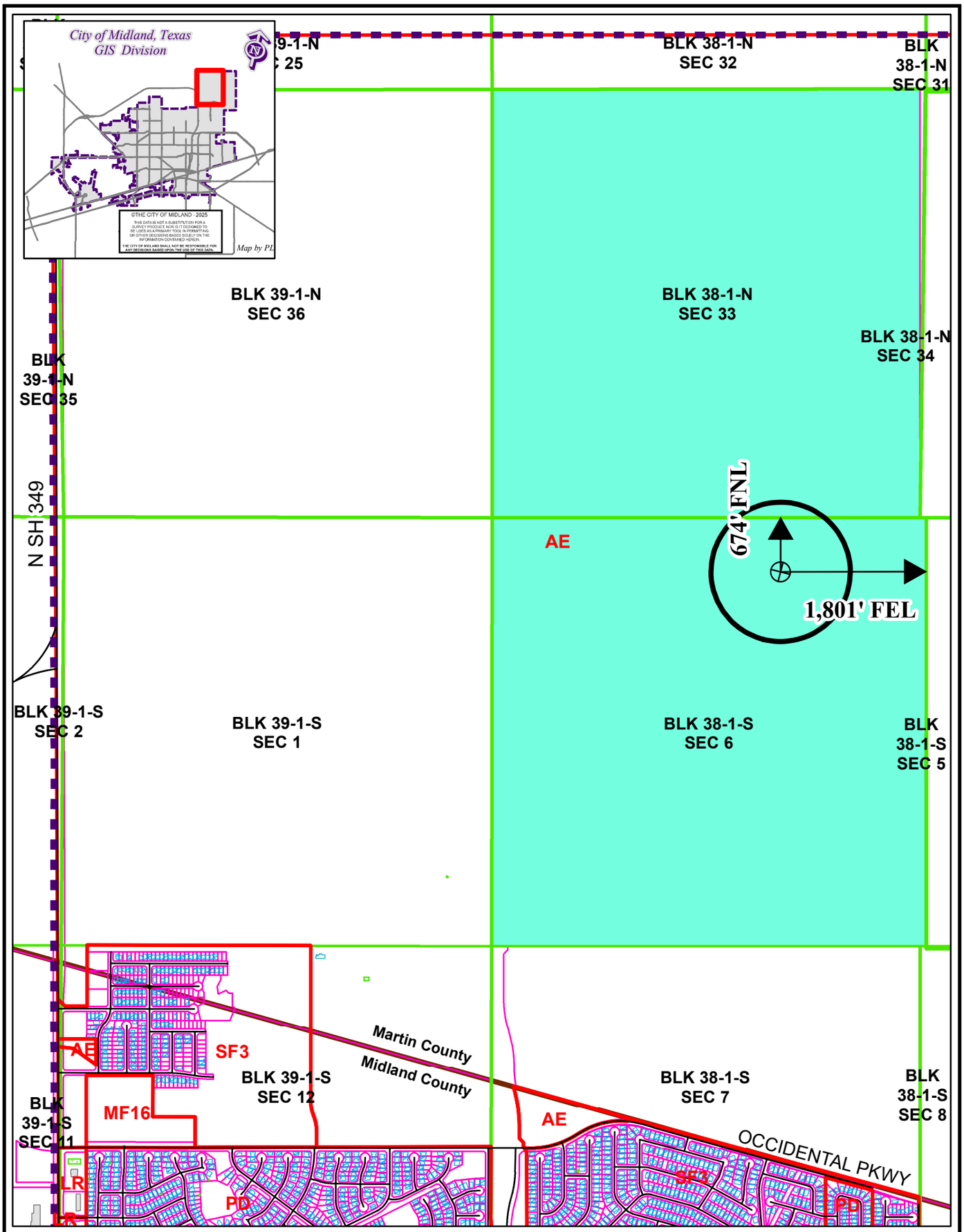

LOCATION AND ZONING MAP

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Generally located 7,272 feet north of Occidental Pkwy and 8,940 feet east of SH 349.

Nail-Burley 6Q 717H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

EXHIBIT A

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on October 14, 2025, considered the application of Pioneer Natural Resources, USA, Inc. ("Operator") dated July 1, 2025, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Nail-Burley 6L 712H oil and gas well shall be 674 feet from the north line and 1,901 feet from the east line, Section 6, Block 38, T-1-S, T&P RR Co. Survey, Martin County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from October 14, 2025 through October 14, 2026, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-ofway, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. No road repair agreement is required because no City streets will be used to access the well site.
2. No landscaping or irrigation is required.
3. Twenty-four hour hydraulic fracturing operations are permitted.
4. Drill cuttings may be removed from the surface location.
5. On-site compressors are allowed to be used for gas lift during the production phase.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of October 2025.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREE THIS _____day of October 2025.

Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

EXHIBIT B

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on October 14, 2025, considered the application of Pioneer Natural Resources, USA, Inc. ("Operator") dated July 1, 2025, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Nail-Burley 6M 713H oil and gas well shall be 674 feet from the north line and 1,881 feet from the east line, Section 6, Block 38, T-1-S, T&P RR Co. Survey, Martin County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from October 14, 2025 through October 14, 2026, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This permit does not in any way restrict

the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-ofway, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. No road repair agreement is required because no City streets will be used to access the well site.
2. No landscaping or irrigation is required.
3. Twenty-four hour hydraulic fracturing operations are permitted.
4. Drill cuttings may be removed from the surface location.
5. On-site compressors are allowed to be used for gas lift during the production phase.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of October 2025.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREE THIS _____day of October 2025.

Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

EXHIBIT C

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on October 14, 2025, considered the application of Pioneer Natural Resources, USA, Inc. ("Operator") dated July 1, 2025, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Nail-Burley 6N 714H oil and gas well shall be 674 feet from the north line and 1,861 feet from the east line, Section 6, Block 38, T-1-S, T&P RR Co. Survey, Martin County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from October 14, 2025 through October 14, 2026, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity

as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-ofway, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. No road repair agreement is required because no City streets will be used to access the well site.
2. No landscaping or irrigation is required.
3. Twenty-four hour hydraulic fracturing operations are permitted.
4. Drill cuttings may be removed from the surface location.
5. On-site compressors are allowed to be used for gas lift during the production phase.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of October 2025.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREE THIS _____day of October 2025.

Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

EXHIBIT D

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on October 14, 2025, considered the application of Pioneer Natural Resources, USA, Inc. ("Operator") dated July 1, 2025, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Nail-Burley 6O 715H oil and gas well shall be 674 feet from the north line and 1,841 feet from the east line, Section 6, Block 38, T-1-S, T&P RR Co. Survey, Martin County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from October 14, 2025 through October 14, 2026, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity

as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

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OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-ofway, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. No road repair agreement is required because no City streets will be used to access the well site.
2. No landscaping or irrigation is required.
3. Twenty-four hour hydraulic fracturing operations are permitted.
4. Drill cuttings may be removed from the surface location.
5. On-site compressors are allowed to be used for gas lift during the production phase.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of October 2025.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREE THIS _____day of October 2025.

Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

EXHIBIT E

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on October 14, 2025, considered the application of Pioneer Natural Resources, USA, Inc. ("Operator") dated July 1, 2025, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

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The location of Operator's Nail-Burley 6P 716H oil and gas well shall be 674 feet from the north line and 1,821 feet from the east line, Section 6, Block 38, T-1-S, T&P RR Co. Survey, Martin County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

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1. No road repair agreement is required because no City streets will be used to access the well site.
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GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of October 2025.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREE THIS _____day of October 2025.

Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

EXHIBIT F

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on October 14, 2025, considered the application of Pioneer Natural Resources, USA, Inc. ("Operator") dated July 1, 2025, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Nail-Burley 6Q 717H oil and gas well shall be 674 feet from the north line and 1,801 feet from the east line, Section 6, Block 38, T-1-S, T&P RR Co. Survey, Martin County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from October 14, 2025 through October 14, 2026, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This permit does not in any way restrict

the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-ofway, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. No road repair agreement is required because no City streets will be used to access the well site.
2. No landscaping or irrigation is required.
3. Twenty-four hour hydraulic fracturing operations are permitted.
4. Drill cuttings may be removed from the surface location.
5. On-site compressors are allowed to be used for gas lift during the production phase.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of October 2025.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

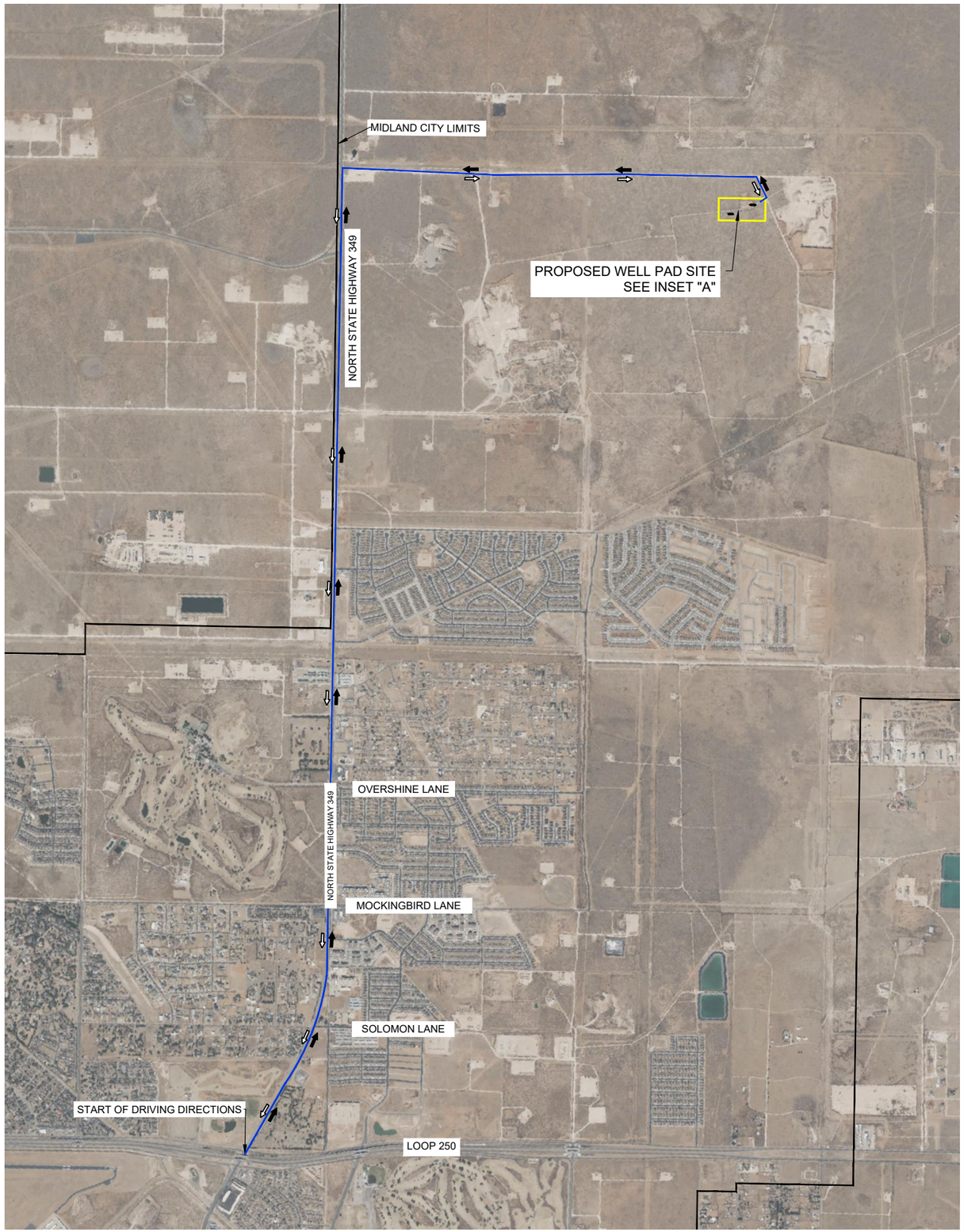
UNDERSTOOD AND AGREE THIS _____day of October 2025.

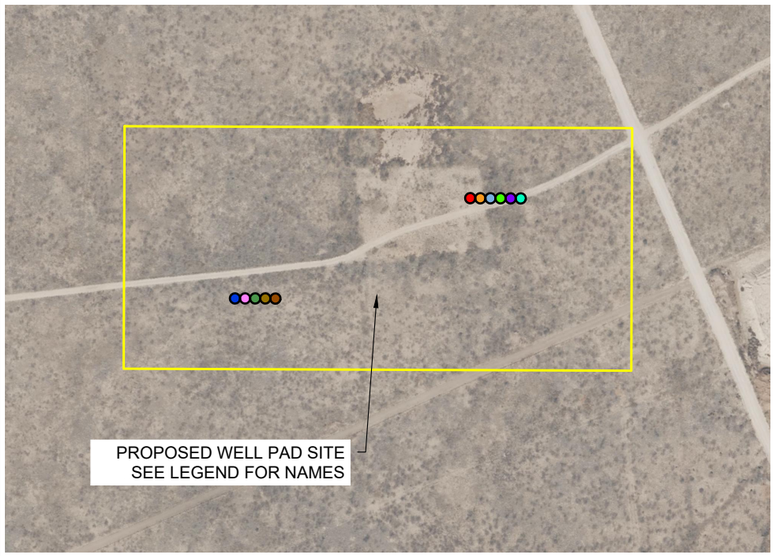
Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor





INSET "A"
SCALE: 1' = 300'

LEGEND

- NAIL-BURLEY 6L 712H
- NAIL-BURLEY 6M 713H
- NAIL-BURLEY 6N 714H
- NAIL-BURLEY 6O 715H
- NAIL-BURLEY 6P 716H
- NAIL-BURLEY 6Q 717H
- NAIL-BURLEY 6R 718H
- NAIL-BURLEY 6S 719H
- NAIL-BURLEY 6T 720H
- NAIL-BURLEY 6U 721H
- NAIL-BURLEY 6V 722H
- TRANSPORTATION ROUTE
- CITY LIMIT LINE
- SITE ACCESS - EXITING
- SITE ACCESS - ENTERING

N

DRIVING DIRCETIONS:

GO NORTH ON STATE HIGH 349 FOR 3.23 MILES. THEN TURN EAST ON TO LEASE ROAD AT THE WEIGH STATION FOR 1.69 MILES.

NOTE:

PIONEER IS AWARE OF THE ROW TO THE NORTH OF PROPOSED PAD LOCATIONS, ONCE THAT HAS BEEN CONTRUCTED THE CITY WILL NEED TO REASSESS THIS TRANPORTATION ROUTE.

NOTES:
1. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.
2. ANY ADJACENT WELLS ARE BASED SOLELY OFF RAILROAD COMMISSION (RRC) RECORDS AND ACCURACY CANNOT BE GUARANTEED.
3. ANY LEASE INFORMATION DEPICTED IS PROVIDED BY THE CLIENT.
4. WELL LOCATION IS APPROXIMATELY 2.8 MILES NORTH/ NORTHEAST OF MIDLAND, TEXAS.

halff

DATE: 03/06/2025
BY: C. KUTYBA
AVO: 47474.884

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "H"
TRANSPORTATION ROUTE

NAIL-BURLEY 6L-6V 712H-722H

LOCATED IN:
SECTION 6, BLOCK 38, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 671,
MARTIN COUNTY, TEXAS

A:\47000s\47474\884\SURV\CADD\Sheets\EXHIBIT\Transportation Route\047474.884_NAIL-BURLEY_6L_6V_712H-722H_TRANS_ROUTE.dwg

NOTES:
1. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.
2. ANY ADJACENT WELLS ARE BASED SOLELY OFF RAILROAD COMMISSION (RRC) RECORDS AND ACCURACY CANNOT BE GUARANTEED.
3. ANY LEASE INFORMATION DEPICTED IS PROVIDED BY THE CLIENT.
4. WELL LOCATIONS ARE APPROXIMATELY 7.0 MILES NORTH OF MIDLAND, TEXAS.

EXISTING WELL SITE NAIL "33" #6

EXISTING WELL SITE NAIL "33" #7

LEASE ROADS

EXISTING WELL SITE NAIL "33" #8

2835

LEASE ROADS

CALICHE PIT

2830

GENERAL COORDINATES FOR MULTI-WELL SITE:
NAD83-TX-NORTH CENTRAL
N: 6740319.5'
E: 863256.4'
LAT: 32.106089°
LON: -102.069888°

PROPOSED WELL LOCATION SEE LEGEND FOR NAME

PROPOSED WELL LOCATION SEE LEGEND FOR NAME

LEASE ROADS

LEASE ROADS

LEGEND

- NAIL-BURLEY 6L 712H
- NAIL-BURLEY 6M 713H
- NAIL-BURLEY 6N 714H
- NAIL-BURLEY 6O 715H
- NAIL-BURLEY 6P 716H
- NAIL-BURLEY 6Q 717H
- NAIL-BURLEY 6R 718H
- NAIL-BURLEY 6S 719H
- NAIL-BURLEY 6T 720H
- NAIL-BURLEY 6U 721H
- NAIL-BURLEY 6V 722H
- PROPOSED WELL PAD SITE
- CONTOURS

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

Hunter Wade Wills
03/28/2025

N

0' 300' 600

SCALE: 1" = 300'

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998

DATE: 2/25/2025
BY: J. ALVAREZ
AVO: 047474.884

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "G"
TOPOGRAPHIC FEATURES

NAIL-BURLEY 6L-6V 712H-722H

LOCATED IN:
SECTION 6, BLOCK 38, TOWNSHIP-1-SOUTH, T.&P. R.R. CO. SURVEY, ABSTRACT No. 671, MARTIN COUNTY, TEXAS

A:\47000S\47474\884\SURV\CADD\SHEETS\EXHIBIT\047474.884_TOPO_FEATURES_EXHIBIT_G.DWG

City Council Meeting

Item Number: 14.
Meeting Date: October 14, 2025
To: City Council
From: Garrick Clayton, Oil and Gas Officer
Subject: **RESOLUTION APPROVING THE ISSUANCE OF PERMITS TO PIONEER NATURAL RESOURCES, USA, INC. TO DRILL FIVE OIL AND GAS WELLS LOCATED IN SECTION 6, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MARTIN COUNTY, TEXAS (GENERALLY LOCATED BETWEEN 3,908 FEET AND 3,988 FEET EAST OF STATE HIGHWAY 349 AND 6,939 FEET NORTH OF OCCIDENTAL PARKWAY); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT**

Purpose:
Resolution approving the issuance of permits to Pioneer Natural Resources, USA, Inc. ("Operator") for the drilling of the following oil and gas wells: NAIL-TILLMAN E1G 507H; NAIL-TILLMAN E1H 508H; NAIL-TILLMAN E1I 509H; NAIL-TILLMAN E1J 510H; and NAIL-TILLMAN E1K 511H; said wells being generally located 6,939 feet north of Occidental Parkway and between 3,908 feet and 3,988 feet east of State Highway 349. The required 30-day public comment has passed, and the Council may consider this request. No notices of objection received.

Recommended Action:
Approve

Fiscal Impact:
There is no cost to the City to process this application.

Strategic Priority:
SET THE STANDARD FOR A SAFE AND SECURE CITY

Discussion:
The Oil and Gas Advisory Committee has reviewed the well sites in detail and recommends approval. Pioneer Natural Resources, USA Inc. will be using a 24' sound barrier along the entire length of the south side of the pad with the remaining 3 sides facing undeveloped land and oil field which will remain for the duration of drilling and fracing. A quiet type frac system will be used to complete the wells. A closed loop system will be used during drilling operations so no reserve pits will be used and drill cuttings will be removed from the property. The use of compression is requested which will also be behind sound dampening enclosures. The Tank Battery for these wells will be located in the county. Pioneer Natural Resources, USA Inc. is requesting the following variances:

1. No Road Repair Agreement be required because no City streets will be used to access the well site.

2. No landscaping or irrigation be required due to no access to city water.

3. Twenty-four hour hydraulic fracturing operations be permitted.

4. Drill cuttings be allowed to be removed from the surface location.

5. Allow for compressors to be used for gas lift during the production phase Attachments: Applications; Location maps; Exhibit - Drill site map, Exhibit – Flow Line Location.

Attachments:

A. RESOLUTION W/ EXH - Pioneer - SH 349 (5 Nail-Tillman Wells pt 3) - Approve Permits; Waive RR Agreement Reso w Exh
B. Nail-Tillman E1G 507H Permit Application
C. Nail-Tillman E1G 507H Drill Site Map
D. Nail-Tillman E1G 507H Location Map
E. Nail-Tillman E1H 508H Permit Application
F. Nail-Tillman E1H 508H Drill Site Map
G. Nail-Tillman E1H 508H Location Map
H. Nail-Tillman E1I 509H Permit Application
I. Nail-Tillman E1I 509H Drill Site Map
J. Nail-Tillman E1I 509H Location Map
K. Nail-Tillman E1J 510H Permit Application
L. Nail-Tillman E1J 510H Drill Site Map
M. Nail-Tillman E1J 510H Location Map
N. Nail-Tillman E1K 511H Permit Application
O. Nail-Tillman E1K 511H Drill Site Map
P. Nail-Tillman E1K 511H Location Map
Q. Nail-Tillman E1G 507H Permit
R. Nail-Tillman E1H 508H Permit
S. Nail-Tillman E1I 509H Permit
T. Nail-Tillman E1J 510H Permit
U. Nail-Tillman E1K 511H Permit
V. Nail-Tillman E1 500s Exhibit H Transportation Route
W. Nail-Tillman Overall Location Map

Liliana Morales, Development Services - Oil and Gas	Created/Initiated - 9/24/2025
Garrick Clayton, Development Services - Oil and Gas	Approved - 9/24/2025
Elizabeth Triggs, Development Services	Approved - 10/3/2025
Linda Ochoa, Legal	Approved - 10/5/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Rachel Guentensberger, City Secretary	Final Approval - 10/7/2025

RESOLUTION NO. _____

RESOLUTION APPROVING THE ISSUANCE OF PERMITS TO PIONEER NATURAL RESOURCES, USA, INC. TO DRILL FIVE OIL AND GAS WELLS LOCATED IN SECTION 6, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MARTIN COUNTY, TEXAS (GENERALLY LOCATED BETWEEN 3,908 FEET AND 3,988 FEET EAST OF STATE HIGHWAY 349 AND 6,939 FEET NORTH OF OCCIDENTAL PARKWAY); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT

WHEREAS, on December 8, 2009, the City Council of the City of Midland duly approved Ordinance No. 8769 which amended Title VI, "Police Regulations," Chapter 1, "General Offenses," of the City Code of Midland, Texas, so as to establish Section 23, "Oil and Gas Well Permits issued on or after January 1, 2010," which governs the granting or rejecting of Oil and Gas Well Permits; and

WHEREAS, the purpose of said section is to establish reasonable and uniform limitations, safeguards, and regulations for present and future operations related to the exploring, drilling, developing, producing, transporting and storing of oil or gas or other substances produced in association with oil and gas within the City of Midland to protect the health, safety, and general welfare of the public and the orderly development of the City of Midland; abate or prevent potential public nuisances; minimize the potential adverse impact to surface and mineral owners, protect the quality of the environment and encourage the orderly production of available mineral resources; and

WHEREAS, Section 6-1-23(C) of the City Code of Midland, Texas, makes it an offense to knowingly drill or participate in the drilling of any well or to re-enter any well within the corporate limits of the City of Midland without a permit having first been issued by the authority of the City Council; and

WHEREAS, Pioneer Natural Resources, USA, Inc. ("Operator") has submitted applications to the City of Midland to drill oil and gas wells on the property described in Section Two hereof; and

WHEREAS, notice of the public hearing on this matter was provided in accordance with Section 6-1-23(H)(1) and a public hearing was held on September 9, 2025; and

WHEREAS, subsequent to said public hearing, and in accordance with Section 6-1-23(H)(1), the City Council allowed the public and Operator thirty (30) days to submit written input to the City Manager regarding Operator's applications to drill oil and gas wells on the property described in Section Two hereof; and

WHEREAS, the City Council has considered those issues set forth in Section 6-1-23(I) in determining whether to grant or deny permits to Operator to drill oil and gas wells on the property described in Section Two hereof; and

WHEREAS, the City Council finds it to be in the public interest to approve the issuance of permits to Operator to drill oil and gas wells on the property described in Section Two hereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the above recitals are hereby adopted and approved by the City Council of the City of Midland.

SECTION TWO. That the Mayor is hereby authorized and directed to execute permits, on behalf of the City of Midland, that will allow Operator to drill the following oil and gas wells:

> Nail-Tillman E1G 507H; Nail-Tillman E1H 508H; Nail-Tillman E1I 509H; NAIL-Nail-Tillman E1J 510H; and Nail-Tillman E1K 511H;

located in Section 6, Block 38, T-1-S, T&P RR Co. Survey, City of Midland, Martin County, Texas. Said permits shall be in forms substantially similar to those attached hereto as Exhibits A through E and incorporated herein for all legal purposes.

SECTION THREE. That the requirement of a Road Repair Agreement between Operator and the City of Midland is hereby waived in regard to said permits.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2025, by the following vote:

Council members voting "AYE":

Council members voting “NAY”:

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

EXHIBIT A

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on October 14, 2025, considered the application of Pioneer Natural Resources, USA, Inc. ("Operator") dated July 1, 2025, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Nail-Tillman E1G 507H oil and gas well shall be 850 feet from the north line and 1,467 feet from the east line, Section 6, Block 38, T-1-S, T&P RR Co. Survey, Martin County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from October 14, 2025 through October 14, 2026, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

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A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. No road repair agreement is required because no City streets will be used to access the well site.
2. No landscaping or irrigation is required.
3. Twenty-four hour hydraulic fracturing operations are permitted.
4. Drill cuttings may be removed from the surface location.
5. On-site compressors are allowed to be used for gas lift during the production phase.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of October 2025.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREE THIS _____day of October 2025.

Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

EXHIBIT B

OIL AND GAS WELL PERMIT

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The location of Operator's Nail-Tillman E1H 508H oil and gas well shall be 850 feet from the north line and 1,447 feet from the east line, Section 6, Block 38, T-1-S, T&P RR Co. Survey, Martin County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

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A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

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Sound walls shall be used during drilling and completion operations as noted in the application.

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CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREE THIS _____day of October 2025.

Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

EXHIBIT C

OIL AND GAS WELL PERMIT

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The location of Operator's Nail-Tillman E1I 509H oil and gas well shall be 849 feet from the north line and 1,427 feet from the east line, Section 6, Block 38, T-1-S, T&P RR Co. Survey, Martin County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

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Pioneer Natural Resources, USA, Inc.

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Laura Wallace,

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EXHIBIT D

OIL AND GAS WELL PERMIT

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Pioneer Natural Resources, USA, Inc.

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Laura Wallace,

Regulatory Specialist Advisor

EXHIBIT E

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Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
7/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	NOTE: All attachments need to bound and put in a binder before submitting.	Pages 1-4

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other properties within 860' are: City of Midland (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Tillman E1G 507H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

850' FNL, 1467' FEL, Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

Description of water source to be used during Drilling:

The water source used during drilling can be found on Exhibit N

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

The route for electric lines can be found on Exhibit N

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]:

Reserve pits will not be used. Freshwater pits will be used. Please see Exhibit O for closure details.

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* are Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by Applicant are current. [See § J(29)].**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

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***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

_____

[NAME OF COMPANY]

By _____

Its _____

State of _____)

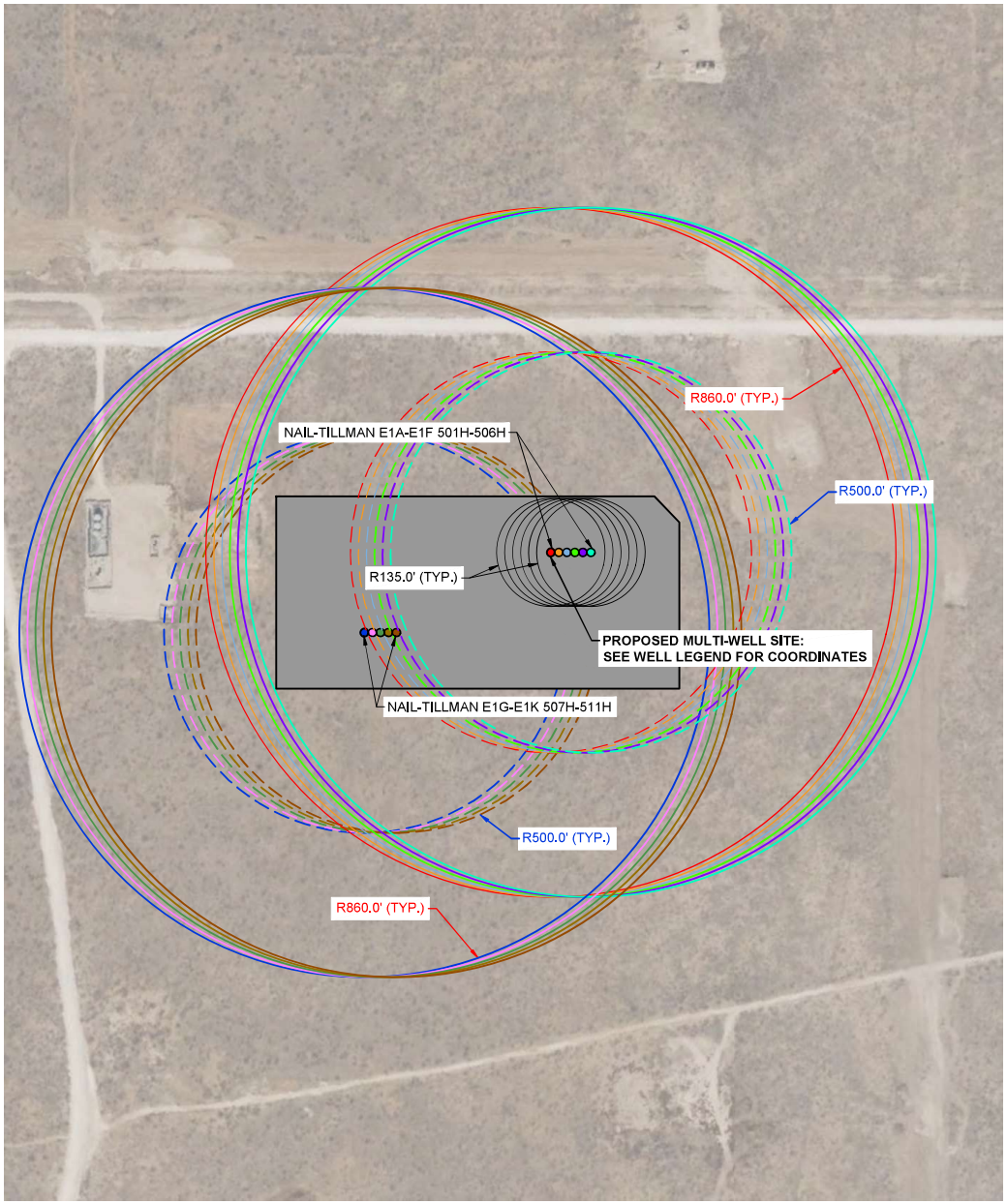
County of _____)

, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

_____

Notary Public, State of_____

[S E A L]



WELL LEGEND

NAIL-TILLMAN E1A 501H
647' FNL, 1004' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858905.7', Y = 6739308.2'
LAT.: 32°06'10.45", LON.: -102°05'01.76"
LAT.: 32.102903°, LON.: -102.083821°

NAIL-TILLMAN E1B 502H
647' FNL, 984' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858925.1', Y = 6739312.9'
LAT.: 32°06'10.50", LON.: -102°05'01.53"
LAT.: 32.102918°, LON.: -102.083759°

NAIL-TILLMAN E1C 503H
646' FNL, 964' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858944.5', Y = 6739317.7'
LAT.: 32°06'10.56", LON.: -102°05'01.31"
LAT.: 32.102933°, LON.: -102.083697°

NAIL-TILLMAN E1D 504H
646' FNL, 944' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858963.9', Y = 6739322.4'
LAT.: 32°06'10.61", LON.: -102°05'01.08"
LAT.: 32.102948°, LON.: -102.083635°

NAIL-TILLMAN E1E 505H
646' FNL, 924' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858983.4', Y = 6739327.1'
LAT.: 32°06'10.67", LON.: -102°05'00.86"
LAT.: 32.102963°, LON.: -102.083572°

NAIL-TILLMAN E1F 506H
646' FNL, 904' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 859002.8', Y = 6739331.9'
LAT.: 32°06'10.72", LON.: -102°05'00.64"
LAT.: 32.102977°, LON.: -102.083510°

NAIL-TILLMAN E1G 507H
850' FNL, 1467' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858501.4', Y = 6739003.6'
LAT.: 32°06'07.30", LON.: -102°05'06.33"
LAT.: 32.102029°, LON.: -102.085092°

NAIL-TILLMAN E1H 508H
850' FNL, 1447' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858520.8', Y = 6739008.3'
LAT.: 32°06'07.36", LON.: -102°05'06.11"
LAT.: 32.102043°, LON.: -102.085030°

NAIL-TILLMAN E1I 509H
849' FNL, 1427' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858540.3', Y = 6739013.1'
LAT.: 32°06'07.41", LON.: -102°05'05.88"
LAT.: 32.102058°, LON.: -102.084968°

NAIL-TILLMAN E1J 510H
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SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858559.7', Y = 6739017.8'
LAT.: 32°06'07.46", LON.: -102°05'05.66"
LAT.: 32.102073°, LON.: -102.084906°

NAIL-TILLMAN E1K 511H
849' FNL, 1387' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858579.1', Y = 6739022.5'
LAT.: 32°06'07.52", LON.: -102°05'05.44"
LAT.: 32.102088°, LON.: -102.084844°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

Hunter Wade Wills
05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/24/2025
BY: J. ALVAREZ
REV.: 5/15/2025 J. ALVAREZ
AVO: 047474.872

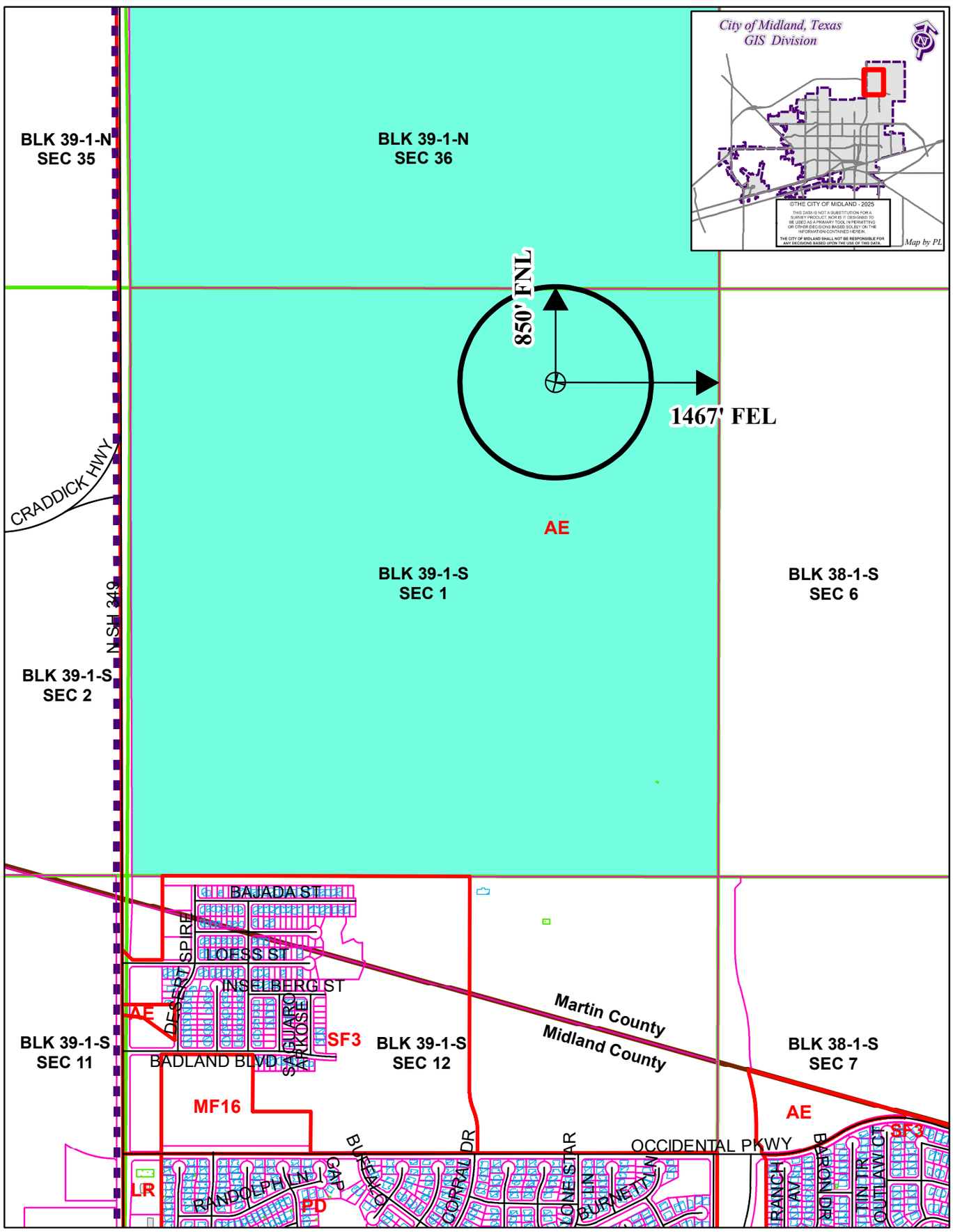
PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-TILLMAN E1A-E1K 501H-511H

LOCATED IN:
SECTION 1, BLOCK 39, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 314,
MARTIN COUNTY, TEXAS

J:\7000S\47474\872\SURV\CADD\SHEETS\EXHIBIT\047474.872_AERIAL_SITE_PLAN_EXHIBIT_E.DWG



LOCATION AND ZONING MAP

Oil-070250-2025 **Scale: 1" = 1,100'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 850' FNL and 1,467' FEL, Section 1, Block 39-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 6,939 feet north of Occidental Pkwy and 3,908 feet east of SH 349.

Nail-Tillman E1G 507H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
7/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	NOTE: All attachments need to bound and put in a binder before submitting.	Pages 1-4

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

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Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other properties within 860' are: City of Midland (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Tillman E1H 508H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

850' FNL, 1447' FEL, Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

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(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

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Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace
Laura Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

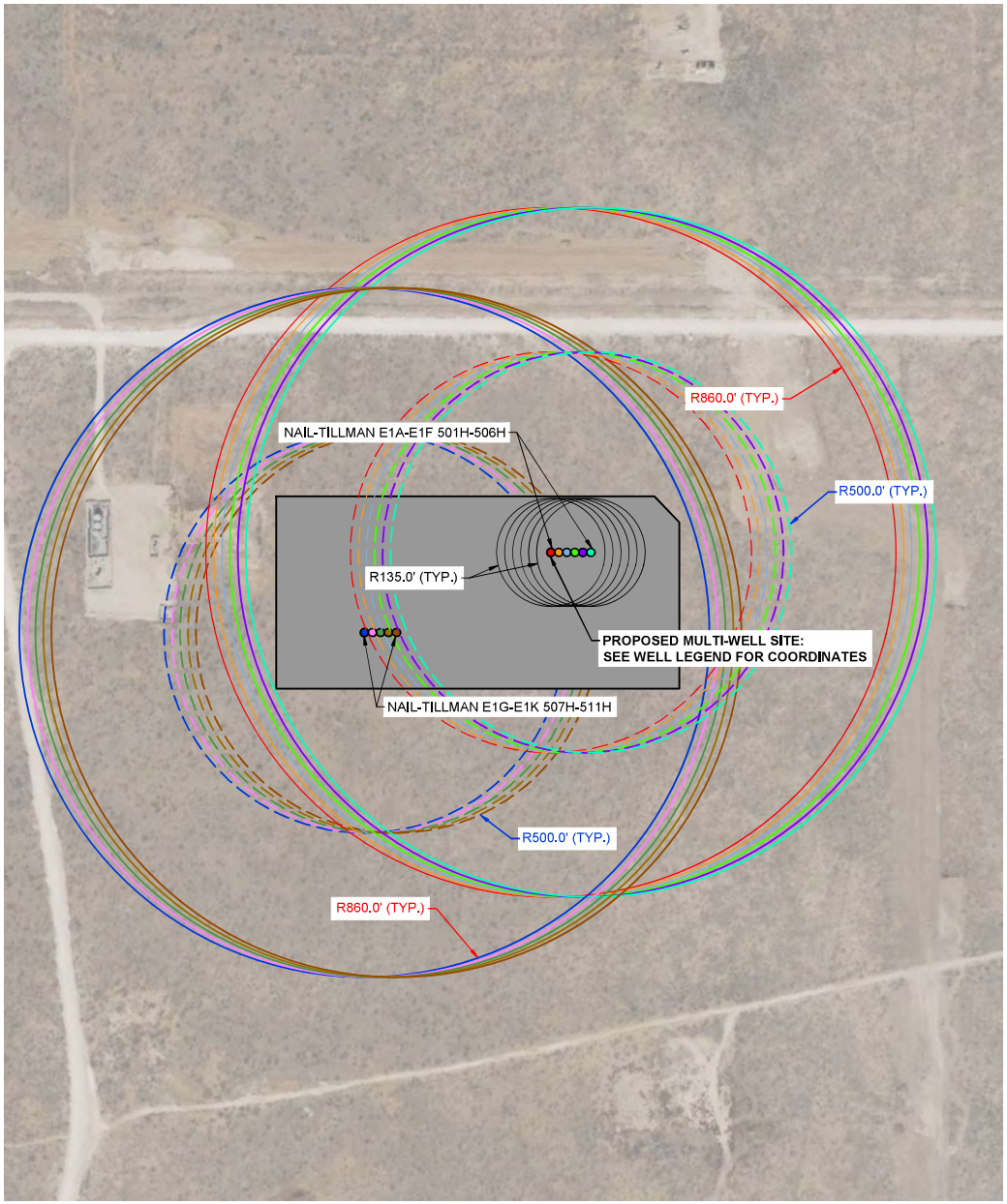
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

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(NAD83)
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LAT.: 32.102933°, LON.: -102.083697°

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SHL GROUND ELEVATION: 2835'
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LAT.: 32.102029°, LON.: -102.085092°

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X = 858520.8', Y = 6739008.3'
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LAT.: 32.102043°, LON.: -102.085030°

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SHL GROUND ELEVATION: 2836'
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X = 858540.3', Y = 6739013.1'
LAT.: 32°06'07.41", LON.: -102°05'05.88"
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NAIL-TILLMAN E1J 510H
849' FNL, 1407' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858559.7', Y = 6739017.8'
LAT.: 32°06'07.46", LON.: -102°05'05.66"
LAT.: 32.102073°, LON.: -102.084906°

NAIL-TILLMAN E1K 511H
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SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858579.1', Y = 6739022.5'
LAT.: 32°06'07.52", LON.: -102°05'05.44"
LAT.: 32.102088°, LON.: -102.084844°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/24/2025
BY: J. ALVAREZ
REV.: 5/15/2025 J. ALVAREZ
AVO: 047474.872

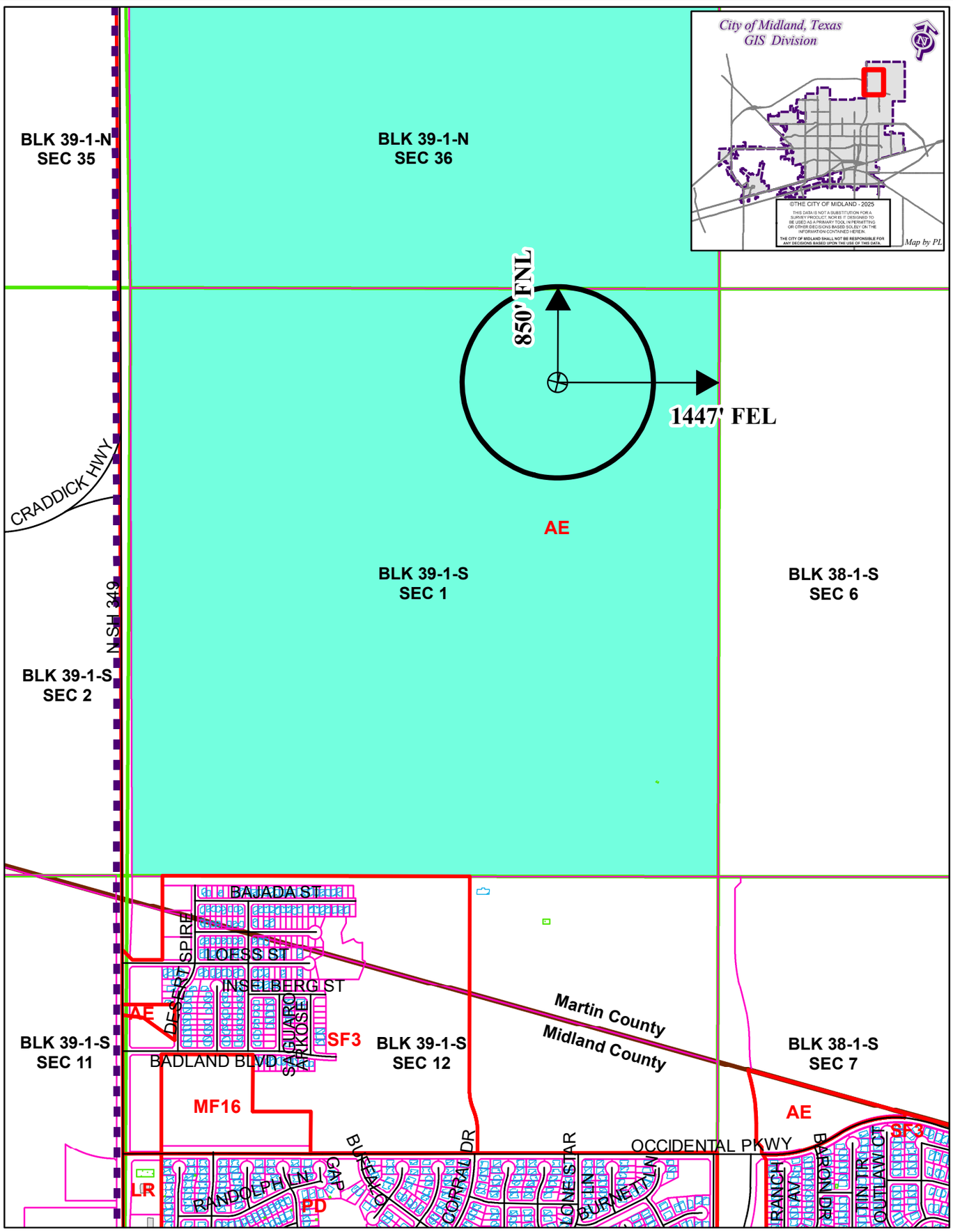
PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-TILLMAN E1A-E1K 501H-511H

LOCATED IN:
SECTION 1, BLOCK 39, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 314,
MARTIN COUNTY, TEXAS

...7000S\47474\872\SURV\CADD\SHEETS\EXHIBIT\047474.872_AERIAL_SITE_PLAN_EXHIBIT_E.DWG



LOCATION AND ZONING MAP

Oil-070251-2025 **Scale: 1" = 1,100'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 850' FNL and 1,447' FEL, Section 1, Block 39-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 6,939 feet north of Occidental Pkwy and 3,928 feet east of SH 349.

Nail-Tillman E1H 508H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
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2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

MIDLAND Planning Division

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
7/21/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other properties within 860' are: City of Midland (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Tillman E1I 509H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

849' FNL, 1427' FEL, Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

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***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

Description of water source to be used during Drilling:

The water source used during drilling can be found on Exhibit N

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

The route for electric lines can be found on Exhibit N

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]:

Reserve pits will not be used. Freshwater pits will be used. Please see Exhibit O for closure details.

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* are Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by Applicant are current. [See § J(29)].**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan approved by the City Engineer relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace
Laura Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

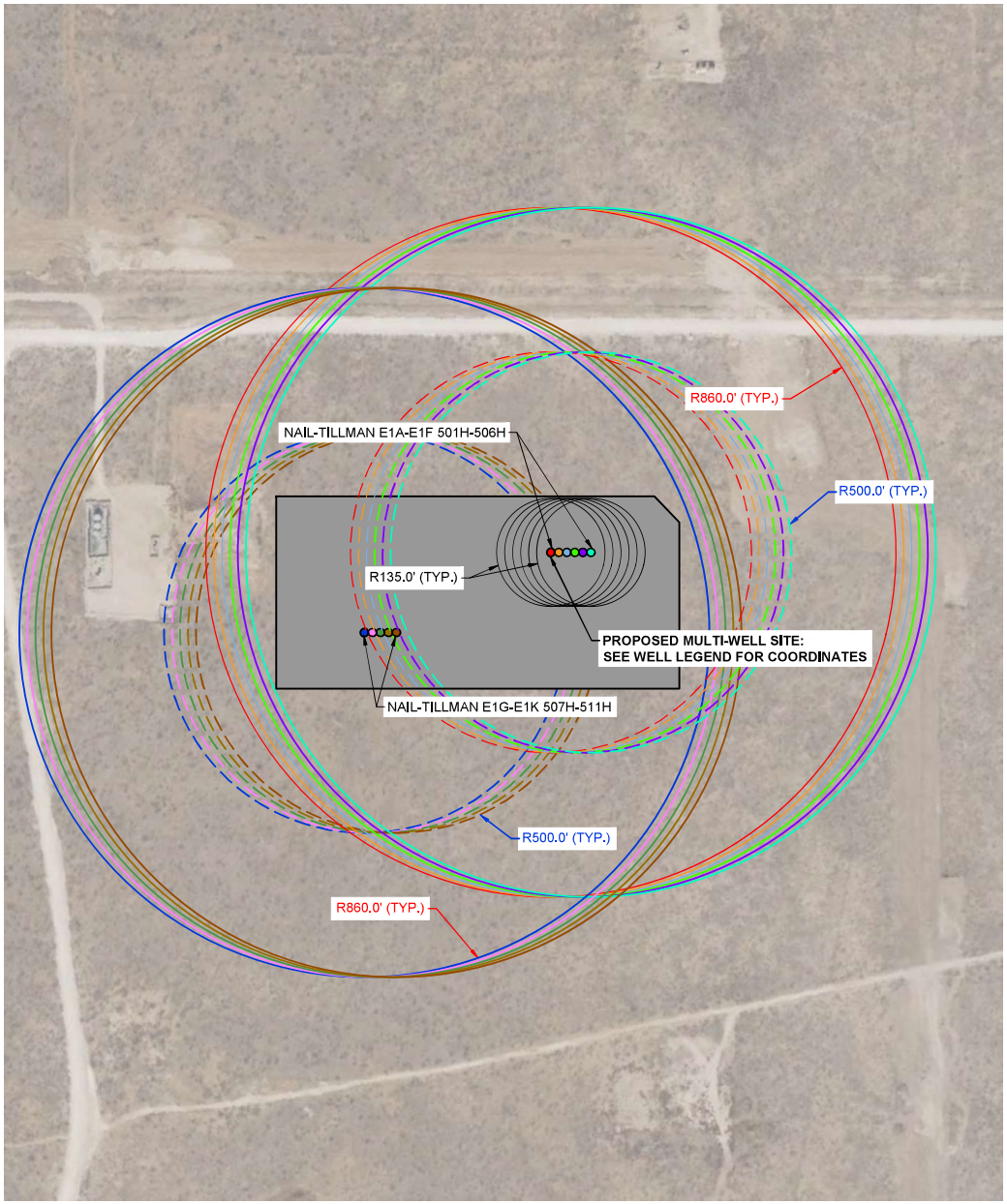
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

NAIL-TILLMAN E1A 501H
647' FNL, 1004' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858905.7', Y = 6739308.2'
LAT.: 32°06'10.45", LON.: -102°05'01.76"
LAT.: 32.102903°, LON.: -102.083821°

NAIL-TILLMAN E1B 502H
647' FNL, 984' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858925.1', Y = 6739312.9'
LAT.: 32°06'10.50", LON.: -102°05'01.53"
LAT.: 32.102918°, LON.: -102.083759°

NAIL-TILLMAN E1C 503H
646' FNL, 964' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858944.5', Y = 6739317.7'
LAT.: 32°06'10.56", LON.: -102°05'01.31"
LAT.: 32.102933°, LON.: -102.083697°

NAIL-TILLMAN E1D 504H
646' FNL, 944' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858963.9', Y = 6739322.4'
LAT.: 32°06'10.61", LON.: -102°05'01.08"
LAT.: 32.102948°, LON.: -102.083635°

NAIL-TILLMAN E1E 505H
646' FNL, 924' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858983.4', Y = 6739327.1'
LAT.: 32°06'10.67", LON.: -102°05'00.86"
LAT.: 32.102963°, LON.: -102.083572°

NAIL-TILLMAN E1F 506H
646' FNL, 904' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 859002.8', Y = 6739331.9'
LAT.: 32°06'10.72", LON.: -102°05'00.64"
LAT.: 32.102977°, LON.: -102.083510°

NAIL-TILLMAN E1G 507H
850' FNL, 1467' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858501.4', Y = 6739003.6'
LAT.: 32°06'07.30", LON.: -102°05'06.33"
LAT.: 32.102029°, LON.: -102.085092°

NAIL-TILLMAN E1H 508H
850' FNL, 1447' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858520.8', Y = 6739008.3'
LAT.: 32°06'07.36", LON.: -102°05'06.11"
LAT.: 32.102043°, LON.: -102.085030°

NAIL-TILLMAN E1I 509H
849' FNL, 1427' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858540.3', Y = 6739013.1'
LAT.: 32°06'07.41", LON.: -102°05'05.88"
LAT.: 32.102058°, LON.: -102.084968°

NAIL-TILLMAN E1J 510H
849' FNL, 1407' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858559.7', Y = 6739017.8'
LAT.: 32°06'07.46", LON.: -102°05'05.66"
LAT.: 32.102073°, LON.: -102.084906°

NAIL-TILLMAN E1K 511H
849' FNL, 1387' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858579.1', Y = 6739022.5'
LAT.: 32°06'07.52", LON.: -102°05'05.44"
LAT.: 32.102088°, LON.: -102.084844°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/24/2025
BY: J. ALVAREZ
REV.: 5/15/2025 J. ALVAREZ
AVO: 047474.872

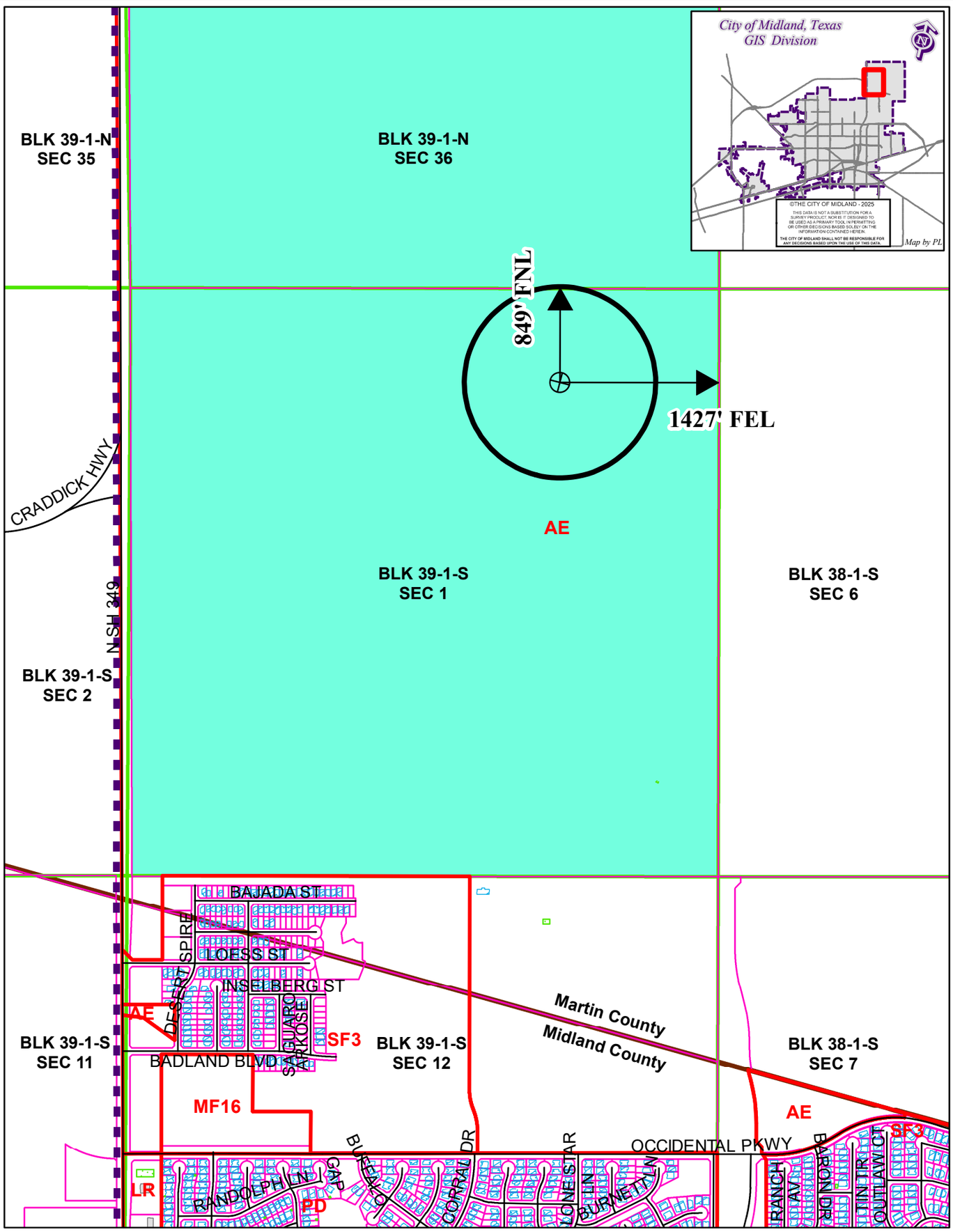
PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-TILLMAN E1A-E1K 501H-511H

LOCATED IN:
SECTION 1, BLOCK 39, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 314,
MARTIN COUNTY, TEXAS

P:\7000S\47474\872\SURV\CADD\SHEETS\EXHIBIT\047474.872_AERIAL_SITE_PLAN_EXHIBIT_E.DWG



LOCATION AND ZONING MAP

Oil-070252-2025 **Scale: 1" = 1,100'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 849' FNL and 1,427' FEL, Section 1, Block 39-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 6,940 feet north of Occidental Pkwy and 3,948 feet east of SH 349.

Nail-Tillman E1I 509H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
7/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	NOTE: All attachments need to bound and put in a binder before submitting.	Pages 1-4

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

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General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other properties within 860' are: City of Midland (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

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***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Tillman E1J 510H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

849' FNL, 1407' FEL, Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas

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(1) Drilling: N/A

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***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

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Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace 4/21/25
Its Laura Wallace Regulatory Advisor

State of Texas)

County of Dallas)

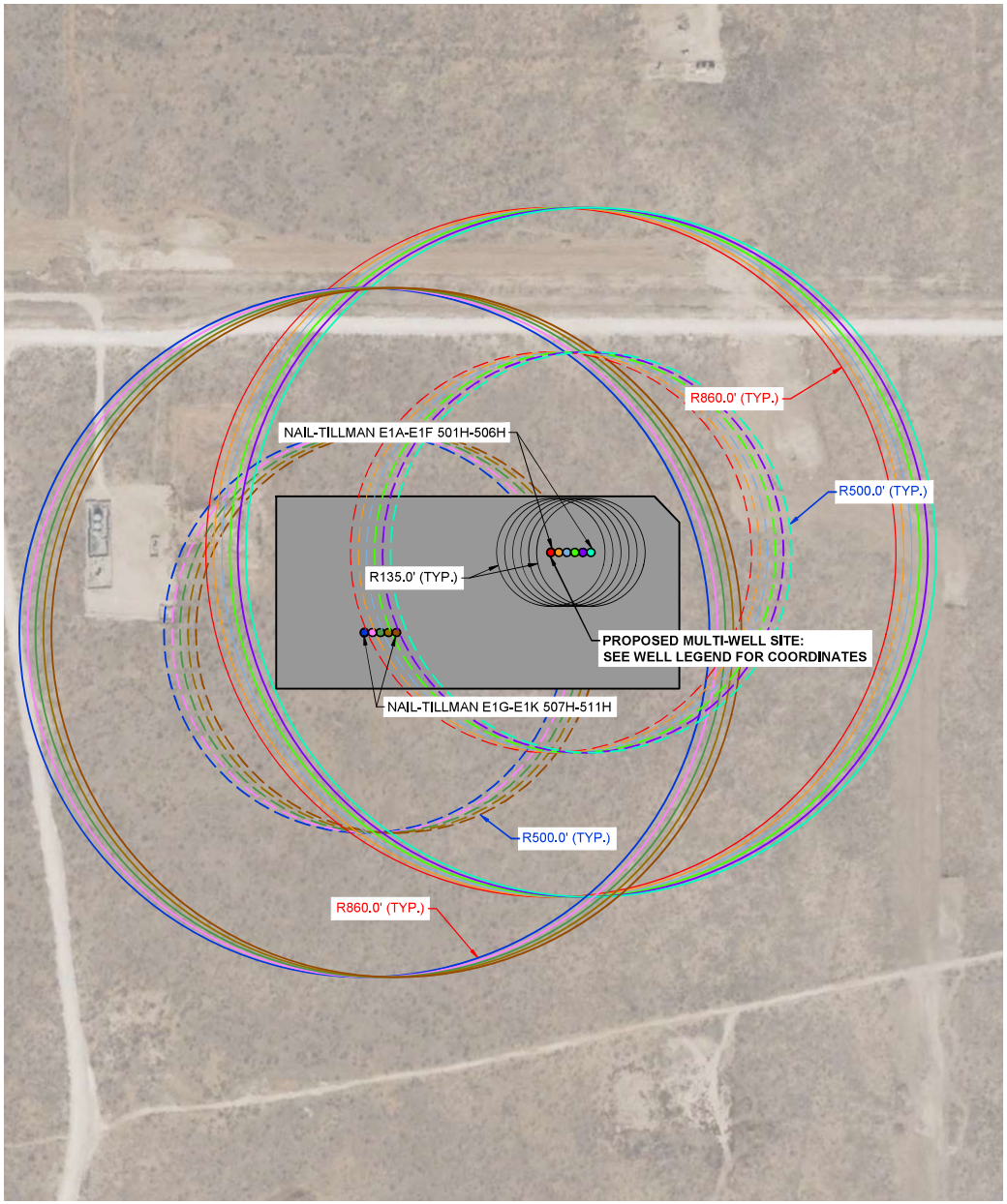
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

NAIL-TILLMAN E1A 501H
647' FNL, 1004' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858905.7', Y = 6739308.2'
LAT.: 32°06'10.45", LON.: -102°05'01.76"
LAT.: 32.102903°, LON.: -102.083821°

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647' FNL, 984' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858925.1', Y = 6739312.9'
LAT.: 32°06'10.50", LON.: -102°05'01.53"
LAT.: 32.102918°, LON.: -102.083759°

NAIL-TILLMAN E1C 503H
646' FNL, 964' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
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X = 858944.5', Y = 6739317.7'
LAT.: 32°06'10.56", LON.: -102°05'01.31"
LAT.: 32.102933°, LON.: -102.083697°

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646' FNL, 944' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858963.9', Y = 6739322.4'
LAT.: 32°06'10.61", LON.: -102°05'01.08"
LAT.: 32.102948°, LON.: -102.083635°

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646' FNL, 924' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
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X = 858983.4', Y = 6739327.1'
LAT.: 32°06'10.67", LON.: -102°05'00.86"
LAT.: 32.102963°, LON.: -102.083572°

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646' FNL, 904' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 859002.8', Y = 6739331.9'
LAT.: 32°06'10.72", LON.: -102°05'00.64"
LAT.: 32.102977°, LON.: -102.083510°

NAIL-TILLMAN E1G 507H
850' FNL, 1467' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858501.4', Y = 6739003.6'
LAT.: 32°06'07.30", LON.: -102°05'06.33"
LAT.: 32.102029°, LON.: -102.085092°

NAIL-TILLMAN E1H 508H
850' FNL, 1447' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858520.8', Y = 6739008.3'
LAT.: 32°06'07.36", LON.: -102°05'06.11"
LAT.: 32.102043°, LON.: -102.085030°

NAIL-TILLMAN E1I 509H
849' FNL, 1427' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858540.3', Y = 6739013.1'
LAT.: 32°06'07.41", LON.: -102°05'05.88"
LAT.: 32.102058°, LON.: -102.084968°

NAIL-TILLMAN E1J 510H
849' FNL, 1407' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858559.7', Y = 6739017.8'
LAT.: 32°06'07.46", LON.: -102°05'05.66"
LAT.: 32.102073°, LON.: -102.084906°

NAIL-TILLMAN E1K 511H
849' FNL, 1387' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858579.1', Y = 6739022.5'
LAT.: 32°06'07.52", LON.: -102°05'05.44"
LAT.: 32.102088°, LON.: -102.084844°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

Hunter Wade Wills
05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/24/2025
BY: J. ALVAREZ
REV.: 5/15/2025 J. ALVAREZ
AVO: 047474.872

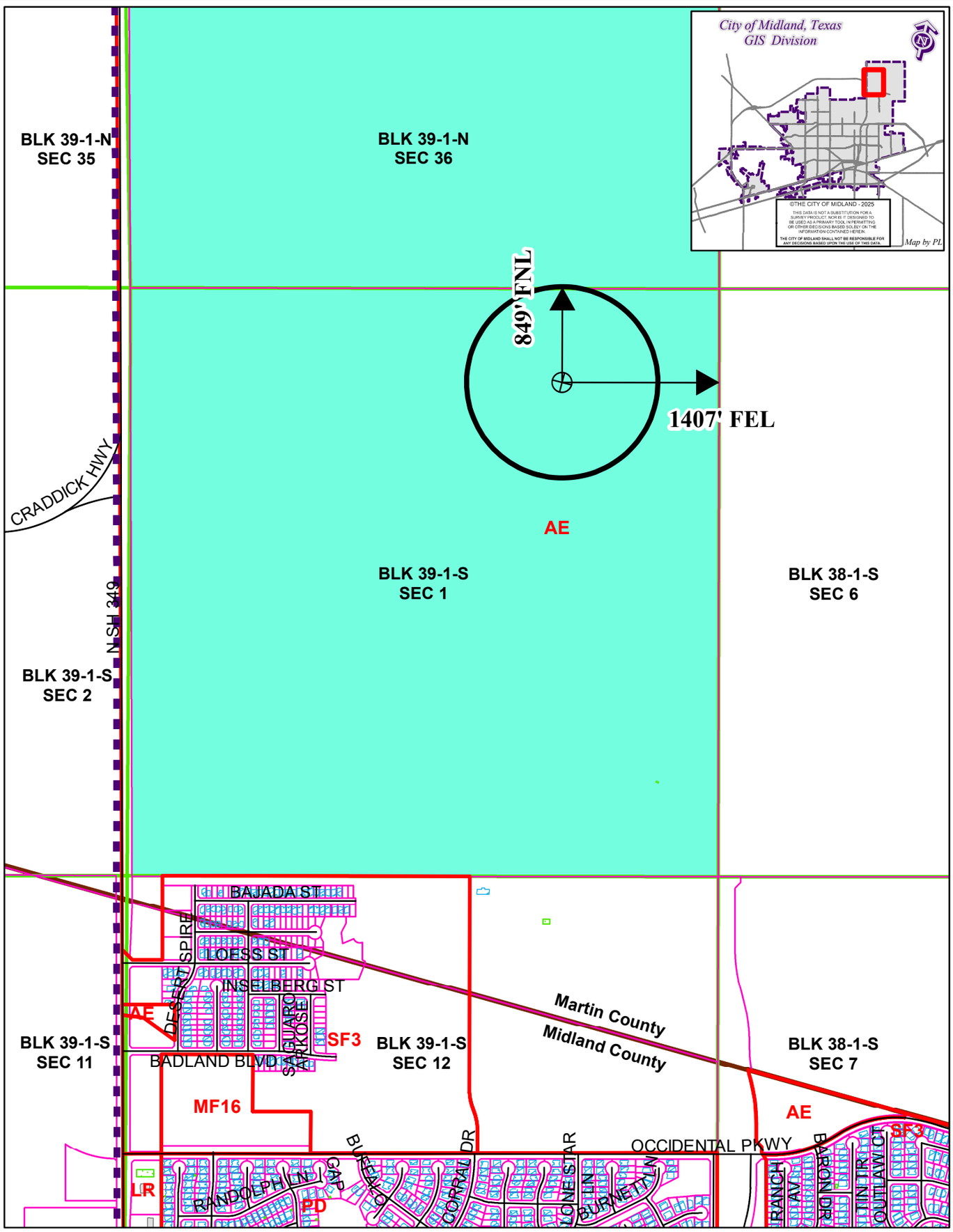
PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-TILLMAN E1A-E1K 501H-511H

LOCATED IN:
SECTION 1, BLOCK 39, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 314,
MARTIN COUNTY, TEXAS

...7000S\47474\872\SURV\CADD\SHEETS\EXHIBIT\047474.872_AERIAL_SITE_PLAN_EXHIBIT_E.DWG



LOCATION AND ZONING MAP

Oil-070253-2025 **Scale: 1" = 1,100'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 849' FNL and 1,407' FEL, Section 1, Block 39-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 6,940 feet north of Occidental Pkwy and 3,968 feet east of SH 349.

Nail-Tillman E1J 510H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
7/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	NOTE: All attachments need to bound and put in a binder before submitting.	Pages 1-4

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other properties within 860' are: City of Midland (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Tillman E1K 511H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

849' FNL, 1387' FEL, Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

Description of water source to be used during Drilling:

The water source used during drilling can be found on Exhibit N

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

The route for electric lines can be found on Exhibit N

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]:

Reserve pits will not be used. Freshwater pits will be used. Please see Exhibit O for closure details.

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* are Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by Applicant are current. [See § J(29)].**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan approved by the City Engineer relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace 4/21/25
Its Laura Wallace Regulatory Advisor

State of Texas)

County of Dallas)

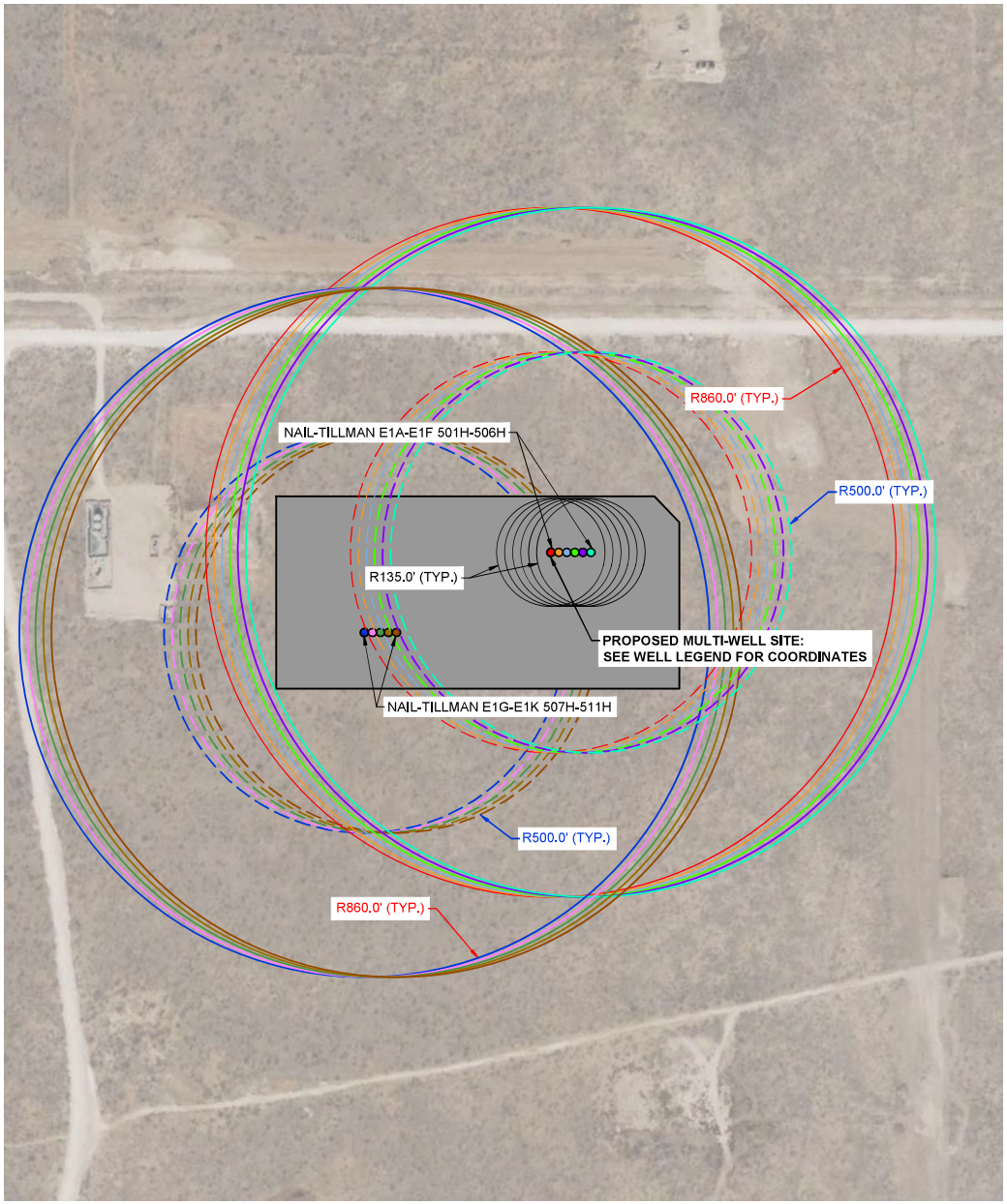
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

NAIL-TILLMAN E1A 501H
647' FNL, 1004' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858905.7', Y = 6739308.2'
LAT.: 32°06'10.45", LON.: -102°05'01.76"
LAT.: 32.102903°, LON.: -102.083821°

NAIL-TILLMAN E1B 502H
647' FNL, 984' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858925.1', Y = 6739312.9'
LAT.: 32°06'10.50", LON.: -102°05'01.53"
LAT.: 32.102918°, LON.: -102.083759°

NAIL-TILLMAN E1C 503H
646' FNL, 964' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858944.5', Y = 6739317.7'
LAT.: 32°06'10.56", LON.: -102°05'01.31"
LAT.: 32.102933°, LON.: -102.083697°

NAIL-TILLMAN E1D 504H
646' FNL, 944' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858963.9', Y = 6739322.4'
LAT.: 32°06'10.61", LON.: -102°05'01.08"
LAT.: 32.102948°, LON.: -102.083635°

NAIL-TILLMAN E1E 505H
646' FNL, 924' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 858983.4', Y = 6739327.1'
LAT.: 32°06'10.67", LON.: -102°05'00.86"
LAT.: 32.102963°, LON.: -102.083572°

NAIL-TILLMAN E1F 506H
646' FNL, 904' FEL (SEC. 1)
SHL GROUND ELEVATION: 2835'
(NAD83)
X = 859002.8', Y = 6739331.9'
LAT.: 32°06'10.72", LON.: -102°05'00.64"
LAT.: 32.102977°, LON.: -102.083510°

NAIL-TILLMAN E1G 507H
850' FNL, 1467' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858501.4', Y = 6739003.6'
LAT.: 32°06'07.30", LON.: -102°05'06.33"
LAT.: 32.102029°, LON.: -102.085092°

NAIL-TILLMAN E1H 508H
850' FNL, 1447' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858520.8', Y = 6739008.3'
LAT.: 32°06'07.36", LON.: -102°05'06.11"
LAT.: 32.102043°, LON.: -102.085030°

NAIL-TILLMAN E1I 509H
849' FNL, 1427' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858540.3', Y = 6739013.1'
LAT.: 32°06'07.41", LON.: -102°05'05.88"
LAT.: 32.102058°, LON.: -102.084968°

NAIL-TILLMAN E1J 510H
849' FNL, 1407' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858559.7', Y = 6739017.8'
LAT.: 32°06'07.46", LON.: -102°05'05.66"
LAT.: 32.102073°, LON.: -102.084906°

NAIL-TILLMAN E1K 511H
849' FNL, 1387' FEL (SEC. 1)
SHL GROUND ELEVATION: 2836'
(NAD83)
X = 858579.1', Y = 6739022.5'
LAT.: 32°06'07.52", LON.: -102°05'05.44"
LAT.: 32.102088°, LON.: -102.084844°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/24/2025
BY: J. ALVAREZ
REV.: 5/15/2025 J. ALVAREZ
AVO: 047474.872

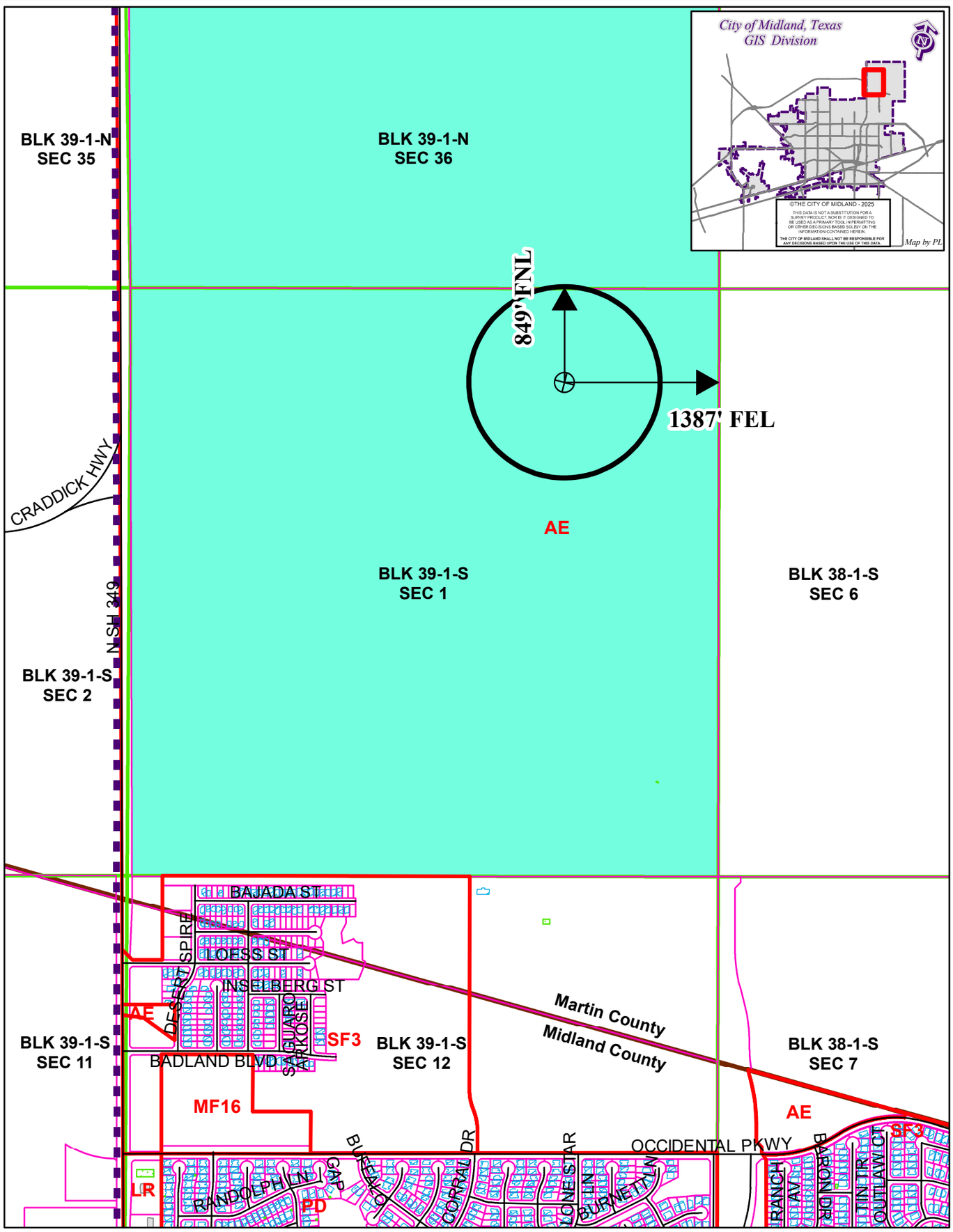
PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-TILLMAN E1A-E1K 501H-511H

LOCATED IN:
SECTION 1, BLOCK 39, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 314,
MARTIN COUNTY, TEXAS

...7000S\47474\872\SURV\CADD\SHEETS\EXHIBIT\047474.872_AERIAL_SITE_PLAN_EXHIBIT_E.DWG



LOCATION AND ZONING MAP

Oil-070254-2025 **Scale: 1" = 1,100'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 849' FNL and 1,387' FEL, Section 1, Block 39-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 6,940 feet north of Occidental Pkwy and 3,988 feet east of SH 349.

Nail-Tillman E1K 511H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

EXHIBIT A

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on October 14, 2025, considered the application of Pioneer Natural Resources, USA, Inc. ("Operator") dated July 1, 2025, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Nail-Tillman E1G 507H oil and gas well shall be 850 feet from the north line and 1,467 feet from the east line, Section 6, Block 38, T-1-S, T&P RR Co. Survey, Martin County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from October 14, 2025 through October 14, 2026, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. No road repair agreement is required because no City streets will be used to access the well site.
2. No landscaping or irrigation is required.
3. Twenty-four hour hydraulic fracturing operations are permitted.
4. Drill cuttings may be removed from the surface location.
5. On-site compressors are allowed to be used for gas lift during the production phase.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of October 2025.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREE THIS _____day of October 2025.

Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

EXHIBIT B

OIL AND GAS WELL PERMIT

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3. Twenty-four hour hydraulic fracturing operations are permitted.
4. Drill cuttings may be removed from the surface location.
5. On-site compressors are allowed to be used for gas lift during the production phase.

Sound walls shall be used during drilling and completion operations as noted in the application.

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In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of October 2025.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREE THIS _____day of October 2025.

Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

EXHIBIT C

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on October 14, 2025, considered the application of Pioneer Natural Resources, USA, Inc. ("Operator") dated July 1, 2025, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Nail-Tillman E1I 509H oil and gas well shall be 849 feet from the north line and 1,427 feet from the east line, Section 6, Block 38, T-1-S, T&P RR Co. Survey, Martin County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from October 14, 2025 through October 14, 2026, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. No road repair agreement is required because no City streets will be used to access the well site.
2. No landscaping or irrigation is required.
3. Twenty-four hour hydraulic fracturing operations are permitted.
4. Drill cuttings may be removed from the surface location.
5. On-site compressors are allowed to be used for gas lift during the production phase.

Sound walls shall be used during drilling and completion operations as noted in the application.

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Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREE THIS _____day of October 2025.

Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

EXHIBIT D

OIL AND GAS WELL PERMIT

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CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREE THIS _____day of October 2025.

Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor

EXHIBIT E

OIL AND GAS WELL PERMIT

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CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

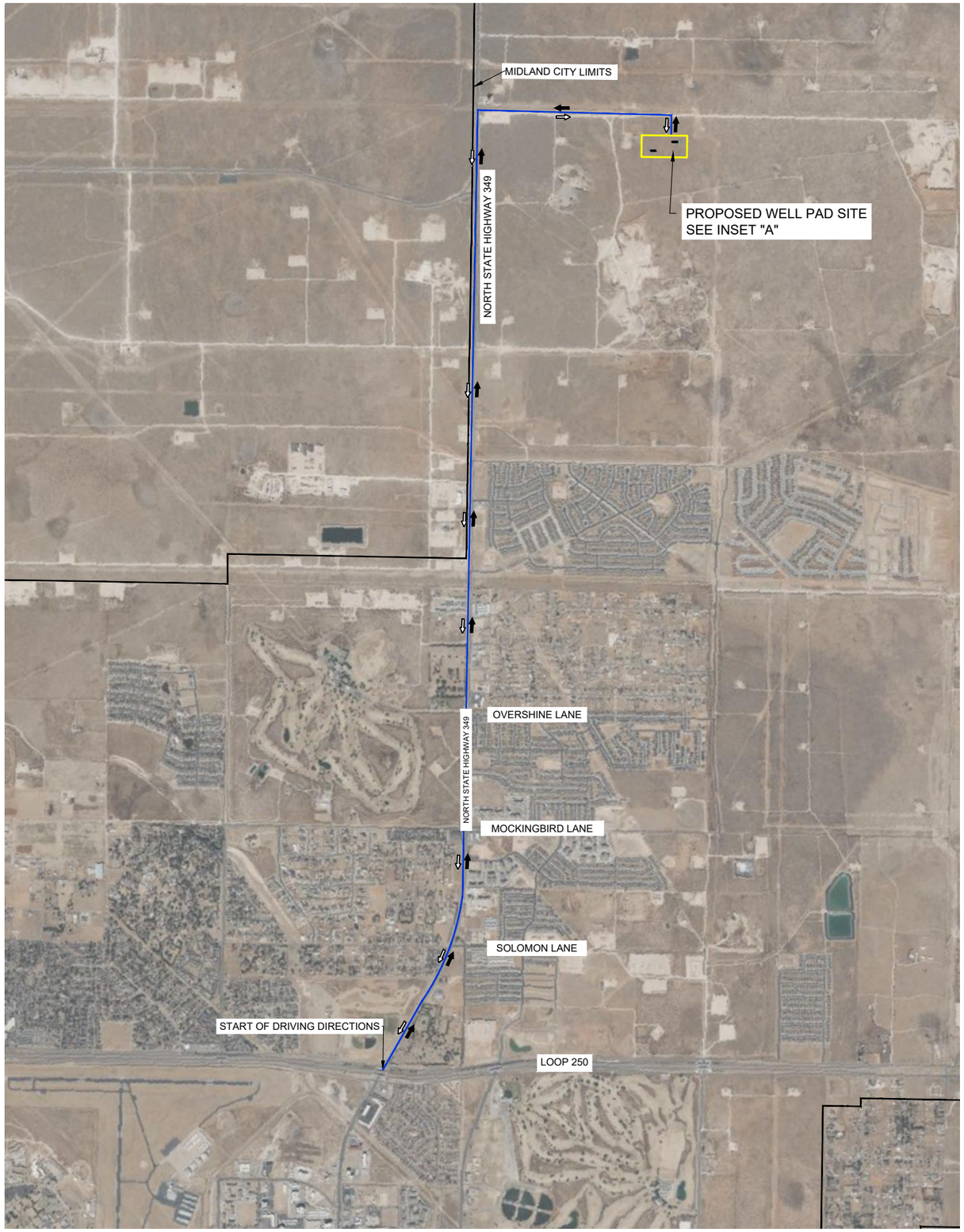
UNDERSTOOD AND AGREE THIS _____day of October 2025.

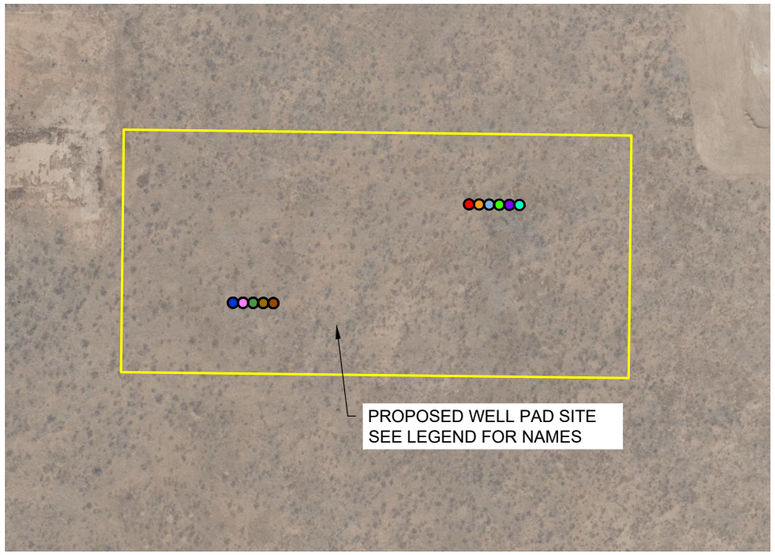
Pioneer Natural Resources, USA, Inc.

By: _____

Laura Wallace,

Regulatory Specialist Advisor





INSET "A"
SCALE: 1' = 300'

LEGEND

- NAIL-TILLMAN E1A 501H
- NAIL-TILLMAN E1B 502H
- NAIL-TILLMAN E1C 503H
- NAIL-TILLMAN E1D 504H
- NAIL-TILLMAN E1E 505H
- NAIL-TILLMAN E1F 506H
- NAIL-TILLMAN E1G 507H
- NAIL-TILLMAN E1H 508H
- NAIL-TILLMAN E1I 509H
- NAIL-TILLMAN E1J 510H
- NAIL-TILLMAN E1K 511H
- TRANSPORTATION ROUTE
- CITY LIMIT LINE
- SITE ACCESS - EXITING
- SITE ACCESS - ENTERING

N

DRIVING DIRCETIONS:

GO NORTH ON STATE HIGH 349 FOR 3.23 MILES. THEN TURN EAST ON TO LEASE ROAD AT THE WEIGH STATION FOR 0.81 MILES.

NOTE:

PIONEER IS AWARE OF THE ROW TO THE NORTH OF PROPOSED PAD LOCATIONS, ONCE THAT HAS BEEN CONTRUCTED THE CITY WILL NEED TO REASSESS THIS TRANPORTATION ROUTE.

NOTES:
1. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.
2. ANY ADJACENT WELLS ARE BASED SOLELY OFF RAILROAD COMMISSION (RRC) RECORDS AND ACCURACY CANNOT BE GUARANTEED.
3. ANY LEASE INFORMATION DEPICTED IS PROVIDED BY THE CLIENT.
4. WELL LOCATION IS APPROXIMATELY 2.8 MILES NORTH/ NORTHEAST OF MIDLAND, TEXAS.

halff

DATE: 03/06/2025
BY: C. KUTYBA
AVO: 47474.872

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "H"
TRANSPORTATION ROUTE

NAIL-TILLMAN E1A-E1K 501H-511H

LOCATED IN:
SECTION 1, BLOCK 39,
TOWNSHIP-1-SOUTH,
T.&P. R.R. CO. SURVEY,
ABSTRACT No. 314,
MARTIN COUNTY, TEXAS

A:\47000s\47474\872\SURV\CADD\Sheets\EXHIBIT\TRANSPORTATION ROUTE\047474.872_NAIL-TILLMAN_E1A_E1K_501H-511H_TRANS_ROUTE.dwg

NOTES:
1. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.
2. ANY ADJACENT WELLS ARE BASED SOLELY OFF RAILROAD COMMISSION (RRC) RECORDS AND ACCURACY CANNOT BE GUARANTEED.
3. ANY LEASE INFORMATION DEPICTED IS PROVIDED BY THE CLIENT.
4. WELL LOCATIONS ARE APPROXIMATELY 7.0 MILES NORTH OF MIDLAND, TEXAS.

EXISTING WELL SITE
NAIL "36" A #1

LEASE ROADS

2835

2830

LEASE ROADS

GENERAL COORDINATES FOR MULTI-WELL SITE:
NAD83-TX-NORTH CENTRAL
N: 6739308.2'
E: 858905.7'
LAT: 32.102904°
LON: -102.083819°

PROPOSED WELL LOCATION SEE LEGEND FOR NAME

PROPOSED WELL LOCATION SEE LEGEND FOR NAME

EXISTING WELL SITE
NAIL #101
W/ TANK BATTERY

2840

CALICHE PIT

LEASE ROADS

LEGEND

- NAIL-TILLMAN E1A 501H
- NAIL-TILLMAN E1B 502H
- NAIL-TILLMAN E1C 503H
- NAIL-TILLMAN E1D 504H
- NAIL-TILLMAN E1E 505H
- NAIL-TILLMAN E1F 506H
- NAIL-TILLMAN E1G 507H
- NAIL-TILLMAN E1H 508H
- NAIL-TILLMAN E1I 509H
- NAIL-TILLMAN E1J 510H
- NAIL-TILLMAN E1K 511H
- PROPOSED WELL PAD SITE
- CONTOURS

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

03/28/2025

N

0' 300' 600

SCALE: 1" = 300'

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998

DATE: 2/24/2025
BY: J. ALVAREZ
AVO: 047474.872

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "G"
TOPOGRAPHIC FEATURES

NAIL-TILLMAN E1A-E1K 501H-511H

LOCATED IN:
SECTION 1, BLOCK 39, TOWNSHIP-1-SOUTH, T.&P. R.R. CO. SURVEY, ABSTRACT No. 314, MARTIN COUNTY, TEXAS

PAGE 1 OF 1

A:\47000S\47474\872\SURV\CADD\SHEETS\EXHIBIT\047474.872_TOPO_FEATURES_EXHIBIT_G.DWG

City Council Meeting

Item Number: 15.
Meeting Date: October 14, 2025
To: City Council
From: Britton Murry, Senior Planner
Subject: MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, AN AMENDED PRELIMINARY PLAT OF GRASSLAND ESTATES WEST, SECTION 12, BEING A PLAT OF A 55.1877-ACRE TRACT OF LAND OUT OF SECTION 35, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST STATE HIGHWAY 158, APPROXIMATELY 11 FEET WEST OF BRANDY HILL ROAD)

Purpose:
WA Civil, LLC, on behalf of Grassland IV, LTD, is requesting to plat a 55.1877-acre tract of land located on the north side of West State Highway 158 into 23 commercial lots and 80 residential lots for future multi-use development.

Recommended Action:
Approve

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Current Zoning:

SF-1, Single-Family Dwelling District in part, and RR, Regional Retail District, in part.

This request has been routed to all respective departments for internal review. The comments are below.

BUILDING CODE: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on

the time of new code editions adopted in the City of Midland and date of permit application.

ADDRESSING: (Approved)

The following revisions are needed. 1. Remove Castle Wood Ct and replace with Castle Wood Dr. There is no Castle Wood Ct 2. Replace “Woodland Dr” with a different street name. There is already a Woodland Park. We cannot use a street name where only the suffix is different. The street name also cannot start with “Wood…”. Midland already has too many street names starting with “Wood”. 3. Add the directional “W” to Wadley Ave (2 places) and on State Highway 158. 4. Mosswood "Ct" should be Mosswood "Dr" 5. Section 12 already used, needs to be Section 14.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Okay as shown. [For Applicant’s Information Only.]

ROW: Okay as shown. [For Applicant’s Information Only.]

PAVING: Paving improvement plans for the internal streets has not been submitted or approved. Public infrastructure must be accepted by the City prior to recording of the Final plat. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

WATER: Construct to City Standards along entire platted frontage, servicing all lots with a looped system. Dead-end water mains will not be allowed. Any easement needed to accomplish this must be identified as Public Utility or Public Water easement on the plat. Water improvement plans for the internal mains have not been submitted or approved. Public infrastructure must be accepted by the City prior to recording of the Final plat. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test. [For Applicant’s Information Only.]

PRO RATA: None [For Applicant’s Information Only.]

SEWER: Construct to City Standards along entire platted frontage, serving all lots within the subdivision and to adjacent lot lines along exterior roadways. Wastewater improvement plans for internal mains have not been submitted or approved. Public infrastructure must be accepted by the City prior to recording of the Final plat. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

DRAINAGE: Drainage report is approved from platting purposes. [For Applicant’s Information Only.]

EASEMENTS: • Either plan to install the water main behind the Regional Retail lots within the alley or change the proposed 10’ waterline easement to a “10’ private waterline easement”. • Revise the language of the easement to specify is it is for private utilities (franchise utilities) or public utilities (city utilities). • The Drainage & Utility Easement that will be for public drainage and city utilities needs to be labeled as a Public Drainage & Utility Easement on the plat. • Provide a blanket access easement for all Regional Retail lots so that they may utilize shared

driveways.

SIDEWALKS: Sidewalks required on collector/arterial roadways, along common areas and ADA ramps required at corners before public infrastructure is accepted. [For Applicant's Information Only.]

OTHER: The City has received complaints in the past regarding designed overland drainage within a drainage easement that is sandwiched between two residential lots. Try to design to carry drainage underground in these situations.

TRANSPORTATION: (Approved with Conditions)

Add note on plat indicating that lots shall not have any direct vehicle access to SH 158. [Reference City Code Section 11-2-5(B)4.]

No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review. [For the Applicant's information only.]

FIRE: (Approved)

No comments or objections.

OIL AND GAS: (Approved)

No Oil & Gas issues

GIS: (Approved)

Remove superfluous calls not a part of this plat. Confirm POB and checks calls. Ensure that all calls follow either a clockwise or counterclockwise direction. Boundary does not close. Mosswood Ct should be Dr. Thistle Dr and Thistle Ct should be Ct. Block 25 should be a continuation of Block 19. Blocks 23-24 should be a continuation of Block 16. Block 20 be 23 and block 26 should be a continuation of this block. Numbering of alleys is not necessary. Green area, if a common area, should be labeled as such and be given a letter as Common Area. (may apply to the lot 29, Block 20) Calls along Wadley/Draw encroach by about 15'. Section number can be 14.

CRMWD: (Approved)

We do not have any comments on this plat.

PLANNING: (Approved)

Change the Chairman to Abraham Bejil [Informational]

Change the Secretary to Landon Ochoa [Informational]

Add "For Approval by the Commission" to the Certificate of Approval [Informational]

The developer notes say that front yard setbacks for SF-1, Single-Family Dwelling District

zoning is 10 feet. The true front yard setback for SF-1 zoning is 25 feet. Please update this section [Informational]

Have your legal description match the one I provided [Informational]

The boundaries of the 100-year floodplain and floodway, as applicable, shall be clearly shown on the plat. [Midland City Code 11-2-5(D)6(d)]

The following note shall be placed on the plat: "The boundaries of the 100-year floodplain (and floodway) [include if applicable] as shown hereon are as designated by _____ [insert reference], dated _____ [insert date of document], and are subject to change. Current information regarding flood hazard areas, including the minimum slab or floor elevation required for construction on any lot located wholly or partly within the 100-year floodplain, may be obtained from the City of Midland. Before any development (including fill, channel modification, etc.) proceeds on any land encumbered by the 100-year floodplain, or within any drainageway or basin, a development permit application must be filed at the City of Midland." [Midland City Code11-2-5(D)6(e)]

Update the section number to “Section 14” refer to GIS comments [Informational]

MCAD shows a different owner. Provide proof of ownership at final plat submittal [Midland City Code 11-2-3(A)1(a)(2)]

This plat is greater than 25 acres; therefore, approval from Council is required during the preliminary phase. [Midland City Code 11-2-3(D)11(a)6]

Common areas need to be labeled with letters [11-2-5(K)]

Restrictive covenants for this property must be approved before final plat submittal [11-2-3(D)4(c)]

The cul-de-sac on Thistle Court abuts an alley. Cul-de-sacs are not to terminate at, or near, alleys at rear lot lines [Midland City Code 11-2-5(C)3(q)(3)]

Staff recommends approval of the Preliminary Plat of Grasslands Estates, Section 12 subject to the following conditions.

Conditions:

A. Proof of ownership must be provided at final plat submittal. [11-2-3(H)3(m)(1)]

B. The restrictive covenants must be approved before final plat submittal. [11-2-3(D)4(c)]

C. All proposed cul-de-sacs must be designed to satisfy the subdivision regulations. [11-2-5(C)3(q)(3)]

D. Public improvements must be completed or a request for a deferral letter must be submitted by final plat submittal. [11-2-3(G)1]

E. That the final plat for the property be named "Grassland Estates West, Section 14". [11-2-5(A)4]

F. Approval by the City Council shall be required prior to consideration of a final plat by the Commission on which any preliminary plat is ten hectares (25 acres) or more in area and is located in any survey section (approximately one square mile) which does not contain a publicly owned site or sites intended for both a public school and park, or public site reservation therefor; [11-2-3(D)11(a)(6)].

G. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas. [11-2]

Attachments:

A. P-25-2379, Combined Documents
B. CC - - Grassland Estates West, Section 12 Preliminary Pat Amendment - Copy

Britton Murry, Development Services	Created/Initiated - 10/1/2025
Landon Ochoa, Development Services	Approved - 10/1/2025
Elizabeth Triggs, Development Services	Approved - 10/2/2025
Linda Ochoa, Legal	Approved - 10/7/2025
Morris Williams, City Manager	New -
Rachel Guentensberger, City Secretary	

MIDLAND
Planning Division

Preliminary Plat Application

For Office Use Only
SUB-20-0369
P-25-2379

Subdivision Name: GRASSLAND ESTATES WEST, SECTION 12
(Must be named in accordance with 11-2-5(A)4 of the City Code)

Applicant (Must be an individual. Also, See affidavit on page 3 if acting as agent) Print Name: LARRY H. WALKER, P.E., P.M.P.		Phone #: 432-901-2060 Email: lwalker@wacivil.com	
Address: 223 W. WALL ST.#226	City: MIDLAND	State: TX	Zip: 79701

Property Owner Print Name: GRASSLAND IV, LTD.		Phone #: 432-697-9866 Email: robertgrahamconstruction@gmail.com	
Address: 5908 HOMESTEAD BLVD.	City: MIDLAND	State: TX	Zip: 79707

Developer: (If different from property owner) Print Name: ROBERT GRAHAM		Phone #: 432-697-9866 Email: robertgrahamconstruction@gmail.com	
Address: 5908 HOMESTEAD BLVD.	City: MIDLAND	State: TX	Zip: 79707

Representative (If different from applicant or property owner) Print Name:		Phone #: Email:	
Address:	City:	State:	Zip:

Reason for Platting (Please be specific)
TO DEVELOPE NEXT SECTION OF SUBDIVISION & REGIONAL RETAIL LOTS ALONG WADLEY

Plat Information — Total Acreage: 55.1877 AC

Type: ☑ Single-Family Residential ☐ Multi-Family Residential
☑ Commercial ☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 103 — Number of Multi-Family Dwelling Units:

Request Type: ☐ Initial Preliminary Plat ☑ Preliminary Plat Amendment
(If preliminary plat amendment, submit markup showing proposed changes)

Deferral Request: Do you plan on requesting a deferral to the timing of public improvements?
☐ Yes ☑ No
(If yes, the deferral request must be submitted to the Planning Division by final plat submittal)

Development Agreement: Are you requesting a development agreement? ☐ Yes ☑ No
If yes, please call the Senior Engineering Manager at (432) – 685 – 7284 to discuss.

Groundwater Availability: Per Texas Local Government Code Section 212.0101, if groundwater is intended to be the water supply for a proposed subdivision, then a statement must be provided with the plat application and must: (1) be prepared by an engineer licensed to practice in this state or a geoscientist licensed to practice in this state; and (2) certify that adequate groundwater is available for the subdivision. The certification must be submitted by filling out and submitting these two forms with the final plat application: *Certification Form: Groundwater Availability for Platting* and *Plat Attesting Form* which can be found on TCEQ's website as well as the City of Midland's website on the Planning & Zoning page. Although the state law allows for municipalities to waive this requirement under 212.0101(a-1) under certain conditions, it is the decision of the City of Midland to not waive this requirement, and therefore, will not accept requests to waive it. This certification must be submitted before or at the time of preliminary plat submittal or the preliminary plat application will not be accepted.

Will this subdivision utilize groundwater as its water supply? ☐ Yes ☑ No

Submittal and Fees

Items to be submitted with this application form:

- Application fee – Payable to "The City of Midland"
  - Payment by check is preferred but you may also pay online via invoice that will be sent you once the application is processed. Any unpaid fees will result in the request being put on hold.
  - Plats smaller than 50 acres - $350
  - Plats larger than 50 acres - $500
- Preliminary plat
  - PDF and JPEG
  - 1 FOLDED copy
  - 1 FOLDED 11" x 17" copy
- Deferral request PDF (if applicable. Refer to sketch plat comments)
  - Due by final plat submittal
- Drainage report (if applicable. Refer to sketch plat comments)
  - Email to engineeringreviews@midlandtexas.gov
- Groundwater availability certification forms (if applicable)
  - Submit physically and digitally (PDF)

The original application form, copies of the plat, and groundwater availability certification forms must be physically submitted either in person or by mail at 300 North Loraine Street, Midland, Texas, 79701. Digital copies of all the above except for the drainage report must be submitted at planningsubs@midlandtexas.gov.

Timeline & Deadlines

Applications will be scheduled in accordance with the Submittal Deadline & Meeting Schedule Dates calendar which is posted on the Planning Division's webpage at www.midlandtexas.gov. Once the application has been accepted and paid for, it will be assigned to a Planner who will facilitate the remainder of the process. Please allow 3-5 business days for a Planner to contact you confirming the status of your plat and the Planning and Zoning Commission meeting it is scheduled for as well as the City Council meeting it is scheduled for if it requires City Council approval (refer to sketch plat comments). The Planner will keep you updated throughout the process and let you know of any issues

that arise. If revisions to your plat or related documents are needed in order for staff to recommend approval of the plat to the P&Z Commission, the Planner will communicate those comments to the applicant listed on this form during the review process. All revisions must be made **by the end of the eighth business day before the date of the meeting** or staff will recommend denial of the plat to the P&Z Commission. However, you may withdraw the plat application at any time to avoid this by emailing the Planner that you wish to do so.

Signatures (by property owner only – authorized agent must sign affidavit below)

Applicant (signature):	Date: 9-8-2025
Applicant (printed): LARRY H. WALKER, P.E., P.M.P.	
Property Owner (signature):	Date: 9-9-2025
Property Owner (printed): ROBERT GRAHAM	

The plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

If acting as an agent for property owner:

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear who, being by me duly sworn, upon oath says: That (s)he is the owner of GRASSLAND IV, LTD. or authorized by ROBERT GRAHAM, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Authorized Agent (signature)

Subscribed and sworn to before me, this 9th day of September, 2025, to certify which witness my hand and seal of office.

NOTARY PUBLIC, ~~MIDLAND~~ LAMAR COUNTY, TEXAS

Andra Kim Walker
My Commission Expires
2/15/2027
Notary ID 134205545

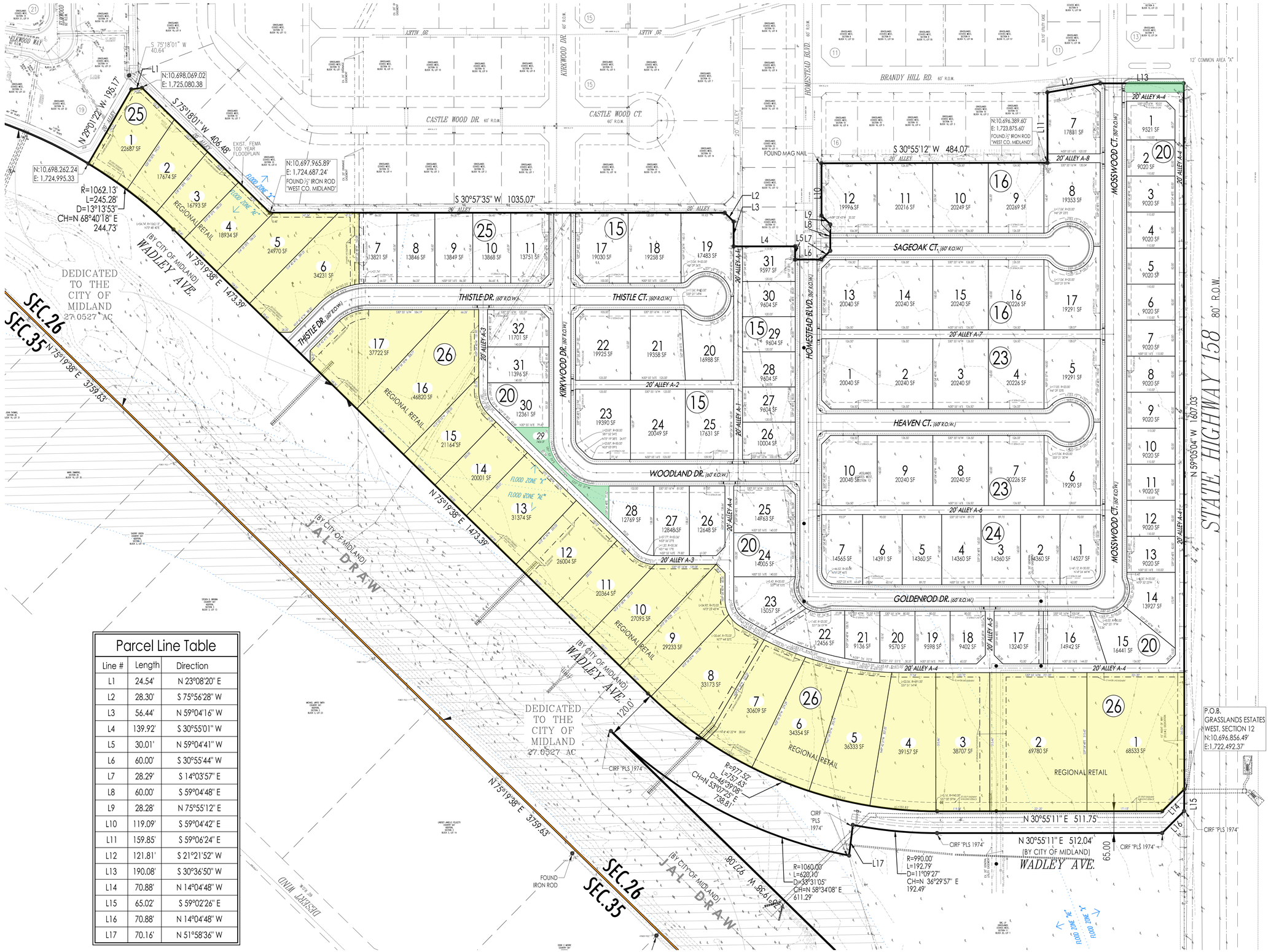
For Office Use Only	
☑ Property Owner Authorization	☑ Digital and Physical Copies of Plat
☑ Application Fee / ☐ Paying online	☐ Deferral Letter (if applicable. Due at final submittal)
Check# 10109	☐ Groundwater Availability Certification Forms (if applicable)
Planner Notes:	
Signature: Angelone Bethamoni	**Date:** 9/10/25

RECEIVED
SEP 10 2025
Initial

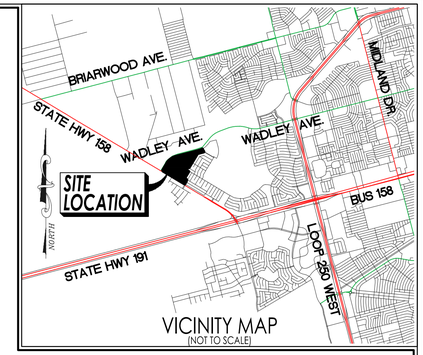
AMENDED PRELIMINARY PLAT

GRASSLAND ESTATES WEST, SECTION 12

BEING A PLAT OF A 55.1877 ACRE TRACT OUT OF A 99.1985 ACRE TRACT OF LAND LOCATED IN SECTION 35, BLOCK 40, T-1-S, T & P RR Co. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS



Parcel Line Table		
Line #	Length	Direction
L1	24.54'	N 23°08'20" E
L2	28.30'	S 75°56'28" W
L3	56.44'	N 59°04'16" W
L4	139.92'	S 30°55'01" W
L5	30.01'	N 59°04'41" W
L6	60.00'	S 30°55'44" W
L7	28.29'	S 14°03'57" E
L8	60.00'	S 59°04'48" E
L9	28.28'	N 75°55'12" E
L10	119.09'	S 59°04'42" E
L11	159.85'	S 59°06'24" E
L12	121.81'	S 21°21'52" W
L13	190.08'	S 30°36'50" W
L14	70.88'	N 14°04'48" W
L15	65.02'	S 59°02'26" E
L16	70.88'	N 14°04'48" W
L17	70.16'	N 51°58'36" W



VICINITY MAP
(NOT TO SCALE)

LEGEND

- DENOTES FOUND 1/2-INCH IRON ROD W/RED PLASTIC CAP MARKED "WEST CO. MIDLAND"; UNLESS FOUND MONUMENT IS OTHERWISE NOTED
- DENOTES FLOODWAY BOUNDARY
- DENOTES ZONE AE - REGULATORY FLOODWAY
- DENOTES ZONE AE - WITH BASE FLOOD ELEVATION
- DENOTES SECTION LINE
- DENOTES BOUNDARY LINE
- DENOTES LOT LINE
- DENOTES SETBACK LINE[UTILITY EASEMENT, WHERE APPLICABLE]
- DENOTES EASEMENT LINE
- DENOTES EXISTING EASEMENT LINE
- DENOTES ADJACENT DEED OR PROPERTY LINE
- DENOTES LOTS & OTHER AREAS USED FOR GREEN SPACE
- DENOTES LOTS ZONED REGIONAL RETAIL
- P.O.B. DENOTES POINT OF BEGINNING
- D.R.M.C.T. DEED RECORD, MIDLAND COUNTY, TEXAS
- M.C.D.R. MIDLAND COUNTY DEED RECORDS
- P.R.M.C.T. PLAT RECORDS, MIDLAND COUNTY, TEXAS

NOTICE:

1. ALL FRONT YARD SETBACKS ARE 15.0', AS SHOWN PER THIS PLAT (UNLESS OTHERWISE NOTE TO BE 10.0' IN SOME AREAS). PER CITY OF MIDLAND SF1 ZONING DISTRICT REQUIREMENTS (MINIMUM FRONT YARD SETBACK- IF LOT IS SERVED BY A PAVED ALLEY AND NO FRONT ENTRY IS PROVIDED OR ALLOWED (I.E., NO DRIVEWAY MAY BE IN THE FRONT YARD AND ACCESS MUST BE FROM THE ALLEY.)
2. ALL SIDE YARD SETBACKS ARE 5.0' ON INTERIOR LOTS & 10.0' ON CORNER-EXTERIOR(STREET) LOTS, AS SHOWN IN ACCORDANCE WITH CITY OF MIDLAND SF1 ZONING DISTRICT REQUIREMENTS.
3. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
4. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
5. WITH REFERENCE TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, MAP NO.48329C0068F, REVISED 9/16/05 TO REFLECT LOMR, EFFECTIVE DATE: 3/10/14,THIS SURVEYOR HAS DETERMINED THAT THIS PROPERTY IS LOCATED MOSTLY LOCATED IN ZONE "X" AND A SMALL CORNER IN ZONE "AE". THIS DETERMINATION SHALL NOT CREATE A LIABILITY UPON SAID SURVEYOR.
6. COORDINATES, BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE LAMBERT GRID AND CONFORM TO THE "TEXAS COORDINATE SYSTEM", TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
7. UNLESS OTHERWISE INDICATED, ALL EASEMENTS SHOWN HEREON ARE CREATED BY THIS PLAT.

NORTH

0' 100' 200' 300'

SCALE 1" = 100'

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

DATE: _____

OWNER:
GRASSLAND IV, LTD.
Robert Graham | Managing Partner
5908 Homestead Blvd. | Midland, TX 79707-2115
(432) 664-5358 | robertgrahamconstruction@gmail.com

PENNELL LAND SURVEYING, LLC
SURVEYING FIRM #: 10193978
2030 W. Cuthbert
Midland, Texas 79701

SEPTEMBER 2025

GRASSLAND ESTATES WEST, SECTION 12

PG. 1of 2

AMENDED PRELIMINARY PLAT

GRASSLAND ESTATES WEST, SECTION 12

BEING A PLAT OF A 55.1877 ACRE TRACT OUT OF A 99.1985 ACRE TRACT OF LAND LOCATED IN SECTION 35, BLOCK 40, T-1-S, T & P RR Co. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, GRASSLANDS IV, LTD. is the record owner of a 55.1877 acre tract of land situated in SECTION 35, BLOCK 40, T–1–S, T & P RR Co. SURVEY, City & County of Midland, Texas,

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, ROBERT GRAHAM of GRASSLANDS IV, LTD., being the owner of the land shown on this plat designated as GRASSLAND ESTATES WEST, SECTION 12, an Addition to the City of Midland, Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon; and do hereby give an easement of ingress and egress to the City of Midland for garbage and trash collection, and location and maintenance of trash containers and access thereto, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith have been selected and approved by the Director of Utilities.
WITNESS my hand at Midland, Texas, this

the _____ day of _____ , 2025.

_____
By: ROBERT GRAHAM of GRASSLANDS IV, LTD.

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, ROBERT GRAHAM, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as the authorized agent of GRASSLANDS IV, LTD., and that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this

the _____ day of _____, 2025.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, DURYN HENINGTON, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this plat was prepared from an actual and accurate survey of the land and that the corner monuments shown thereon were properly located under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.

Preliminary, this document shall not be recorded for any purpose.

_____
DURYN HENINGTON, R.P.L.S.6832
2030 W. Cuthbert
Midland, Texas 79701

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "GRASSLAND ESTATES WEST, SECTION 12", was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

the _____ day of _____ , 2025.

_____
LUCY SISNIEGA, CHAIRMAN

_____
ELIZABETH TRIGGS, SECRETARY

INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE PERMITTING PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

_____
ATMOS ENERGY Print Name:

_____
ONCOR ELECTRIC DELIVERY Print Name:

_____
OPTIMUM Print Name:

_____
ASTOUND Print Name:

_____
AT&T–TEXAS Print Name:

NOTICE:

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PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

DATE: _____

OWNER:
GRASSLAND IV, LTD.
Robert Graham | Managing Partner
5908 Homestead Blvd. | Midland, TX 79707-2115
(432) 664-5358 | robertgrahamconstruction@gmail.com

PENNELL LAND SURVEYING, LLC
SURVEYING FIRM #: 10193978
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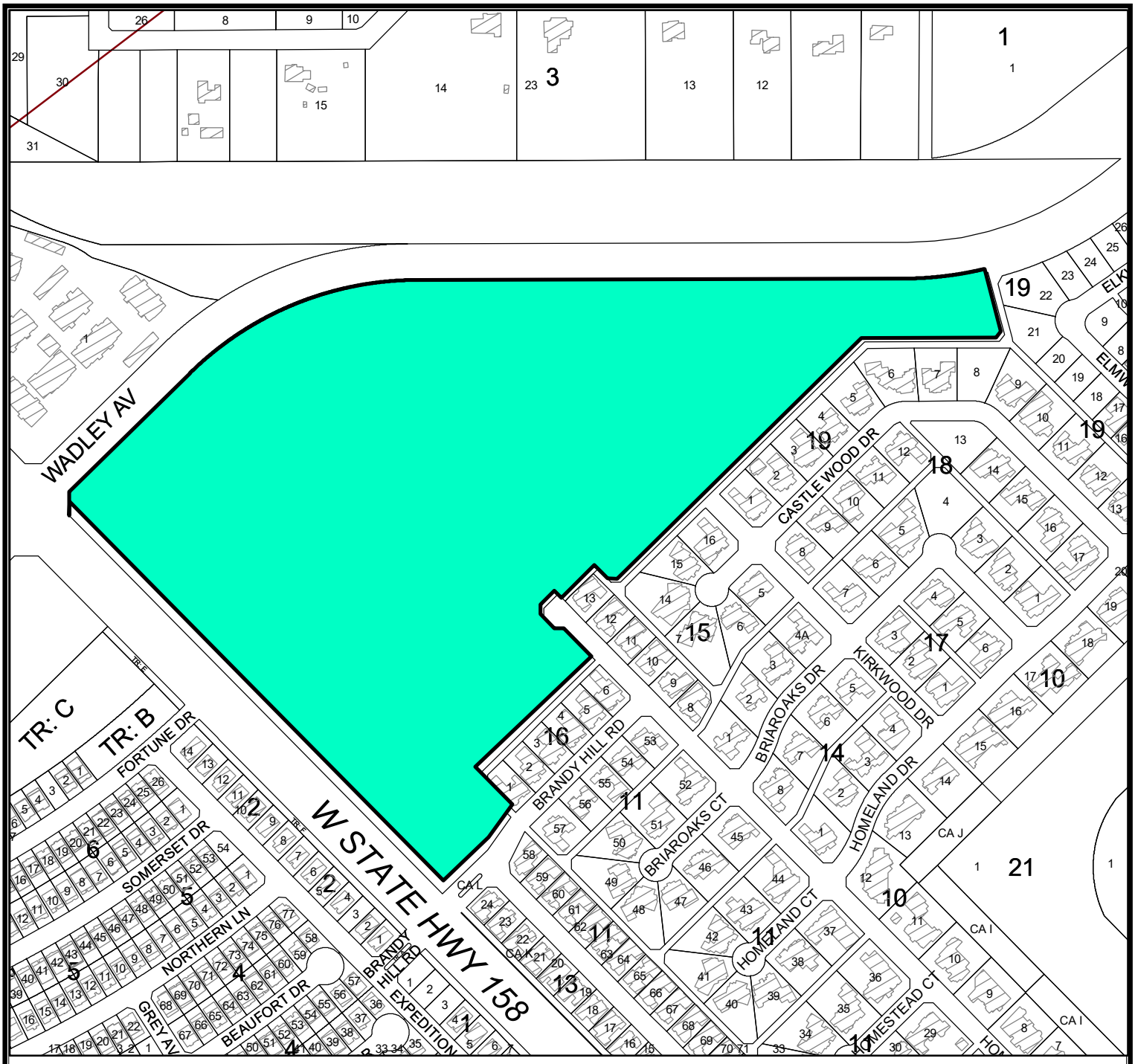
SEPTEMBER 2025

GRASSLAND ESTATES WEST, SECTION 12
PG. 2of 2



Location Map

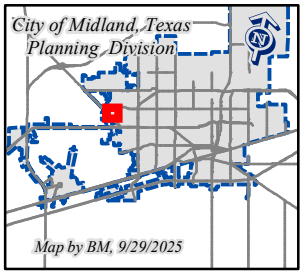
SUB-20-0369 **Scale: 1" = 431'**

Motion approving, with staff's recommended conditions, an amended Preliminary Plat of Grassland Estates West, Section 12, being a plat of a 55.1877-acre tract of land out of Section 35, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located on the north side of West State Highway 158, approximately 11 feet west of Brandy Hill Road. (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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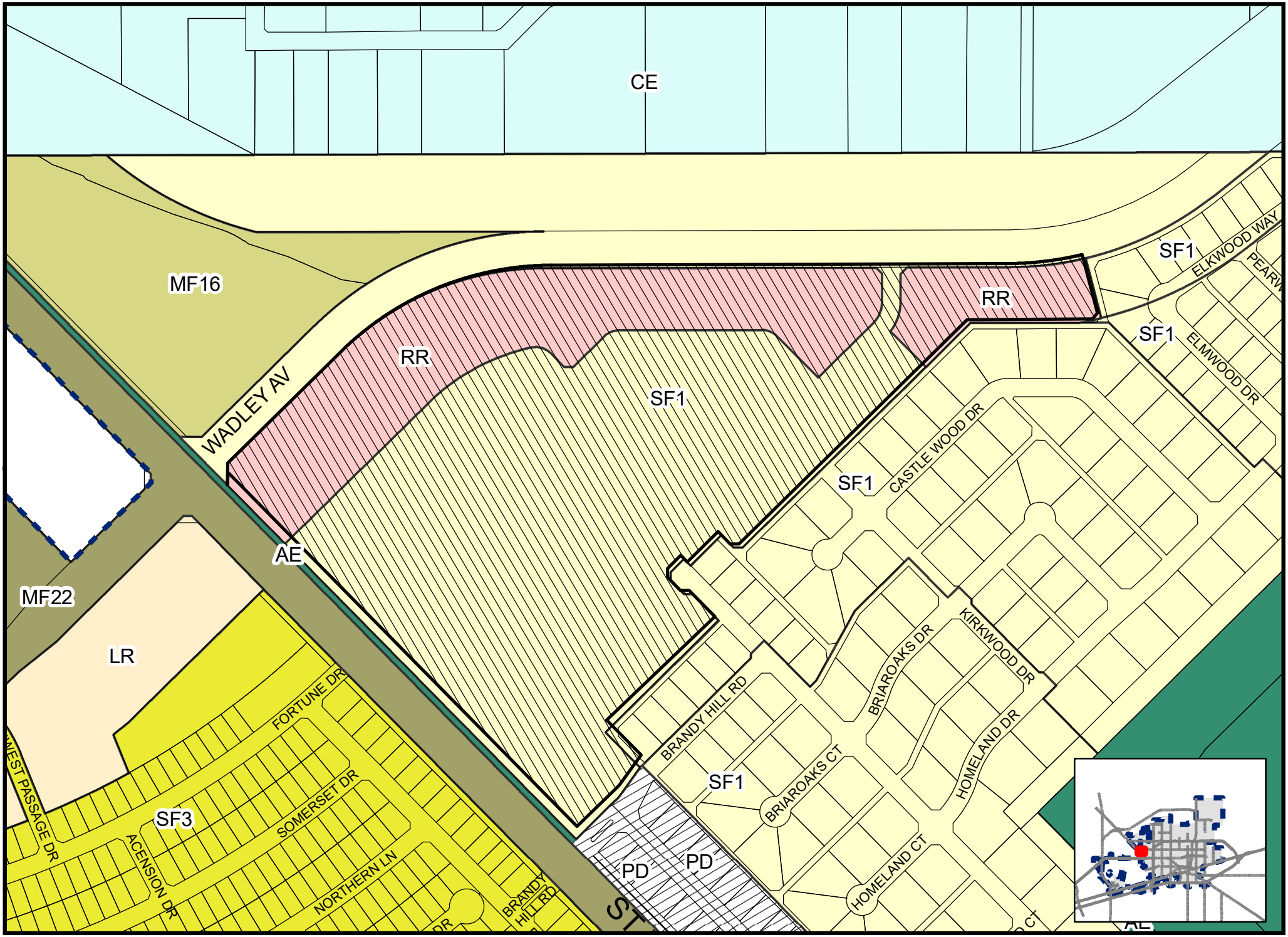
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



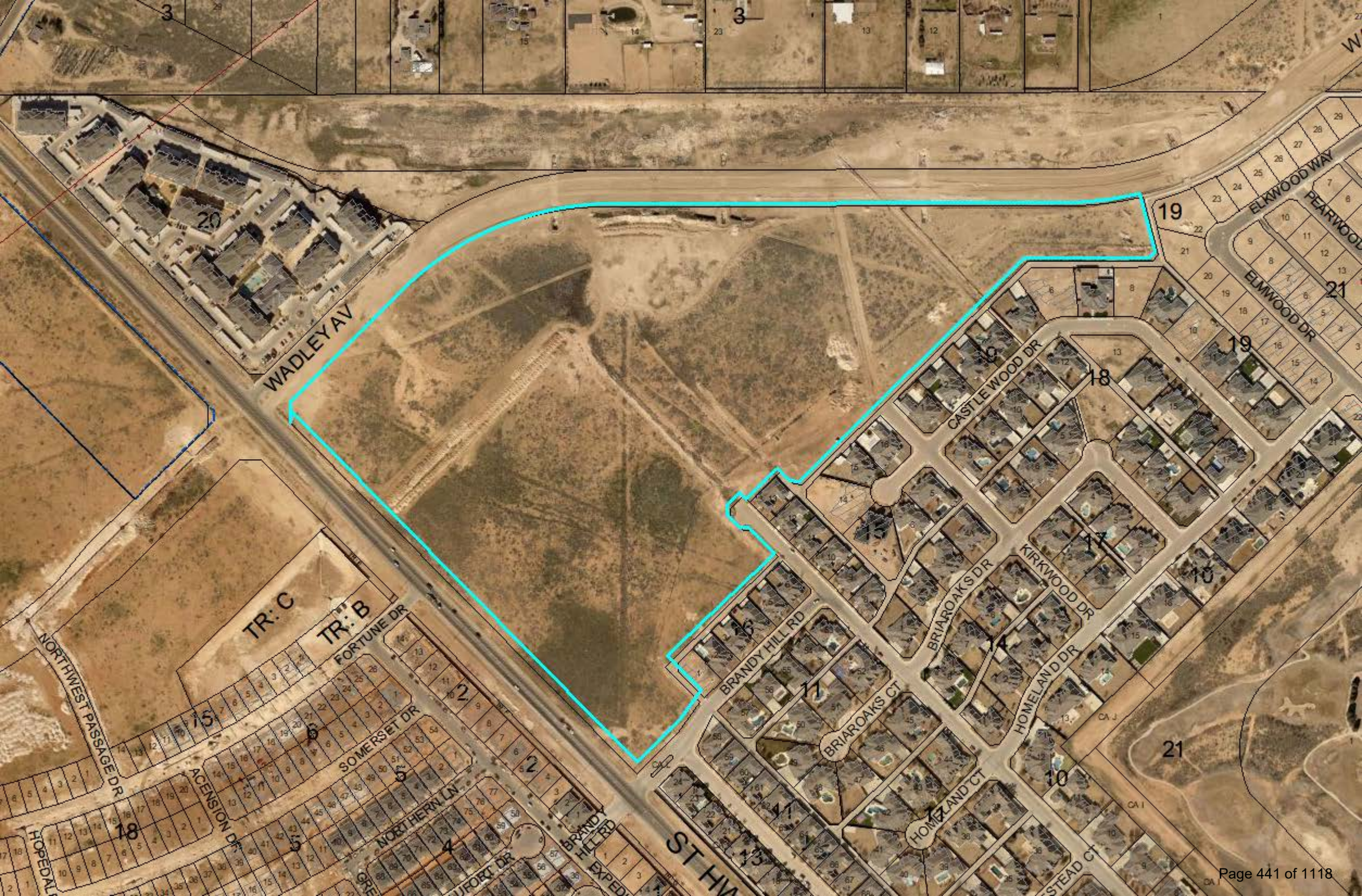
Map by BM, 9/29/2025

SUB-20-0369

Scale: 1" = 388'

ZONING MAP

© THE CITY OF MIDLAND - 2021: THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS MADE OR ACTIONS TAKEN BY USERS OF THIS MAP


WADLEY AV
ELKWOOD WAY
PEARWOOD
ELMWOOD DR
CASTLE WOOD DR
BRIARWOOD DR
KIRKWOOD DR
BRANDY HILL RD
BRIAROAKS CT
HOMELAND DR
HOMELAND CT
FORTUNE DR
NORTHWEST PASSAGE DR
SOMERSET DR
NORTHERN LN
ACENSION DR
HOPEDALE
BRANDY HILL RD
ST HWY
TR: C
TR: B
19
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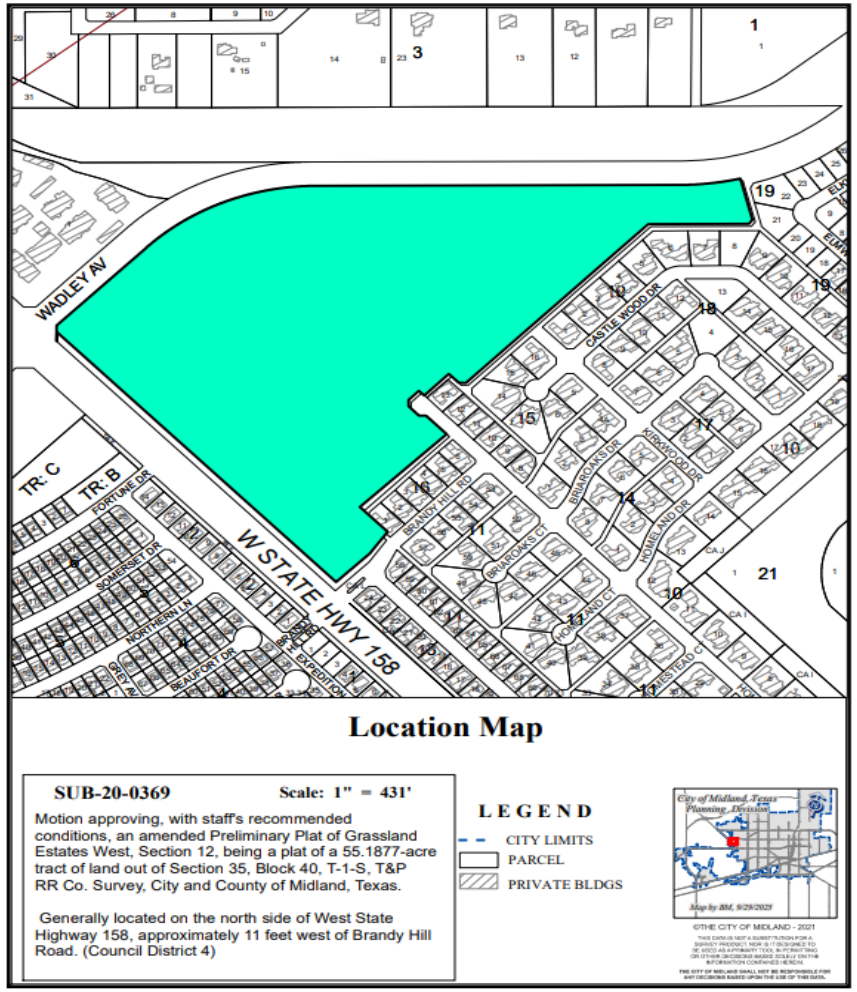
12
11
10
21
20
3
2
1
5
4

MIDLAND
Be the Energy!
ITEM
PRELIMINARY PLAT AMENDMENT
GRASSLAND ESTATES WEST, SECTION 12
Visit Our Website
MIDLANDTEXAS.GOV

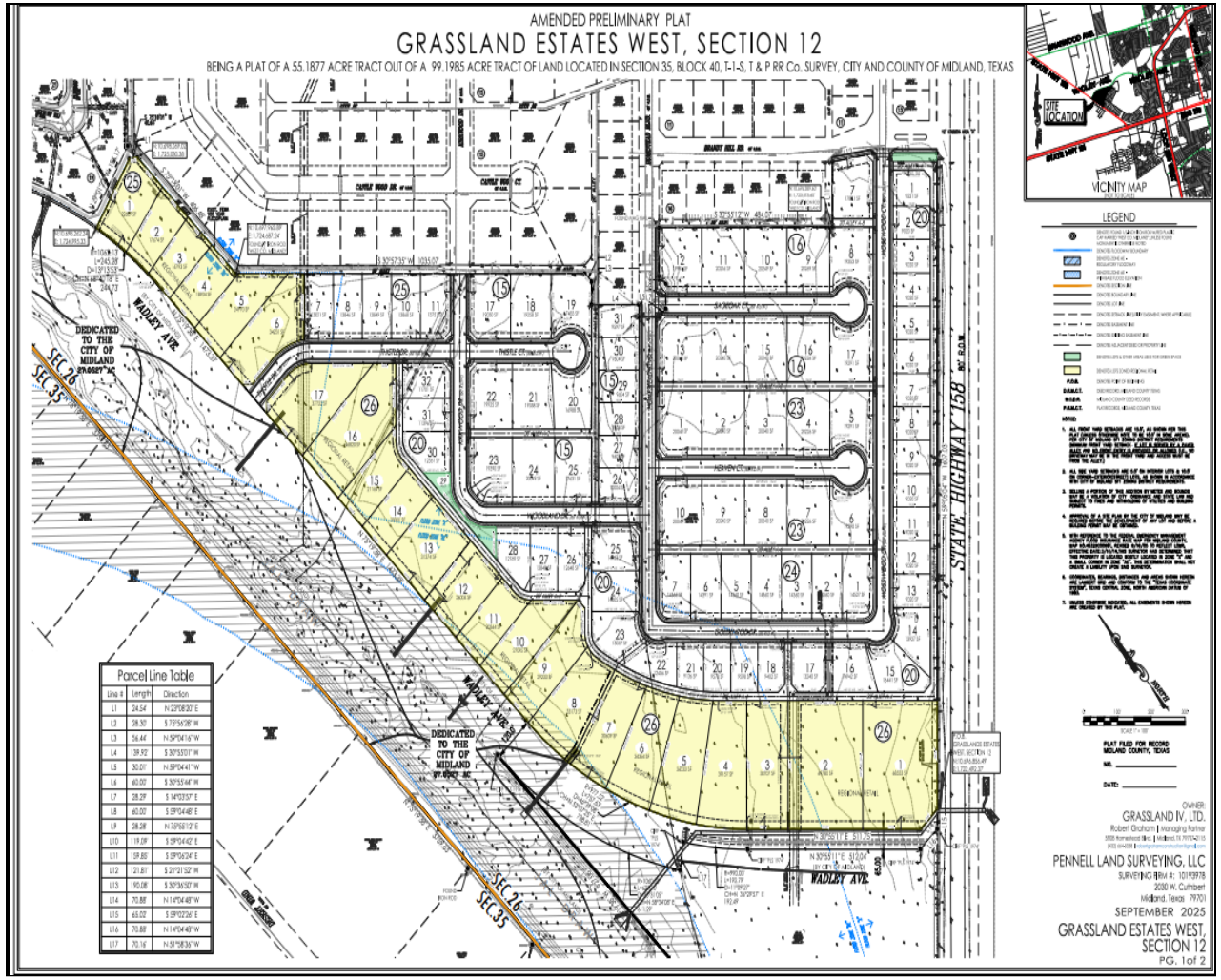
APPLICATION SUMMARY

- **Developer:** Robert Graham
- **Property Owner:** Grassland IV, LTD
- **Representative:** Larry Walker, with WA Civil, LLC
- **Location:** Generally located on the north side of West State Highway 158, approximately 11 feet west of Brandy Hill Road. (Council District 4)
- **Reason for Request:** Platting for future residential and commercial development



PLAT DETAILS

- **Acreage:** 55.1877 acres
- **Number of Existing Lots:** 0
- **Number Proposed Lots:** 103



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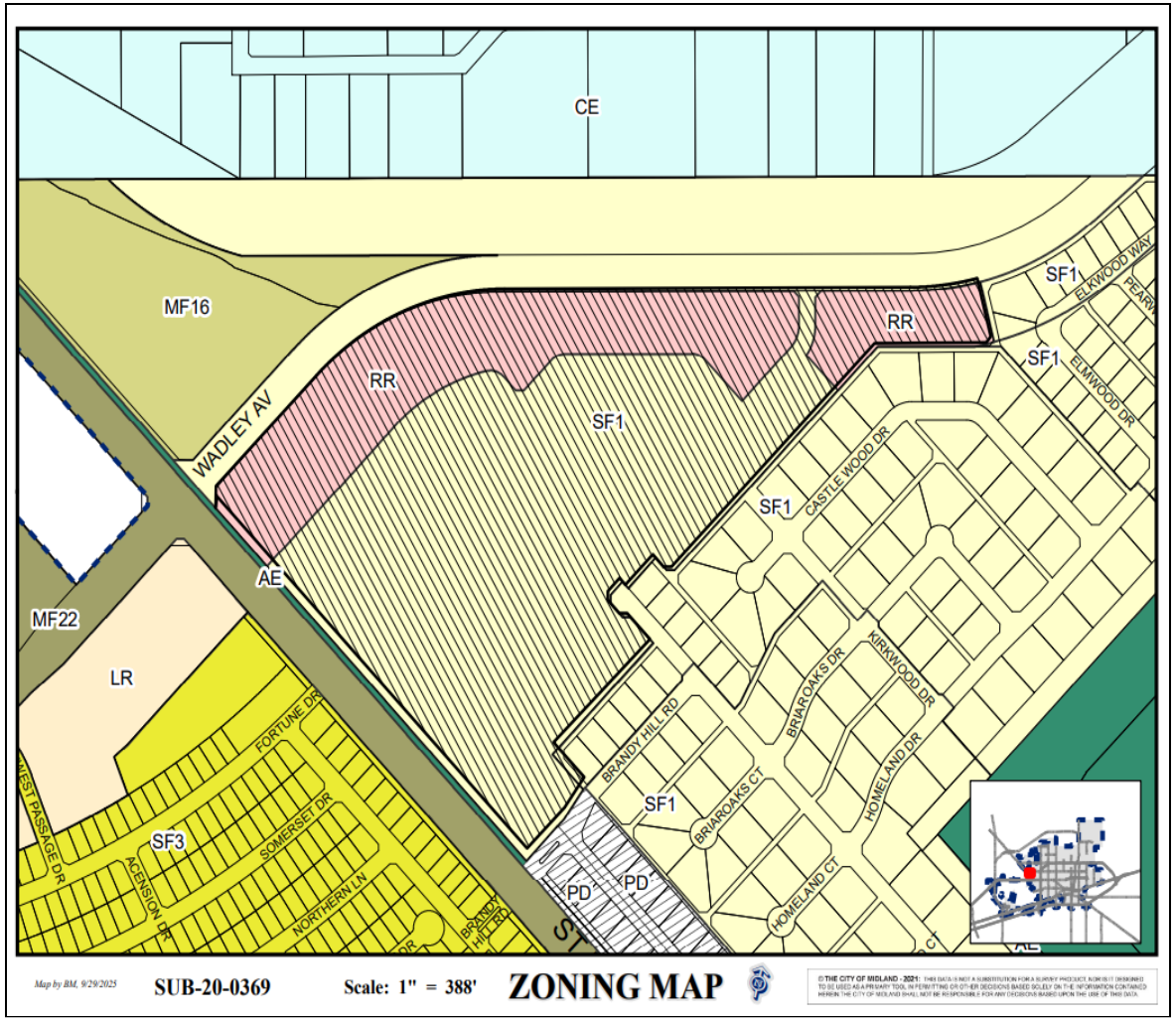
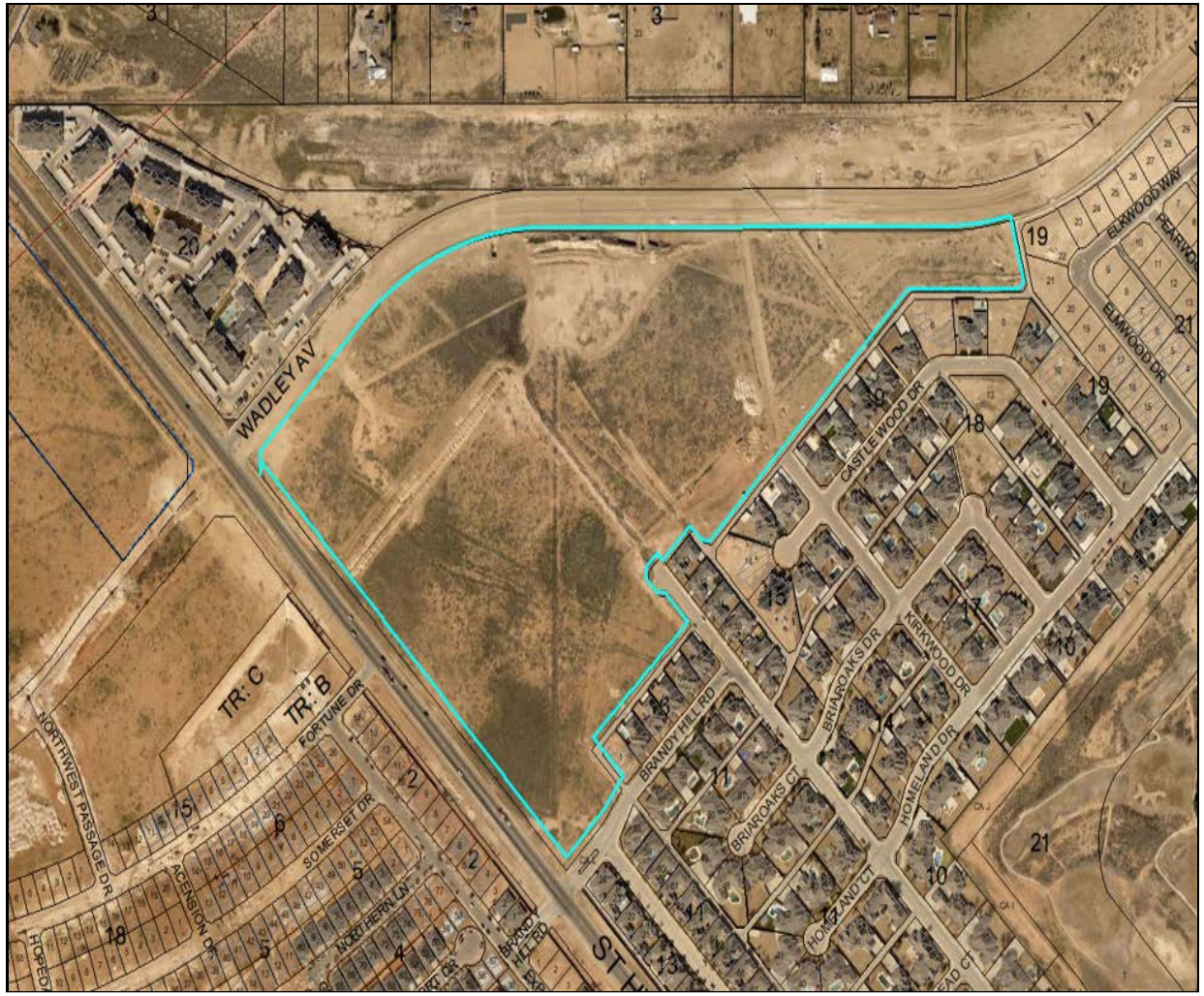
ZONING

- **Current Zoning:** SF-1, Single-Family Dwelling District, in part, and RR, Regional Retail District, in part
- **Surrounding Zoning:**
  - **North/East:** SF-1, Single-Family Dwelling District
  - **South:** MF-22, Multiple-Family Dwelling District and PD, Planned Development District for a Housing Development
  - **West:** MF-16, Multiple-Family Dwelling District and AE, Agricultural Estate District



LAND USE

- **Current Use:** Vacant Land
- **Surrounding Uses:**
  - **North/East:** Single-Family Housing
  - **South:** West State Highway 158
  - **West:** Apartment Complex
- **Proposed Use:** Single-Family Housing and Commercial Development



COMPREHENSIVE PLAN

- **Land Use Designation:** Urban Residential-Low (UR-L)
- **Supported Uses:** Restrictive land use, emphasizing single-family detached development, although innovative single-family forms may be permitted with special review.
- The request is compatible with the *Tall City Tomorrow Comprehensive Plan.*

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STAFF'S RECOMMENDATION

- The Planning & Zoning Commission recommended approval of the preliminary plat on March 15, 2021.
- City Council approved the preliminary plat on March 23, 2021.
- Staff recommends approval of this request with the following conditions:

STAFF'S RECOMMENDATION

A. Proof of ownership must be provided at final plat submittal. [11-2-3(H)3(m)(1)]
B. The restrictive covenants must be approved before final plat submittal [11-2-3(D)4(c)]
C. All proposed cul-de-sacs must be designed to satisfy subdivision regulations [11-2-5(C)3(q)(3)]
D. Public improvements must be completed or a request for a deferral letter must be submitted by Final Plat submittal. [11-2-3(G)1]

STAFF'S RECOMMENDATION

E. That the final plat for the property be named "Grassland Estates West, Section 14". [11-2-5(A)4]

F. Approval by the City Council shall be required prior to consideration of a final plat by the Commission on which any preliminary plat is ten hectares (25 acres) or more in area and is located in any survey section (approximately one square mile) which does not contain a publicly owned site or sites intended for both a public school and park, or public site reservation therefor; [11-2-3(D)11(a)(6)].

G. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas. [11-2]

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.

City Council Meeting

Item Number: 16.
Meeting Date: October 14, 2025
To: City Council
From: Britton Murry, Senior Planner
Subject: MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, A PRELIMINARY PLAT OF LLANO ESTACADO ESTATES, BEING A PLAT OF A 91.9-ACRE TRACT OF LAND OUT OF SECTION 16, BLOCK 38, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF EAST COUNTY ROAD 140 AND FARM TO MARKET ROAD 1213)

Purpose:
Magrym Consulting, on behalf of Santa Cruz Properties West, LLC, is requesting to plat a 91.94-acre tract of land located on the north side of East County Road 140 into 73 residential lots and 1 lot, which is being used for an oil & gas well, in order to obtain addresses and septic permits.

Recommended Action:
Directional/Informational

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Current Zoning:

ETJ, Extraterritorial Jurisdiction

This request has been routed to all respective departments for internal review. The comments are below.

BUILDING CODE: (Approved)

ETJ, no jurisdiction. All septic permits and installations are regulated by the City of Midland Health Department.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: There are no impact fees associated with this plat. Plat outside designated service areas. [For Applicant’s Information Only.]

ROW: Refer to transportation's comments, if any. [For Applicant’s Information Only.]

PAVING: The deferral request was submitted but was returned to the consultant with comments on 9/5/2025. FM 1213 Frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant’s Information Only.]

WATER: The deferral request was submitted but was returned to the consultant with comments on 9/5/2025. [For Applicant’s Information Only.]

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test. [For Applicant’s Information Only.]

PRO RATA: None.[For Applicant’s Information Only.]

SEWER: The deferral request was submitted but was returned to the consultant with comments on 9/5/2025. [For Applicant’s Information Only.]

DRAINAGE: The drainage report was submitted but was returned to the consultant with comments on 9/5/2025. [For Applicant’s Information Only.]

EASEMENTS: Show existing and proposed. [For Applicant’s Information Only.]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

No objections to plat. [For the Applicant’s information only.]

FIRE: (Approved)

No comments or objections.

OIL AND GAS: (Approved)

No Oil & Gas issues

GIS: (Approved)

Confirm coordinates, seem to be 30' too north. Confirm with Transportation if portions of E C R 140 and FM 1213 need dedications.

ADDRESSING: (Approved)

County Plat - To be Addressed by MECD

CRMWD: (Approved)

We do not have any comments on this plat.

HEALTH DEPARTMENT: (Approved)

Yes, the health department will review applications from the 74 proposed lots of Llano Estacado Estates, PLAT OF A 91.9 ACRE TRACT OF LAND OUT OF THE SOUTHEAST ¼ OF SECTION 16, BLOCK 38, T-2-S, T. & P. RR. CO. SURVEY, three lots are .99 acre, two lots are 2-acre, one lot is 15 acre, 68 lots are 1 acre, property owner must contact the pipeline company to get the setback to their pipeline before any excavation can occur, to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

PLANNING: (Approved)

This plat is greater than 25 acres; therefore, approval from Council is required during the preliminary phase. [Midland City Code 11-2-3(D)11(a)6]

Provide proof of ownership by the final plat phase. MCAD shows the owner as Vivian Saunders Estate. [Midland City Code 11-2-3(A)1(a)(2)]

For note #7 remove the following: “The following note shall be placed on the plat.” [Informational]

Remove the “R” number for the property to the north [Informational]

Should this preliminary plat be approved, staff recommends that it be subject to the following conditions.

Conditions:

A. Proof of ownership must be provided at final plat submittal. [11-2-3(H)3(m)(1)]

B. Approval by the City Council shall be required prior to consideration of a final plat by the Commission on which any preliminary plat is ten hectares (25 acres) or more in area and is located in any survey section (approximately one square mile) which does not contain a publicly owned site or sites intended for both a public school and park, or public site reservation therefor; [11-2-3(D)11(a)(6)]

C. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas. [11-2]

Attachments:

A. P-25-2367, Combined Documents
B. CC - - Llano Estacado Estates Preliminary Plat

Britton Murry, Development Services	Created/Initiated - 10/1/2025
Landon Ochoa, Development Services	Approved - 10/2/2025
Elizabeth Triggs, Development Services	Approved - 10/2/2025
Linda Ochoa, Legal	Approved - 10/7/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Rachel Guentensberger, City Secretary	Final Approval - 10/7/2025

MIDLAND
Planning Division

Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Llano Estacado Estates

Legal Description (attached sealed Metes and Bounds):
BEING A 91.94 ACRE TRACT OF LAND, OUT OF THE SOUTHEAST/4 OF SECTION 16, BLOCK 38, T-2 S, T&P RR CO SURVEY, ABSTRACT 1382, MIDLAND COUNTY, TEXAS

Property Owner Printed Name: SANTA CRUZ PROPERTIES WEST, LLC		Phone (956) 383-0868 Email CARR.CAROTHERS@GMAIL.COM	
Address 2810 N. CLOSNER BLVD.	City EDINBURG	State TX	Zip 78541
Developer *(if different than Owner)* Printed Name:		Phone ( ) Email	
Address	City	State	Zip
Representative *(if acting as Agent, see affidavit on page 2)* Firm: Magrym Consulting Printed Name: Ed Aleman		Phone (432) 254-0327 Email ed.aleman@magrym.com	
Address 110 W Louisiana	City Midland	State TX	Zip 79701

Current Zoning: _____

Reason for Platting: Obtain Septic permits and addresses

Plat Information	Total Acreage:	91.94
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ)		
Number of Lots: 74	Number of Multi-family Dwelling Units:	

Submittal and Fees

Items to be submitted with this application form:

- 1 FOLDED Copy of Dimensioned Plat
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF)
- Application Fee – Payable to the 'City of Midland'

Request for a Development Agreement

Do you expect to request a development agreement with the City? ☐ Yes ☐ No

If yes, contact the City Engineer at (432) 685-7286

Provisions

A plat application will not be considered filed pursuant to Section 212.009 of the Texas Local Government Code until all required documents and fees have been submitted and ***all of the terms and conditions of the Subdivision Ordinance, including all necessary studies, plans and supporting information are accepted and approved,*** or the applicant has filed a waiver request for sections from which the plat deviates. Once a plat meets the requirements to be considered filed with the City, the application will be placed on the Planning and Zoning Commission agenda for consideration under the time requirements set out in Section 212.009.

Signature *(by property owner only – authorized agent must sign affidavit below)*

Property Owner (signature): _____ Date: 8-20-25

Cristen R. Weyand, President

Property Owner (printed) : _____

The Preliminary Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Cristen Weyand the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Eduardo J Aleman

Authorized Agent (*signature*)

Subscribed and sworn to before me, this 20th day of August, 2025, to certify which witness my hand and seal of office.

GENESIS MELODY GUEVARA
Notary ID #135161214
My Commission Expires
November 7, 2028

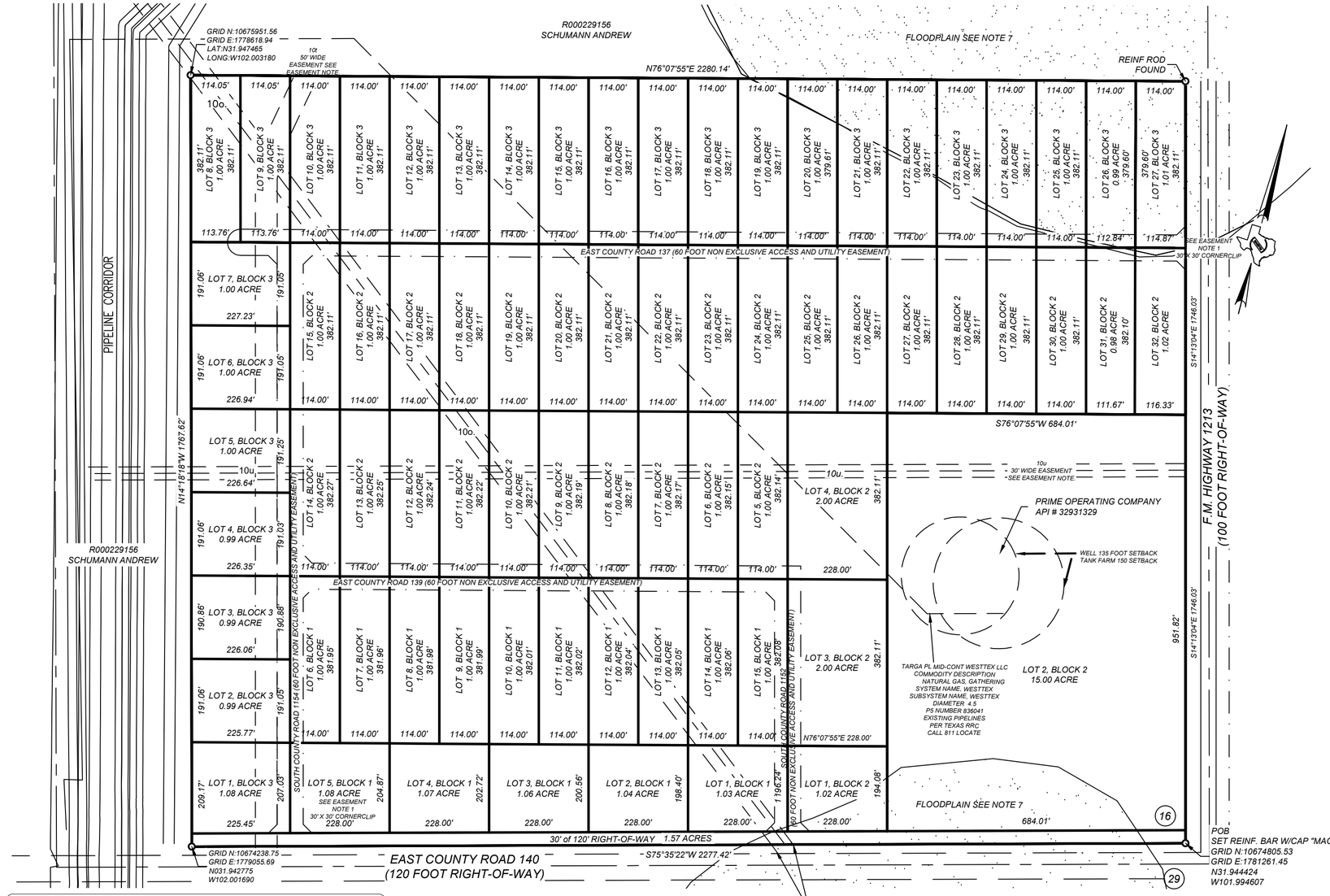
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

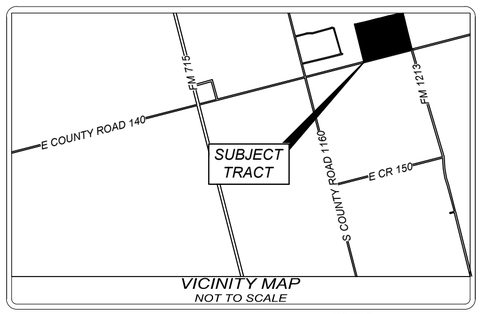
FOR OFFICE USE ONLY

☑ Property Owner Authorization	☑ 1 Copy of Dimensioned Plat	☐ Plat in Digital Format (PDF/JPEG)
☑ Application Fee	☑ 1 Copy of Plat (11x17)	
Check # 1570		RECEIVED
Received By:		Date: AUG 20 2025

Initial: _____

****Application will not be considered for scheduling until reviewed by a planner.****





PRELIMINARY PLAT

Llano Estacado Estates

BEING A 91.9-ACRE TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, BLOCK 38, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS

STATE OF TEXAS §
COUNTY OF MIDLAND §

OWNER'S CERTIFICATE:

WHEREAS, WE ARE THE RECORD OWNER OF A 91.94 ACRE TRACT OF LAND, OUT OF THE SOUTHEAST/4 OF SECTION 16, BLOCK 38, T-2-S, T&P RR CO SURVEY, ABSTRACT 1382, MIDLAND COUNTY, TEXAS, SAID 91.94 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINF. ROD FOUND (N:10674782.88, E:1781258.24) FOR THE SOUTHEAST CORNER OF THIS TRACT, IN WEST RIGHT OF WAY FM 1213 FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 16 - BEARS SOUTH 73 °22'28" EAST 58.24 FEET;

THENCE SOUTH 75°37'24" WEST WITH NORTH RIGHT OF WAY OF EAST COUNTY ROAD 140, 2277.43 FEET TO A REINF BAR FOUND FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°18'18" WEST ,1767.62 FEET TO A REINF BAR FOUND FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 76°07'55" EAST, 2280.14 FEET A REINF BAR FOUND FOR THE NORTHEAST CORNER OF THIS TRACT IN THE WEST RIGHT OF WAY FM 1213,

THENCE SOUTH 14°13'06" EAST WITH THE WEST RIGHT OF WAY FM 1213, 1747.36 FEET TO THE PLACE OF BEGINNING;

ACREAGE, BEARINGS, AND DISTANCES SHOWN ARE GRID MEASUREMENTS BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS CE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.

ACKNOWLEDGEMENT:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS LLANO ESTACADO ESTATES, AN ADDITION TO THE CITY OF MIDLAND, TEXAS, AND, HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS AND EASEMENTS (AND PARKS) (AND PARKWAYS) (AND DRAINAGE BASINS) [INCLUDE ALL THAT APPLY] SHOWN THEREON.

WITNESS MY HAND AT MIDLAND, TEXAS, THIS_____DAY OF _____20 _____.

_____
SANTA CRUZ PROPERTIES WEST, LLC

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS PLAT WAS ACKNOWLEDGED BEFORE ME ON THIS_____DAY OF_____20_____BY SANTA CRUZ PROPERTIES WEST, LLC .

_____
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

EASEMENT NOTE:

O.MEMORANDUM OF EASEMENT AND RIGHT OF WAY AGREEMENT BY AND BETWEEN VIVIAN 0. SAUNDERS AND PIONEER NATURAL RESOURCES USA, INC., DATED MARCH 19, 2015, AND RECORDED IN DOCUMENT NUMBER 2015-11676, OFFICIAL RECORDS OF MIDLAND COUNTY, TEXAS.LOCATED AS SHOWN ON THIS TRACT OF LAND

T.MEMORANDUM OF PERMANENT EASEMENT AGREEMENT EXECUTED BY VIVIAN SAUNDERS TO M2E4, LLC, DATED FEBRUARY 14, 2020, AND RECORDED IN DOCUMENT NUMBER 2020-5811, OFFICIAL RECORDS OF MIDLAND COUNTY, TEXAS.LOCATED ON THIS TRACT OF LAND.

U. RIGHT OF WAY EASEMENT AND AGREEMENT EXECUTED BY VIVIAN S. CHANDLER TO CENTURION PIPELINE LP., DATED SEPTEMBER 29, 2021, AND RECORDED IN DOCUMENT NUMBER 2022-14020, OF OFFICIAL RECORDS OF MIDLAND COUNTY, TEXAS.LOCATED AS SHOWN ON THIS TRACT OF LAND.

1. 30 FOOT X 30 FOOT CORNER CLIP AT ALL ACEESS ROAD INTERSECTION AS SHOWN

LEGEND:

- EASEMENT
- MONUMENT AS DESCRIBED
- PROPERTY LINE
- ADJOINING PROPERTIES
- ABSTRACT LINE

CERTIFICATE OF APPROVAL:

FOR APPROVAL BY THE CITY PLANNING AND ZONING COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF LLANO ESTACADO ESTATES WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____DAY OF _____20_____.

SIGNED: _____
CHAIRMAN: ABRAHAM BEJIL

ATTEST:_____
SECRETARY: LANDON OCHOA

NOTES:

1. BEARINGS, DISTANCES AND ACREAGE SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.

2. MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH BLUE PLASTIC CAP STAMPED "MAGRYM ENGINEERING" UNLESS OTHERWISE NOTED.

3. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

4. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.

5. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASE OF FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

6. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE COUNTY OF EXTRATERRITORIAL JURISDICTION AS SUCH TIME AS: (1) ANY LOT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

7.THE FOLLOWING NOTE SHALL BE PLACED ON THE PLAT: "THE BOUNDARIES OF THE 100-YEAR FLOODPLAIN (AND FLOODWAY) IN ZONE X AND A, AS SHOWN HEREON ARE AS DESIGNATED BY FEMA MAP PANEL 48329C0209F AND 48329C0250F WITH AN EFFECTIVE DATE OF 9/16/2005 AND ARE SUBJECT TO CHANGE. CURRENT INFORMATION REGARDING FLOOD HAZARD AREAS, INCLUDING THE MINIMUM SLAB OR FLOOR ELEVATION REQUIRED FOR CONSTRUCTION ON ANY LOT LOCATED WHOLLY OR PARTLY WITHIN THE 100- YEAR FLOODPLAIN, MAY BE OBTAINED FROM THE CITY OF MIDLAND. BEFORE ANY DEVELOPMENT (INCLUDING FILL, CHANNEL MODIFICATION, ETC.) PROCEEDS ON ANY LAND ENCUMBERED BY THE 100- YEAR FLOODPLAIN, OR WITHIN ANY DRAINAGEWAY OR BASIN, A DEVELOPMENT PERMIT APPLICATION MUST BE FILED AT THE CITY OF MIDLAND.

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED:_____
ONCOR ELECTRIC DELIVERY COMPANY

SIGNED:_____
AT&T TEXAS

SIGNED:_____
ATMOS ENERGY

SIGNED:_____
OPTIMUM COMMUNICATIONS

SIGNED:_____
ASTOUND COMMUNICATIONS

811 KNOW WHAT'S BELOW. CALL BEFORE YOU DIG.

GRAPHIC SCALE
0 150 300
(1 INCH = 150' FEET)

OWNER(S):

SANTA CRUZ PROPERTIES WEST, LLC
CARR CAROTHERS
2810 N CLOSNER BLVD, EDINBURG, TX 78541
(956) 383-0868
(214)620-1454
CVELA@SCPRGV.COM
CARR.CAROTHERS@GMAIL.COMEMAIL

SURVEYOR'S CERTIFICATE:

THAT I, RJ DAUM. A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY AND COUNTY OF MIDLAND, TEXAS.

STATE OF TEXAS REGISTERED RJ DAUM 4826 PROFESSIONAL LAND SURVEYOR

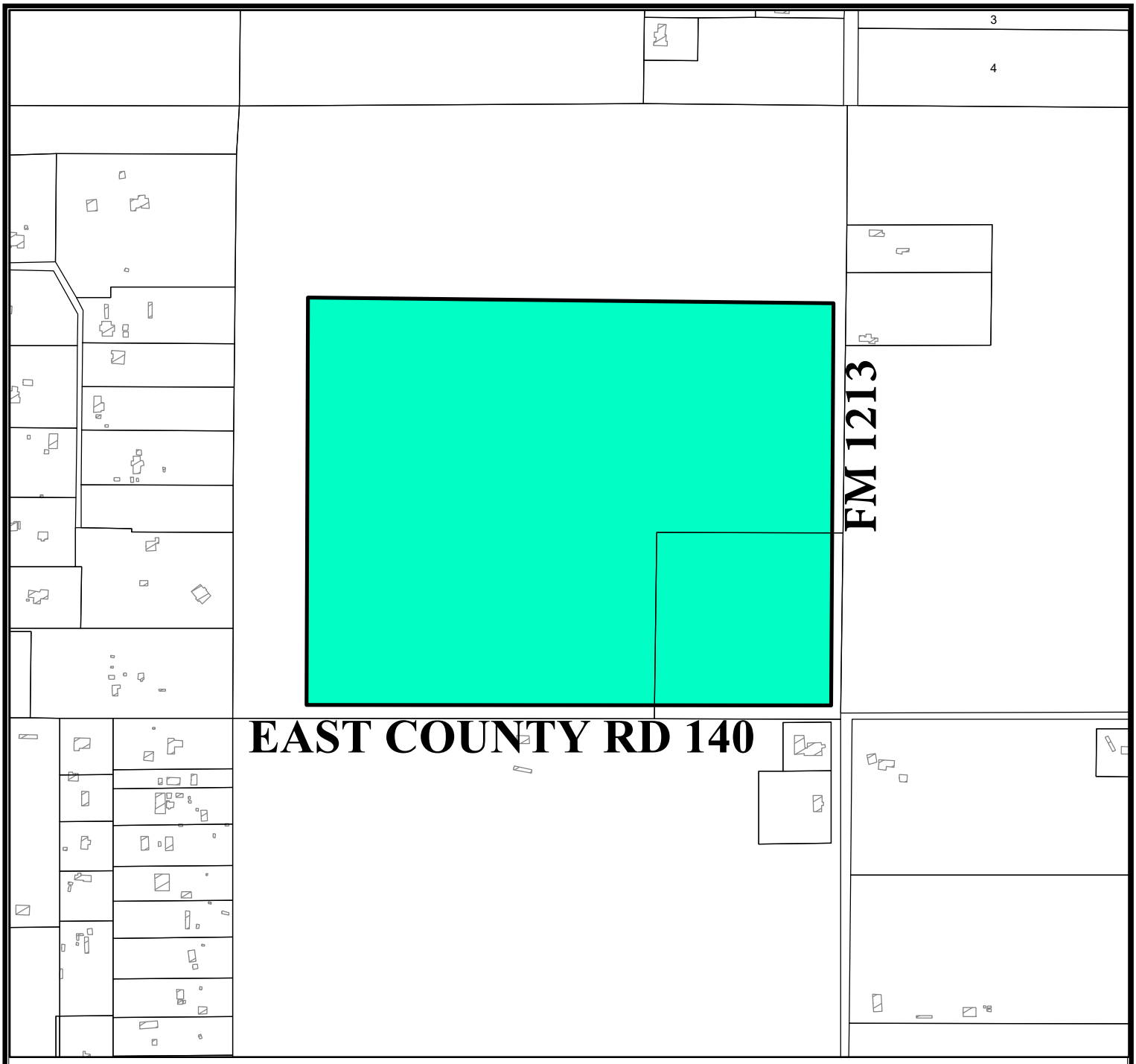
RJ DAUM
TEXAS RPLS 4826

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO. _____ CABINET _____
DATE _____ PAGE _____

NO.	DATE	DESCRIPTION	BY

DRAWN BY: Ai
DATE: 04/09/2025
CHECKED BY: ED/RJ
PROJECT NO.: 25-200
JOB NO.: 25-200
SHEET: 1 OF 1

MAGRYM
800 N. MARIENFELD STREET
SUITE 100
MIDLAND, TEXAS 79701
TEXAS FIRM No. 10149500
Office (432) 684-5548



Location Map

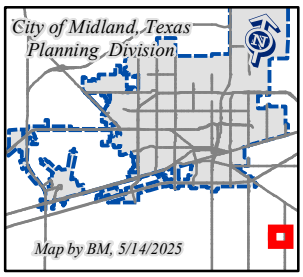
SUB-25-0852 **Scale: 1" = 620'**

Proposed plat of Llano Estacado Estates being a 91.9-acre tract of land located in the southeast quarter of Section 16, Block 38, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Generally located at the northwest corner of the intersection of East County Road 140 and Farm to Market Road 1213. (Extraterritorial Jurisdiction)

L E G E N D

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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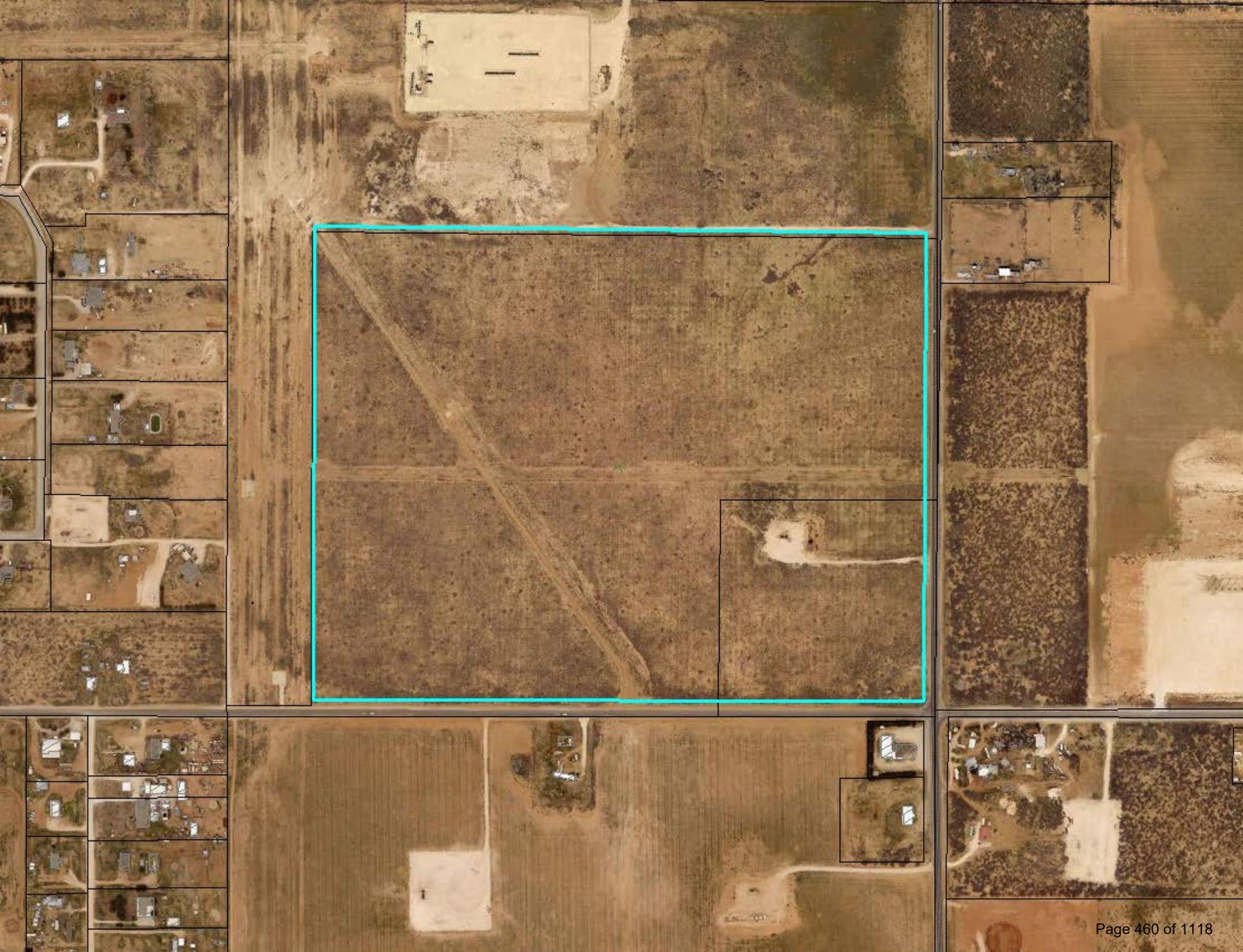
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



MIDLAND
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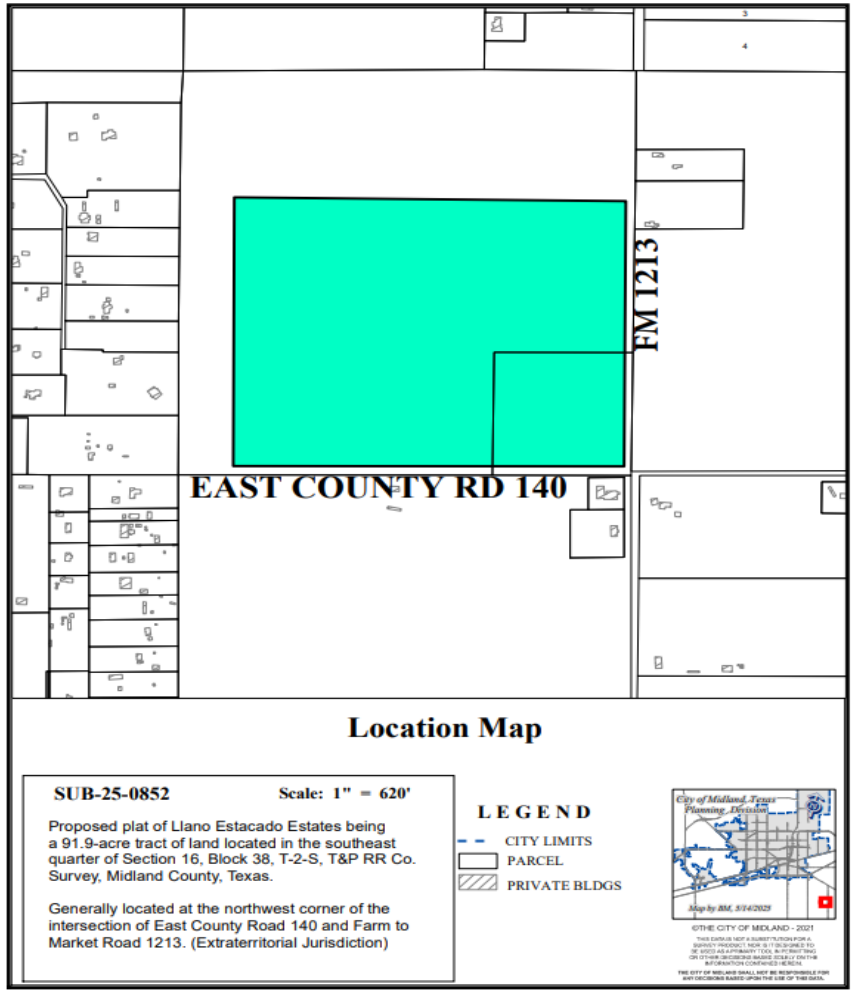
ITEM
PRELIMINARY PLAT
LLANO ESTACADO ESTATES
Visit Our Website
MIDLANDTEXAS.GOV

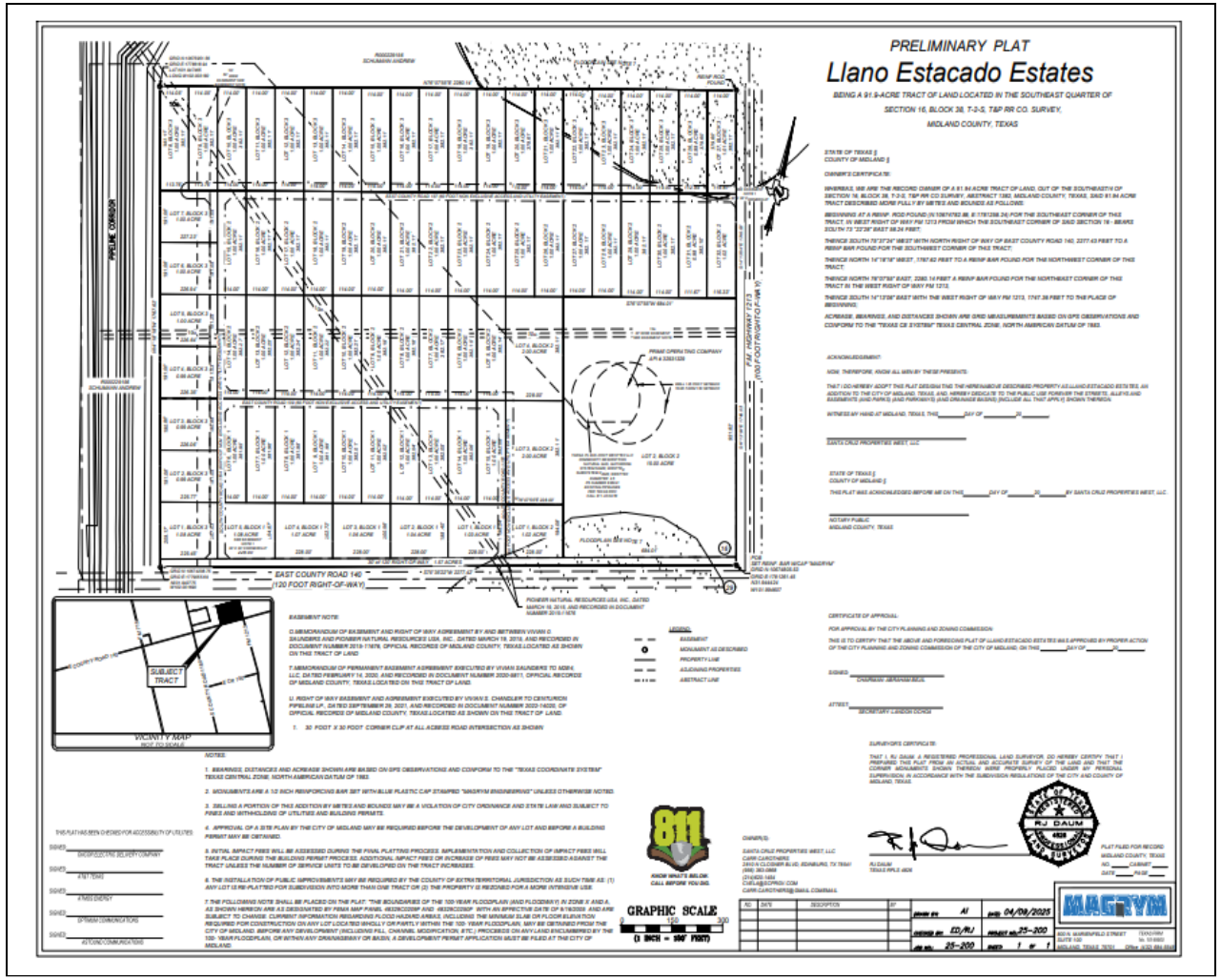
APPLICATION SUMMARY

- **Property Owner/Developer:** Santa Cruz Properties West, LLC
- **Representative:** Ed Aleman, with Magrym Consulting
- **Location:** Generally located at the northwest corner of the intersection of East County Road 140 and Farm to Market Road 1213. (Extraterritorial Jurisdiction)
- **Reason for Request:** Platting to obtain addresses and septic permits



PLAT DETAILS

- **Acreage:** 91.9 acres
- **Number of Existing Lots:** 0
- **Number Proposed Lots:** 74

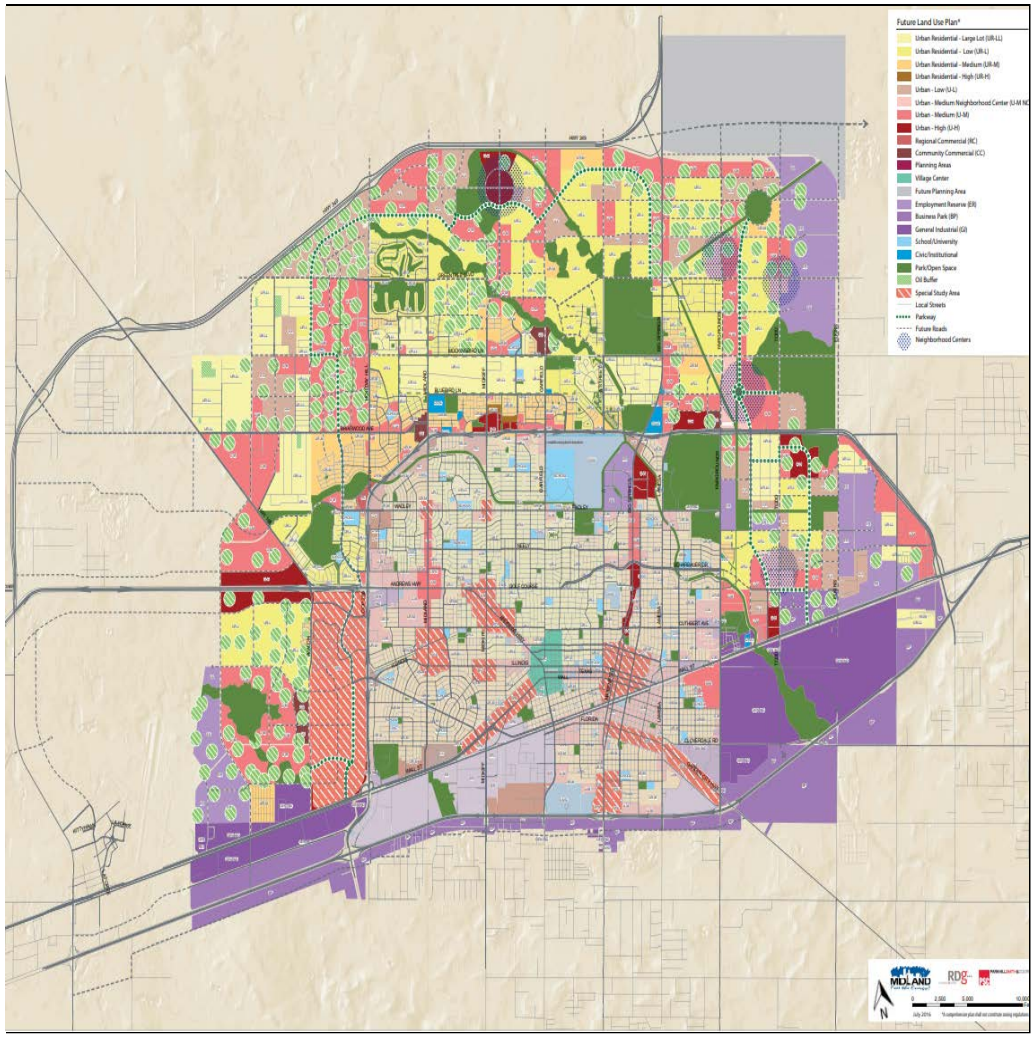


LAND USE

- **Current Use:** Vacant Land
- **Surrounding Uses:**
  - **North/East:** Vacant Land
  - **South:** Church and Vacant Land
  - **West:** Single-Family Housing
- **Proposed Use:** Single-Family Housing

COMPREHENSIVE PLAN

- **Land Use Designation:** Not designated



RELATED ITEMS

- Since the plat is over 25.00-acres, it will need City Council approval. This plat is scheduled for the September 23, 2025, City Council Meeting.

STAFF'S RECOMMENDATION

- The Planning & Zoning Commission approved the preliminary plat on September 15, 2025.
- Should Council approve this preliminary plat, staff recommends that it be subject to the following conditions:

A. Proof of ownership must be provided at final plat submittal. [11-2-3(H)3(m)(1)]

STAFF'S RECOMMENDATION

B. Approval by the City Council shall be required prior to consideration of a final plat by the Commission on which any preliminary plat is ten hectares (25 acres) or more in area and is located in any survey section (approximately one square mile) which does not contain a publicly owned site or sites intended for both a public school and park, or public site reservation therefor; [11-2-3(D)11(a)(6)].

C. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas. [11-2]

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.

City Council Meeting

Item Number: 17.
Meeting Date: October 14, 2025
To: City Council
From: Lindsey Adams, Strategic Partnerships Officer
Subject: RESOLUTION OF THE CITY OF MIDLAND, TEXAS, FINDING THAT THE APPLICATION FILED BY ONCOR ELECTRIC DELIVERY COMPANY LLC ("ONCOR") TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY ONCOR; 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 SEND COPIES OF THIS RESOLUTION TO ONCOR AND LEGAL COUNSEL FOR THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR

Purpose:
On June 26, 2025, Oncor Electric Delivery Company LLC ("Oncor" or "Company") filed an application with cities retaining original jurisdiction seeking to increase system-wide transmission and distribution rates by about $834 million or approximately 13% over present revenues. The Company asks the City to approve a 12.3% increase in residential rates and a 51.0% increase in street lighting rates. If approved, the impact of this requested increase on an average residential customer would be about $7.90 per month.In a prior City action, Oncor's rate request was suspended from taking effect for 90 days, the fullest extent permissible under the law. This time period has permitted the City, through its participation with the Steering Committee of Cities Served by Oncor ("Steering Committee"), to determine that the proposed rate increase is unreasonable. Consistent with the recommendations of the experts engaged by the Steering Committee, Oncor's request for a rate increase should be denied. Accordingly, the purpose of the Resolution is to deny the rate change application proposed by Oncor. Once the Resolution is adopted, Oncor will have 30 days to appeal the decision to the Public Utility Commission of Texas ("PUC") where the appeal will be consolidated with Oncor's filing (PUC Docket No. 58306) currently pending at the PUC.

Recommended Action:
Approve

Fiscal Impact:
N/A

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
The resolution states that:
1. the Company's application is unreasonable and should be denied.

2. the Company's current rates shall not be changed.

3. The Company will reimburse Cities for their reasonable rate case expenses. Legal counsel and consultants approved by the Steering Committee will submit monthly invoices that will be forwarded to Oncor for reimbursement.

Attachments:
A. RESOLUTION - Deny Rate Change Reso

Lindsey Adams, Engineering Services	Created/Initiated - 9/22/2025
Gabriel McClelland, Engineering Services	Approved - 10/6/2025
Linda Ochoa, Legal	Approved - 10/6/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Rachel Guentensberger, City Secretary	Final Approval - 10/7/2025

RESOLUTION NO. _____

RESOLUTION OF THE CITY OF MIDLAND, TEXAS, FINDING THAT THE APPLICATION FILED BY ONCOR ELECTRIC DELIVERY COMPANY LLC ("ONCOR") TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY ONCOR; 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 SEND COPIES OF THIS RESOLUTION TO ONCOR AND LEGAL COUNSEL FOR THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR

WHEREAS, the City of Midland, Texas (the "City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor") and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the City is a member of the Steering Committee of Cities Served by Oncor (the "Steering Committee"), a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost-effectively review and respond to electric issues affecting rates charged in Oncor's service area; and

WHEREAS, on or about June 26, 2025, Oncor filed with the City an application to increase system-wide transmission and distribution rates by about $834 million or approximately 13% over present revenues, and Oncor asks the City to approve a 12.3% increase in residential rates and a 51.0% increase in street lighting rates; and

WHEREAS, the Steering Committee is coordinating its review of Oncor's application and working with the designated attorneys and consultants to resolve issues in Oncor's filing; and

WHEREAS, through review of the application, the Steering Committee's consultants determined that Oncor's proposed rates are excessive; and

WHEREAS, the Steering Committee's members and attorneys recommend that members deny the application;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the rates proposed by Oncor to be recovered through its electric rates charged to customers located within the City limits are hereby found to be unreasonable and shall be denied.

SECTION TWO. That Oncor shall continue to charge its existing rates to customers within the City.

SECTION THREE. That the City's reasonable rate case expenses shall be reimbursed in full by Oncor.

SECTION FOUR. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law, and the public notice of the time, place, and purpose of said meeting was given as required.

SECTION FIVE. That the City Secretary is hereby authorized and directed to send copies of this Resolution to Oncor Electric Delivery Company LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, Counsel to the Steering Committee, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Ave., Suite 1900, Austin, Texas 78701.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2025, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Jose Ortiz, Deputy City Manager

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

City Council Meeting

Item Number: 18.
Meeting Date: October 14, 2025
To: City Council
From: Beatriz Quezada, Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1B, BLOCK 163, WILSHIRE PARK ADDITION, SECTION 24, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF THOMASON DRIVE AND BEAL 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

Purpose:
Skyline Civil Group, on behalf of Kristi D Ann Brooks, is requesting a zone change on the property located at 200 Beal Parkway from PD, Planned Development District for a Housing Development to RR, Regional Retail District, in order to be able to open and operate a McDonald's with a drive-through window.

Recommended Action:
Approve

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:

Current Zoning:

PD, Planned Development District for a Housing Development

Surrounding Zoning and Land Use:

The adjacent property to the right is currently vacant and zone PD, Planned Development District for a Housing Development, but it is in the process to change its zoning to LR, Local

Retail District. The property to the south of subject property is also zoned PD, Planned Development District for a Housing Development and it is the site of an apartment complex. To the north of the property a car wash and a gas station exist and are zoned RR, Regional Retail District. Directly west of the property is South Loop 250 West.

Analysis:

The subject property is currently zoned PD, Planned Development District for a Housing Development. The applicant, Skyline Civil Group, representing Kristi D Ann Brooks, is requesting a zone change to allow for the development of a McDonald's equipped with a drive-thru window. Under the current zoning, the prosed used is not permitted, as the property intended used was for residential development. However, the proposed McDonald's' would bring a closer option for residents nearby to enjoy. The established Planned Development District also requires that any new development must comply with the rules, regulations, and site plan of said Planned Development District. Changing the zoning to RR, Regional Retail District would allow the applicant to remove the regulations of the planned development.

This request aligns with the Tall City Tomorrow Comprehensive Plan, Chapter 3, which designates the area as Community Commercial (CC). The proposed development would offer convenient access to the commodity to nearby residents.

This proposed zone change has been circulated to the respective City departments for internal review, and their comments, conditions, and requirements are as follows:

Fire: (Approved)

No comments or objections.

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application.

Engineering: (Approved)

No objections to zone change. [For Applicant's Information Only.]

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For Applicant's Information Only.]

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For the Applicant's information only.]

No objection to zone change. [For the Applicant's information only.]

Planning: (Approved)

Staff recommends the approval of this request for an initial zoning of PD, Planned Development District for a Housing Development to RR, Regional Retail District.

Letters of Objection:

As of September 19, Staff has not received any letters of objection.

Attachments:

A. ORDINANCE - Z-25-0443.PDHD to RR Ord
B. CC - - 200 Beal Parkway Zone Change PDHD to RR
C. Combined

Jan Hamilton, City Secretary	Created/Initiated - 9/26/2025
Elizabeth Triggs, City Secretary	Final Approval - 9/26/2025

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1B, BLOCK 163, WILSHIRE PARK ADDITION, SECTION 24, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF THOMASON DRIVE AND BEAL 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

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by rezoning Lot 1B, Block 163, Wilshire Park Addition, Section 24, City and County of Midland, Texas (the "Property"), to RR, Regional Retail District, as set out hereinafter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from PD, Planned Development District for a Housing Development to RR, Regional Retail District.

SECTION TWO. That the definitions given in the zoning regulations contained in the City Code of the City of Midland, Texas, shall be applicable to such of those terms as are used herein.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances

inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2025; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2025, at a regular meeting of the City Council:

Council members voting “AYE”:

Council members voting “NAY”:

PASSED AND APPROVED THIS _____ day of _____, A.D., 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

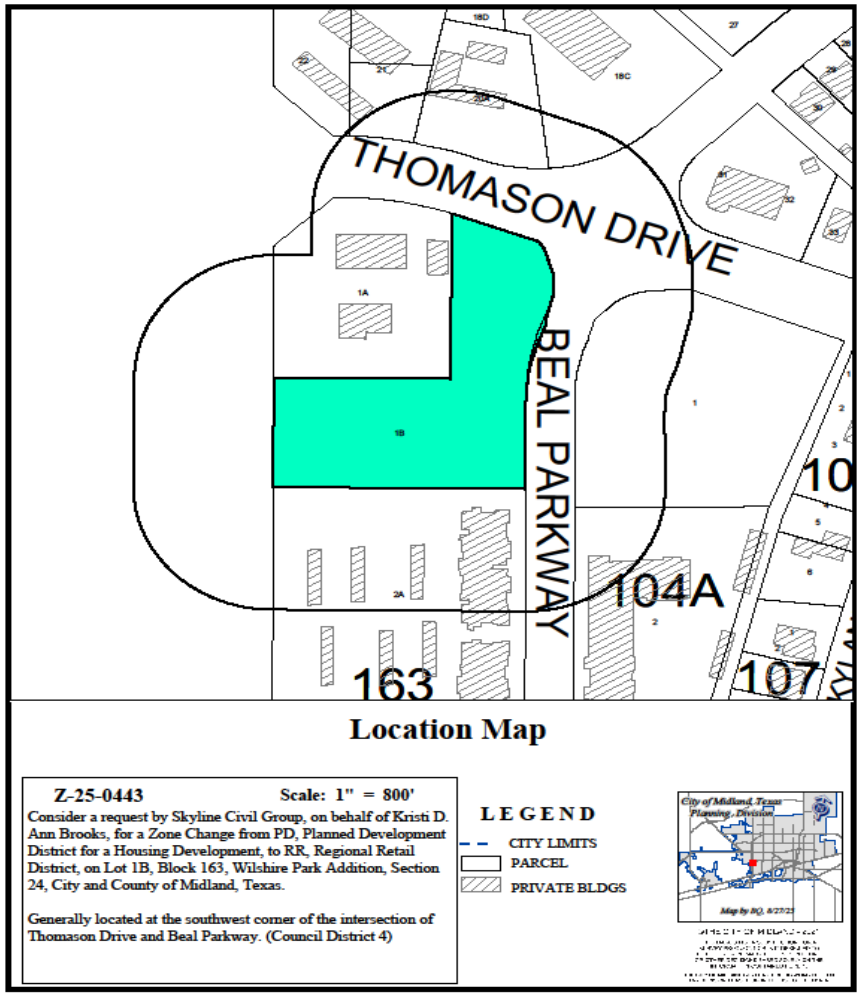
APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

MIDLAND
Be the Energy!
ZONE CHANGE
200 BEAL PARKWAY
Visit Our Website
MIDLANDTEXAS.GOV

APPLICATION SUMMARY

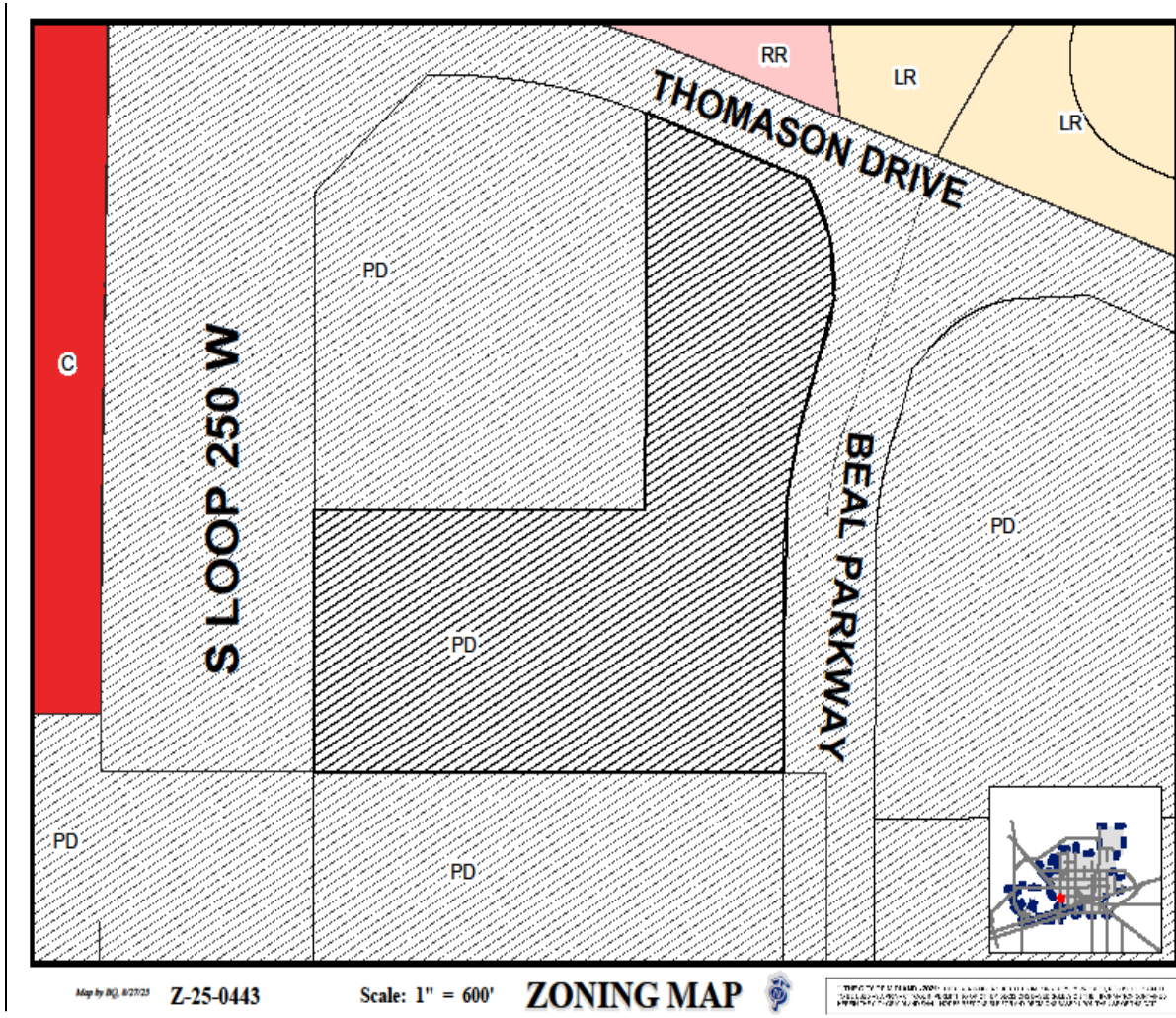
- **Property Owner:** Kristi D Ann Brooks
- **Representative:** Stephen T. Marcum, with Skyline Civil Group
- **Location:** 200 Beak Parkway (Council District 4)
- **Reason for Request:** To open and operate a McDonald's restaurant with a drive through window



MIDLAND
Be the Energy!

ZONING

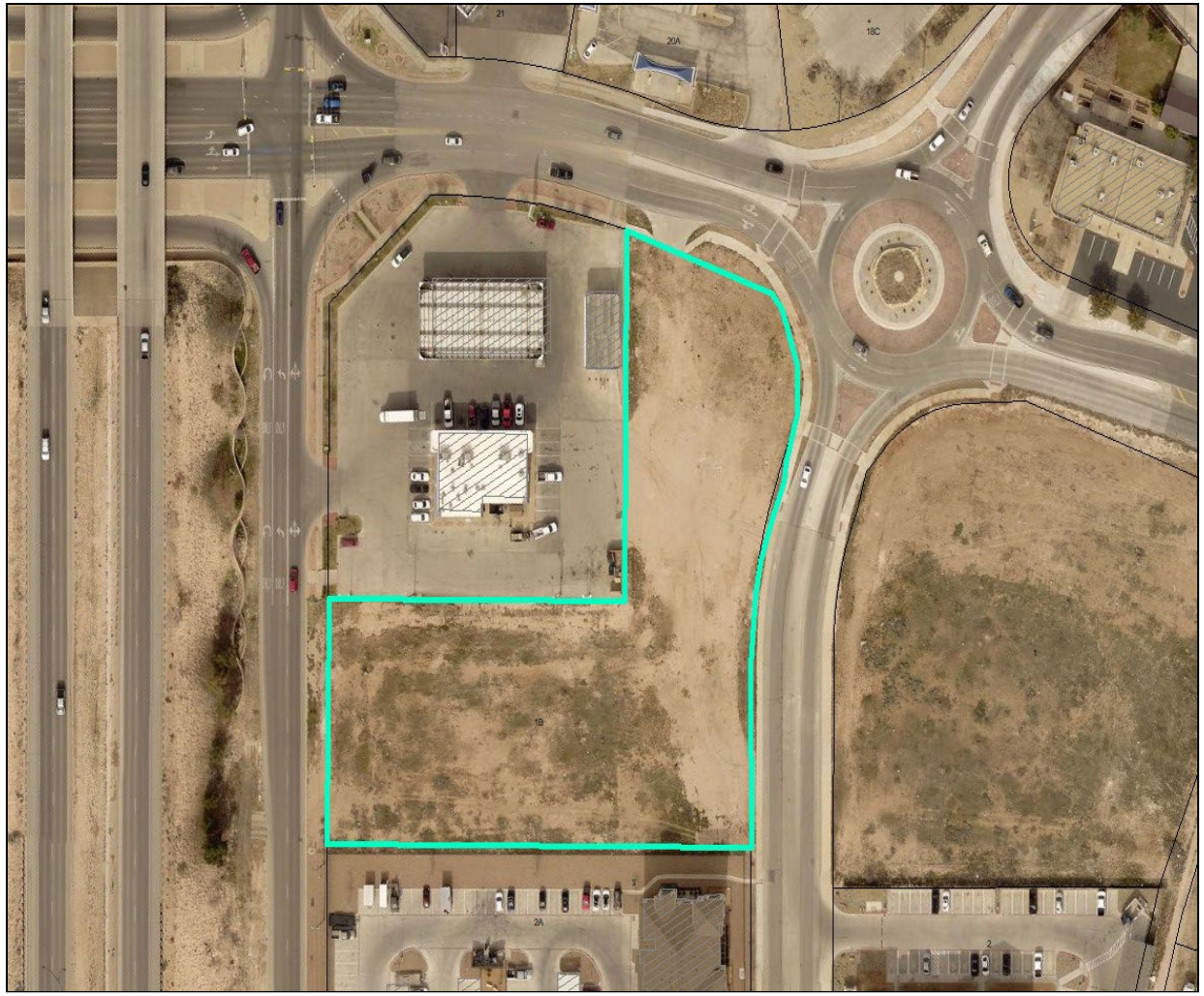
- **Current Zoning:** PD, Planned Development District for a Housing Development
- **Surrounding Zoning:**
  - **North:** RR, Regional Retail District
  - **South/East/West:** PD, Planned Development District for a Housing Development
- **Proposed Zoning:** RR, Regional Retail District



MIDLAND
Be the Energy!

LAND USE

- **Current Use:** Vacant Land
- **Surrounding Uses:**
  - **North:** Gas Station
  - **South:** Apartment Complex
  - **East:** Vacant Land
  - **West:** South Loop 250 West
- **Proposed Use:** Restaurant with Drive-Through Window



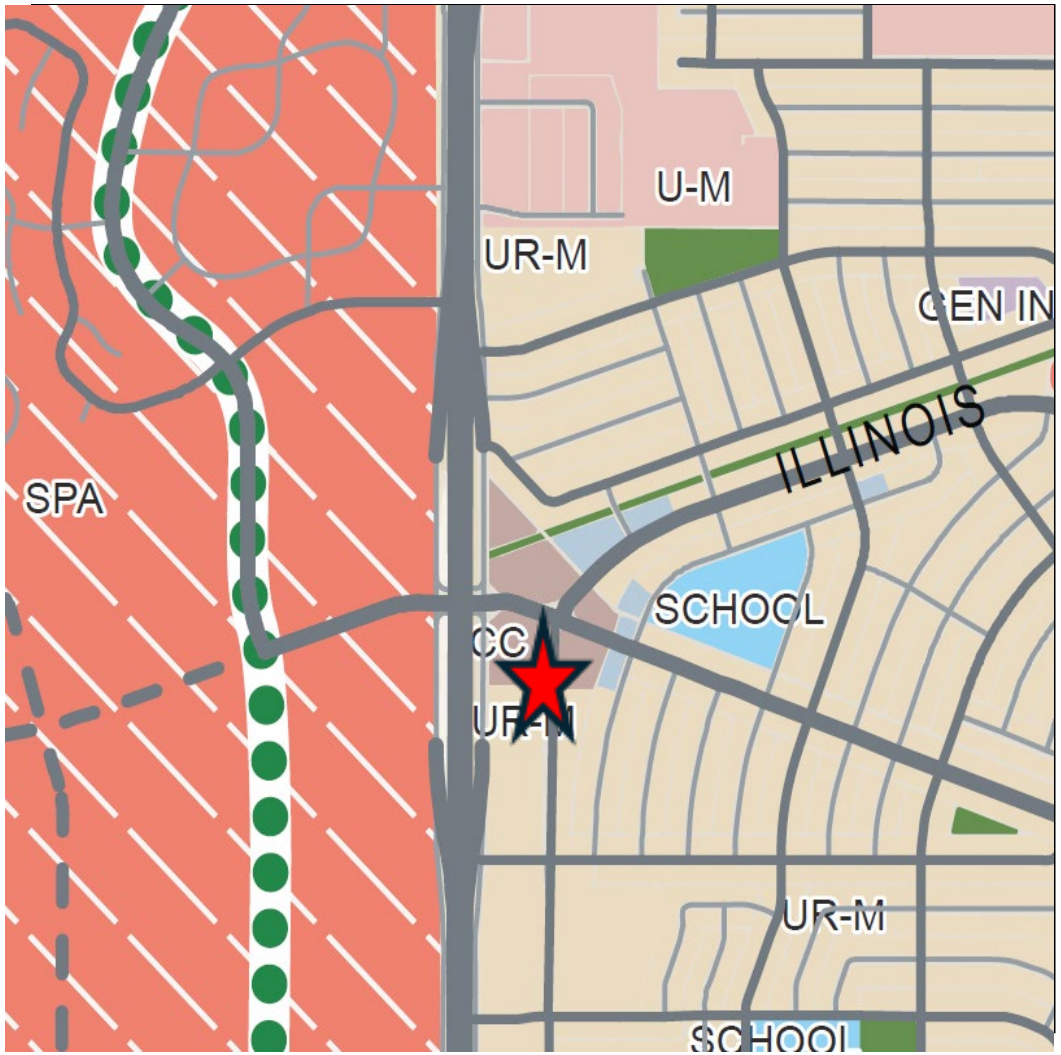
MIDLAND
Be the Energy!

On Beal Parkway, Looking West

MIDLAND
Be the Energy!

COMPREHENSIVE PLAN

- **Land Use Designation:** Community Commercial (CC)
- **Supported Uses:** No policies are currently established for this area.
- The request is compatible with the *Tall City Tomorrow Comprehensive Plan.*



MIDLAND
Be the Energy!

STAFF'S RECOMMENDATION

- No objections were received.
- The Planning and Zoning Commission approved this request on September 15, 2025.
- Staff recommends approval of this request.

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.

MIDLAND
Planning Division

Zone Change/Planned District Amendment/Site Plan Approval

Project Number: _____

Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: Stephen T. Marcum		Phone (432) 685 1226 Email smarcum@skylinecivilgroup.com	
Address 3323 N. Midland Drive; STE 113-166	City Midland	State TX	Zip 79707

Property Owner Printed Name: Kristi D Ann Brooks / aka, Kristi Love		Phone (432) 685 1226 Email 432 685 1226	
Address 121 Yosemite Ln	City Terrell	State TX	Zip 75160

Representative *(if different from Applicant or Property Owner)* Firm: Skyline Civil Group Printed Name: Stephen T. Marcum		Phone (432) 685 1226 Email smarcum@skylinecivilgroup.com	
Address Same as Above	City	State	Zip

Street Address: 200 Beal Parkway

Legal Description
Lot: 1B Block: 163 Subdivision: Wilshire Park Addition, Sec. 24

Current Zoning: PD	**Proposed Zone:** RR *(List by tracts if more than one district is requested)*

Reason for Zone Change Request: Proposed McDonald's QSR w/ dine in and drive through services

Present Use of Property: Vacant

Proposed Use of Property: McDonald's Restaurant

How would this zone change affect the public health, safety and welfare? N/A - no concerns about public safety

Describe how conditions affecting the property have changed since present zoning designation: No change, has remained vacant, commercial use adjacent / C-Store, will screen apartments to south per zoning code.

Submittal and Fees
Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Site Plan
- Digital Copies of Site Plan (PDF/JPEG)

Signature *(by property owner only – authorized agent must sign affidavit below)*	
Applicant (signature):	Date 08.15.25
Applicant (printed): Stephen T. Marcum	
Property Owner (signature): Kristi Love	Date: 08.15.25
Property Owner (printed) : Kristi Love	

The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear Stephen T. Marcum who, being by me duly sworn, upon oath says: That (s)he is the owner of ~~_____~~ or authorized by Kristi Love, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Authorized Agent (*signature*)

Subscribed and sworn to before me, this 16th day of August, 2025, to certify which witness my hand and seal of office.

JOYCE LYNN SPARGUR
Notary ID #134446599
My Commission Expires
July 11, 2027

NOTARY PUBLIC, ~~MIDLAND~~ Lubbock COUNTY, TEXAS
JLS

FOR OFFICE USE ONLY

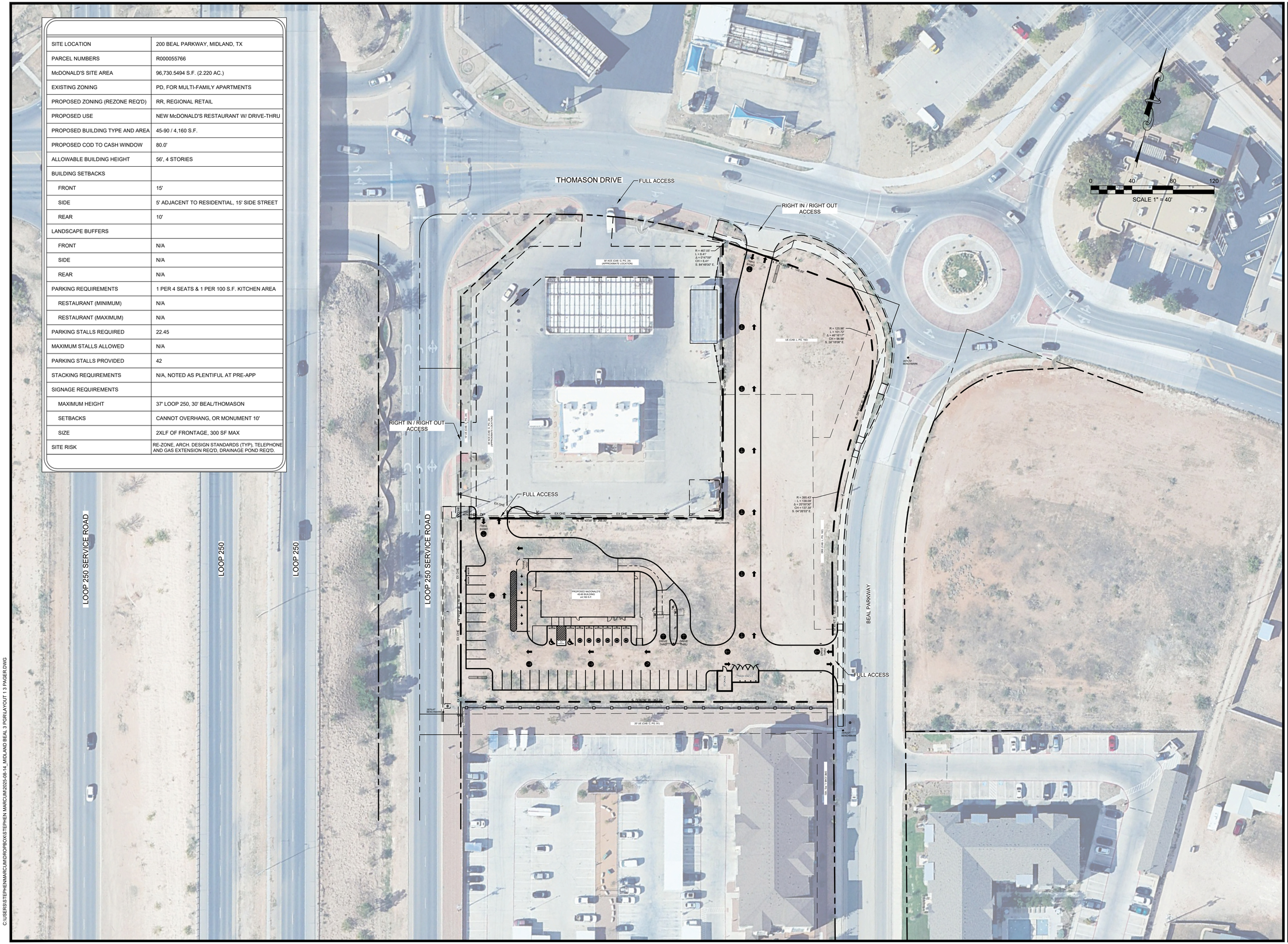
- ☑ Property Owner Authorization
- ☑ Application Fee
- Check # 5625
- ☑ Dimensioned Site Plan
- ☑ Plans in Digital Format (PDF/JPEG)

Received By: BM

RECEIVED
Date: AUG 19 2025
Initial: BM

****Application will not be considered for scheduling until reviewed by a planner.****

SITE LOCATION	200 BEAL PARKWAY, MIDLAND, TX
PARCEL NUMBERS	R000055766
McDONALD'S SITE AREA	96,730.5494 S.F. (2.220 AC.)
EXISTING ZONING	PD, FOR MULTI-FAMILY APARTMENTS
PROPOSED ZONING (REZONE REQ'D)	RR, REGIONAL RETAIL
PROPOSED USE	NEW McDONALD'S RESTAURANT W/ DRIVE-THRU
PROPOSED BUILDING TYPE AND AREA	45-90 / 4,160 S.F.
PROPOSED COD TO CASH WINDOW	80.0'
ALLOWABLE BUILDING HEIGHT	56', 4 STORIES
BUILDING SETBACKS	
FRONT	15'
SIDE	5' ADJACENT TO RESIDENTIAL, 15' SIDE STREET
REAR	10'
LANDSCAPE BUFFERS	
FRONT	N/A
SIDE	N/A
REAR	N/A
PARKING REQUIREMENTS	1 PER 4 SEATS & 1 PER 100 S.F. KITCHEN AREA
RESTAURANT (MINIMUM)	N/A
RESTAURANT (MAXIMUM)	N/A
PARKING STALLS REQUIRED	22.45
MAXIMUM STALLS ALLOWED	N/A
PARKING STALLS PROVIDED	42
STACKING REQUIREMENTS	N/A, NOTED AS PLENTIFUL AT PRE-APP
SIGNAGE REQUIREMENTS	
MAXIMUM HEIGHT	37' LOOP 250, 30' BEAL/THOMASON
SETBACKS	CANNOT OVERHANG, OR MONUMENT 10'
SIZE	2XLF OF FRONTAGE, 300 SF MAX
SITE RISK	RE-ZONE, ARCH. DESIGN STANDARDS (TYP), TELEPHONE AND GAS EXTENSION REQ'D, DRAINAGE POND REQ'D.



STATE OF TEXAS
STEPHEN T. MARCUM
113075
LICENSED
PROFESSIONAL ENGINEER
August XX, 2025

Skyline Civil Group, LLC • **Lubbock Address:** 4414 82nd Street, STE 212-140, Lubbock, TX 79424
Midland Address: 13923 N. Midland Drive, STE 113-166, Midland, TX 79707
• Firm No. of AZ - 23642-0, KS - E-3176, LA - EF.0006482, OK - 8542, TX - 17171
• O: (432) 685-1726 • www.skylinecivilgroup.com

OVERALL SITE PLAN

REV	DATE	DESCRIPTION	BY	APPR
1	XX/XX/2025	SITE OVERLAID TO SURVEY	C.L.C.	S.T.M.

McDONALD'S USA, LLC
OFFICE: LONG BEACH FIELD OFFICE
ADDRESS: 18855 JAMBOREE ROAD, STE. 850, IRVINE, CA 92612
PREPARED FOR:

McDonald's USA, LLC

McDONALD'S I.C. 42-5740

These drawings and specifications are the confidential and proprietary property of McDonald's USA, LLC and shall not be copied or reproduced without written authorization. The contract documents were prepared for use on a particular project at a particular site and are not suitable for use on a different site or at a later time. Use of these drawings for reference or example on another project requires the services of properly licensed architects and engineers. Reproduction of the contract documents for reuse on another project is not authorized.

200 Beal Parkway
Midland, TX

PLAN APPROVALS

SIGNATURE (2 REQUIRED)	DATE
REGIONAL MGR.	
CONST. MGR.	
OPERATIONS DEPT.	
REAL ESTATE DEPT.	
CO-SIGN SIGNATURES	
CONTRACTOR	
OWNER	

DRAWN BY	C.L.C.
CHECKED BY	S.T.M.
DATE	AUG. 2025
SHEET NO.	01 OF 03
FILE NO.	SKY2025.1011

C:\USERS\STEPHENMARCUM\DROPBOX\STEPHEN MARCUM\2025-08-14_MIDLAND BEAL 3 PGR\LAYOUT 1 3 PAGER.DWG

SITE LOCATION	200 BEAL PARKWAY, MIDLAND, TX
PARCEL NUMBERS	R000055766
McDONALD'S SITE AREA	96,730.5494 S.F. (2.220 AC.)
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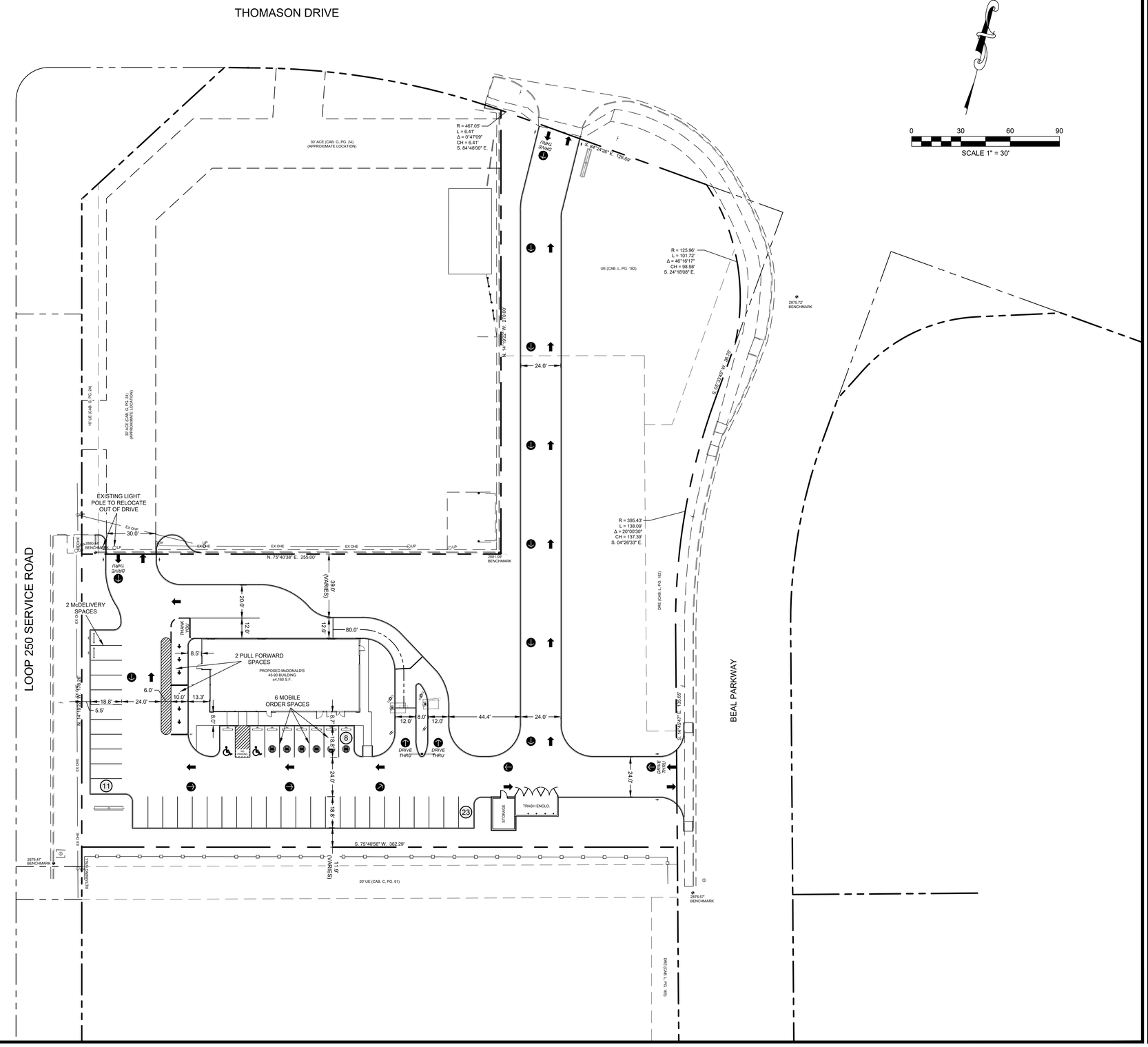
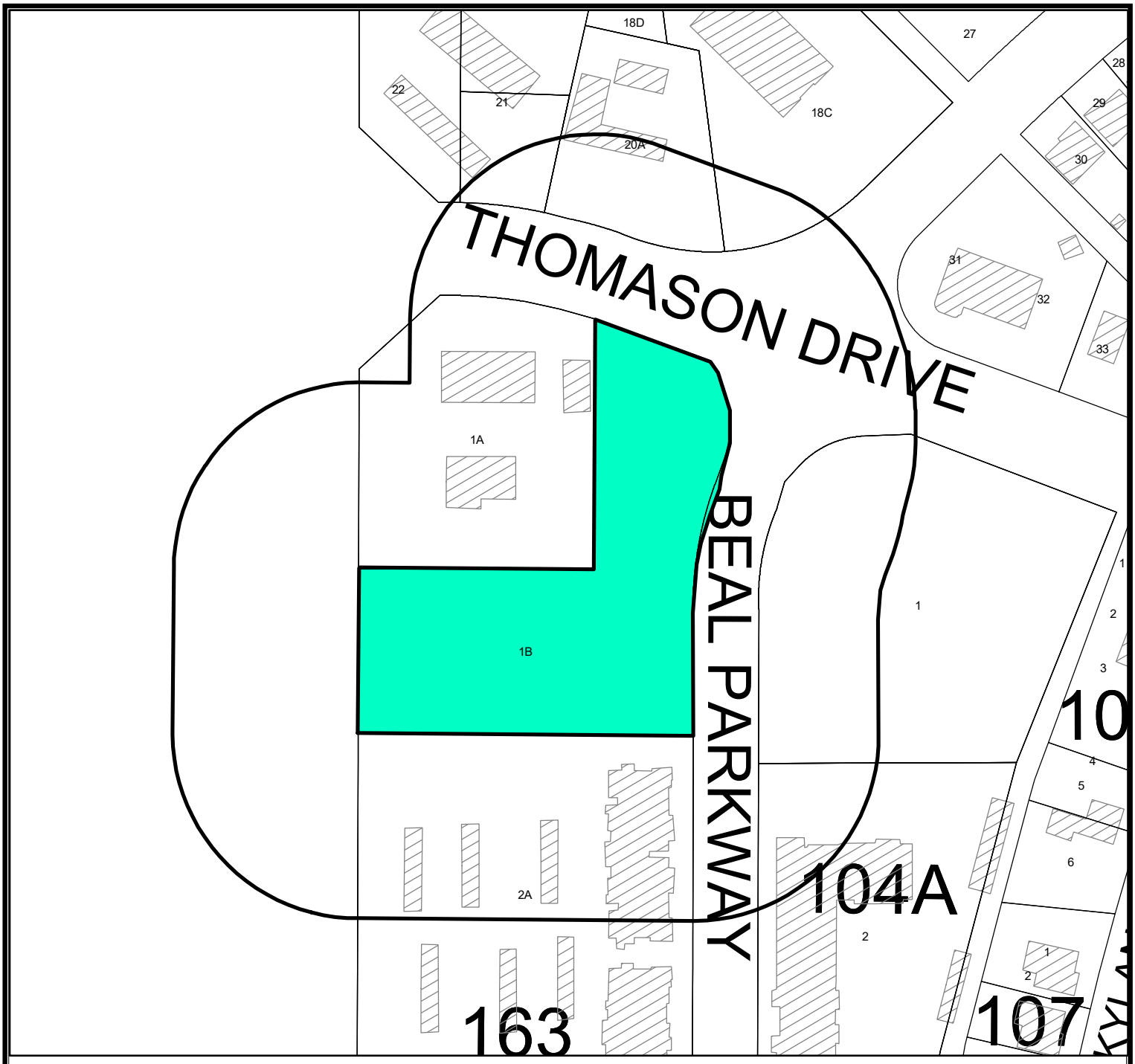
PROPOSED ZONING (REZONE REQ'D)	RR, REGIONAL RETAIL
PROPOSED USE	NEW McDONALD'S RESTAURANT W/ DRIVE-THRU
PROPOSED BUILDING TYPE AND AREA	45-90 / 4,160 S.F.
PROPOSED COD TO CASH WINDOW	80.0'
ALLOWABLE BUILDING HEIGHT	56', 4 STORIES
BUILDING SETBACKS	
FRONT	15'
SIDE	5' ADJACENT TO RESIDENTIAL, 15' SIDE STREET
REAR	10'
LANDSCAPE BUFFERS	
FRONT	N/A
SIDE	N/A
REAR	N/A
PARKING REQUIREMENTS	1 PER 4 SEATS & 1 PER 100 S.F. KITCHEN AREA
RESTAURANT (MINIMUM)	N/A
RESTAURANT (MAXIMUM)	N/A
PARKING STALLS REQUIRED	22.45
MAXIMUM STALLS ALLOWED	N/A
PARKING STALLS PROVIDED	42
STACKING REQUIREMENTS	N/A, NOTED AS PLENTIFUL AT PRE-APP
SIGNAGE REQUIREMENTS	
MAXIMUM HEIGHT	37' LOOP 250, 30' BEAL/THOMASON
SETBACKS	CANNOT OVERHANG, OR MONUMENT 10'
SIZE	2XLF OF FRONTAGE, 300 SF MAX
SITE RISK	RE-ZONE, ARCH. DESIGN STANDARDS (TYP), TELEPHONE AND GAS EXTENSION REQ'D, DRAINAGE POND REQ'D.


THOMASON DRIVE
LOOP 250
LOOP 250
LOOP 250 SERVICE ROAD
BEAL PARKWAY
30' ACE (CAB. G, PG. 24) (APPROXIMATE LOCATION)
R = 467.05'
L = 6.41'
Δ = 0°47'09"
CH = 6.41'
S. 84°48'00" E.
S. 24°24'29" E. 126.69'
R = 125.96'
L = 101.72'
Δ = 46°16'17"
CH = 98.98'
S. 24°18'08" E.
UE (CAB. L, PG. 182)
2875.72' BENCHMARK
R = 395.43'
L = 138.09'
Δ = 20°00'30"
CH = 137.39'
S. 04°26'33" E.
DRE (CAB. L, PG. 182)
S. 04°26'49" W. 38.70'
S. 24°18'08" E. 138.60'
N. 14°19'22" W. 276.00'
EXISTING LIGHT POLE TO RELOCATE OUT OF DRIVE
30.0'
EX CURB
EX CURB
EX CURB



Location Map

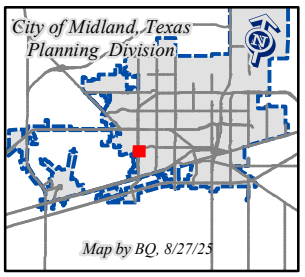
Z-25-0443 **Scale: 1" = 800'**

Consider a request by Skyline Civil Group, on behalf of Kristi D. Ann Brooks, for a Zone Change from PD, Planned Development District for a Housing Development, to RR, Regional Retail District, on Lot 1B, Block 163, Wilshire Park Addition, Section 24, City and County of Midland, Texas.

Generally located at the southwest corner of the intersection of Thomason Drive and Beal Parkway. (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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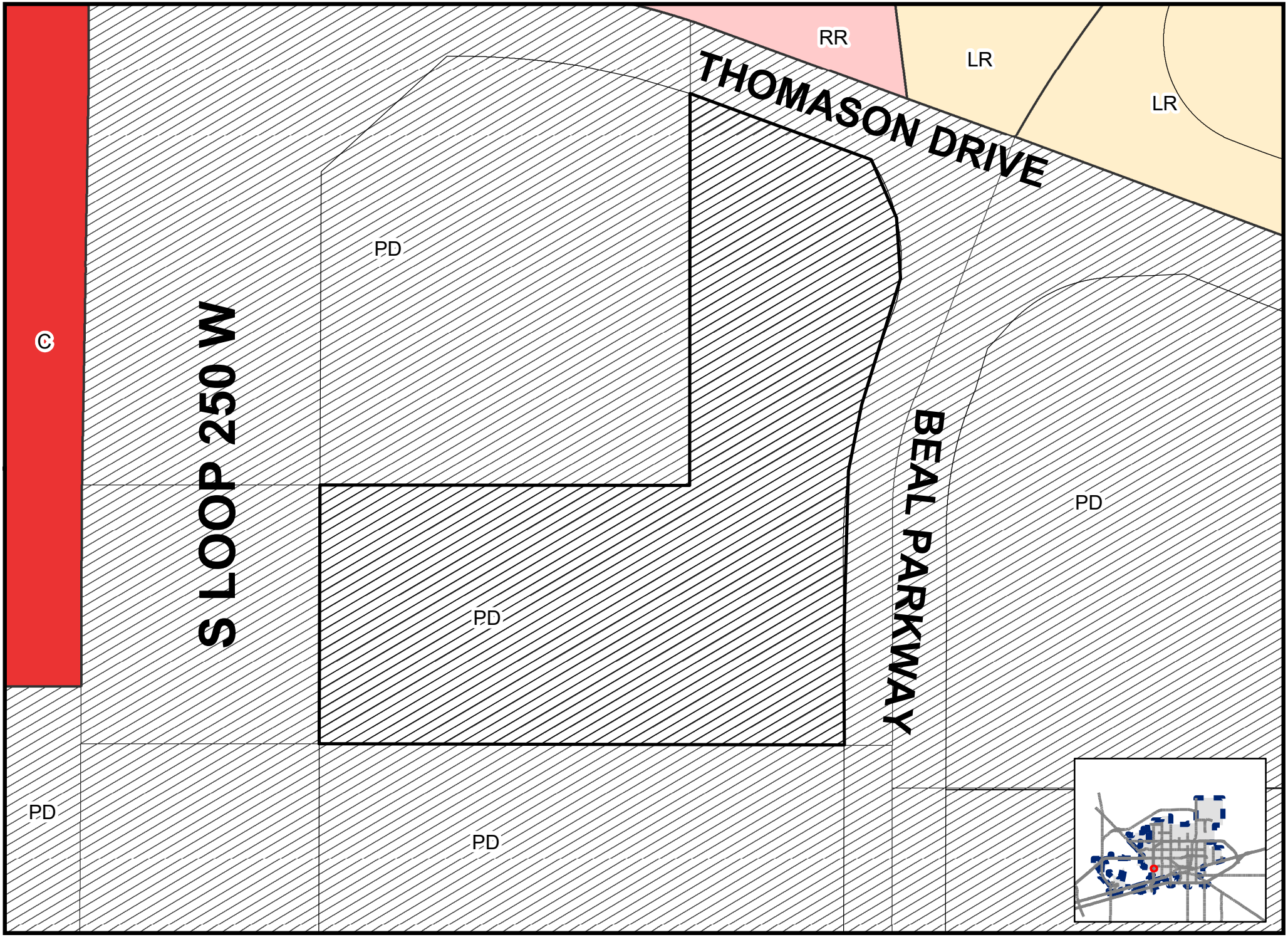

Map by BQ, 8/27/25

Z-25-0443

Scale: 1" = 600'

ZONING MAP

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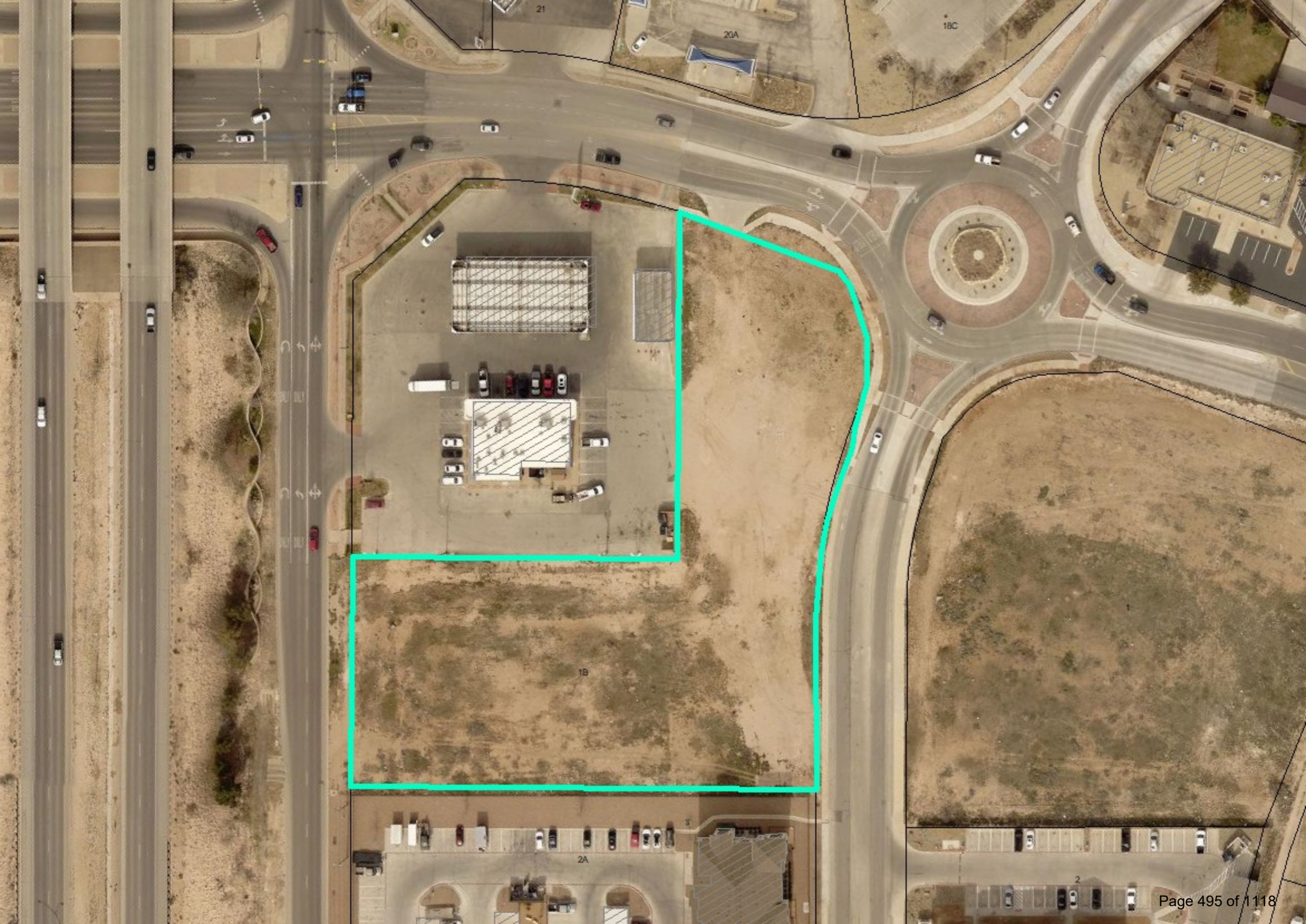

21
20A
18C
31
1B
2A
1
2

City Council Meeting

Item Number: 19.
Meeting Date: October 14, 2025
To: City Council
From: Lori Elliott, Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 2, BLOCK 3, CRESTGATE ADDITION, SECTION 52, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF CRESTFIELD STREET AND 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

Purpose:
Newton Engineering, on behalf of William Rogers, is requesting a Zone Change from PD, Planned Development District for a Housing Development, to RR, Regional Retail District for future retail development at a property located at 4600 Crestfield Street.

Recommended Action:
Deny

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Surrounding Zoning and Land Use:

The properties to the north and east are zoned PD, Planned Development District for a Housing Development and consist of single-family residences and a church. The property to the west is zoned PD, Planned Development District for a Shopping Center and consists of retail stores. To the south of the subject property is West Loop 250 North.

Analysis:

The subject property is located at 4600 Crestfield Street. The property is currently zoned PD, Planned Development for a Housing Development. The Planned Development District established for this property does not permit any retail use. The property is currently a vacant lot. Newton Engineering, on behalf of William Rogers, is requesting a zone change to RR, Regional Retail District, which would allow for retail development.

Changing the zoning to RR, Regional Retail District, would introduce an intense zoning district to a property that is immediately adjacent to a residential neighborhood. While some nearby land use is retail, those properties are regulated by established Planned Development Districts that must conform to the attached site plans. The surrounding Planned Development Districts also dictate the allowable uses for said Planned Development Districts by limiting the intensity of development. Approving a zone change to RR, Regional Retail District would allow for a straight zoning that offers a wide variety of more intense non-residential uses that would not require further consideration by P&Z and City Council in contrast to the surrounding Planned Development Districts in that area. Additionally, as one can see in the section detailing the surrounding zoning and land use, there is no RR surrounding the property. Therefore, zoning this property RR would introduce a more intense zoning in the middle of an area with less intense zoning districts.

The Tall City Tomorrow Future Land Use Plan, Chapter 3, designates this property as Civic, which calls for various zoning districts. Supported uses include educational, institutional, assembly, and other public uses, such as major campuses, hospitals, cemeteries, airports, landfills, water plants, and major utilities. With the proposed use being retail in nature, this request is not compatible with the Tall City Tomorrow Comprehensive Plan.

The proposed zone change has been circulated to the respective City departments for internal review, and their comments, conditions, and requirements are as follows:

Departmental Review:

Fire: (Approved)

No comments or objections.

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application.

Engineering: (Approved)

No objections to zone change. [For Applicant’s Information Only.] Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For Applicant’s Information Only.]

Oil & Gas: (Approved)

No oil and gas issues.

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For the Applicant's information only.] No objection to zone change. [For the Applicant's information only.]

Planning:

Staff recommends denial of this zone change request from PD, Planned Development District for a Housing Development, to RR, Regional Retail District.

Letters of Objection:

As of September 12, 2025, Staff has not received any letters of objection.

Attachments:

A. ORDINANCE - Z-25-0440.PDHD to RR Ord
B. CC, - -,4600 Crestfield St, Zone Change request
C. Z-25-0440, 4600 Crestfield, Combined

Jan Hamilton, City Secretary — Created/Initiated - 9/26/2025
Elizabeth Triggs, City Secretary — Final Approval - 9/26/2025

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 2, BLOCK 3, CRESTGATE ADDITION, SECTION 52, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF CRESTFIELD STREET AND 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

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by rezoning Lot 2, Block 3, Crestgate Addition, Section 52, City and County of Midland, Texas (the "Property"), to RR, Regional Retail District, as set out hereinafter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from PD, Planned Development District for a Housing Development to RR, Regional Retail District.

SECTION TWO. That the definitions given in the zoning regulations contained in the City Code of the City of Midland, Texas, shall be applicable to such of those terms as are used herein.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances

inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2025; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2025, at a regular meeting of the City Council:

Council members voting “AYE”:

Council members voting “NAY”:

PASSED AND APPROVED THIS _____ day of _____, A.D., 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

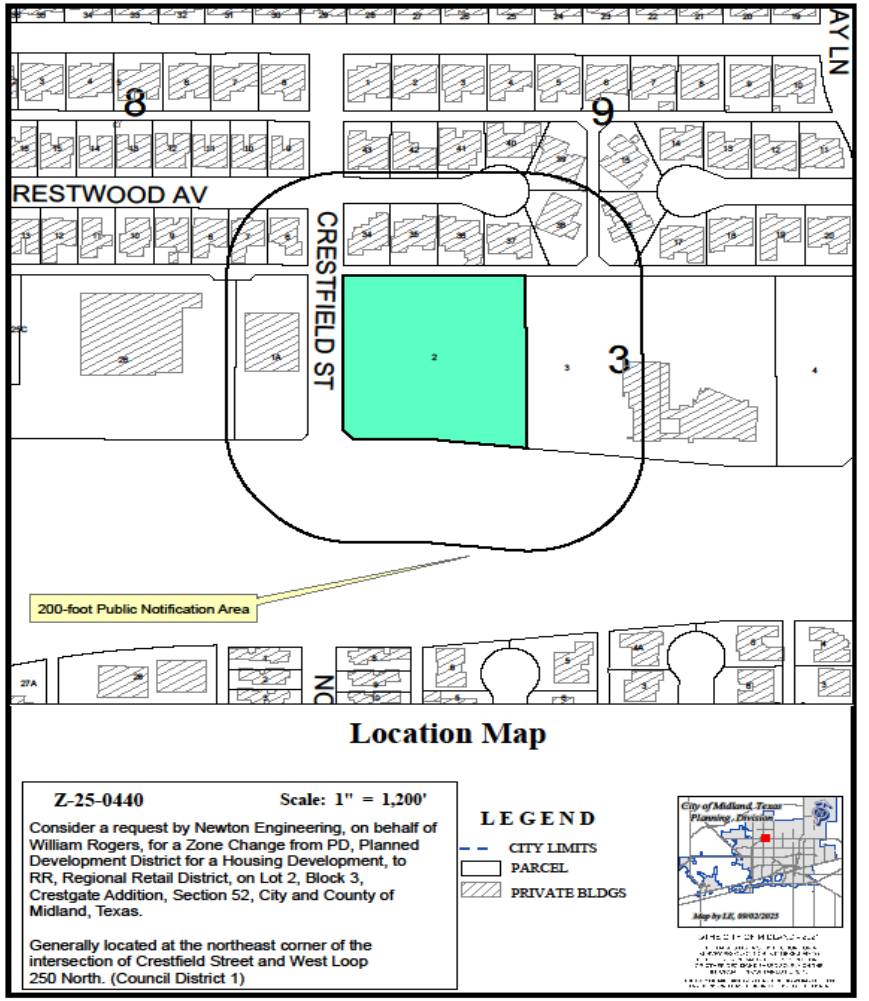
APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

MIDLAND
Be the Energy!
ZONE CHANGE
4600 CRESTFIELD STREET
Visit Our Website
MIDLANDTEXAS.GOV

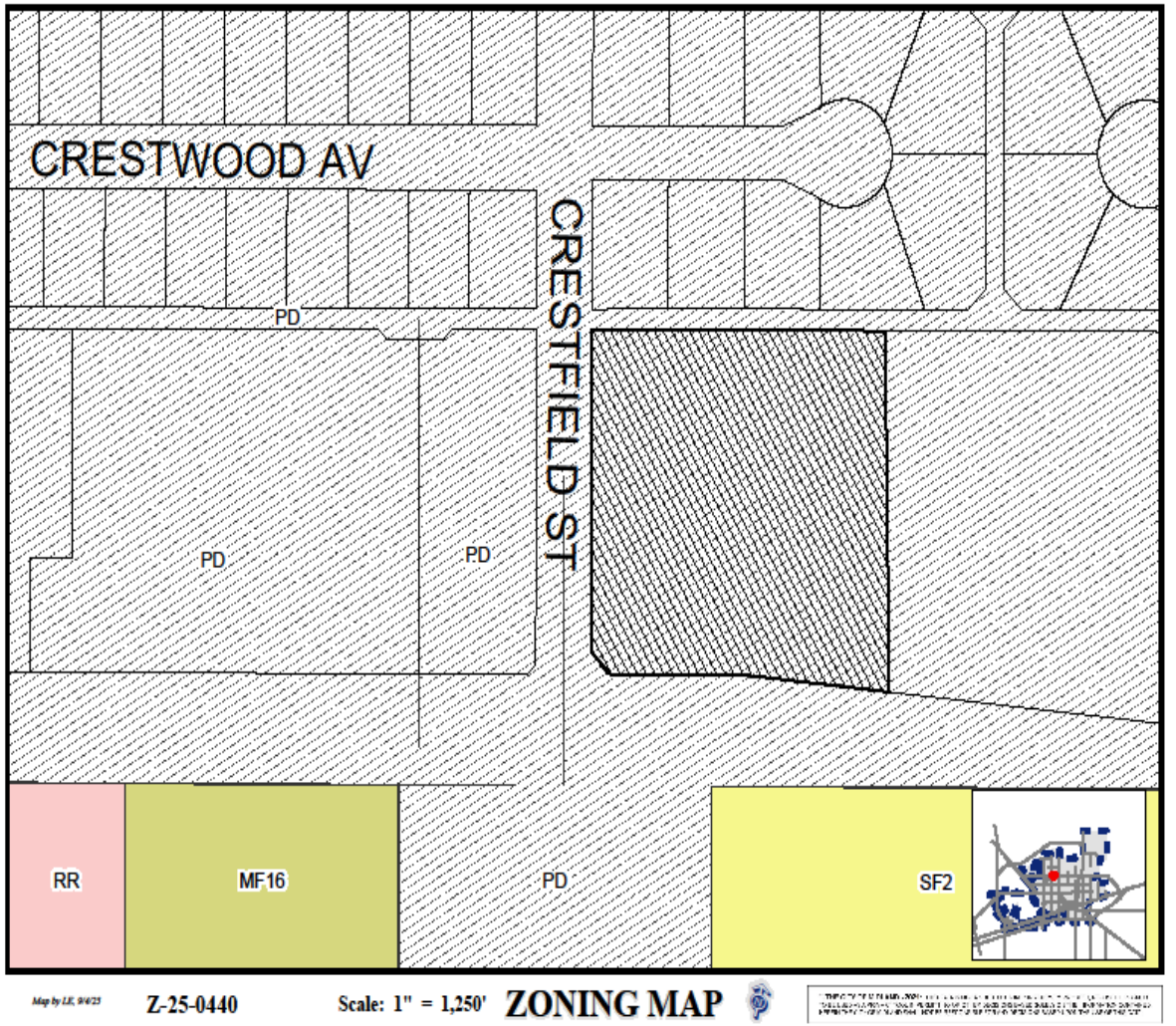
APPLICATION SUMMARY

- **Applicant:** William Rogers
- **Property Owner:** DTS Real Estate
- **Representative:** John Newton, with Newton Engineering, PC
- **Location:**4600 Crestfield Street (Council District 1)
- **Reason for Request:** For future retail development



ZONING

- **Current Zoning:** PD, Planned Development District for a Housing Development
- **Surrounding Zoning:**
  - **North/South/East:** PD, Planned Development District for a Housing Development
  - **West:** PD, Planned Development District for a Shopping Center
- **Proposed Zoning:** RR, Regional Retail District



MIDLAND
Be the Energy!

LAND USE

- **Current Use:** Vacant Lot
- **Surrounding Uses:**
  - **North:** Single-Family Housing
  - **South:** West Loop 250 N
  - **East:** Church
  - **West:** Retail Stores and a Restaurant
- **Proposed Use:** Retail Use

MIDLAND
Be the Energy!

On Crestfield Street, Looking East

5

MIDLAND
Be the Energy!

COMPREHENSIVE PLAN

- **Land Use Designation:** Civic
- **Supported Uses:** Educational and other public uses, to include major campuses, airport, landfills, and major utilities
- The request is not compatible with the surrounding area, nor the *Tall City Tomorrow Comprehensive Plan.*

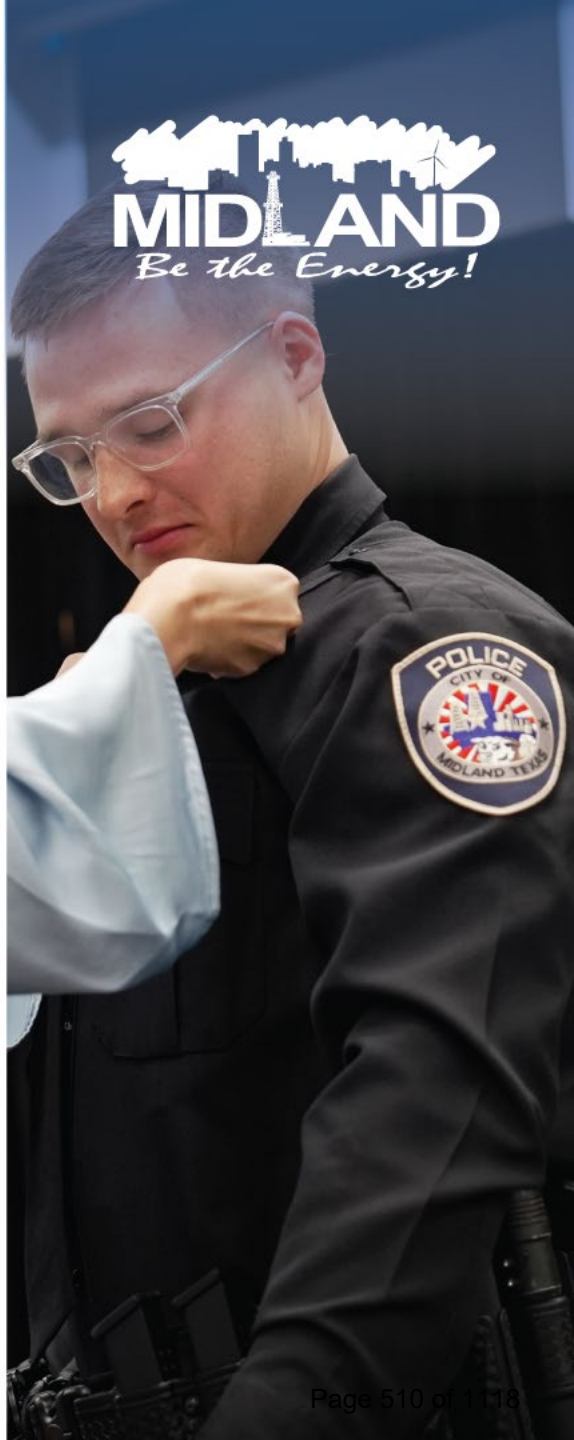
MIDLAND Be the Energy!

STAFF'S RECOMMENDATION

- No objections were received.
- Staff recommends denial of this zone change request.

MIDLAND CITY CODE 11-1-9.02 (G)

- If the rezoning request is denied, the applicant must wait one year to reapply — unless at least 75% of the Planning & Zoning Commission agrees to review a new or significantly changed request after six months.



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.

MIDLAND
Planning Division

Zone Change/Planned District Amendment/Site Plan Approval

Project Number: _____

Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: William Rogers		Phone (432)694-8801 Email	
Address 4200 W Wall St.	City Midland	State TX	Zip 79707

Property Owner Printed Name: DTS Real Estate LP		Phone ( ) Email	
Address 4200 W Wall St.	City Midland	State TX	Zip 79707

Representative *(if different from Applicant or Property Owner)* Firm: Newton Engineering, PC Printed Name: John M. Newton		Phone (432) 770-0499 Email	
Address 4501A Santa Rosa Dr.	City Midland	State TX	Zip 79707

Street Address: 4600 Crestfield St.

Legal Description
Lot: 2 Block: 3 Subdivision: CRESTGATE SECTION 52

Current Zoning: PD-RESIDENTIAL

Proposed Zone: PD-REGIONAL RETAIL
(List by tracts if more than one district is requested)

Reason for Zone Change Request: The lot is located along Loop 250. Development adjacent to and along Loop 250 has developed as Regional Retail. This lot should be considered for development for those uses permitted in the Regional Retail Zoning Classification.

Present Use of Property: Vacant

Proposed Use of Property: Retail

How would this zone change affect the public health, safety and welfare?
No negative impact

Describe how conditions affecting the property have changed since present zoning designation: The site is being developed.

Submittal and Fees

Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Site Plan
- Digital Copies of Site Plan (PDF/JPEG)

Signature *(by property owner only – authorized agent must sign affidavit below)*	
Applicant (signature):	Date: 8/13/2025
Applicant (printed): Doss Rogers	
Property Owner (signature):	Date: 8/13/2025
Property Owner (printed) : Doss Rogers	

The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear Doss Rogers who, being by me duly sworn, upon oath says: That (s)he is the owner of DTS Properties LP or authorized by _____, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

_____
Authorized Agent (*signature*)

Subscribed and sworn to before me, this 13th day of August, 2025, to certify which witness my hand and seal of office.

Kandi Dittrich

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

KANDI DITTRICH
Notary ID #128502351
My Commission Expires
April 26, 2027

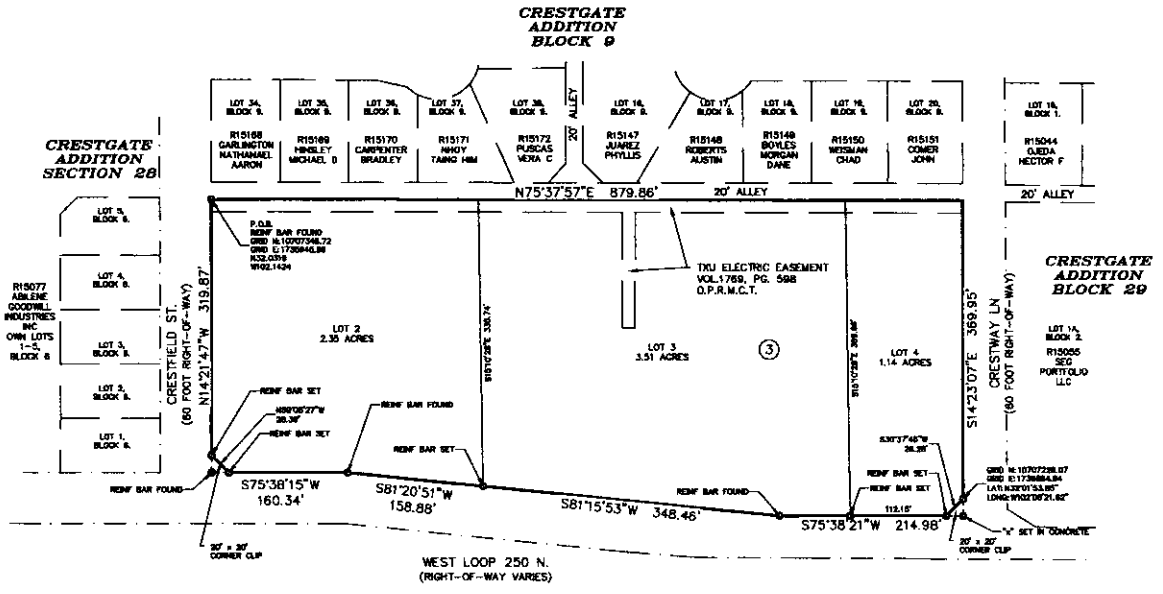
FOR OFFICE USE ONLY

☑ Property Owner Authorization	☑ Dimensioned Site Plan
☑ Application Fee	☐ Plans in Digital Format (PDF/JPEG)
Check # 2086	RECEIVED
Received By:	Date: AUG 13 2025
	Initial:

****Application will not be considered for scheduling until reviewed by a planner.****

CRESTGATE ADDITION SECTION 52

BEING A RE-PLAT OF
LOT 1A, BLOCK 3, CRESTGATE ADDITION, SECTION 33,
CITY AND COUNTY OF MIDLAND TEXAS



STATE OF TEXAS §
CITY AND COUNTY OF MIDLAND §

WHEREAS, DTS REAL ESTATE, LP, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND BEING LOT 1A, BLOCK 3, CRESTGATE ADDITION, SECTION 33, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 7.00 ACRE TRACT OF LAND KNOWN AS LOT 1A, BLOCK 3, CRESTGATE ADDITION, SECTION 33, MIDLAND COUNTY, TEXAS, SAID 7.00 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINF BAR FOUND (N:10707346.72, E:1735945.68) IN THE EAST RIGHT-OF-WAY LINE OF CRESTFIELD STREET FOR THE NORTHWEST CORNER OF THIS TRACT, ALSO BEING THE ORIGINAL NORTHWEST CORNER OF SAID LOT 1A;

THENCE NORTH 75°37'57" EAST 879.86 FEET TO A REINF BAR FOUND IN THE WEST RIGHT-OF-WAY LINE OF CRESTWAY LANE FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°23'07" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE OF SAID CRESTWAY LANE, 369.95 FEET TO THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 75°38'21" WEST, ALONG THE SAID NORTH RIGHT-OF-WAY LINE OF SAID WEST LOOP 250 NORTH, 214.98 FEET TO A REINF BAR FOUND FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE SOUTH 81°15'53" WEST, ALONG THE SAID NORTH RIGHT-OF-WAY LINE OF SAID WEST LOOP 250 NORTH, 348.46 FEET TO A REINF BAR FOUND FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE SOUTH 81°20'51" WEST 158.88 FEET TO A REINF BAR SET TO A CORNER OF THIS TRACT;

THENCE SOUTH 75°38'15" WEST 160.34 FEET TO A REINF BAR SET ALSO BEING THE ORIGINAL SOUTHWEST CORNER OF SAID LOT 1A;

THENCE NORTH 14°20'06" WEST 319.87 FEET TO THE PLACE OF BEGINNING.

BEARINGS AND DISTANCES SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS CRESTGATE ADDITION, SECTION 52, AN ADDITION OF 7.00 ACRES IN THE CITY OF MIDLAND, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 2024.

_____
ST NICHOLAS EPISCOPAL CHURCH

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS PLAT WAS ACKNOWLEDGED BEFORE ME ON THIS_____DAY OF_____, 2024, BY ST NICHOLAS EPISCOPAL CHURCH.

_____
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

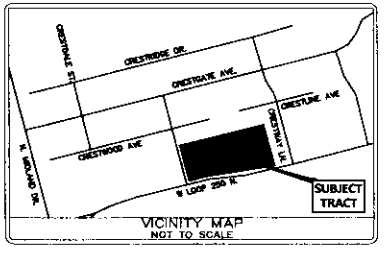
CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE THE CITY PLANNING AND ZONING COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF CRESTGATE ADDITION SECTION 52, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF _____, 2024.

SIGNED: _____
CHAIRMAN: LUCY SESMEDA

ATTEST: _____
SECRETARY: XAVIER BARGUESS.



VICINITY MAP
NOT TO SCALE

LEGEND:

- MONUMENT AS DESCRIBED
- PROPERTY LINE
- ADJOINING PROPERTIES
- SECTION LINE
- UTILITY EASEMENT
- CITY WATER LINE
- OVERHEAD ELECTRIC
- UTILITY POLE

NOTES:

1. BEARINGS, DISTANCES AND ACREAGE SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
2. MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
3. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
4. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
5. WATER IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASE OF FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
6. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS (1) ANY LOT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
7. PROPERTY IS IN ZONE X ACCORDING TO FEMA MAP PANEL 48329C0067F WITH AN EFFECTIVE DATE OF 9/16/2005.

8.NO DIRECT ACCESS TO LOOP 250 FRONTAGE ROAD FOR LOT 1 AND LOT 3, UNLESS APPROVED BY TxDOT.

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM COMMUNICATIONS

SIGNED: _____
ASTOUND COMMUNICATIONS

OWNER(S):

ST NICHOLAS EPISCOPAL CHURCH
4000 W LOOP 250 N
MIDLAND, TX 79707

THAT I, RJ DAUM, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

GRAPHIC SCALE
0 100 200
(1 INCH = 100' FEET)

RJ DAUM
TEXAS RPLS 4826

STATE OF TEXAS REGISTERED RJ DAUM 4826 PROFESSIONAL LAND SURVEYOR

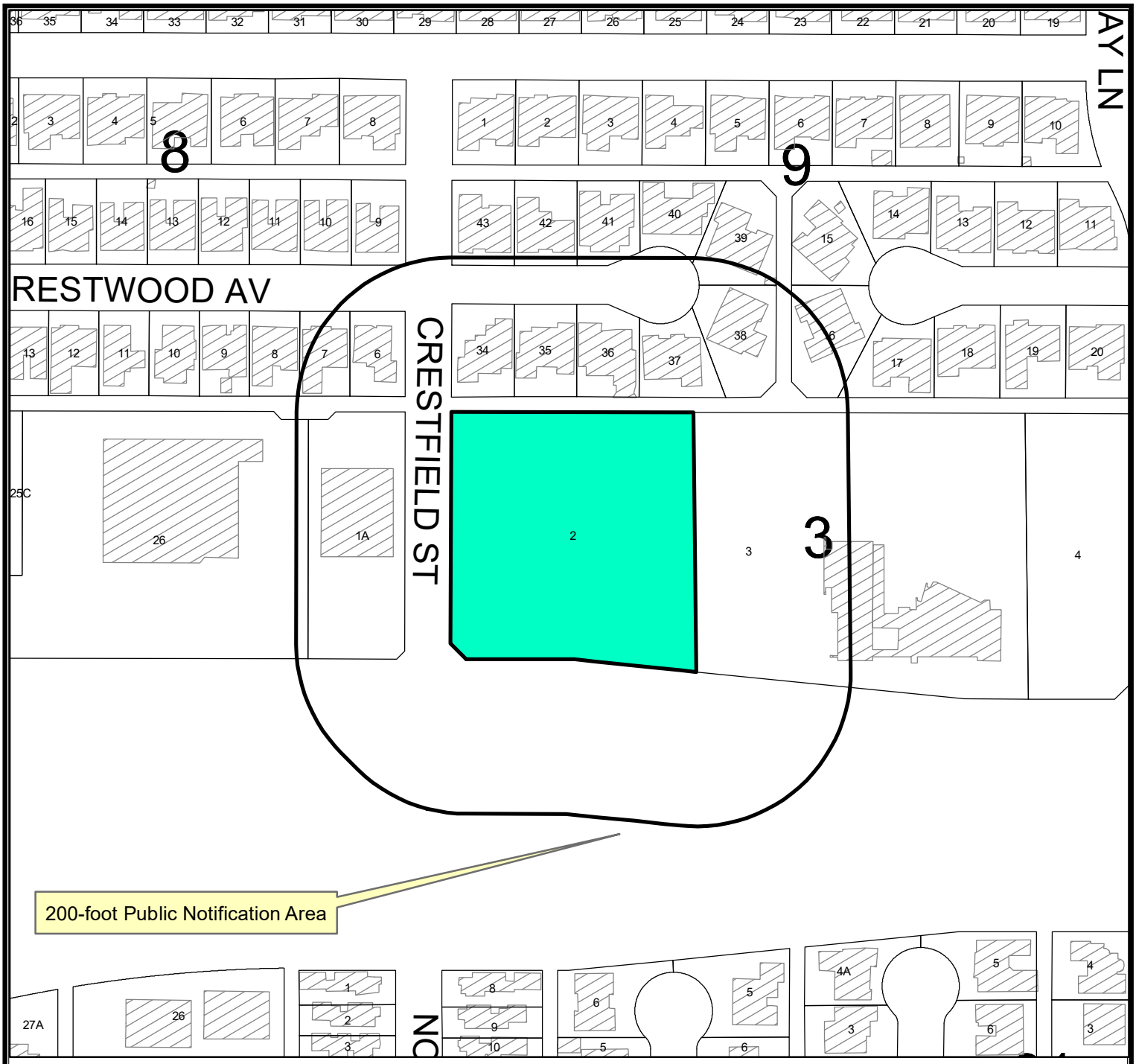
PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO. _____ CABINET ____
DATE _____ PAGE ____

NO.	DATE	DESCRIPTION	BY
1	02/01/2024	SKETCH PLAT	JG

DRAWN BY: JG — DATE: 02/01/2024
CHECKED BY: ED/RJ — PROJECT NO.: 80,020
JOB NO.: 80,046 — SHEET 1 OF 1

SCHUMANN
SURVEYING, INC.
A LATERAL LAND COMPANY

CRESTGATE ADDITION, SECTION 52.



Location Map

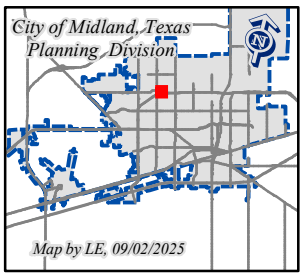
Z-25-0440 **Scale: 1" = 1,200'**

Consider a request by Newton Engineering, on behalf of William Rogers, for a Zone Change from PD, Planned Development District for a Housing Development, to RR, Regional Retail District, on Lot 2, Block 3, Crestgate Addition, Section 52, City and County of Midland, Texas.

Generally located at the northeast corner of the intersection of Crestfield Street and West Loop 250 North. (Council District 1)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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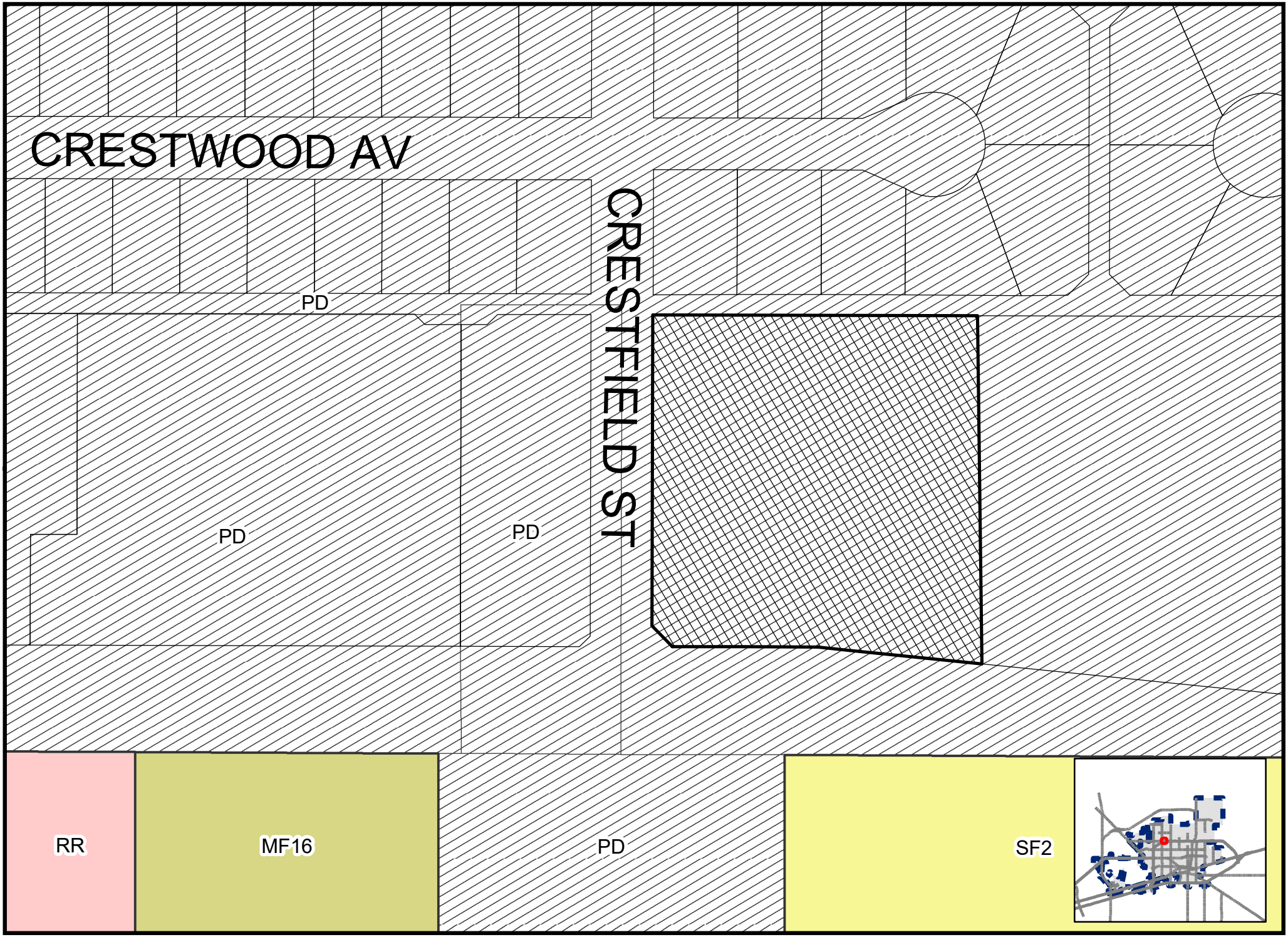
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Map by LE, 9/4/25

Z-25-0440

Scale: 1" = 1,250'

ZONING MAP

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City Council Meeting

Item Number: 20.
Meeting Date: October 14, 2025
To: City Council
From: Elizabeth Triggs, Planning & Development Officer
Subject: AN ORDINANCE AMENDING TITLE IX, "PUBLIC WAYS AND PROPERTY", CHAPTER 1, "STREETS AND SIDEWALKS", OF THE CITY CODE OF MIDLAND, TEXAS, BY ADDING SECTION 13, "STANDING, WALKING, OR REMAINING IN CERTAIN AREAS PROHIBITED", SO AS TO REDUCE THE RISKS OF TRAFFIC FATALITIES AND SEVERE INJURIES TO PEDESTRIANS; NEGATING AND DISPENSING WITH THE CULPABLE MENTAL STATE REQUIREMENT; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF FIVE HUNDRED DOLLARS ($500.00); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND ORDERING PUBLICATION

Purpose:
The purpose of this ordinance is to improve pedestrian safety and reduce the risk of traffic-related fatalities and serious injuries by prohibiting standing, walking, or remaining in specific high-risk areas of the public right-of-way. This action aligns with the City's Vision Zero Policy and Comprehensive Safety Action Plan, which emphasize proactive, data-driven measures to protect vulnerable road users.

Recommended Action:
Approve

Fiscal Impact:
No fiscal impact.

Strategic Priority:
SET THE STANDARD FOR A SAFE AND SECURE CITY

Discussion:
The City Council previously adopted the Vision Zero Policy (Resolution No. 2024-067) and the Comprehensive Safety Action Plan (Resolution No. 2024-076), establishing a framework to eliminate traffic-related fatalities and severe injuries. Between 2018 and 2022, the City recorded 153 crashes involving pedestrians and bicyclists, of which 117 involved pedestrians. Of those pedestrian crashes, approximately 35% resulted in fatalities or serious injuries. More recent data from 2022 to 2024 shows an 89% increase in the number of serious and fatal crashes involving vulnerable road users. Additionally, crash data reveals that 42% of all crashes in Midland occur at intersections, which is higher than the statewide average of 32%.

Together, these figures underscore the urgent need for targeted action to reduce risks for pedestrians and other vulnerable road users.

The proposed ordinance establishes “clear zones” in certain high-risk areas, including within 15 feet of a crosswalk, within 25 feet of an intersection with traffic controls, on medians narrower than six feet, and within four feet of the curb on curbed streets or ten feet from the travel lane on uncurbed streets unless sidewalks are present. Within these clear zones, individuals may not stand, walk, sit, or otherwise remain in a manner that obstructs pedestrian or vehicular traffic. The ordinance includes exceptions for constitutionally protected activities, provided a reflective vest is worn, as well as for emergencies, official duties, lawful street crossings, and permitted or contracted work in the public right-of-way. Enforcement will be carried out by the Midland Police Department, with officers issuing a verbal warning for a first observed violation and fines of up to $100 for a first citation and up to $500 for repeat offenses thereafter. Importantly, the ordinance expressly waives the requirement of proving a culpable mental state under the Texas Penal Code to ensure consistent enforcement.

Attachments:

A. ORDINANCE - (Final) Standing-Walking in Prohibited Places Ord

Jan Hamilton, City Secretary	Created/Initiated - 9/26/2025
Landon Ochoa, City Secretary	Final Approval - 9/26/2025

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE IX, "PUBLIC WAYS AND PROPERTY", CHAPTER 1, "STREETS AND SIDEWALKS", OF THE CITY CODE OF MIDLAND, TEXAS, BY ADDING SECTION 13, "STANDING, WALKING, OR REMAINING IN CERTAIN AREAS PROHIBITED", SO AS TO REDUCE THE RISKS OF TRAFFIC FATALITIES AND SEVERE INJURIES TO PEDESTRIANS; NEGATING AND DISPENSING WITH THE CULPABLE MENTAL STATE REQUIREMENT; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF FIVE HUNDRED DOLLARS ($500.00); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND ORDERING PUBLICATION

WHEREAS, the City of Midland (the "*City*") seeks to protect the health, safety, and welfare of its residents and visitors while respecting constitutional rights, including the right to free speech and to peaceable assembly; and

WHEREAS, the City has adopted the Vision Zero Policy through Resolution No. 2024-067, which establishes a comprehensive framework aimed at eliminating all traffic-related fatalities and severe injuries, including those specific to pedestrian safety; and

WHEREAS, the City has further adopted the Vision Zero Comprehensive Safety Action Plan (the "*Action Plan*") through Resolution No. 2024-076, which outlines specific strategies and measures to achieve the goals of the Vision Zero Policy, including the reduction of pedestrian-involved accidents; and

WHEREAS, the Vision Zero Policy and the Action Plan are grounded in data-driven approaches and best practices, emphasizing the importance of proactive measures to address safety concerns of vulnerable road users (e.g., pedestrians, bicyclists, motorcycles); and

WHEREAS, the Action Plan highlights that 16% of all crashes in the City involve vulnerable road users, including pedestrians and bicyclists, which is higher than the state average of 13%, demonstrating the need for focused pedestrian safety initiatives; and

WHEREAS, according to the Action Plan, between the years of 2018 and 2022, the City experienced 153 crashes involving pedestrians and bicyclists, of which 117 crashes involved pedestrians (approximately 76%); and

WHEREAS, of the 117 pedestrian crashes during said time period, 41 crashes (approximately 35%) were fatal or involved suspected serious injuries, underscoring the urgent need for targeted interventions to protect vulnerable road users; and

WHEREAS, the Action Plan identifies that 42% of crashes in the City are intersection-related crashes compared to the state average of 32%, emphasizing the critical importance of intersection safety improvements to reduce risks to pedestrians and other vulnerable road users; and

WHEREAS, Resolution No. 2025-098 approved the City of Midland's 2025 Vision Zero Comprehensive Safety Action Plan Annual Implementation Progress Report, which shows that the number of serious and fatal accidents involving vulnerable road users increased by 89% from 2022 to 2024; and

WHEREAS, Resolution No. 2025-099 approved Amendment No. 1 to the Action Plan, which provides for a new strategy aimed at addressing the 89% increase in serious and fatal accidents involving vulnerable road users from 2022 to 2024; and

WHEREAS, the City has conducted a thorough review of pedestrian-related incidents and identified specific areas where the presence of pedestrians contribute to increased risks of accidents and injuries; and

WHEREAS, the City recognizes that the obstruction of certain public spaces contributes to increased risks of accidents and injuries to pedestrians and other vulnerable road users, which poses significant risks to public safety and traffic flow, and the City seeks to address these issues in a manner that is narrowly tailored to serve these significant government interests; and

WHEREAS, the City has carefully crafted this ordinance to ensure that it leaves open ample alternative channels for communication, allowing individuals to exercise their rights to free speech and expression in a manner that does not compromise public safety or traffic flow; and

WHEREAS, the City Council finds and determines that the provisions of this ordinance are necessary to protect the health, safety, and welfare of its residents and

visitors, particularly to pedestrians in high-traffic areas such as roadways and medians where obstruction can create hazardous conditions; and

WHEREAS, the City has included specific definitions, clear prohibitions, and reasonable enforcement mechanisms to ensure that this ordinance is not vague or overly broad, thereby reducing the risk of arbitrary enforcement; and

WHEREAS, the City has incorporated time, place, and manner restrictions that are designed to balance the rights of individuals to engage in expressive activities with the City's responsibility to maintain public safety; and

WHEREAS, the City Council finds and determines that this ordinance is a necessary and proportionate response to the challenges posed by the obstruction of certain public spaces, and that it reflects the least restrictive means of achieving the City's significant government interests; and

WHEREAS, the City affirms its commitment to protecting the constitutional rights of all individuals while ensuring that public spaces remain safe, accessible, and conducive to the free flow of pedestrian and vehicular traffic; and

WHEREAS, the City Council finds it to be in the public interest to make certain amendments to the City Code of Midland, Texas, to ensure that the obstruction of public spaces, and the significant risks it poses to public safety and traffic flow are addressed in a manner that is narrowly tailored to serve these significant government interests;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS;

SECTION ONE. That the City Code of Midland, Texas, Title IX, "Public Ways and Property", Chapter 1, "Streets and Sidewalks", is hereby amended by adding Section 13, "Standing, Walking, or Remaining in Certain Areas Prohibited", which shall read as follows:

9-1-13. Standing, Walking, or Remaining in Certain Areas Prohibited.

(A) Definitions. As used in this Section:

1. "*Clear Zone*" means a location where standing, walking, or remaining is restricted, including:

a. Within fifteen feet (15’) of a crosswalk or pedestrian crossing;

b. Within twenty-five feet (25’) of an intersection controlled by a traffic signal or stop sign;

c. On a median that is less than six feet (6’) in width;

d. The area that is within four feet (4’) from the face of the curb on a curbed street unless a sidewalk is located within such 4-foot area, in which case the clear zone is the area between the face of the curb and the closest portion of the sidewalk;

e. On an uncurbed street, the area that is within ten feet (10’) from the edge of the travel lane unless a sidewalk is located within such 10-foot area, in which case the clear zone is the area between the edge of the travel lane and the closest portion of the sidewalk

(B) Prohibited Conduct. No person shall stand, walk, sit, or otherwise remain in a clear zone in a manner that obstructs pedestrian or vehicular traffic.

(C) Exceptions. It is an exception to the application of this Section that the person was:

1. engaging in a constitutionally protected activity, such as a peaceful protest, political canvassing, or religious expression, provided that the person wore a reflective safety vest;

2. responding to or seeking assistance during an emergency, including, but not limited to:

a. providing aid during a natural disaster, severe weather conditions, or other public emergency;

b. assisting or rendering aid immediately following a traffic accident or other incident requiring immediate attention; and

c. responding to a medical emergency or other urgent situation;

3. a law enforcement officer, firefighter, emergency medical services personnel, or other public safety official performing his or her official duties;

4. crossing a street or intersection in compliance with applicable traffic laws; or

5. performing work in the public right-of-way in accordance with:

   a. a permit issued by the City of Midland, Texas; or

   b. a contract with the City of Midland or other governmental entity exercising control over the public right-of-way in which the work is being performed; or

   c. a state-issued or City-issued franchise.

(D) Enforcement; Culpable Mental State.

1. The Midland Police Department shall be responsible for enforcing this ordinance.

2. An officer shall issue a verbal warning for an observed first-time violation.

3. Evidence of a culpable mental state is not required to prove a violation of this Section. It is hereby declared that, for all offenses under this Section, the culpable mental state required by Section 6.02 of the Texas Penal Code is specifically negated and clearly dispensed with.

(E) Penalties.

1. A person's first violation of this Section shall be punishable by a fine not to exceed $100.00.

2. A person's subsequent violation of this Section shall be punishable by a fine not to exceed $500.00.

SECTION TWO. That the provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances

inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION THREE. That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of whether any one or more sections, subsections, sentences, clauses, or phrases is declared unconstitutional or invalid.

SECTION FOUR. The penalty for a violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding five hundred dollars ($500.00) pursuant to State law. The definition of all offenses under this ordinance does not require a culpable mental state. The definition of all offenses under this ordinance plainly dispenses with any mental element as authorized by Section 6.02 of the Texas Penal Code. It is hereby declared that, for all offenses under this ordinance, the culpable mental state required by Section 6.02 of the Texas Penal Code is specifically negated and clearly dispensed with.

SECTION FIVE. That the City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2025; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council

member _____, on the _____ day of _____, A.D., 2025, at a regular meeting of the City Council:

Council members voting “AYE”:

Council members voting “NAY”:

PASSED AND APPROVED THIS _____ day of _____, A.D., 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Greg Snow, Chief of Police

APPROVED AS TO FORM ONLY:

_____
Nicholas Toulet, Interim City Attorney

City Council Meeting

Item Number: 21.
Meeting Date: October 14, 2025
To: City Council
From: Garrick Clayton, Oil and Gas Officer
Subject: THE PROPOSED GRANTING OF OIL AND AS WELL PERMITS TO PIONEER NATURAL RESOURCES, USA, INC. (“OPERATOR”) FOR THE DRILLING OF THE FOLLOWING OIL AND GAS WELLS: NAIL-BURLEY 6A 601H; NAIL-BURLEY 6B 602H; NAIL-BURLEY 6C 603H; NAIL-BURLEY 6D 604H; NAIL-BURLEY 6E 605H; AND NAIL-BURLEY 6F 606H; SAID WELLS BEING GENERALLY LOCATED BETWEEN 6,660 FEET AND 6,669 FEET NORTH OF OCCIDENTAL PARKWAY AND BETWEEN 6,627 FEET AND 6,727 FEET EAST OF STATE HIGHWAY 349 (PUBLIC HEARING ONLY)

Purpose:
The proposed granting of oil and gas well permits to Pioneer Natural Resources, USA, Inc. (“Operator”) for the drilling of the following oil and gas wells: NAIL-BURLEY 6A 601H; NAIL-BURLEY 6B 602H; NAIL-BURLEY 6C 603H; NAIL-BURLEY 6D 604H; NAIL-BURLEY 6E 605H; said wells being generally located between 6,660 feet and 6,669 feet north of occidental parkway and between 6,627 feet and 6,727 feet east of State Highway 349 (public hearing only). Council may consider these permits following a 30-day public comment period and at a regularly scheduled meeting. No notices of objection received.

Recommended Action:
Direction/Informational

Fiscal Impact:
There is no cost to the City to process this application.

Strategic Priority:
SET THE STANDARD FOR A SAFE AND SECURE CITY

Discussion:
The Oil and Gas Advisory Committee has reviewed the well sites in detail and recommends approval. Pioneer Natural Resources, USA Inc. will be using a 24’ sound barrier along the entire length of the south side of the pad with the remaining 3 sides facing undeveloped land and oil field which will remain for the duration of drilling and fracing. A quiet type frac system will be used to complete the wells. A closed loop system will be used during drilling operations so no reserve pits will be used and drill cuttings will be removed from the property. The use of compression is requested which will also be behind sound dampening enclosures. The Tank Battery for these wells will be located in the county. Pioneer Natural Resources, USA Inc. is

requesting the following variances:

1. No Road Repair Agreement be required because no City streets will be used to access the well site.

2. No landscaping or irrigation be required due to no access to city water.

3. Twenty-four hour hydraulic fracturing operations be permitted.

4. Drill cuttings be allowed to be removed from the surface location.

5. Allow for compressors to be used for gas lift during the production phase

Attachments:

A. Nail-Burley 6A 601H Permit Application
B. Nail-Burley 6A 601H Drill Site
C. Nail-Burley 6A 601H Location Map
D. Nail-Burley 6B 602H Permit Application
E. Nail-Burley 6B 602H Drill Site
F. Nail-Burley 6B 602H Location Map
G. Nail-Burley 6C 603H Permit Application
H. Nail-Burley 6C 603H Drill Site
I. Nail-Burley 6C 603H Location Map
J. Nail-Burley 6D 604H Permit Application
K. Nail-Burley 6D 604H Drill Site
L. Nail-Burley 6D 604H Location Map
M. Nail-Burley 6E 605H Permit Application
N. Nail-Burley 6E 605H Drill Site
O. Nail-Burley 6E 605H Location Map
P. Nail-Burley 6F 606H Permit Application
Q. Nail-Burley 6F 606H Drill Site
R. Nail-Burley 6F 606H Location Map
S. Nail-Burley 6 600s Exhibit H Transportation Route
T. Nail-Burley Overall Location Map

Liliana Morales, Development Services - Oil and Gas	Created/Initiated - 9/24/2025
Garrick Clayton, Development Services - Oil and Gas	Approved - 9/24/2025
Elizabeth Triggs, Development Services	Approved - 10/2/2025
Linda Ochoa, Legal	Approved - 10/7/2025
Morris Williams, City Manager	New -
Rachel Guentensberger, City Secretary	

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
8/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other properties within 860' are: City of Midland and Jones Bros. Dirt & Paving (same as owner) (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Burley 6A 601H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

859' FNL, 1251' FWL, Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations)*. [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

Description of water source to be used during Drilling:

The water source used during drilling can be found on Exhibit N

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

The route for electric lines can be found on Exhibit N

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]:

Reserve pits will not be used. Freshwater pits will be used. Please see Exhibit O for closure details.

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* are Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by Applicant are current. [See § J(29)].**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan approved by the City Engineer relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace
Laura Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

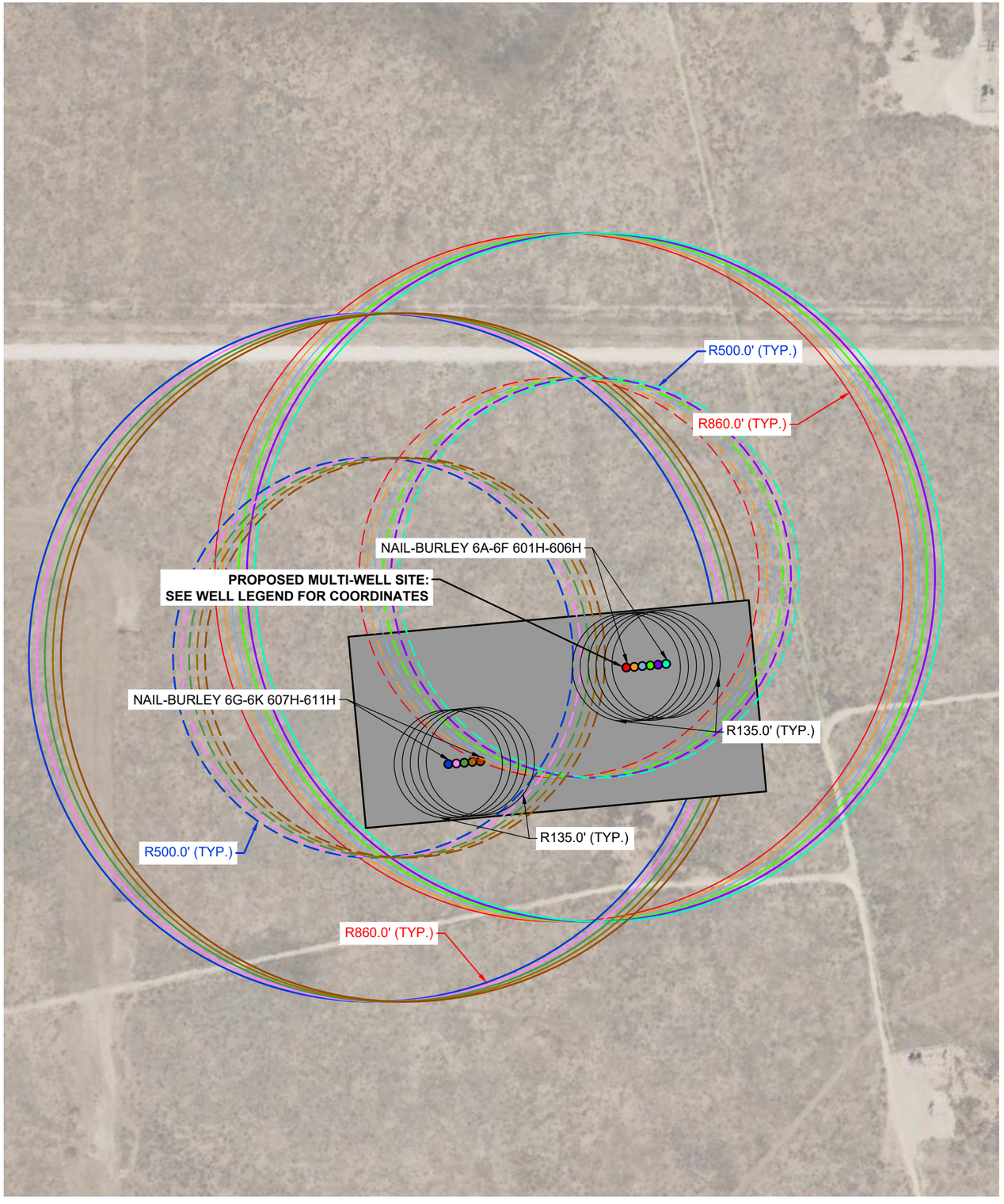
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

NAIL-BURLEY 6A 601H
859' FNL, 1251' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861148.2', Y = 6739624.4'
LAT.: 32°06'14.34", LON.: -102°04'35.83"
LAT.: 32.103982°, LON.: -102.076618°

NAIL-BURLEY 6B 602H
857' FNL, 1271' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861167.2', Y = 6739630.9'
LAT.: 32°06'14.41", LON.: -102°04'35.61"
LAT.: 32.104002°, LON.: -102.076558°

NAIL-BURLEY 6C 603H
856' FNL, 1291' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861186.0', Y = 6739637.4'
LAT.: 32°06'14.48", LON.: -102°04'35.39"
LAT.: 32.104021°, LON.: -102.076498°

NAIL-BURLEY 6D 604H
854' FNL, 1311' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861205.0', Y = 6739643.9'
LAT.: 32°06'14.55", LON.: -102°04'35.17"
LAT.: 32.104041°, LON.: -102.076437°

NAIL-BURLEY 6E 605H
852' FNL, 1331' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861223.9', Y = 6739650.4'
LAT.: 32°06'14.62", LON.: -102°04'34.96"
LAT.: 32.104060°, LON.: -102.076377°

NAIL-BURLEY 6F 606H
850' FNL, 1351' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861242.8', Y = 6739656.9'
LAT.: 32°06'14.69", LON.: -102°04'34.74"
LAT.: 32.104080°, LON.: -102.076317°

NAIL-BURLEY 6G 607H
1103' FNL, 808' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860773.3', Y = 6739284.3'
LAT.: 32°06'10.85", LON.: -102°04'40.05"
LAT.: 32.103013°, LON.: -102.077791°

NAIL-BURLEY 6H 608H
1101' FNL, 828' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860792.3', Y = 6739290.8'
LAT.: 32°06'10.92", LON.: -102°04'39.83"
LAT.: 32.103032°, LON.: -102.077730°

NAIL-BURLEY 6I 609H
1099' FNL, 848' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860811.2', Y = 6739297.2'
LAT.: 32°06'10.99", LON.: -102°04'39.61"
LAT.: 32.103052°, LON.: -102.077670°

NAIL-BURLEY 6J 610H
1097' FNL, 868' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860830.1', Y = 6739303.8'
LAT.: 32°06'11.06", LON.: -102°04'39.39"
LAT.: 32.103071°, LON.: -102.077610°

NAIL-BURLEY 6K 611H
1095' FNL, 888' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860849.0', Y = 6739310.3'
LAT.: 32°06'11.13", LON.: -102°04'39.18"
LAT.: 32.103091°, LON.: -102.077549°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

Hunter Wade Wills
05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/25/2025
BY: J. ALVAREZ
REV.: 5/16/2025 J. ALVAREZ
AVO: 047474.878

PIONEER NATURAL RESOURCES USA, INC.

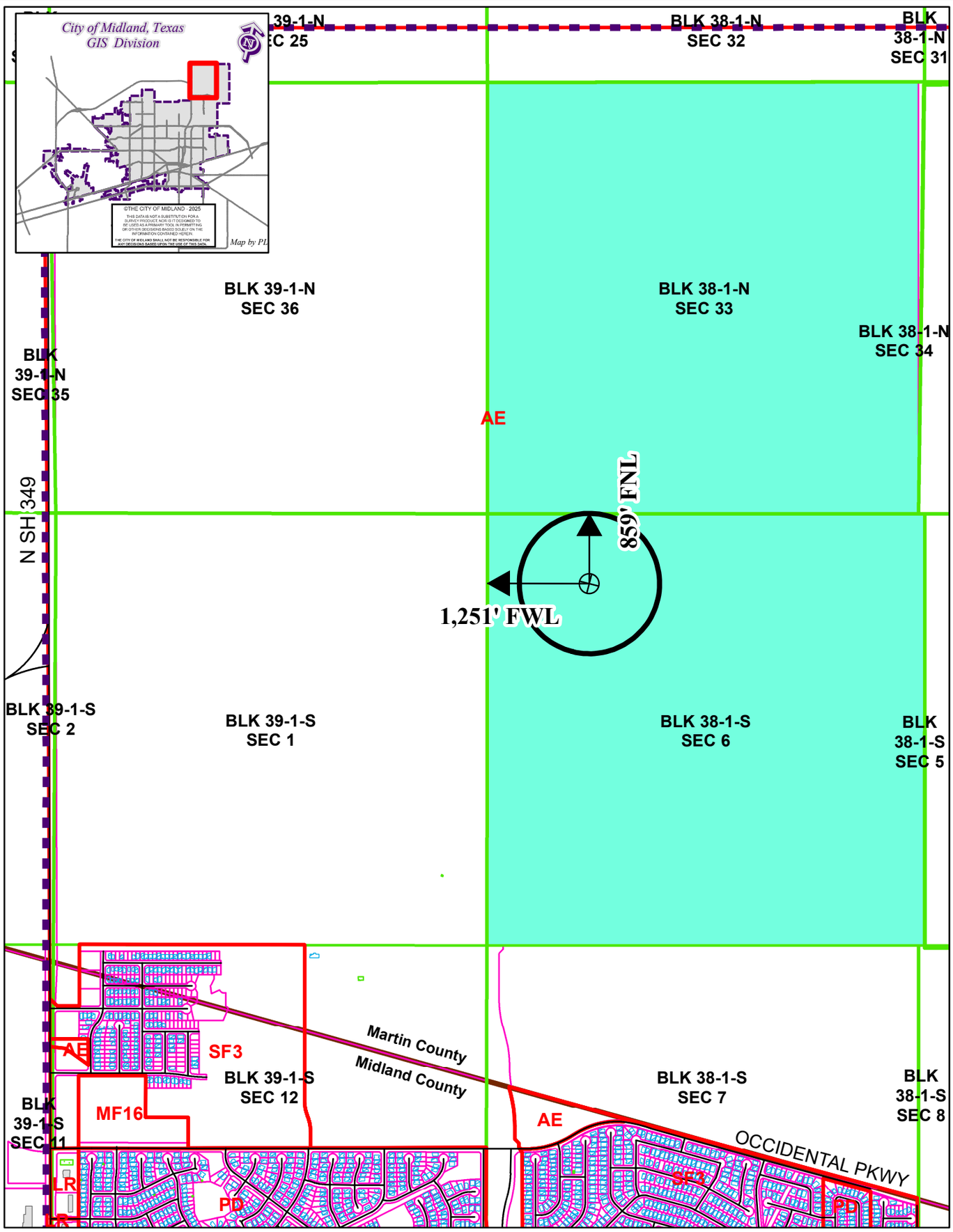
EXHIBIT "E"
AERIAL SITE PLAN

NAIL-BURLEY 6A-6K 601H-611H

LOCATED IN:
SECTION 6, BLOCK 38, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 671,
MARTIN COUNTY, TEXAS

PAGE 1 OF 2

A:\47000S\47474\878\SURV\CADD\SHEETS\EXHIBIT\047474.878_AERIAL_SITE_PLAN_EXHIBIT_E.DWG



LOCATION AND ZONING MAP

Oil-070266-2025 **Scale: 1" = 1500'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 859' FNL and 1,251' FWL, Section 6, Block 38-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 6,660 feet north of Occidental Pkwy and 6,627 feet east of SH 349.

Nail-Burley 6A 601H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
8/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other properties within 860' are: City of Midland and Jones Bros. Dirt & Paving (same as owner) (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Burley 6B 602H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

857' FNL, 1271' FWL, Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations)*. [See § J(16) and (20)].**

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***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

Description of water source to be used during Drilling:

The water source used during drilling can be found on Exhibit N

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

The route for electric lines can be found on Exhibit N

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]:

Reserve pits will not be used. Freshwater pits will be used. Please see Exhibit O for closure details.

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* are Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by Applicant are current. [See § J(29)].**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan approved by the City Engineer relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace Laura Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

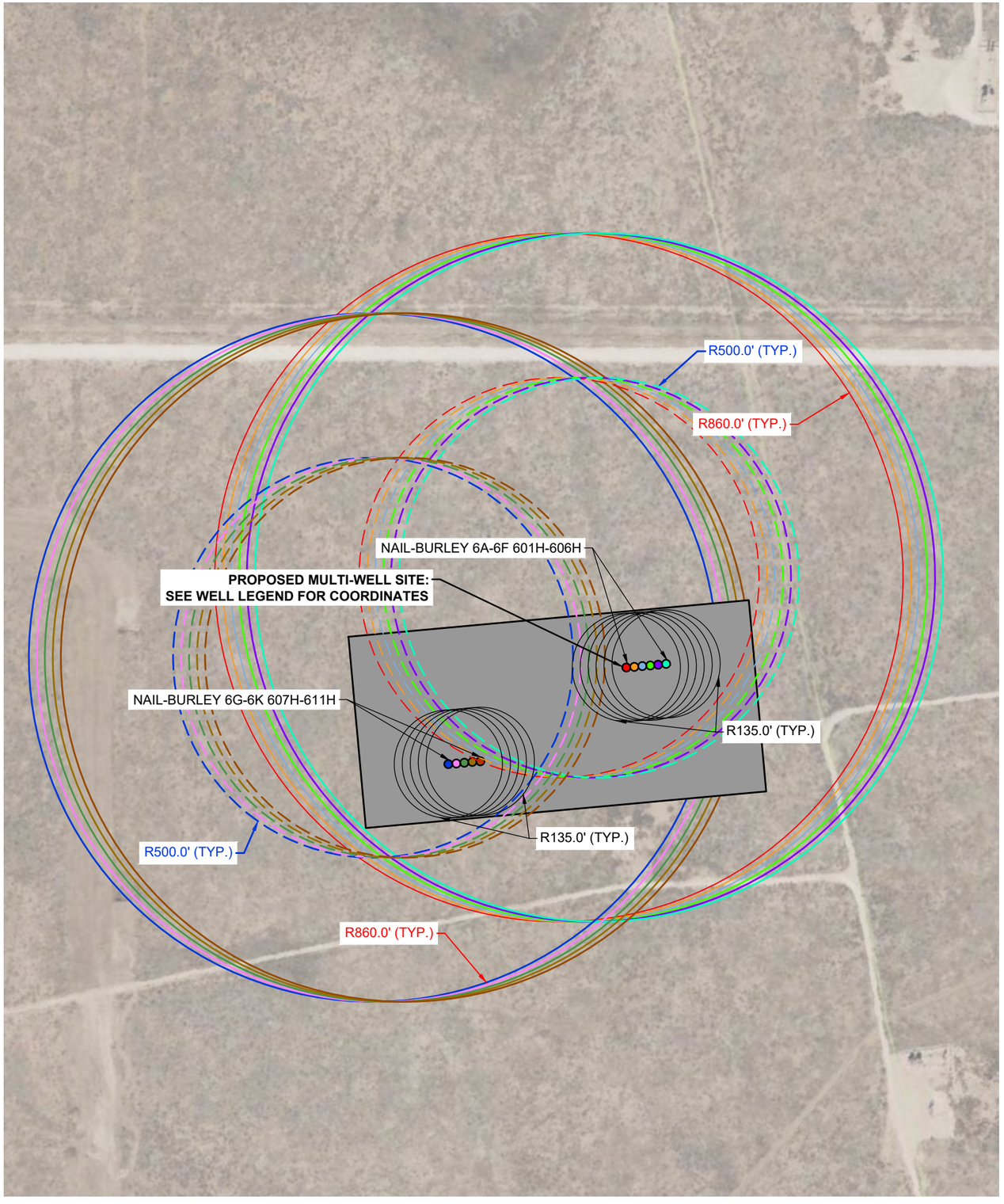
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

NAIL-BURLEY 6A 601H
859' FNL, 1251' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861148.2', Y = 6739624.4'
LAT.: 32°06'14.34", LON.: -102°04'35.83"
LAT.: 32.103982°, LON.: -102.076618°

NAIL-BURLEY 6B 602H
857' FNL, 1271' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861167.2', Y = 6739630.9'
LAT.: 32°06'14.41", LON.: -102°04'35.61"
LAT.: 32.104002°, LON.: -102.076558°

NAIL-BURLEY 6C 603H
856' FNL, 1291' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861186.0', Y = 6739637.4'
LAT.: 32°06'14.48", LON.: -102°04'35.39"
LAT.: 32.104021°, LON.: -102.076498°

NAIL-BURLEY 6D 604H
854' FNL, 1311' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861205.0', Y = 6739643.9'
LAT.: 32°06'14.55", LON.: -102°04'35.17"
LAT.: 32.104041°, LON.: -102.076437°

NAIL-BURLEY 6E 605H
852' FNL, 1331' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861223.9', Y = 6739650.4'
LAT.: 32°06'14.62", LON.: -102°04'34.96"
LAT.: 32.104060°, LON.: -102.076377°

NAIL-BURLEY 6F 606H
850' FNL, 1351' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861242.8', Y = 6739656.9'
LAT.: 32°06'14.69", LON.: -102°04'34.74"
LAT.: 32.104080°, LON.: -102.076317°

NAIL-BURLEY 6G 607H
1103' FNL, 808' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860773.3', Y = 6739284.3'
LAT.: 32°06'10.85", LON.: -102°04'40.05"
LAT.: 32.103013°, LON.: -102.077791°

NAIL-BURLEY 6H 608H
1101' FNL, 828' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860792.3', Y = 6739290.8'
LAT.: 32°06'10.92", LON.: -102°04'39.83"
LAT.: 32.103032°, LON.: -102.077730°

NAIL-BURLEY 6I 609H
1099' FNL, 848' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860811.2', Y = 6739297.2'
LAT.: 32°06'10.99", LON.: -102°04'39.61"
LAT.: 32.103052°, LON.: -102.077670°

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1097' FNL, 868' FWL (SEC. 6)
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1095' FNL, 888' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
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X = 860849.0', Y = 6739310.3'
LAT.: 32°06'11.13", LON.: -102°04'39.18"
LAT.: 32.103091°, LON.: -102.077549°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

Hunter Wade Wills
05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/25/2025
BY: J. ALVAREZ
REV.: 5/16/2025 J. ALVAREZ
AVO: 047474.878

PIONEER NATURAL RESOURCES USA, INC.

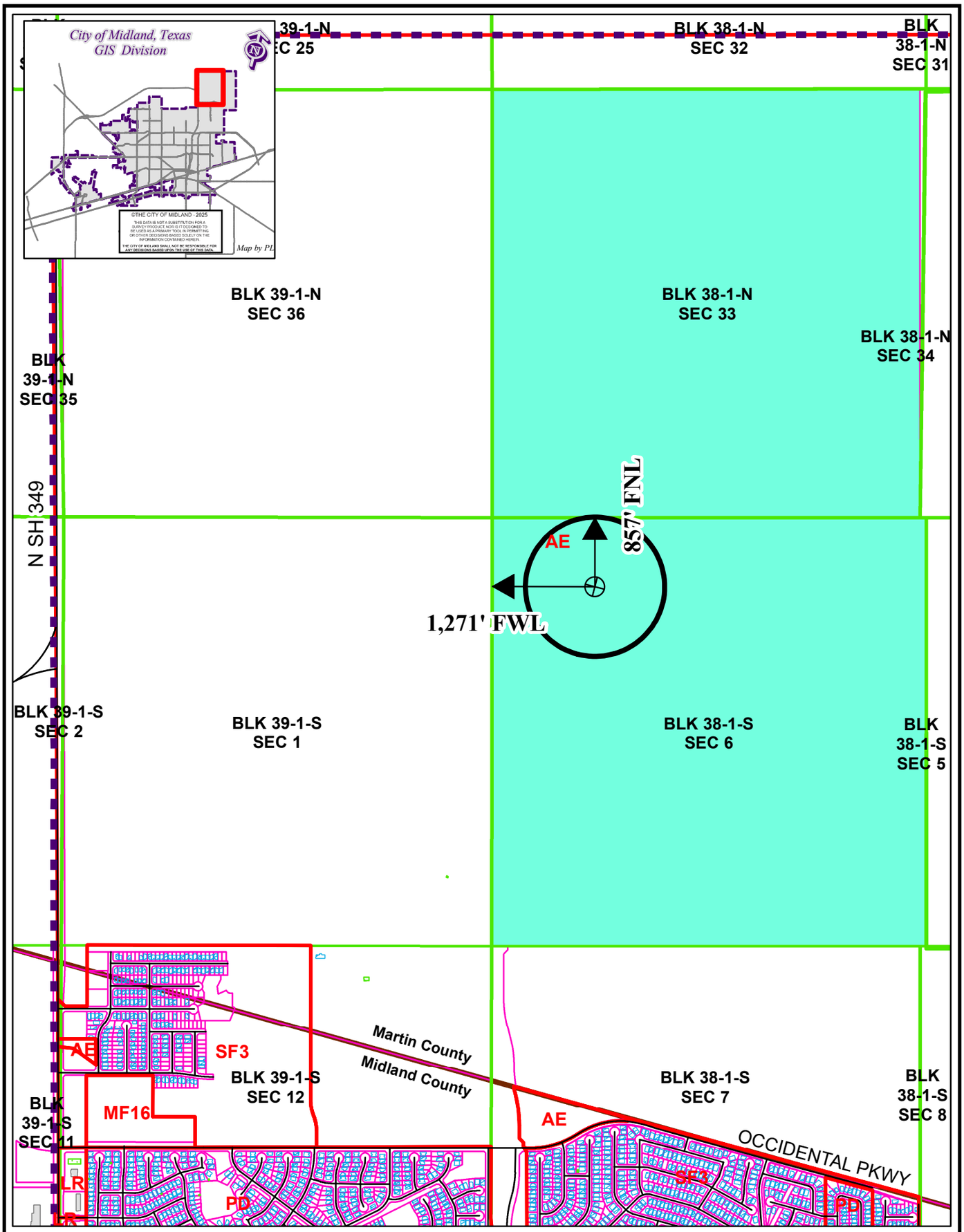
EXHIBIT "E"
AERIAL SITE PLAN

NAIL-BURLEY 6A-6K 601H-611H

LOCATED IN:
SECTION 6, BLOCK 38, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 671,
MARTIN COUNTY, TEXAS

PAGE 1 OF 2

A:\47000S\47474\878\SURV\CADD\SHEETS\EXHIBIT\047474.878_AERIAL_SITE_PLAN_EXHIBIT_E.DWG



LOCATION AND ZONING MAP

Oil-070267-2025 **Scale: 1" = 1500'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 857' FNL and 1,271' FWL, Section 6, Block 38-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 6,662 feet north of Occidental Pkwy and 6,647 feet east of SH 349.

Nail-Burley 6B 602H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
8/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other properties within 860' are: City of Midland and Jones Bros. Dirt & Paving (same as owner) (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

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***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Burley 6C 603H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

856' FNL, 1291' FWL, Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas

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***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

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V. Additional Required Exhibits

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Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace
Laura Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

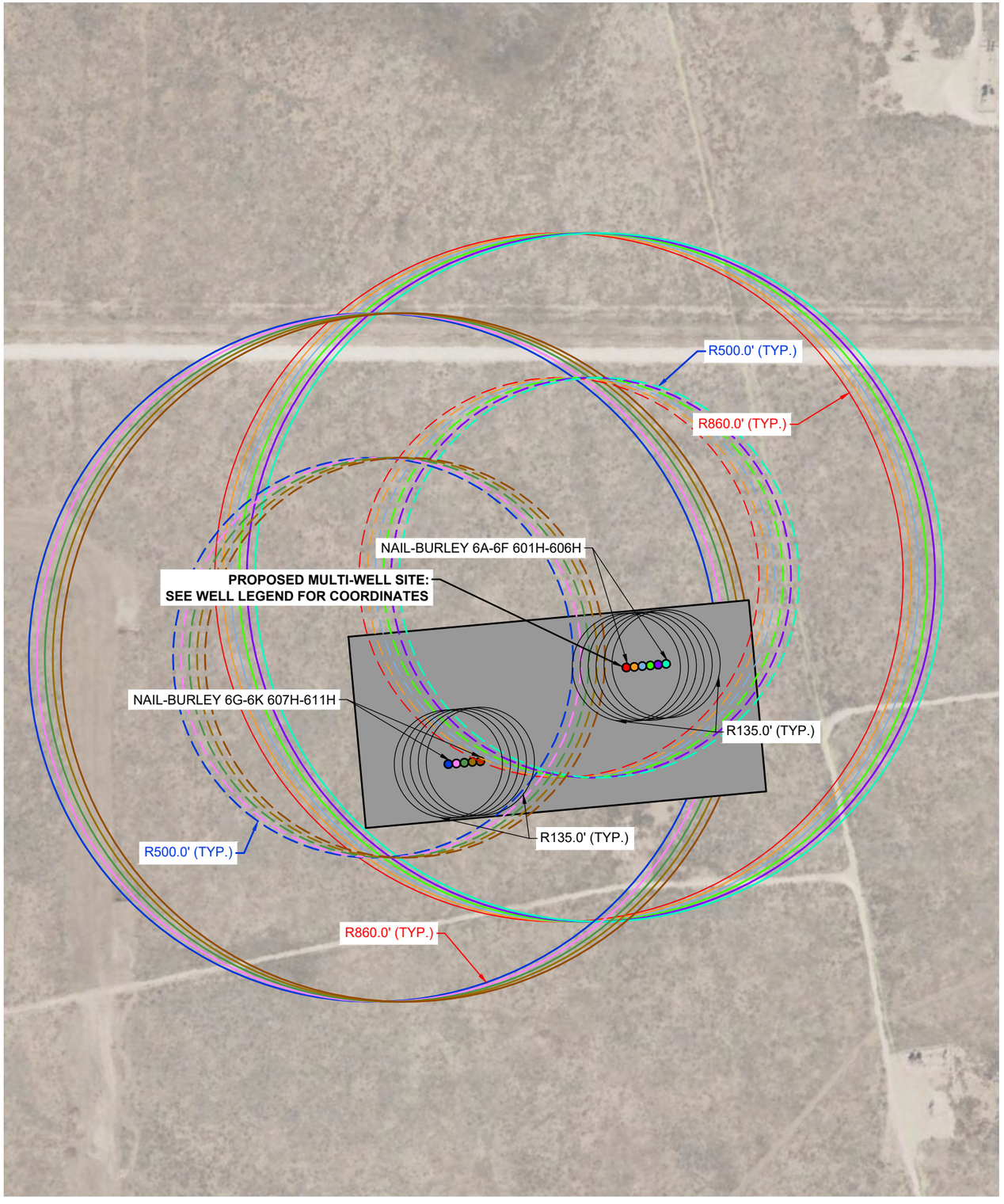
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

NAIL-BURLEY 6A 601H
859' FNL, 1251' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861148.2', Y = 6739624.4'
LAT.: 32°06'14.34", LON.: -102°04'35.83"
LAT.: 32.103982°, LON.: -102.076618°

NAIL-BURLEY 6B 602H
857' FNL, 1271' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861167.2', Y = 6739630.9'
LAT.: 32°06'14.41", LON.: -102°04'35.61"
LAT.: 32.104002°, LON.: -102.076558°

NAIL-BURLEY 6C 603H
856' FNL, 1291' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861186.0', Y = 6739637.4'
LAT.: 32°06'14.48", LON.: -102°04'35.39"
LAT.: 32.104021°, LON.: -102.076498°

NAIL-BURLEY 6D 604H
854' FNL, 1311' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861205.0', Y = 6739643.9'
LAT.: 32°06'14.55", LON.: -102°04'35.17"
LAT.: 32.104041°, LON.: -102.076437°

NAIL-BURLEY 6E 605H
852' FNL, 1331' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861223.9', Y = 6739650.4'
LAT.: 32°06'14.62", LON.: -102°04'34.96"
LAT.: 32.104060°, LON.: -102.076377°

NAIL-BURLEY 6F 606H
850' FNL, 1351' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861242.8', Y = 6739656.9'
LAT.: 32°06'14.69", LON.: -102°04'34.74"
LAT.: 32.104080°, LON.: -102.076317°

NAIL-BURLEY 6G 607H
1103' FNL, 808' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860773.3', Y = 6739284.3'
LAT.: 32°06'10.85", LON.: -102°04'40.05"
LAT.: 32.103013°, LON.: -102.077791°

NAIL-BURLEY 6H 608H
1101' FNL, 828' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860792.3', Y = 6739290.8'
LAT.: 32°06'10.92", LON.: -102°04'39.83"
LAT.: 32.103032°, LON.: -102.077730°

NAIL-BURLEY 6I 609H
1099' FNL, 848' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860811.2', Y = 6739297.2'
LAT.: 32°06'10.99", LON.: -102°04'39.61"
LAT.: 32.103052°, LON.: -102.077670°

NAIL-BURLEY 6J 610H
1097' FNL, 868' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860830.1', Y = 6739303.8'
LAT.: 32°06'11.06", LON.: -102°04'39.39"
LAT.: 32.103071°, LON.: -102.077610°

NAIL-BURLEY 6K 611H
1095' FNL, 888' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860849.0', Y = 6739310.3'
LAT.: 32°06'11.13", LON.: -102°04'39.18"
LAT.: 32.103091°, LON.: -102.077549°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

Hunter Wade Wills
05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/25/2025
BY: J. ALVAREZ
REV.: 5/16/2025 J. ALVAREZ
AVO: 047474.878

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-BURLEY 6A-6K 601H-611H

LOCATED IN:
SECTION 6, BLOCK 38, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 671,
MARTIN COUNTY, TEXAS

PAGE 1 OF 2

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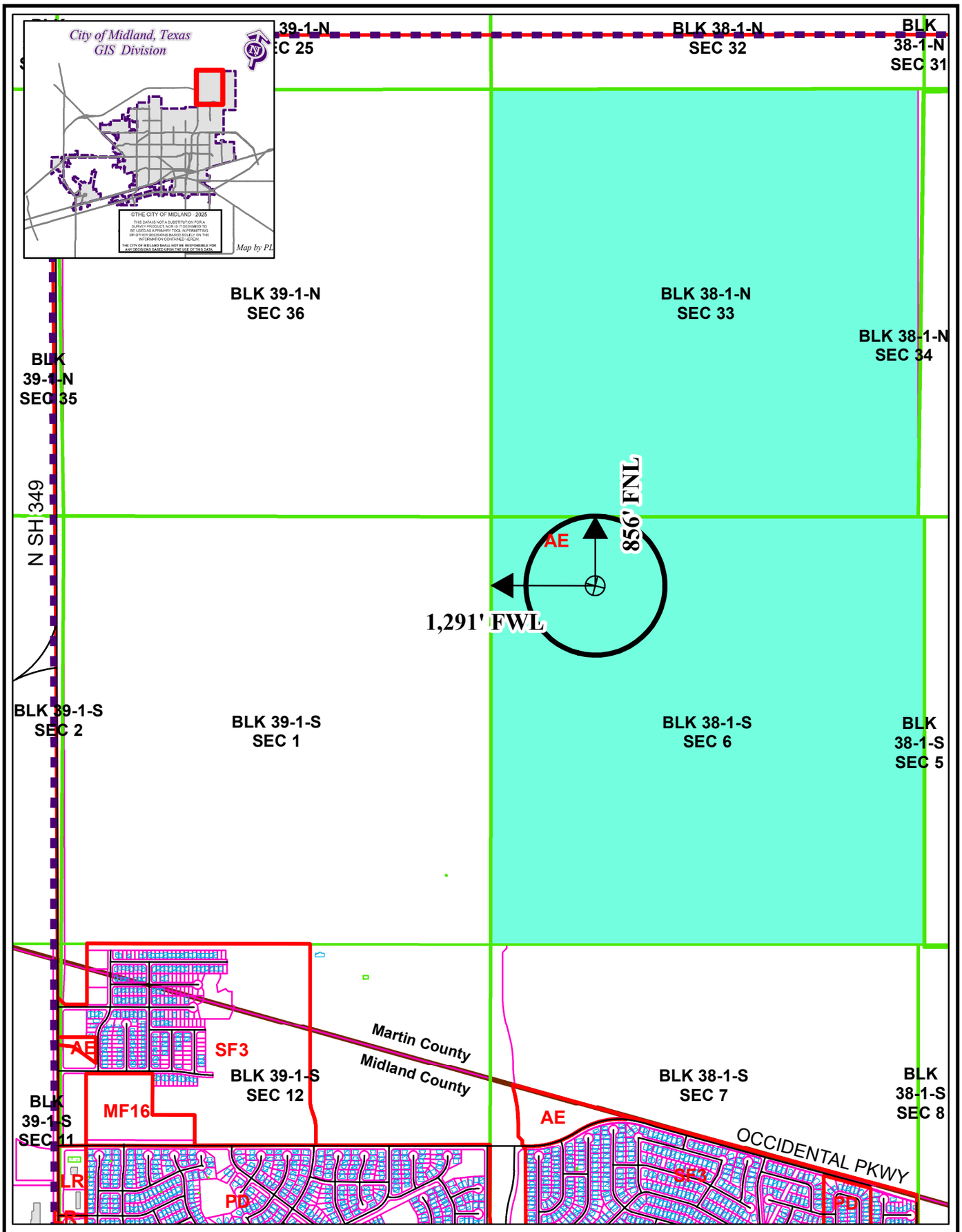

LOCATION AND ZONING MAP

Oil-070268-2025 **Scale: 1" = 1500'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 856' FNL and 1,291' FWL, Section 6, Block 38-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 6,663 feet north of Occidental Pkwy and 6,667 feet east of SH 349.

Nail-Burley 6C 603H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
8/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other properties within 860' are: City of Midland and Jones Bros. Dirt & Paving (same as owner) (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Tillman 6D 604H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

854' FNL, 1311' FWL, Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations)*. [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

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***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

Description of water source to be used during Drilling:

Water for drilling will be pulled from...

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

The route for electric lines can be found on Exhibit N

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]:

Reserve pits will not be used. Freshwater pits will be used. Please see Exhibit O for closure details.

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* are Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by Applicant are current. [See § J(29)].**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan approved by the City Engineer relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace
Laura Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

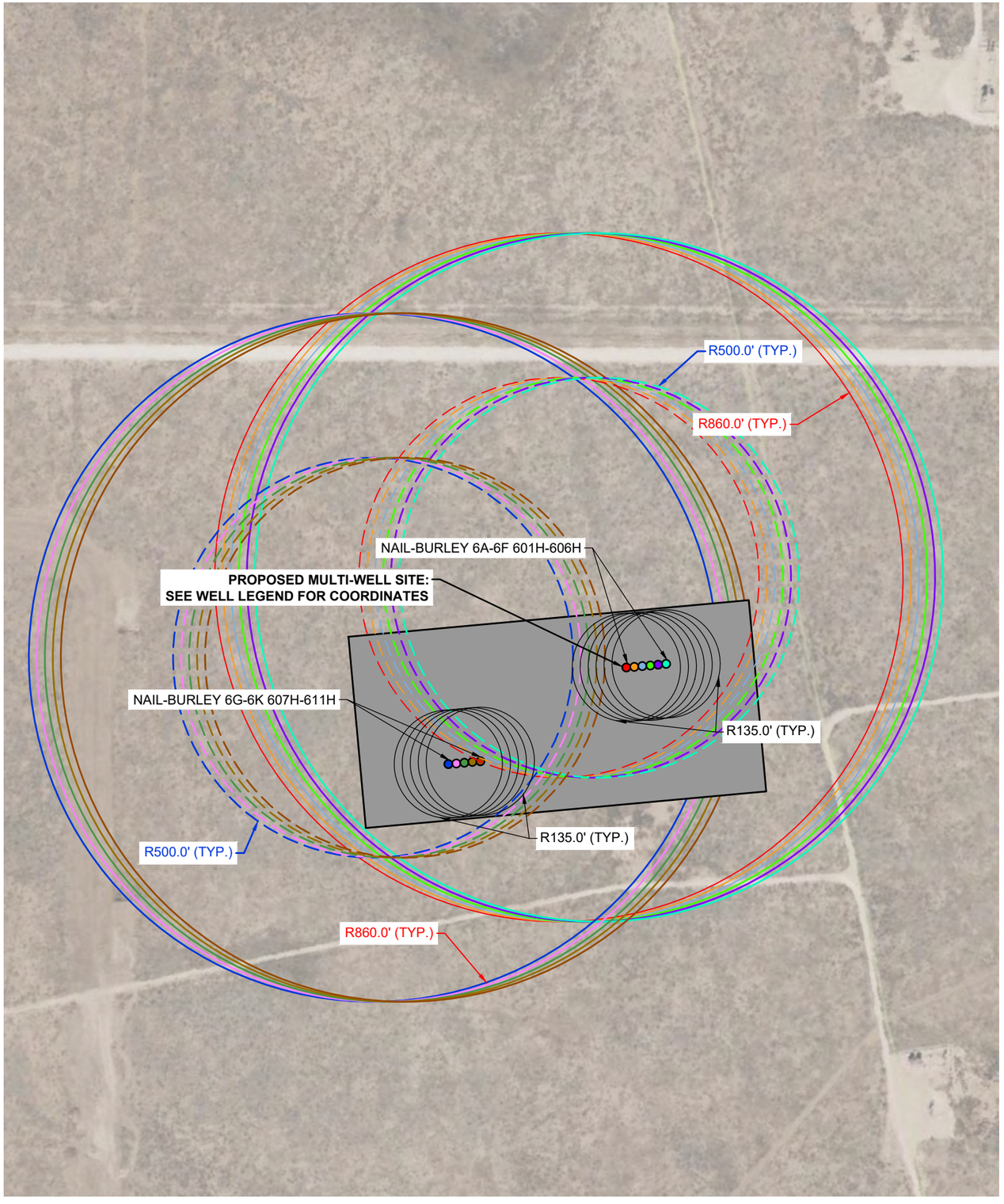
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

NAIL-BURLEY 6A 601H
859' FNL, 1251' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861148.2', Y = 6739624.4'
LAT.: 32°06'14.34", LON.: -102°04'35.83"
LAT.: 32.103982°, LON.: -102.076618°

NAIL-BURLEY 6B 602H
857' FNL, 1271' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861167.2', Y = 6739630.9'
LAT.: 32°06'14.41", LON.: -102°04'35.61"
LAT.: 32.104002°, LON.: -102.076558°

NAIL-BURLEY 6C 603H
856' FNL, 1291' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861186.0', Y = 6739637.4'
LAT.: 32°06'14.48", LON.: -102°04'35.39"
LAT.: 32.104021°, LON.: -102.076498°

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854' FNL, 1311' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
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LAT.: 32°06'14.55", LON.: -102°04'35.17"
LAT.: 32.104041°, LON.: -102.076437°

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852' FNL, 1331' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861223.9', Y = 6739650.4'
LAT.: 32°06'14.62", LON.: -102°04'34.96"
LAT.: 32.104060°, LON.: -102.076377°

NAIL-BURLEY 6F 606H
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SHL GROUND ELEVATION: 2829'
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X = 861242.8', Y = 6739656.9'
LAT.: 32°06'14.69", LON.: -102°04'34.74"
LAT.: 32.104080°, LON.: -102.076317°

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1103' FNL, 808' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
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LAT.: 32°06'10.85", LON.: -102°04'40.05"
LAT.: 32.103013°, LON.: -102.077791°

NAIL-BURLEY 6H 608H
1101' FNL, 828' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
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X = 860792.3', Y = 6739290.8'
LAT.: 32°06'10.92", LON.: -102°04'39.83"
LAT.: 32.103032°, LON.: -102.077730°

NAIL-BURLEY 6I 609H
1099' FNL, 848' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860811.2', Y = 6739297.2'
LAT.: 32°06'10.99", LON.: -102°04'39.61"
LAT.: 32.103052°, LON.: -102.077670°

NAIL-BURLEY 6J 610H
1097' FNL, 868' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860830.1', Y = 6739303.8'
LAT.: 32°06'11.06", LON.: -102°04'39.39"
LAT.: 32.103071°, LON.: -102.077610°

NAIL-BURLEY 6K 611H
1095' FNL, 888' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860849.0', Y = 6739310.3'
LAT.: 32°06'11.13", LON.: -102°04'39.18"
LAT.: 32.103091°, LON.: -102.077549°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

Hunter Wade Wills
05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/25/2025
BY: J. ALVAREZ
REV.: 5/16/2025 J. ALVAREZ
AVO: 047474.878

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-BURLEY 6A-6K 601H-611H

LOCATED IN:
SECTION 6, BLOCK 38, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 671,
MARTIN COUNTY, TEXAS

PAGE 1 OF 2

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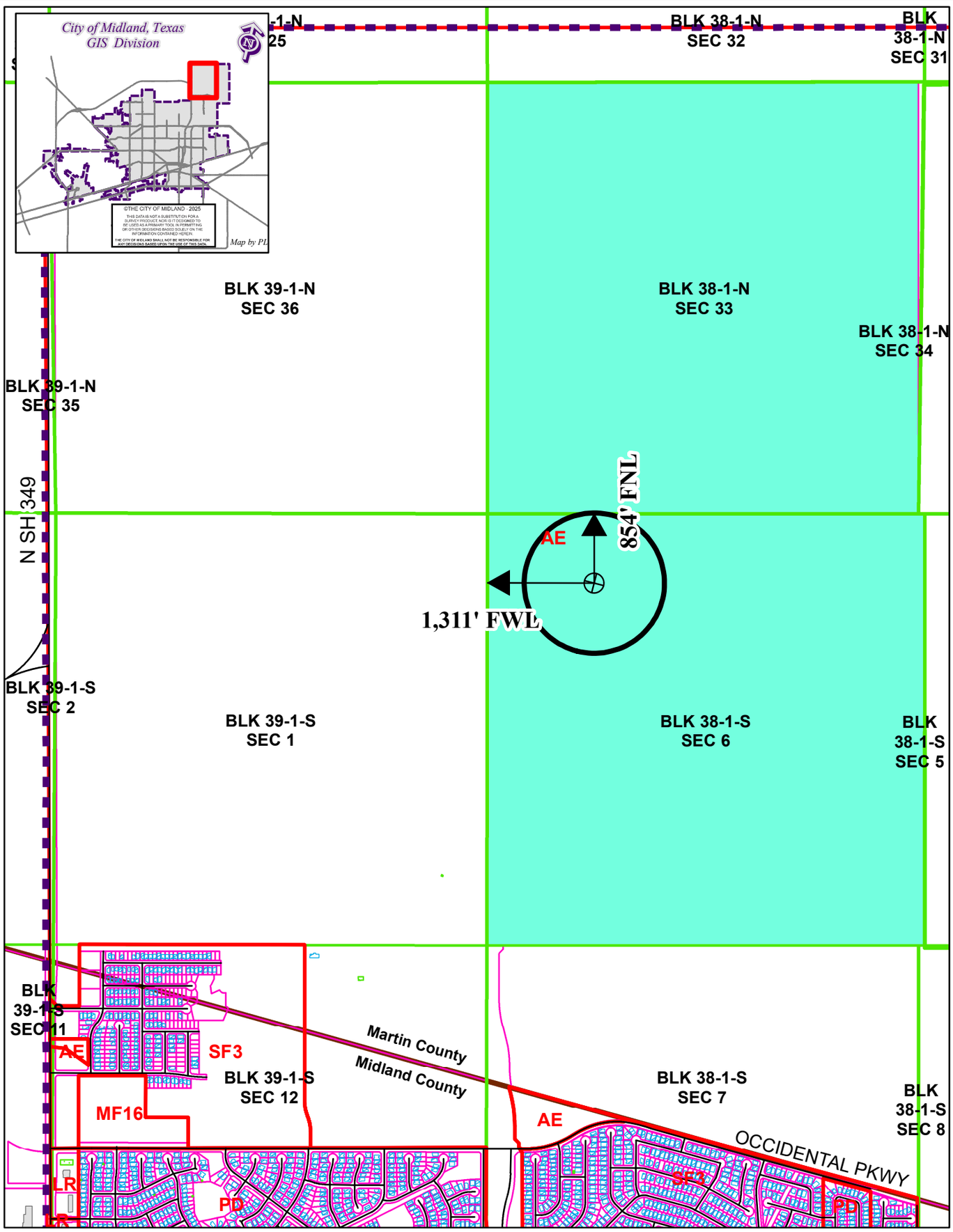

LOCATION AND ZONING MAP

Oil-070269-2025 **Scale: 1" = 1500'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 854' FNL and 1,311' FWL, Section 6, Block 38-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 6,665 feet north of Occidental Pkwy and 6,687 feet east of SH 349.

Nail-Burley 6D 604H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
8/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

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Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other properties within 860' are: City of Midland and Jones Bros. Dirt & Paving (same as owner) (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Burley 6E 605H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

852' FNL, 1331' FWL, Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas

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***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

Description of water source to be used during Drilling:

The water source used during drilling can be found on Exhibit N

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

The route for electric lines can be found on Exhibit N

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]:

Reserve pits will not be used. Freshwater pits will be used. Please see Exhibit O for closure details.

V. Additional Required Exhibits

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***ATTACHED AS EXHIBIT Q* are Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by Applicant are current. [See § J(29)].**

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***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace
Laura Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

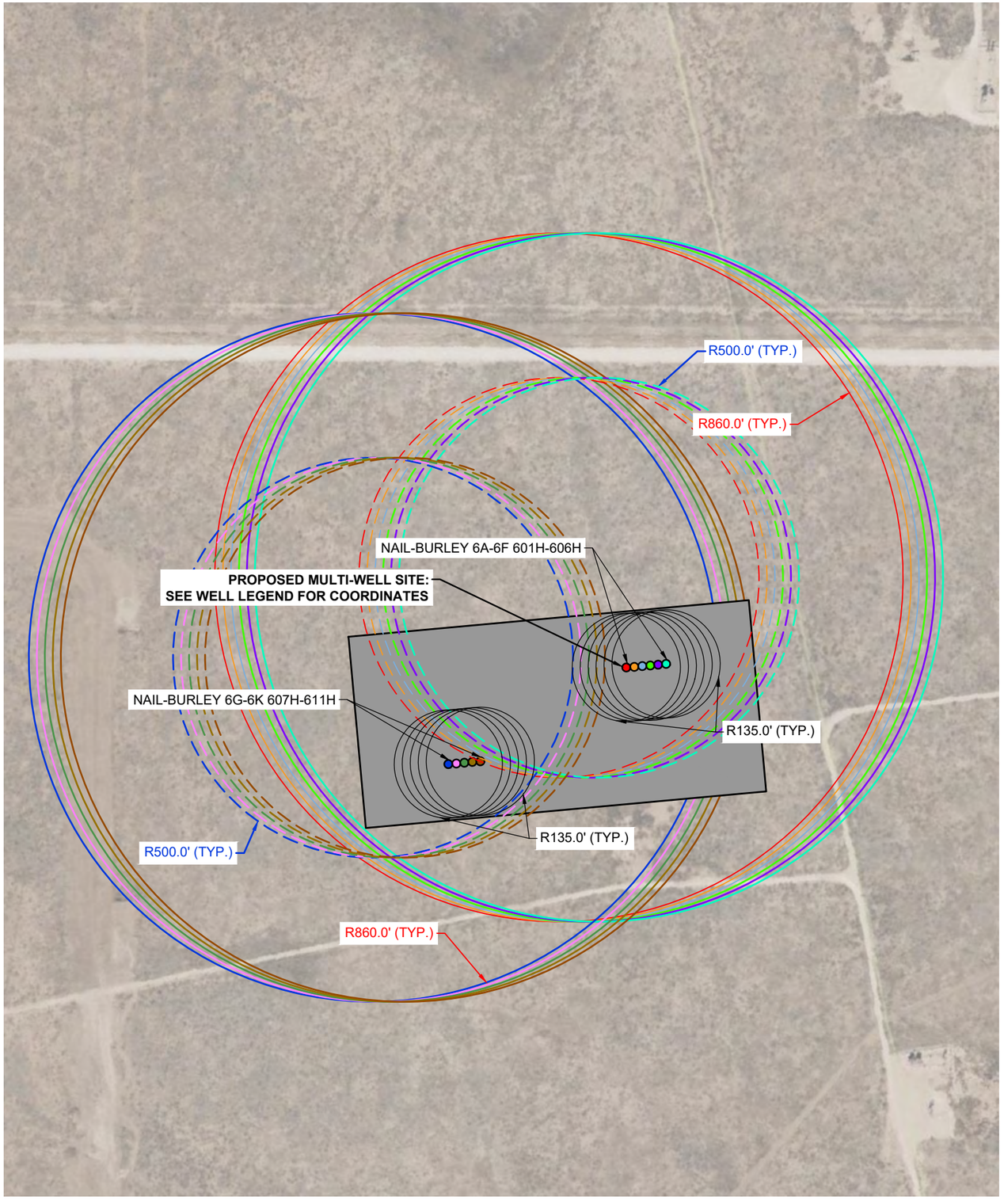
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

NAIL-BURLEY 6A 601H
859' FNL, 1251' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861148.2', Y = 6739624.4'
LAT.: 32°06'14.34", LON.: -102°04'35.83"
LAT.: 32.103982°, LON.: -102.076618°

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SHL GROUND ELEVATION: 2829'
(NAD83)
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LAT.: 32.104002°, LON.: -102.076558°

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SHL GROUND ELEVATION: 2829'
(NAD83)
X = 861186.0', Y = 6739637.4'
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SHL GROUND ELEVATION: 2829'
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X = 861205.0', Y = 6739643.9'
LAT.: 32°06'14.55", LON.: -102°04'35.17"
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SHL GROUND ELEVATION: 2829'
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X = 861223.9', Y = 6739650.4'
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LAT.: 32.104060°, LON.: -102.076377°

NAIL-BURLEY 6F 606H
850' FNL, 1351' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
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SHL GROUND ELEVATION: 2829'
(NAD83)
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SHL GROUND ELEVATION: 2829'
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LAT.: 32°06'10.92", LON.: -102°04'39.83"
LAT.: 32.103032°, LON.: -102.077730°

NAIL-BURLEY 6I 609H
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SHL GROUND ELEVATION: 2829'
(NAD83)
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LAT.: 32.103052°, LON.: -102.077670°

NAIL-BURLEY 6J 610H
1097' FNL, 868' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860830.1', Y = 6739303.8'
LAT.: 32°06'11.06", LON.: -102°04'39.39"
LAT.: 32.103071°, LON.: -102.077610°

NAIL-BURLEY 6K 611H
1095' FNL, 888' FWL (SEC. 6)
SHL GROUND ELEVATION: 2829'
(NAD83)
X = 860849.0', Y = 6739310.3'
LAT.: 32°06'11.13", LON.: -102°04'39.18"
LAT.: 32.103091°, LON.: -102.077549°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

Hunter Wade Wills
05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/25/2025
BY: J. ALVAREZ
REV.: 5/16/2025 J. ALVAREZ
AVO: 047474.878

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-BURLEY 6A-6K 601H-611H

LOCATED IN:
SECTION 6, BLOCK 38, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 671,
MARTIN COUNTY, TEXAS

PAGE 1 OF 2

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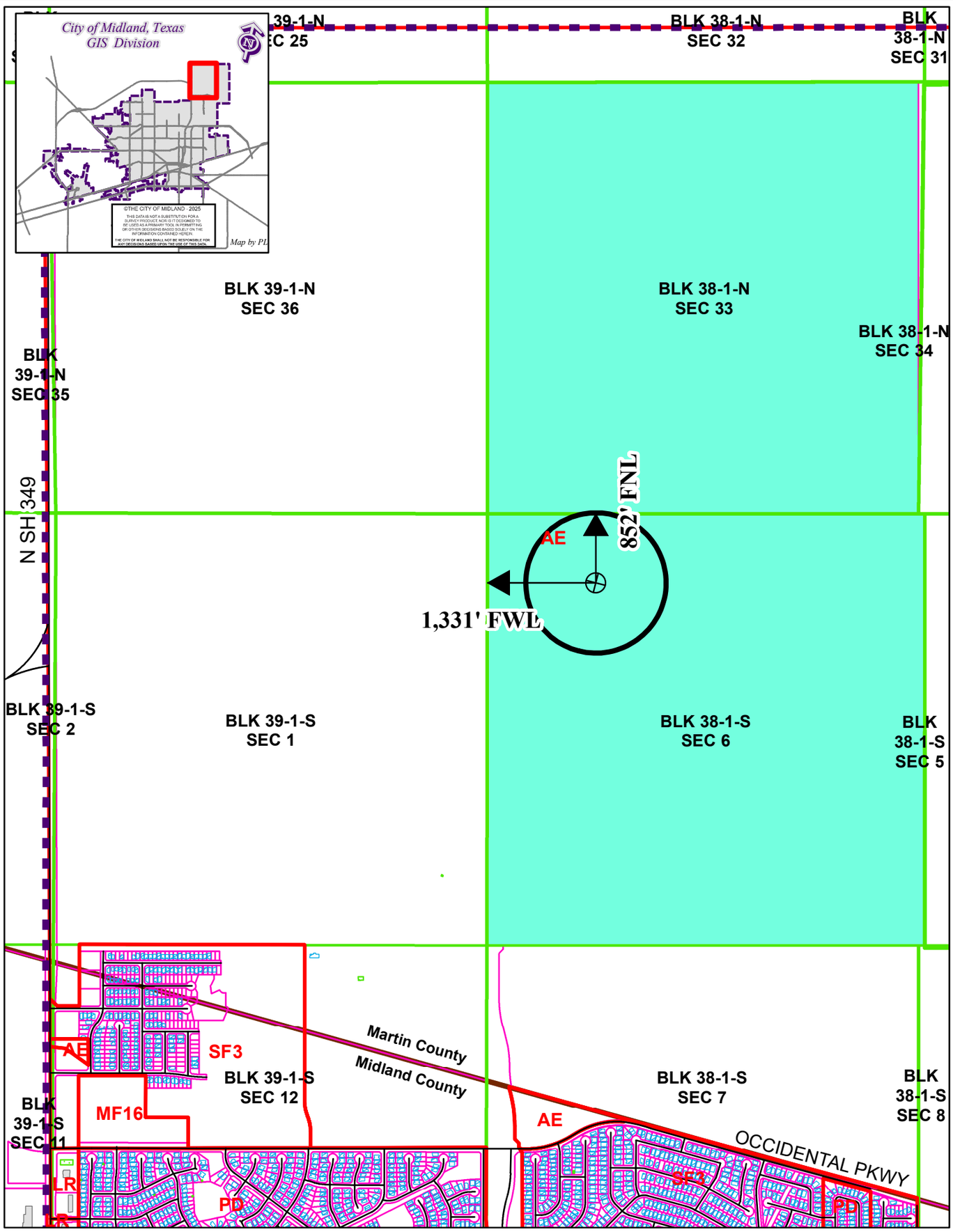

LOCATION AND ZONING MAP

Oil-070270-2025 **Scale: 1" = 1500'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 852' FNL and 1,331' FWL, Section 6, Block 38-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 6,667 feet north of Occidental Pkwy and 6,707 feet east of SH 349.

Nail-Burley 6E 605H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
8/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other properties within 860' are: City of Midland and Jones Bros. Dirt & Paving (same as owner) (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Burley 6F 606H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

850' FNL, 1351' FWL, Section 6, Block 38, T1S, T&P RR Co., Abstract 671, Martin County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations)*. [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

Description of water source to be used during Drilling:

The water source used during drilling can be found on Exhibit N

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

The route for electric lines can be found on Exhibit N

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]:

Reserve pits will not be used. Freshwater pits will be used. Please see Exhibit O for closure details.

V. Additional Required Exhibits

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Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace
Laura Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

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Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
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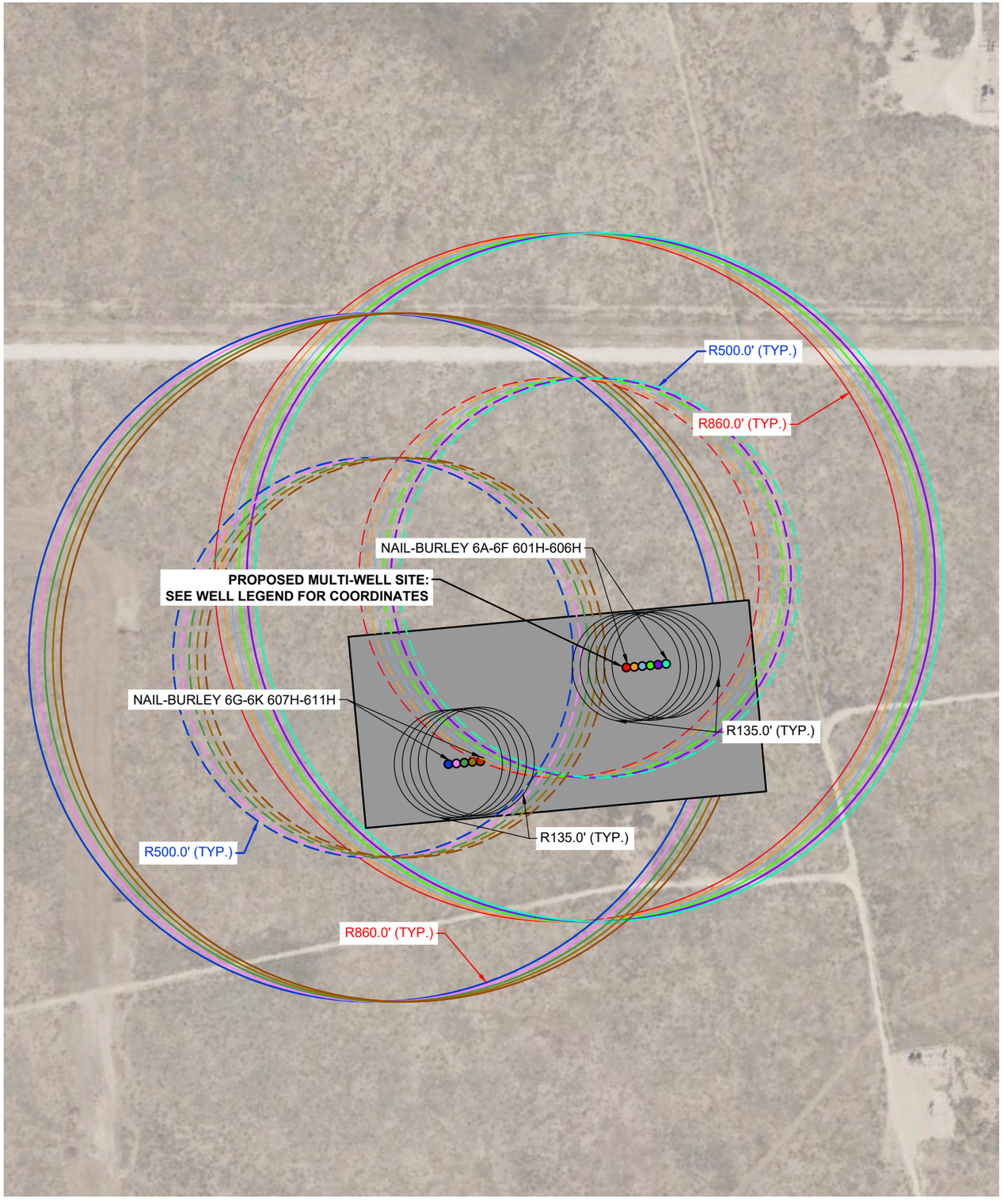

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LAT.: 32.103032°, LON.: -102.077730°

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LAT.: 32°06'11.13", LON.: -102°04'39.18"
LAT.: 32.103091°, LON.: -102.077549°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

Hunter Wade Wills
05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/25/2025
BY: J. ALVAREZ
REV.: 5/16/2025 J. ALVAREZ
AVO: 047474.878

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-BURLEY 6A-6K 601H-611H

LOCATED IN:
SECTION 6, BLOCK 38, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 671,
MARTIN COUNTY, TEXAS

PAGE 1 OF 2

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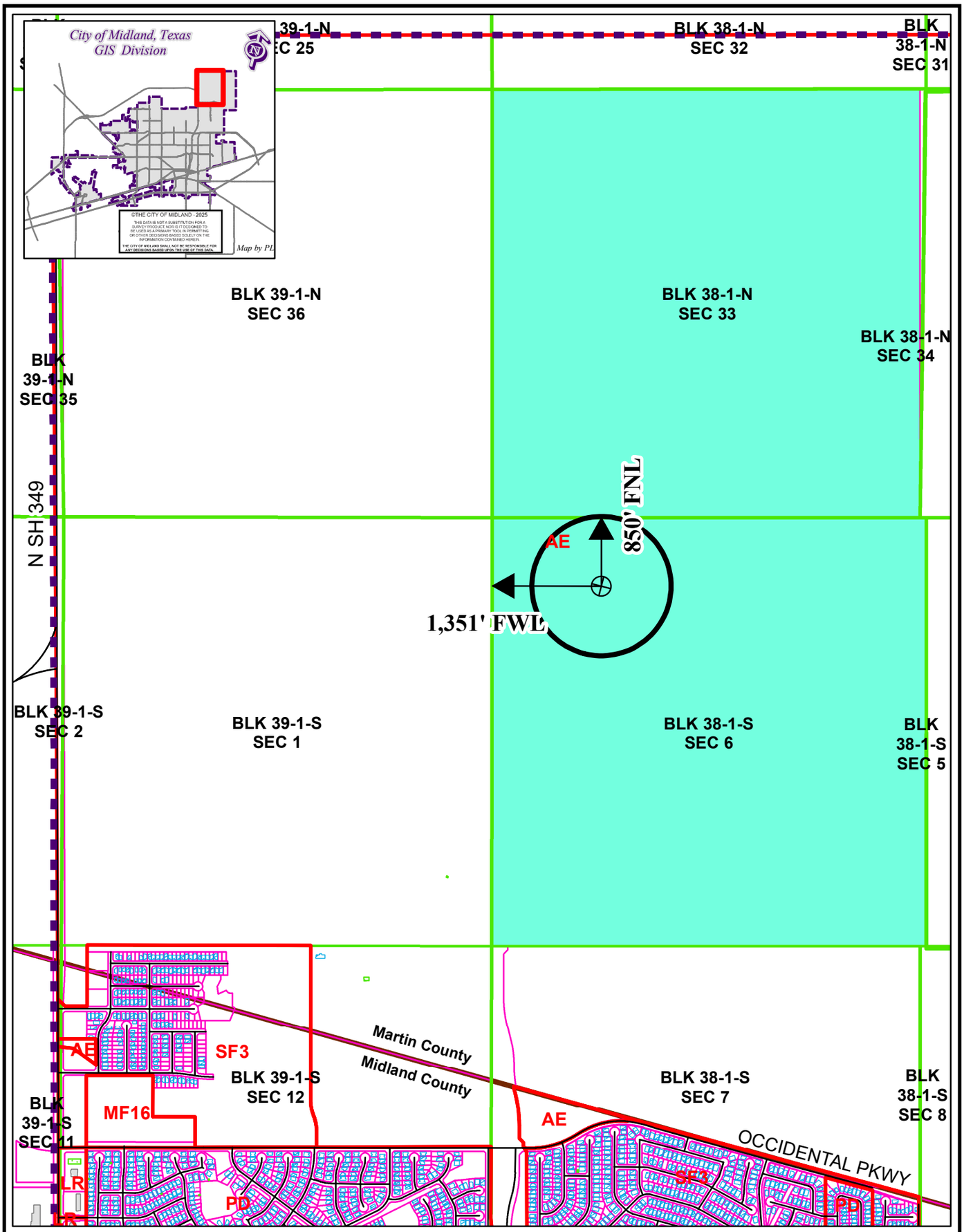


LOCATION AND ZONING MAP

Oil-070271-2025 **Scale: 1" = 1500'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 850' FNL and 1,351' FWL, Section 6, Block 38-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 6,669 feet north of Occidental Pkwy and 6,727 feet east of SH 349.

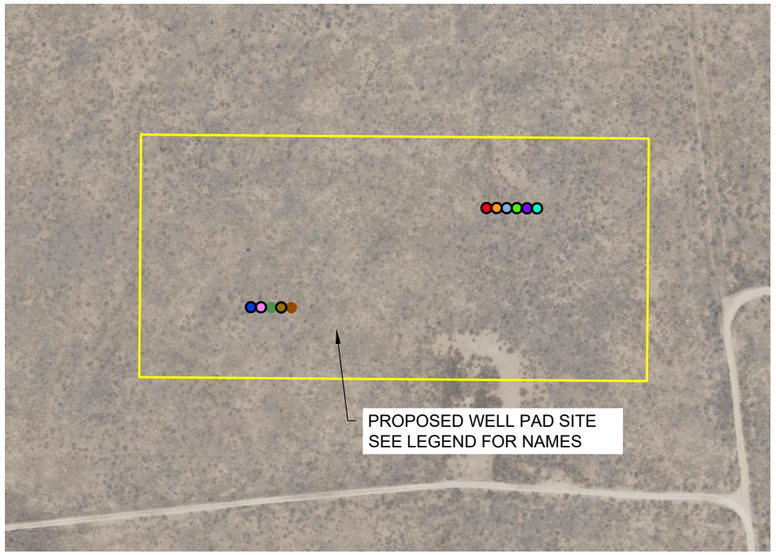
Nail-Burley 6F 606H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY



INSET "A"
SCALE: 1' = 300'

LEGEND

- NAIL-BURLEY 6A 601H
- NAIL-BURLEY 6B 602H
- NAIL-BURLEY 6C 603H
- NAIL-BURLEY 6D 604H
- NAIL-BURLEY 6E 605H
- NAIL-BURLEY 6F 606H
- NAIL-BURLEY 6G 607H
- NAIL-BURLEY 6H 608H
- NAIL-BURLEY 6I 609H
- NAIL-BURLEY 6J 610H
- NAIL-BURLEY 6K 611H
- TRANSPORTATION ROUTE
- CITY LIMIT LINE
- SITE ACCESS - EXITING
- SITE ACCESS - ENTERING

N

DRIVING DIRCETIONS:

GO NORTH ON STATE HIGH 349 FOR 3.23 MILES. THEN TURN EAST ON TO LEASE ROAD AT THE WEIGH STATION FOR 1.17 MILES.

NOTE:

PIONEER IS AWARE OF THE ROW TO THE NORTH OF PROPOSED PAD LOCATIONS, ONCE THAT HAS BEEN CONTRUCTED THE CITY WILL NEED TO REASSESS THIS TRANPORTATION ROUTE.

NOTES:
1. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.
2. ANY ADJACENT WELLS ARE BASED SOLELY OFF RAILROAD COMMISSION (RRC) RECORDS AND ACCURACY CANNOT BE GUARANTEED.
3. ANY LEASE INFORMATION DEPICTED IS PROVIDED BY THE CLIENT.
4. WELL LOCATION IS APPROXIMATELY 2.8 MILES NORTH/ NORTHEAST OF MIDLAND, TEXAS.

halff

DATE: 03/06/2025
BY: C. KUTYBA
AVO: 47474.878

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "H"
TRANSPORTATION ROUTE

NAIL-BURLEY 6A-6K 601H-611H

LOCATED IN:
SECTION 6, BLOCK 38,
TOWNSHIP-1-SOUTH,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 671,
MARTIN COUNTY, TEXAS

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4. WELL LOCATIONS ARE APPROXIMATELY 7.0 MILES NORTH OF MIDLAND, TEXAS.

2835

2830

EXISTING WELL SITE
NAIL "36" A #1

EXISTING WELL SITE
NAIL "33" #6

LEASE ROADS

2830

GENERAL COORDINATES FOR MULTI-WELL SITE:
NAD83-TX-NORTH CENTRAL
N: 6739624.4'
E: 861148.2'
LAT: 32.103983°
LON: -102.076616°

PROPOSED WELL LOCATION SEE LEGEND FOR NAME

PROPOSED WELL LOCATION SEE LEGEND FOR NAME

LEASE ROADS

LEGEND

- NAIL-BURLEY 6A 601H
- NAIL-BURLEY 6B 602H
- NAIL-BURLEY 6C 603H
- NAIL-BURLEY 6D 604H
- NAIL-BURLEY 6E 605H
- NAIL-BURLEY 6F 606H
- NAIL-BURLEY 6G 607H
- NAIL-BURLEY 6H 608H
- NAIL-BURLEY 6I 609H
- NAIL-BURLEY 6J 610H
- NAIL-BURLEY 6K 611H
- PROPOSED WELL PAD SITE
- CONTOURS

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

03/28/2025

N

0' 300' 600

SCALE: 1" = 300'

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998

DATE: 2/25/2025
BY: J. ALVAREZ
AVO: 047474.878

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "G"
TOPOGRAPHIC FEATURES

NAIL-BURLEY 6A-6K 601H-611H

LOCATED IN:
SECTION 6, BLOCK 38, TOWNSHIP-1-SOUTH, T.&P. R.R. CO. SURVEY, ABSTRACT No. 671, MARTIN COUNTY, TEXAS

A:\47000S\47474\878\SURV\CADD\SHEETS\EXHIBIT\047474.878_TOPO_FEATURES_EXHIBIT_G.DWG

City Council Meeting

Item Number: 22.
Meeting Date: October 14, 2025
To: City Council
From: Garrick Clayton, Oil and Gas Officer
Subject: THE PROPOSED GRANTING OF OIL AND GAS WELL PERMITS TO PIONEER NATURAL RESOURCES, USA, INC. (“OPERATOR”) FOR THE DRILLING OF THE FOLLOWING OIL AND GAS WELLS: NAIL-TILLMAN W1G 407H; NAIL-TILLMAN W1H 408H; NAIL-TILLMAN W1I 409H; NAIL-TILLMAN W1J 410H; AND NAIL-TILLMAN W1K 411H; SAID WELLS BEING GENERALLY LOCATED 7,122 FEET NORTH OF OCCIDENTAL PARKWAY AND BETWEEN 1,182 FEET AND 1,262 FEET EAST OF STATE HIGHWAY 349 (PUBLIC HEARING ONLY)

Purpose:
The proposed granting of oil and gas well permits to Pioneer Natural Resources, USA, Inc. (“Operator”) for the drilling of the following oil and gas wells: NAIL-TILLMAN W1G 407H; NAIL-TILLMAN W1H 408H; NAIL-TILLMAN W1I 409H; NAIL-TILLMAN W1J 410H; and NAIL-TILLMAN W1K 411H; said wells being generally located 7,122 feet north of occidental parkway and between 1,182 feet and 1,262 feet east of State Highway 349 (public hearing only). Council may consider these permits following a 30-day public comment period and at a regularly scheduled meeting. No notices of objection received.

Recommended Action:
Direction/Informational

Fiscal Impact:
There is no cost to the City to process this application.

Strategic Priority:
SET THE STANDARD FOR A SAFE AND SECURE CITY

Discussion:
The Oil and Gas Advisory Committee has reviewed the well sites in detail and recommends approval. Pioneer Natural Resources, USA Inc. will be using a 24’ sound barrier along the entire length of the south side of the pad with the remaining 3 sides facing undeveloped land and oil field which will remain for the duration of drilling and fracing. A quiet type frac system will be used to complete the wells. A closed loop system will be used during drilling operations so no reserve pits will be used and drill cuttings will be removed from the property. The use of compression is requested which will also be behind sound dampening enclosures. The Tank Battery for these wells will be located in the county. Pioneer Natural Resources, USA Inc. is requesting the following variances:

1. No Road Repair Agreement be required because no City streets will be used to access the well site.

2. No landscaping or irrigation be required due to no access to city water.

3. Twenty-four hour hydraulic fracturing operations be permitted.

4. Drill cuttings be allowed to be removed from the surface location.

5. Allow for compressors to be used for gas lift during the production phase

Attachments:

A. Nail-Tillman W1G 407H Permit Application
B. Nail-Tillman W1G 407H Drill Site
C. Nail-Tillman W1G 407H Location Map
D. Nail-Tillman W1H 408H Permit Application
E. Nail-Tillman W1H 408H Drill Site
F. Nail-Tillman W1H 408H Location Map
G. Nail-Tillman W1I 409H Permit Application
H. Nail-Tillman W1I 409H Drill Site
I. Nail-Tillman W1I 409H Location Map
J. Nail-Tillman W1J 410H Permit Application
K. Nail-Tillman W1J 410H Drill Site
L. Nail-Tillman W1J 410H Location Map
M. Nail-Tillman W1K 411H Permit Application
N. Nail-Tillman W1K 411H Drill Site
O. Nail-Tillman W1K 411H Location Map
P. Nail-Tillman W1 400s Exhibit H Transportation Route
Q. Nail-Tillman Overall Location Map

Liliana Morales, Development Services - Oil and Gas	Created/Initiated - 9/24/2025
Garrick Clayton, Development Services - Oil and Gas	Approved - 9/24/2025
Elizabeth Triggs, Development Services	Approved - 10/2/2025
Linda Ochoa, Legal	Approved - 10/7/2025
Morris Williams, City Manager	New -
Rachel Guentensberger, City Secretary	

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
8/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC & Lynch, Chappell & Alsup ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other property within 860' are: City of Midland and Occidental Permian Ltd. (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Tillman W1G 407H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

667' FNL, 1095' FWL, Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations)*. [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

Description of water source to be used during Drilling:

The water source used during drilling can be found on Exhibit N

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

The route for electric lines can be found on Exhibit N

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]:

Reserve pits will not be used. Freshwater pits will be used. Please see Exhibit O for closure details.

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* are Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by Applicant are current. [See § J(29)].**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan approved by the City Engineer relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace
Laura Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

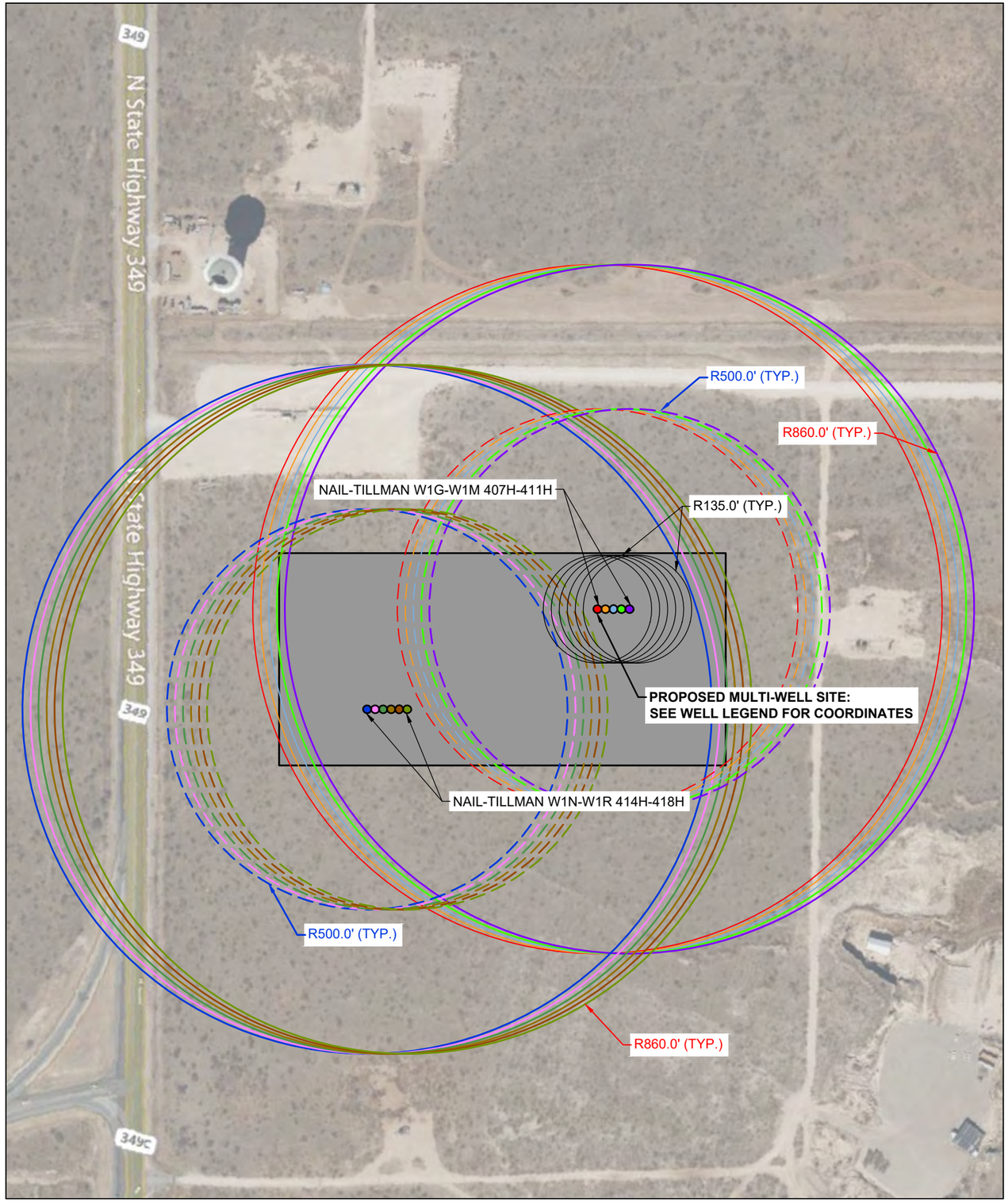
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

NAIL-TILLMAN W1G 407H
667' FNL, 1095' FWL (SEC. 1)
SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855805.5', Y = 6738550.9'
LAT.: 32°06'01.91", LON.: -102°05'37.47"
LAT.: 32.100532°, LON.: -102.093743°

NAIL-TILLMAN W1H 408H
667' FNL, 1115' FWL (SEC. 1)
SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855824.9', Y = 6738555.7'
LAT.: 32°06'01.97", LON.: -102°05'37.25"
LAT.: 32.100547°, LON.: -102.093681°

NAIL-TILLMAN W1I 409H
667' FNL, 1135' FWL (SEC. 1)
SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855844.3', Y = 6738560.4'
LAT.: 32°06'02.02", LON.: -102°05'37.03"
LAT.: 32.100562°, LON.: -102.093618°

NAIL-TILLMAN W1J 410H
667' FNL, 1155' FWL (SEC. 1)
SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855863.7', Y = 6738565.1'
LAT.: 32°06'02.08", LON.: -102°05'36.80"
LAT.: 32.100577°, LON.: -102.093556°

NAIL-TILLMAN W1K 411H
667' FNL, 1175' FWL (SEC. 1)
SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855883.2', Y = 6738569.9'
LAT.: 32°06'02.13", LON.: -102°05'36.58"
LAT.: 32.100591°, LON.: -102.093494°

NAIL-TILLMAN W1M 413H
921' FNL, 521' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855306.3', Y = 6738171.6'
LAT.: 32°05'57.99", LON.: -102°05'43.12"
LAT.: 32.099443°, LON.: -102.095312°

NAIL-TILLMAN W1N 414H
921' FNL, 542' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855325.7', Y = 6738176.3'
LAT.: 32°05'58.05", LON.: -102°05'42.90"
LAT.: 32.099458°, LON.: -102.095250°

NAIL-TILLMAN W1O 415H
921' FNL, 561' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855345.1', Y = 6738181.1'
LAT.: 32°05'58.10", LON.: -102°05'42.68"
LAT.: 32.099473°, LON.: -102.095188°

NAIL-TILLMAN W1P 416H
921' FNL, 581' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855364.5', Y = 6738185.8'
LAT.: 32°05'58.16", LON.: -102°05'42.45"
LAT.: 32.099488°, LON.: -102.095125°

NAIL-TILLMAN W1Q 417H
921' FNL, 602' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855384.0', Y = 6738190.6'
LAT.: 32°05'58.21", LON.: -102°05'42.23"
LAT.: 32.099502°, LON.: -102.095063°

NAIL-TILLMAN W1R 418H
921' FNL, 621' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855403.4', Y = 6738195.3'
LAT.: 32°05'58.26", LON.: -102°05'42.00"
LAT.: 32.099517°, LON.: -102.095001°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

Hunter Wade Wills
05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/24/2025
BY: J. ALVAREZ
REV.: 5/15/2025 J. ALVAREZ
AVO: 047474.866

PIONEER NATURAL RESOURCES USA, INC.

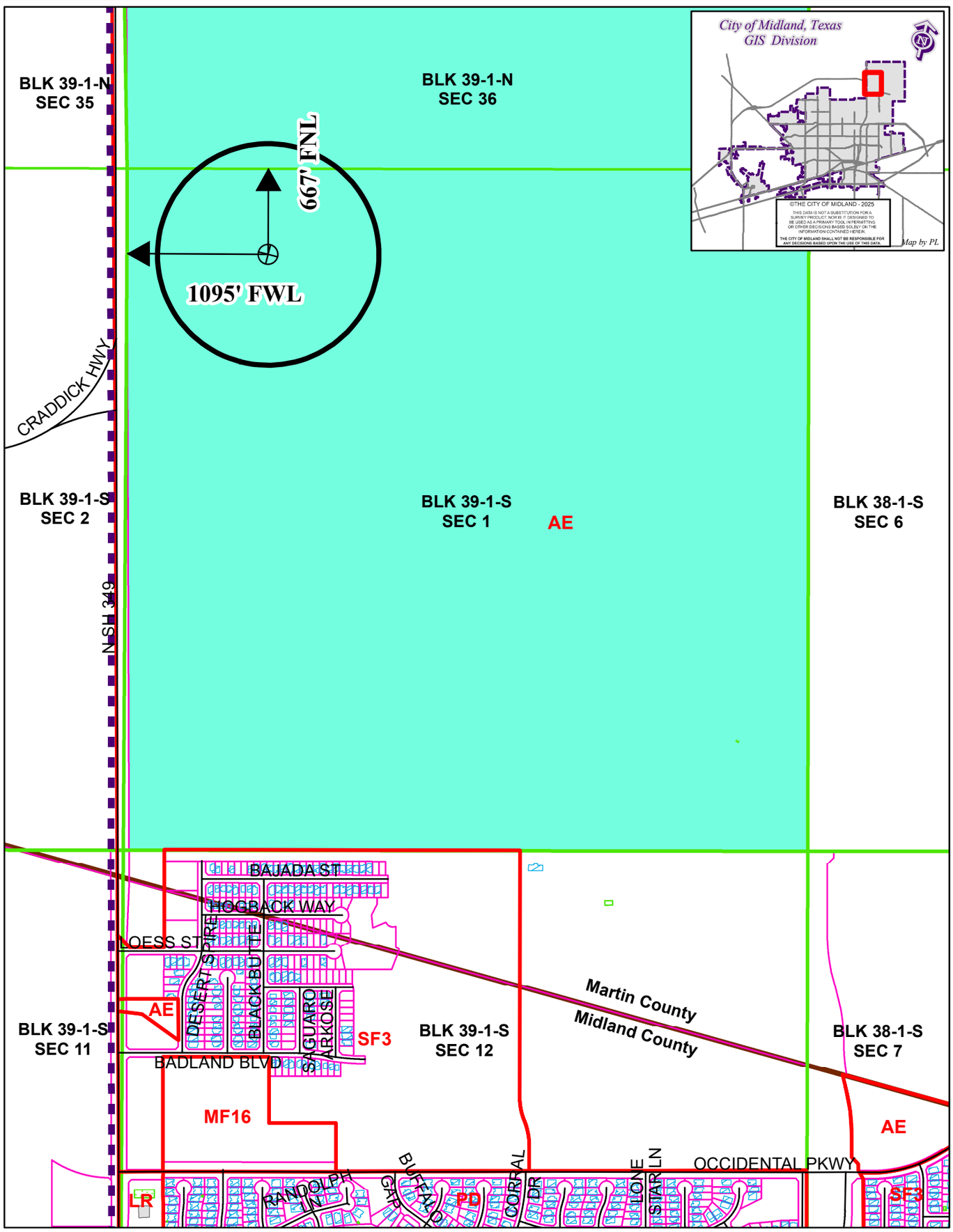
EXHIBIT "E"
AERIAL SITE PLAN

NAIL-TILLMAN W1G-W1R 407H-411H, 413-418H

LOCATED IN:
SECTION 1, BLOCK 39, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 314,
MARTIN COUNTY, TEXAS

PAGE 1 OF 2

A:\47000S\47474\866\SURV\CADD\SHEETS\EXHIBIT\047474.866_AERIAL_SITE_PLAN_EXHIBIT_E.DWG



LOCATION AND ZONING MAP

Oil-070261-2025 **Scale: 1" = 950'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 667' FNL and 1,095' FWL, Section 1, Block 39-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 7,122 feet north of Occidental Pkwy and 1,182 feet east of SH 349.

Nail-Tillman W1G 407H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
8/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC & Lynch, Chappell & Alsup ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other property within 860' are: City of Midland and Occidental Permian Ltd. (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Tillman W1H 408H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

667' FNL, 1115' FWL, Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas

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***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

Description of water source to be used during Drilling:

The water source used during drilling can be found on Exhibit N

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

The route for electric lines can be found on Exhibit N

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]:

Reserve pits will not be used. Freshwater pits will be used. Please see Exhibit O for closure details.

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* are Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by Applicant are current. [See § J(29)].**

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***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan approved by the City Engineer relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace
Laura Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

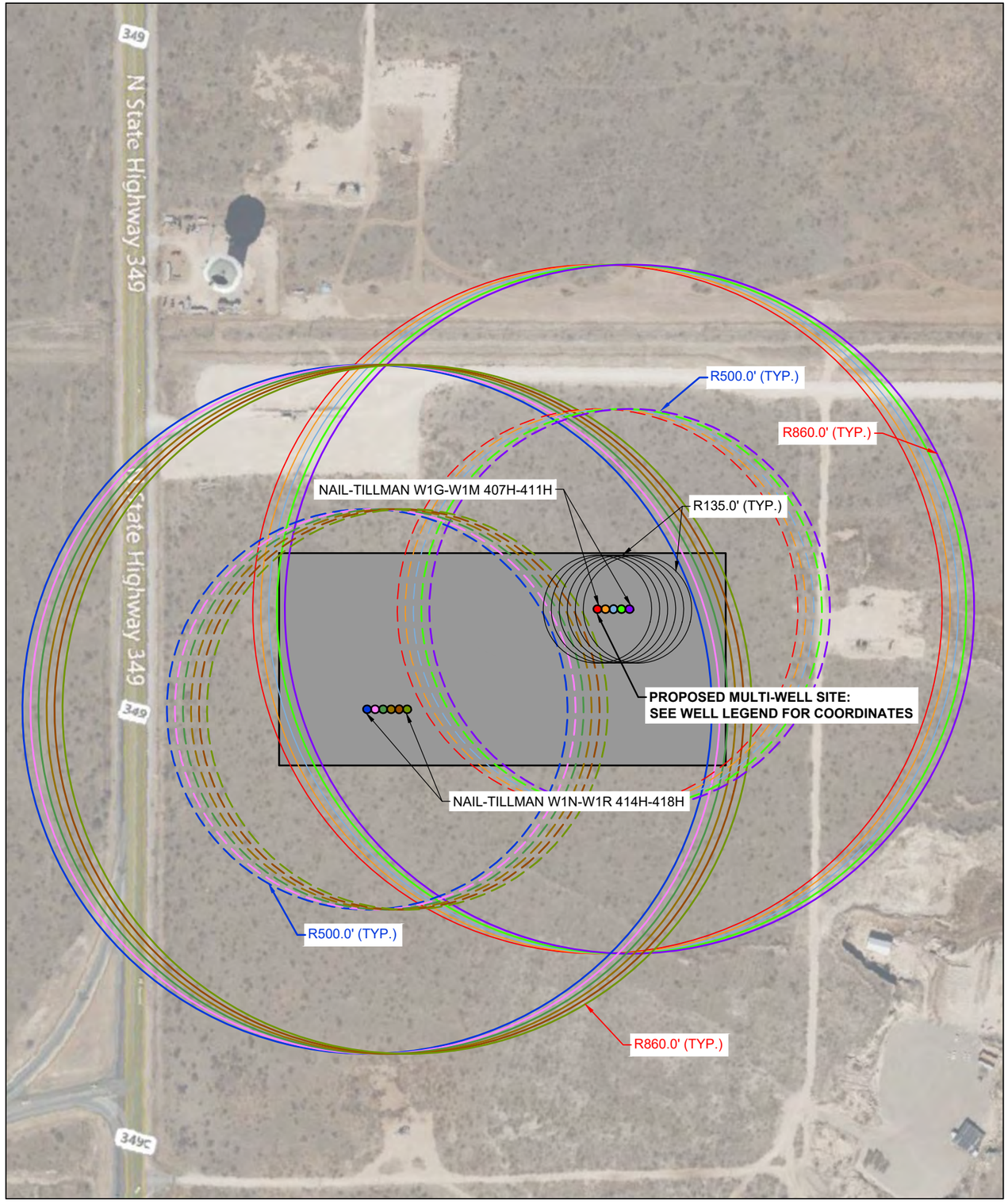
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

NAIL-TILLMAN W1G 407H
667' FNL, 1095' FWL (SEC. 1)
SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855805.5', Y = 6738550.9'
LAT.: 32°06'01.91", LON.: -102°05'37.47"
LAT.: 32.100532°, LON.: -102.093743°

NAIL-TILLMAN W1H 408H
667' FNL, 1115' FWL (SEC. 1)
SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855824.9', Y = 6738555.7'
LAT.: 32°06'01.97", LON.: -102°05'37.25"
LAT.: 32.100547°, LON.: -102.093681°

NAIL-TILLMAN W1I 409H
667' FNL, 1135' FWL (SEC. 1)
SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855844.3', Y = 6738560.4'
LAT.: 32°06'02.02", LON.: -102°05'37.03"
LAT.: 32.100562°, LON.: -102.093618°

NAIL-TILLMAN W1J 410H
667' FNL, 1155' FWL (SEC. 1)
SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855863.7', Y = 6738565.1'
LAT.: 32°06'02.08", LON.: -102°05'36.80"
LAT.: 32.100577°, LON.: -102.093556°

NAIL-TILLMAN W1K 411H
667' FNL, 1175' FWL (SEC. 1)
SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855883.2', Y = 6738569.9'
LAT.: 32°06'02.13", LON.: -102°05'36.58"
LAT.: 32.100591°, LON.: -102.093494°

NAIL-TILLMAN W1M 413H
921' FNL, 521' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855306.3', Y = 6738171.6'
LAT.: 32°05'57.99", LON.: -102°05'43.12"
LAT.: 32.099443°, LON.: -102.095312°

NAIL-TILLMAN W1N 414H
921' FNL, 542' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855325.7', Y = 6738176.3'
LAT.: 32°05'58.05", LON.: -102°05'42.90"
LAT.: 32.099458°, LON.: -102.095250°

NAIL-TILLMAN W1O 415H
921' FNL, 561' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855345.1', Y = 6738181.1'
LAT.: 32°05'58.10", LON.: -102°05'42.68"
LAT.: 32.099473°, LON.: -102.095188°

NAIL-TILLMAN W1P 416H
921' FNL, 581' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855364.5', Y = 6738185.8'
LAT.: 32°05'58.16", LON.: -102°05'42.45"
LAT.: 32.099488°, LON.: -102.095125°

NAIL-TILLMAN W1Q 417H
921' FNL, 602' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855384.0', Y = 6738190.6'
LAT.: 32°05'58.21", LON.: -102°05'42.23"
LAT.: 32.099502°, LON.: -102.095063°

NAIL-TILLMAN W1R 418H
921' FNL, 621' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855403.4', Y = 6738195.3'
LAT.: 32°05'58.26", LON.: -102°05'42.00"
LAT.: 32.099517°, LON.: -102.095001°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

Hunter Wade Wills
05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/24/2025
BY: J. ALVAREZ
REV.: 5/15/2025 J. ALVAREZ
AVO: 047474.866

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-TILLMAN W1G-W1R 407H-411H, 413-418H

LOCATED IN:
SECTION 1, BLOCK 39, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 314,
MARTIN COUNTY, TEXAS

PAGE 1 OF 2

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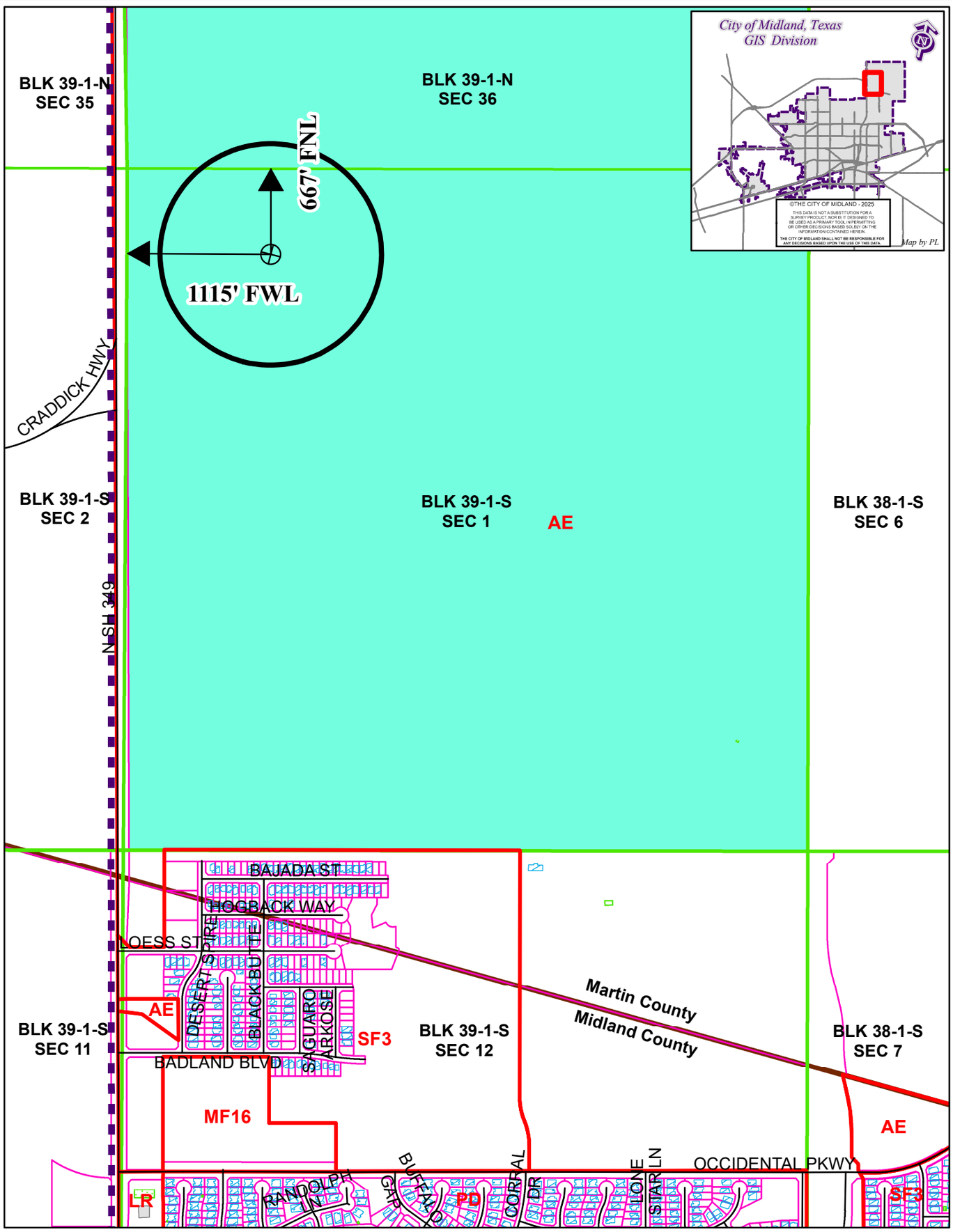


LOCATION AND ZONING MAP

Oil-070262-2025 **Scale: 1" = 950'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 667' FNL and 1,115' FWL, Section 1, Block 39-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 7,122 feet north of Occidental Pkwy and 1,202 feet east of SH 349.

Nail-Tillman W1H 408H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
8/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC & Lynch, Chappell & Alsup ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other property within 860' are: City of Midland and Occidental Permian Ltd. (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Tillman W1I 409H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

667' FNL, 1135' FWL, Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations)*. [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

Description of water source to be used during Drilling:

The water source used during drilling can be found on Exhibit N

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

The route for electric lines can be found on Exhibit N

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]:

Reserve pits will not be used. Freshwater pits will be used. Please see Exhibit O for closure details.

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* are Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by Applicant are current. [See § J(29)].**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan approved by the City Engineer relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace
Laura Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

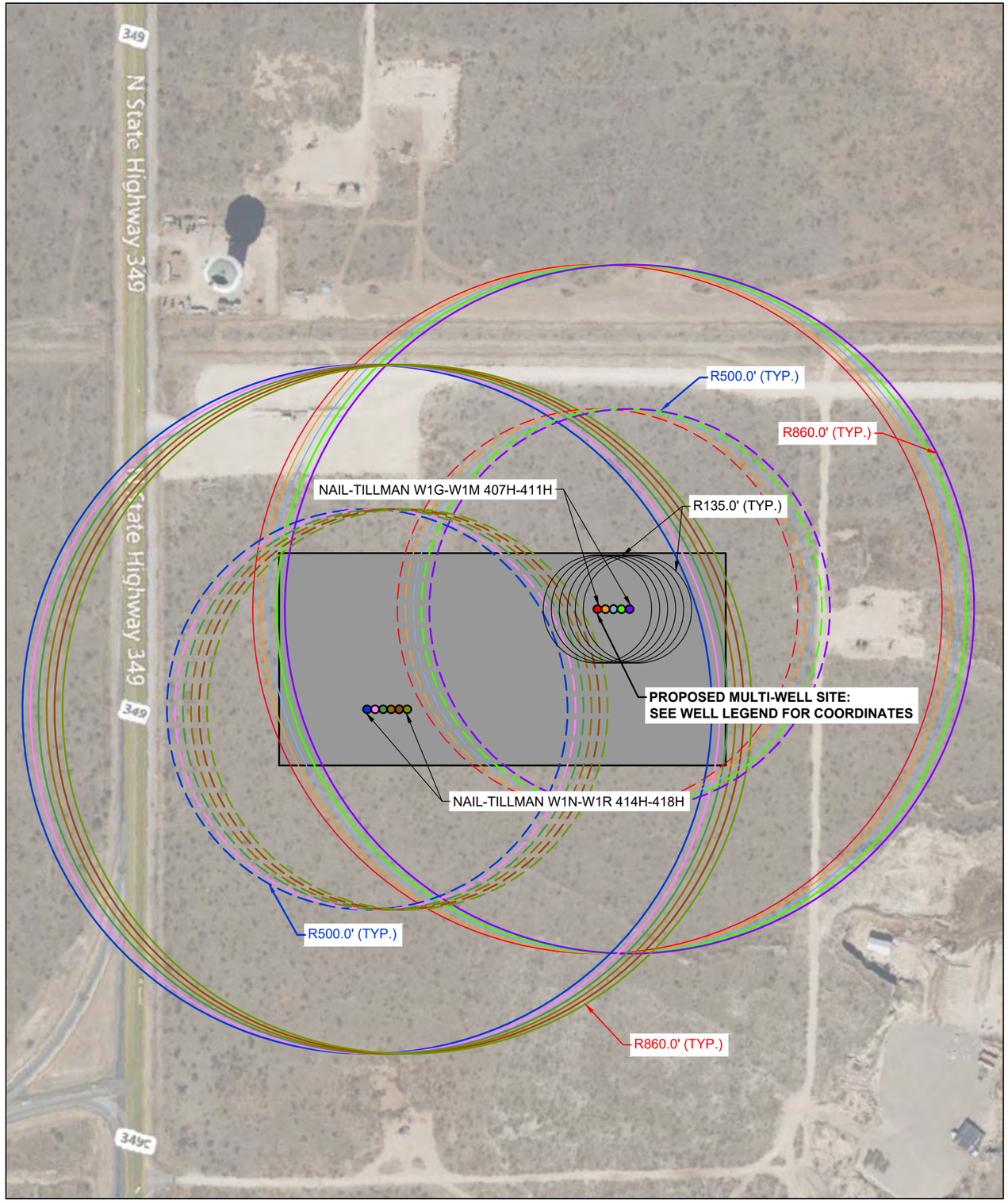
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

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SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855805.5', Y = 6738550.9'
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NAIL-TILLMAN W1I 409H
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(NAD83)
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SHL GROUND ELEVATION: 2849'
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LAT.: 32.099458°, LON.: -102.095250°

NAIL-TILLMAN W1O 415H
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SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855345.1', Y = 6738181.1'
LAT.: 32°05'58.10", LON.: -102°05'42.68"
LAT.: 32.099473°, LON.: -102.095188°

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SHL GROUND ELEVATION: 2849'
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X = 855364.5', Y = 6738185.8'
LAT.: 32°05'58.16", LON.: -102°05'42.45"
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SHL GROUND ELEVATION: 2849'
(NAD83)
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LAT.: 32°05'58.21", LON.: -102°05'42.23"
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SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855403.4', Y = 6738195.3'
LAT.: 32°05'58.26", LON.: -102°05'42.00"
LAT.: 32.099517°, LON.: -102.095001°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

Hunter Wade Wills
05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/24/2025
BY: J. ALVAREZ
REV.: 5/15/2025 J. ALVAREZ
AVO: 047474.866

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-TILLMAN W1G-W1R 407H-411H, 413-418H

LOCATED IN:
SECTION 1, BLOCK 39, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 314,
MARTIN COUNTY, TEXAS

PAGE 1 OF 2

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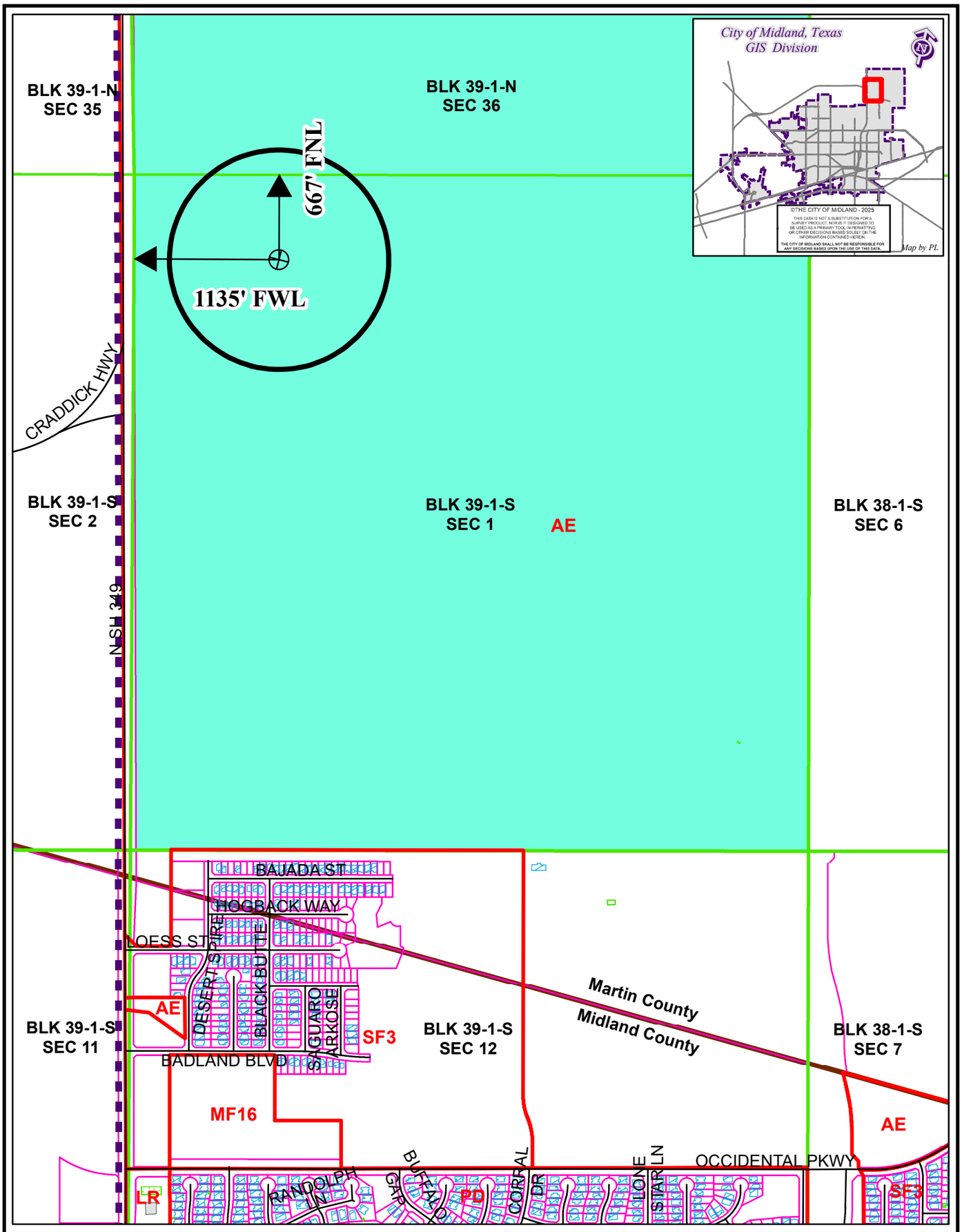

LOCATION AND ZONING MAP

Oil-070263-2025 **Scale: 1" = 950'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 667' FNL and 1,135' FWL, Section 1, Block 39-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 7,122 feet north of Occidental Pkwy and 1,222 feet east of SH 349.

Nail-Tillman W1I 409H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
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2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
8/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

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General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other property within 860' are: City of Midland and Occidental Permian Ltd. (See Exhibit D for details.)

Currently undeveloped.

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***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Tillman W1J 410H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

667' FNL, 1155' FWL, Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas

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***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M* is the Road Repair Agreement and *Letter of Credit/Certificate of Deposit/Surety Bond* in the amount of at least $25,000. *Option (if applicable): Applicant would further state that no City-owned streets or alleys will be used by the Operator in connection with its oil and gas operations and as a result, requests a waiver from the Council of this requirement. Option B (if applicable):* Because Applicant has three Road Repair Agreements in effect that have been approved by the Council, Applicant requests that the Council consolidate all agreements into one and is filing the necessary $75,000 *letter of credit/certificate of deposit/surety bond* in conjunction with this request. [See § J(31)].**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Due to transmission constraints from Oncor, requesting a variance for on-site power generation until that time. See Exhibits N and V for details.

Description of water source to be used during Drilling:

The water source used during drilling can be found on Exhibit N

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

The route for electric lines can be found on Exhibit N

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]:

Reserve pits will not be used. Freshwater pits will be used. Please see Exhibit O for closure details.

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* are Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by Applicant are current. [See § J(29)].**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan approved by the City Engineer relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace
Laura Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

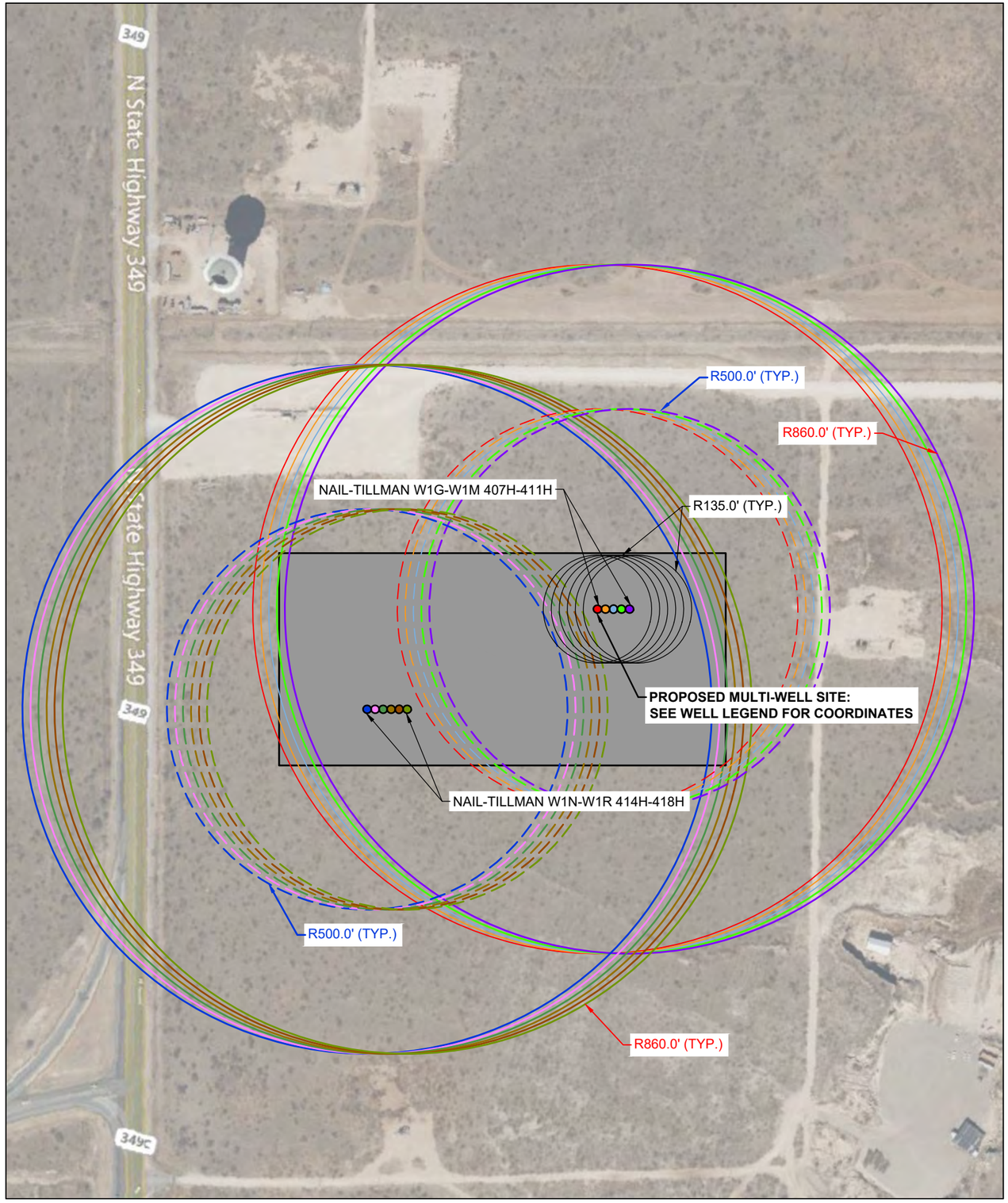
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

NAIL-TILLMAN W1G 407H
667' FNL, 1095' FWL (SEC. 1)
SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855805.5', Y = 6738550.9'
LAT.: 32°06'01.91", LON.: -102°05'37.47"
LAT.: 32.100532°, LON.: -102.093743°

NAIL-TILLMAN W1H 408H
667' FNL, 1115' FWL (SEC. 1)
SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855824.9', Y = 6738555.7'
LAT.: 32°06'01.97", LON.: -102°05'37.25"
LAT.: 32.100547°, LON.: -102.093681°

NAIL-TILLMAN W1I 409H
667' FNL, 1135' FWL (SEC. 1)
SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855844.3', Y = 6738560.4'
LAT.: 32°06'02.02", LON.: -102°05'37.03"
LAT.: 32.100562°, LON.: -102.093618°

NAIL-TILLMAN W1J 410H
667' FNL, 1155' FWL (SEC. 1)
SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855863.7', Y = 6738565.1'
LAT.: 32°06'02.08", LON.: -102°05'36.80"
LAT.: 32.100577°, LON.: -102.093556°

NAIL-TILLMAN W1K 411H
667' FNL, 1175' FWL (SEC. 1)
SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855883.2', Y = 6738569.9'
LAT.: 32°06'02.13", LON.: -102°05'36.58"
LAT.: 32.100591°, LON.: -102.093494°

NAIL-TILLMAN W1M 413H
921' FNL, 521' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855306.3', Y = 6738171.6'
LAT.: 32°05'57.99", LON.: -102°05'43.12"
LAT.: 32.099443°, LON.: -102.095312°

NAIL-TILLMAN W1N 414H
921' FNL, 542' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855325.7', Y = 6738176.3'
LAT.: 32°05'58.05", LON.: -102°05'42.90"
LAT.: 32.099458°, LON.: -102.095250°

NAIL-TILLMAN W1O 415H
921' FNL, 561' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855345.1', Y = 6738181.1'
LAT.: 32°05'58.10", LON.: -102°05'42.68"
LAT.: 32.099473°, LON.: -102.095188°

NAIL-TILLMAN W1P 416H
921' FNL, 581' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855364.5', Y = 6738185.8'
LAT.: 32°05'58.16", LON.: -102°05'42.45"
LAT.: 32.099488°, LON.: -102.095125°

NAIL-TILLMAN W1Q 417H
921' FNL, 602' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855384.0', Y = 6738190.6'
LAT.: 32°05'58.21", LON.: -102°05'42.23"
LAT.: 32.099502°, LON.: -102.095063°

NAIL-TILLMAN W1R 418H
921' FNL, 621' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855403.4', Y = 6738195.3'
LAT.: 32°05'58.26", LON.: -102°05'42.00"
LAT.: 32.099517°, LON.: -102.095001°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

Hunter Wade Wills
05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/24/2025
BY: J. ALVAREZ
REV.: 5/15/2025 J. ALVAREZ
AVO: 047474.866

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-TILLMAN W1G-W1R 407H-411H, 413-418H

LOCATED IN:
SECTION 1, BLOCK 39, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 314,
MARTIN COUNTY, TEXAS

PAGE 1 OF 2

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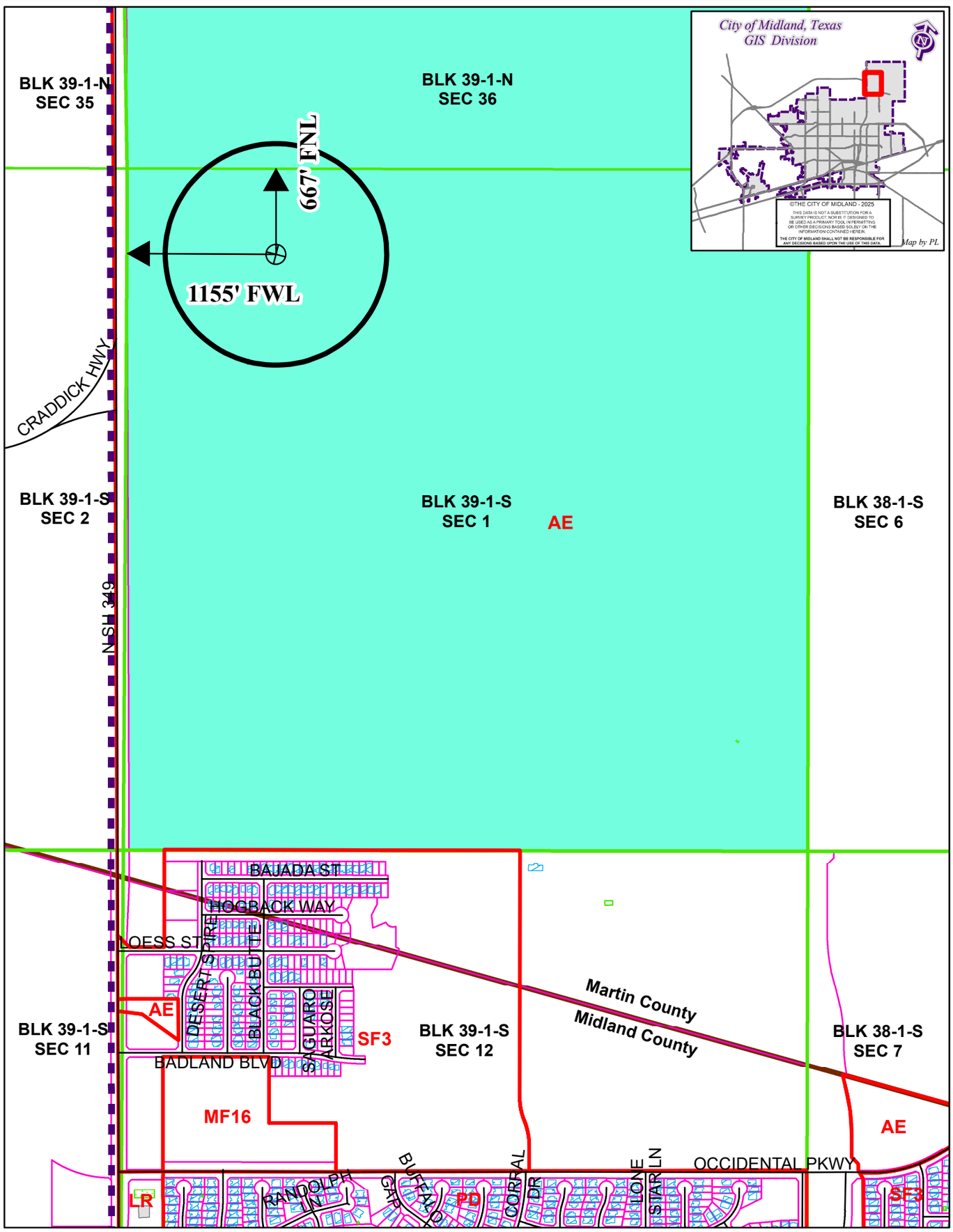

LOCATION AND ZONING MAP

Oil-070264-2025 **Scale: 1" = 950'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 667' FNL and 1,155' FWL, Section 1, Block 39-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 7,122 feet north of Occidental Pkwy and 1,242 feet east of SH 349.

Nail-Tillman W1J 410H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
8/1/2025	Pioneer Natural Resources, USA, Inc.	777 Hidden Ridge Lane Irving, Texas 75038

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
BJ Laechelin, Operations Manager	3617 N Big Spring St. Midland, TX 79705	713-446-1628 (Mobile) Rep. Fax
Fee: $4,000.00 Rec'd Yes___ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A: Laura Wallace, Regulatory Advisor
777 Hidden Ridge Lane Irving, Texas 75038

24/7 Answering Services - No. 1 (Tele.): 432-571-2666 **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):***

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):
Pioneer Remote Operations Hub
3617 N Big Spring St. Midland, Texas 79705
432-571-2666 (Available 24/7)

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** Attached as Exhibit B

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1. Attached as Exhibit C
2.
3.

ATTACHED AS EXHIBIT C **is (a** ***Title Opinion by*** Brashier, Crosby PLLC & Lynch, Chappell & Alsup ***, a licensed Texas Attorney/Title Commitment by Abstract Company/a Take-off from , a Certified Petroleum Landman/an opinion letter from ,*** ***a licensed Texas Attorney)*** **indicating that [Operator] has a legal right to develop the mineral estate that is the subject of this Application. [See § J(5)].**

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):

Located in Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas.

Pad location is owned by Jones Bros Dirt & Paving. Other property within 860' are: City of Midland and Occidental Permian Ltd. (See Exhibit D for details.)

Currently undeveloped.

ATTACHED AS EXHIBIT D **is (a** ***Title Opinion by , a licensed Texas Attorney/a Take-off from , a Certified Petroleum Landman/Current Tax Roll from Midland Central Appraisal District),*** **which lists the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].**

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Nail-Tillman W1K 411H

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

A wellbore schematic with the applicable information is attached as Exhibit G

Legal Description of Proposed Well Site:

667' FNL, 1175' FWL, Section 1, Block 39, T1S, T&P RR Co., Abstract 314, Martin County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations)*. [See § J(16) and (20)].**

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Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: N/A

(2) Operations: Electric is required to support production operations for this well. Expecting a delay in Oncor's delivery timing.

Description of water source to be used during Drilling:

The water source used during drilling can be found on Exhibit N

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

The route for electric lines can be found on Exhibit N

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]:

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V. Additional Required Exhibits

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Pioneer Natural Resources
[NAME OF COMPANY]

By Laura E Wallace
Laura Wallace 4/21/25
Its Regulatory Advisor

State of Texas)

County of Dallas)

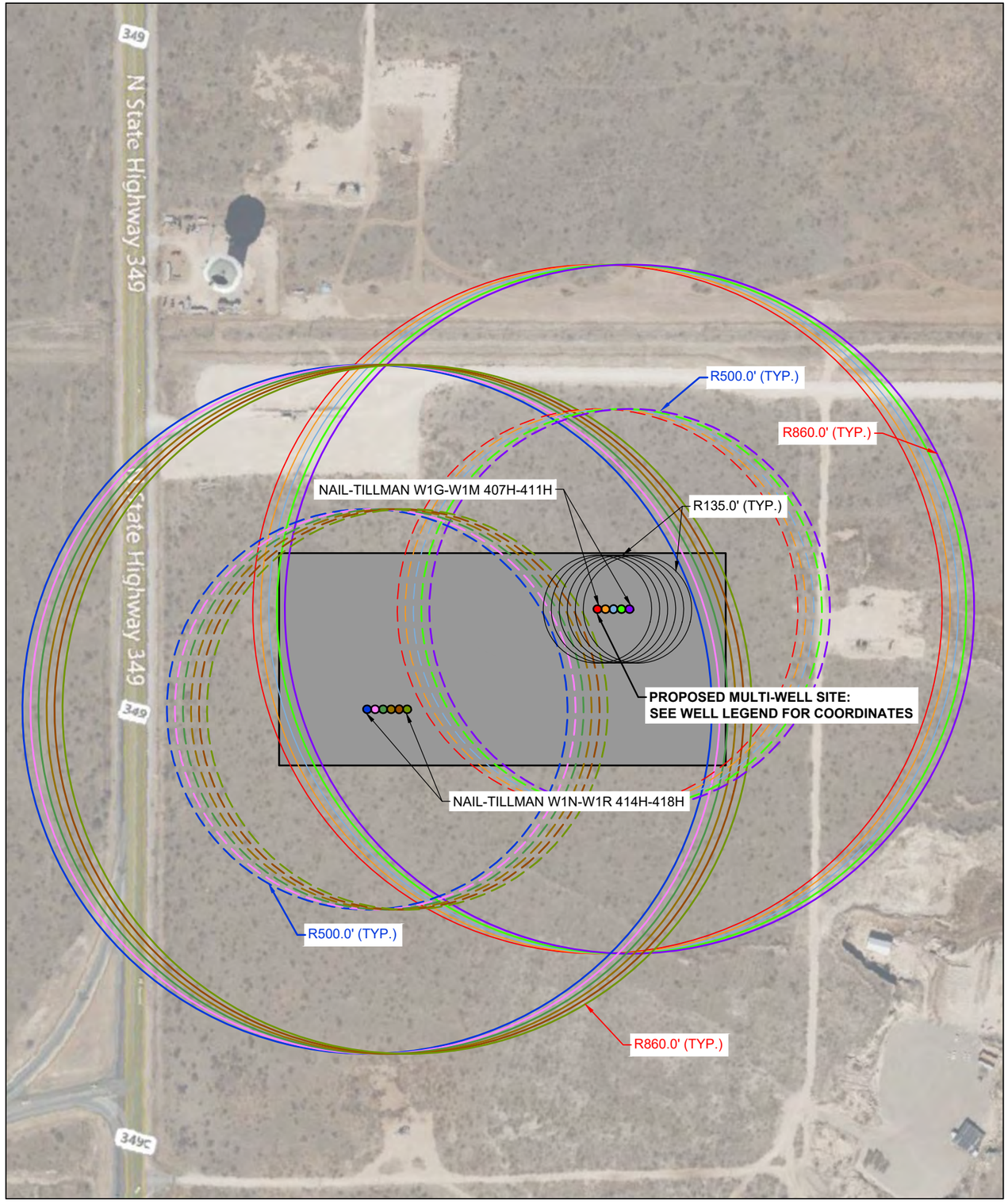
, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

4/21/25

Notary Public, State of Texas

[S E A L]

BOBBY WHITEHEAD
Notary Public, State of Texas
Comm. Expires 08-30-2025
Notary ID 126336794



WELL LEGEND

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(NAD83)
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LAT.: 32°06'01.91", LON.: -102°05'37.47"
LAT.: 32.100532°, LON.: -102.093743°

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667' FNL, 1115' FWL (SEC. 1)
SHL GROUND ELEVATION: 2848'
(NAD83)
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LAT.: 32°06'01.97", LON.: -102°05'37.25"
LAT.: 32.100547°, LON.: -102.093681°

NAIL-TILLMAN W1I 409H
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SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855844.3', Y = 6738560.4'
LAT.: 32°06'02.02", LON.: -102°05'37.03"
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SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855863.7', Y = 6738565.1'
LAT.: 32°06'02.08", LON.: -102°05'36.80"
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NAIL-TILLMAN W1K 411H
667' FNL, 1175' FWL (SEC. 1)
SHL GROUND ELEVATION: 2848'
(NAD83)
X = 855883.2', Y = 6738569.9'
LAT.: 32°06'02.13", LON.: -102°05'36.58"
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NAIL-TILLMAN W1M 413H
921' FNL, 521' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855306.3', Y = 6738171.6'
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LAT.: 32.099443°, LON.: -102.095312°

NAIL-TILLMAN W1N 414H
921' FNL, 542' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855325.7', Y = 6738176.3'
LAT.: 32°05'58.05", LON.: -102°05'42.90"
LAT.: 32.099458°, LON.: -102.095250°

NAIL-TILLMAN W1O 415H
921' FNL, 561' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855345.1', Y = 6738181.1'
LAT.: 32°05'58.10", LON.: -102°05'42.68"
LAT.: 32.099473°, LON.: -102.095188°

NAIL-TILLMAN W1P 416H
921' FNL, 581' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855364.5', Y = 6738185.8'
LAT.: 32°05'58.16", LON.: -102°05'42.45"
LAT.: 32.099488°, LON.: -102.095125°

NAIL-TILLMAN W1Q 417H
921' FNL, 602' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855384.0', Y = 6738190.6'
LAT.: 32°05'58.21", LON.: -102°05'42.23"
LAT.: 32.099502°, LON.: -102.095063°

NAIL-TILLMAN W1R 418H
921' FNL, 621' FWL (SEC. 1)
SHL GROUND ELEVATION: 2849'
(NAD83)
X = 855403.4', Y = 6738195.3'
LAT.: 32°05'58.26", LON.: -102°05'42.00"
LAT.: 32.099517°, LON.: -102.095001°

LEGEND

MULTI-COLOR — 860-FOOT BUFFER/ HALO
MULTI-COLOR — 500-FOOT BUFFER/ HALO
135-FOOT ORDINANCE DISTANCE
PROPOSED WELL PAD SITE

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

Hunter Wade Wills
05/20/2025

N

0' 300' 600'

SCALE: 1" = 300'

NOTE: WELL LOCATIONS ARE APPROXIMATELY 7 MILES NORTH OF MIDLAND, TEXAS.

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998
DATE: 2/24/2025
BY: J. ALVAREZ
REV.: 5/15/2025 J. ALVAREZ
AVO: 047474.866

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "E"
AERIAL SITE PLAN

NAIL-TILLMAN W1G-W1R 407H-411H, 413-418H

LOCATED IN:
SECTION 1, BLOCK 39, T-1-S,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 314,
MARTIN COUNTY, TEXAS

PAGE 1 OF 2

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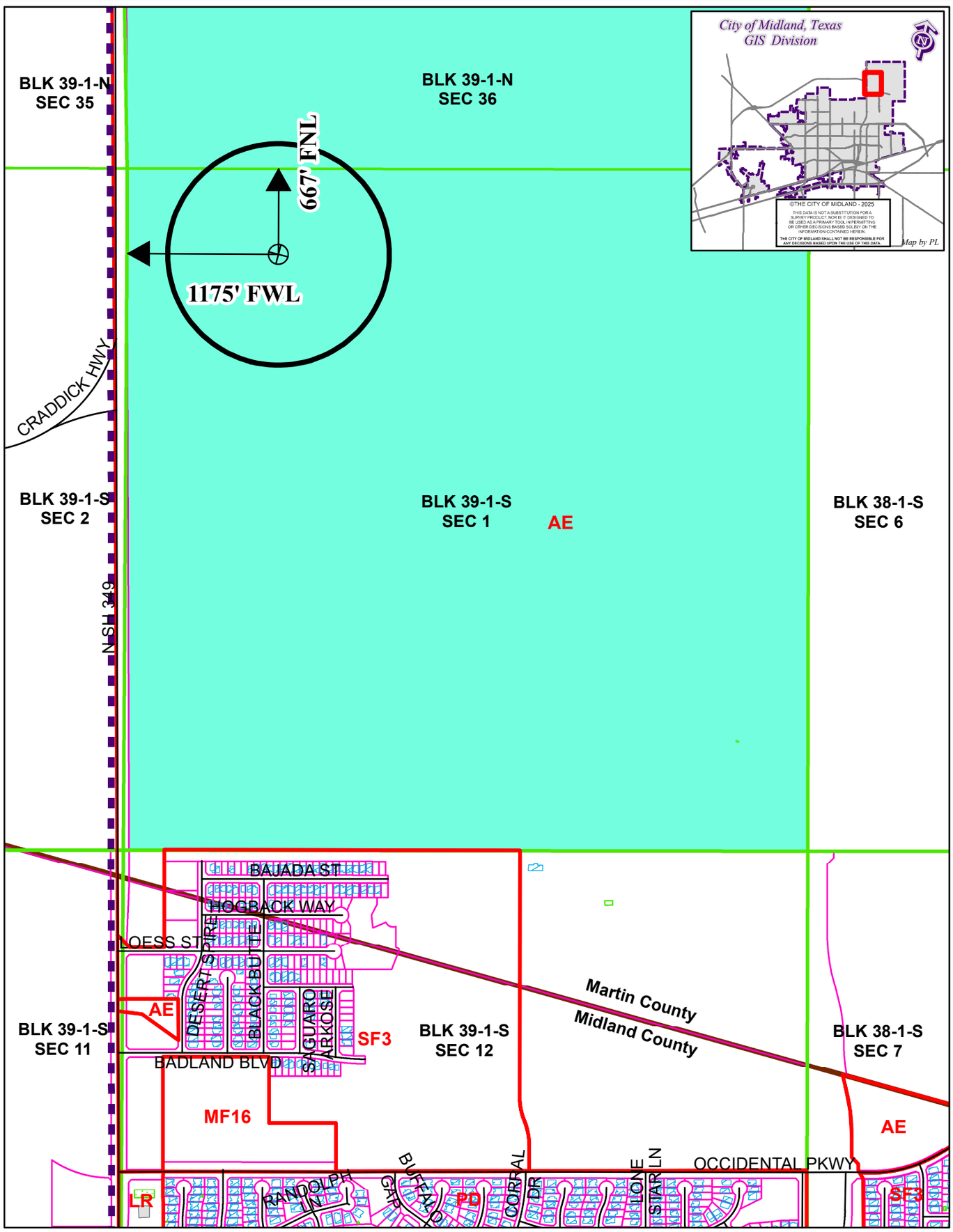


LOCATION AND ZONING MAP

Oil-070265-2025 **Scale: 1" = 950'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 667' FNL and 1,175' FWL, Section 1, Block 39-1-S, T&P RR CO Survey, Martin County, Texas.

Generally located 7,122 feet north of Occidental Pkwy and 1,262 feet east of SH 349.

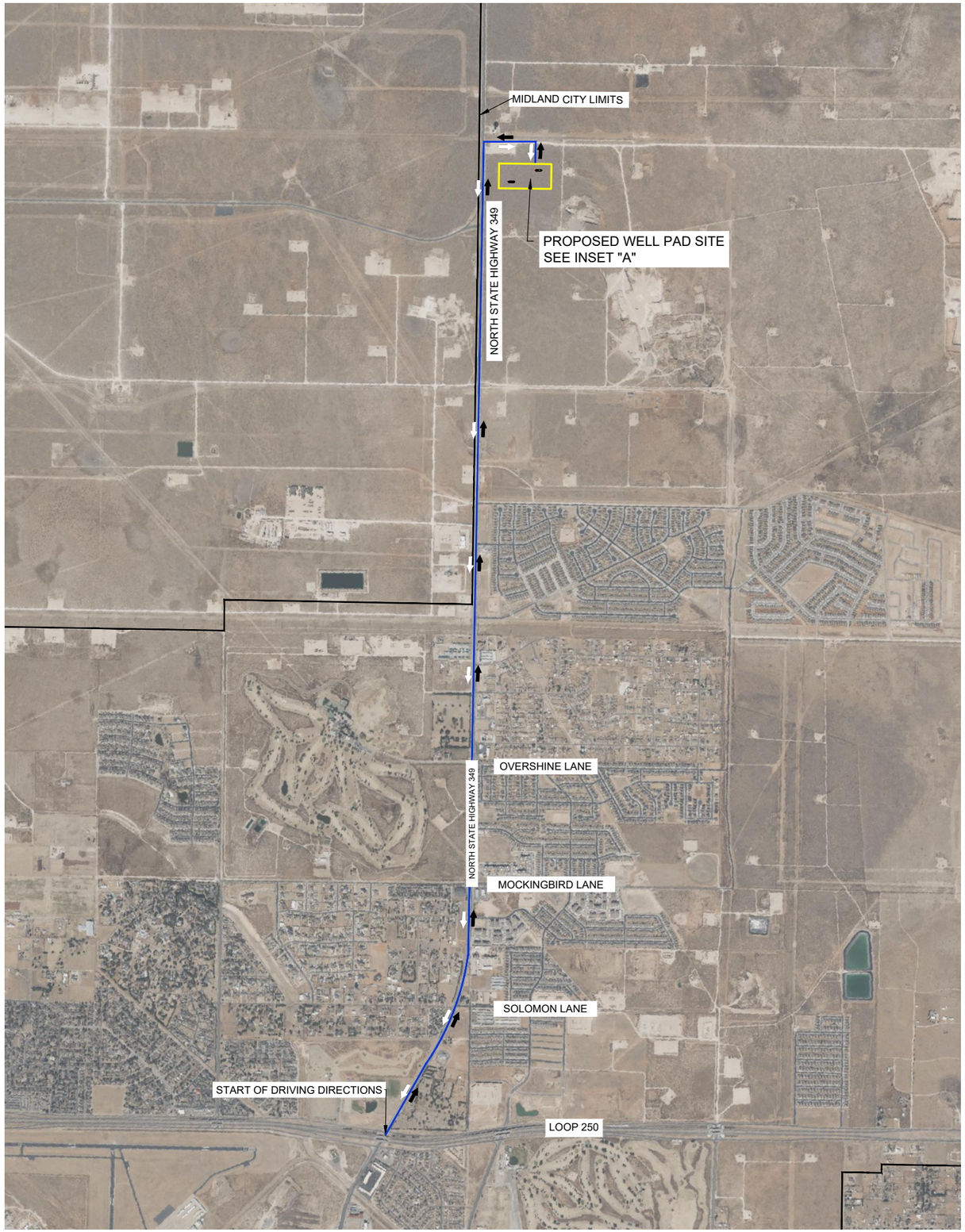
Nail-Tillman W1K 411H

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY



INSET "A"
SCALE: 1' = 300'

DRIVING DIRCETIONS:

GO NORTH ON STATE HIGH 349 FOR 3.23 MILES. THEN TURN EAST ON TO LEASE ROAD AT THE WEIGH STATION FOR 0.21 MILES.

NOTE:

PIONEER IS AWARE OF THE ROW TO THE NORTH OF PROPOSED PAD LOCATIONS, ONCE THAT HAS BEEN CONTRUCTED THE CITY WILL NEED TO REASSESS THIS TRANPORTATION ROUTE.

NOTES:
1. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.
2. ANY ADJACENT WELLS ARE BASED SOLELY OFF RAILROAD COMMISSION (RRC) RECORDS AND ACCURACY CANNOT BE GUARANTEED.
3. ANY LEASE INFORMATION DEPICTED IS PROVIDED BY THE CLIENT.
4. WELL LOCATION IS APPROXIMATELY 2.8 MILES NORTH/ NORTHEAST OF MIDLAND, TEXAS.

LEGEND

- NAIL-TILLMAN W1G 407H
- NAIL-TILLMAN W1H 408H
- NAIL-TILLMAN W1I 409H
- NAIL-TILLMAN W1J 410H
- NAIL-TILLMAN W1K 411H
- NAIL-GLASS W1L 412H
- NAIL-TILLMAN W1M 413H
- NAIL-TILLMAN W1N 414H
- NAIL-TILLMAN W1O 415H
- NAIL-TILLMAN W1P 416H
- NAIL-TILLMAN W1Q 417H
- NAIL-TILLMAN W1R 418H
- TRANSPORTATION ROUTE
- CITY LIMIT LINE
- SITE ACCESS - EXITING
- SITE ACCESS - ENTERING

N

halff

DATE: 03/06/2025
BY: C. KUTYBA
AVO: 47474.866

PIONEER NATURAL RESOURCES USA, INC.

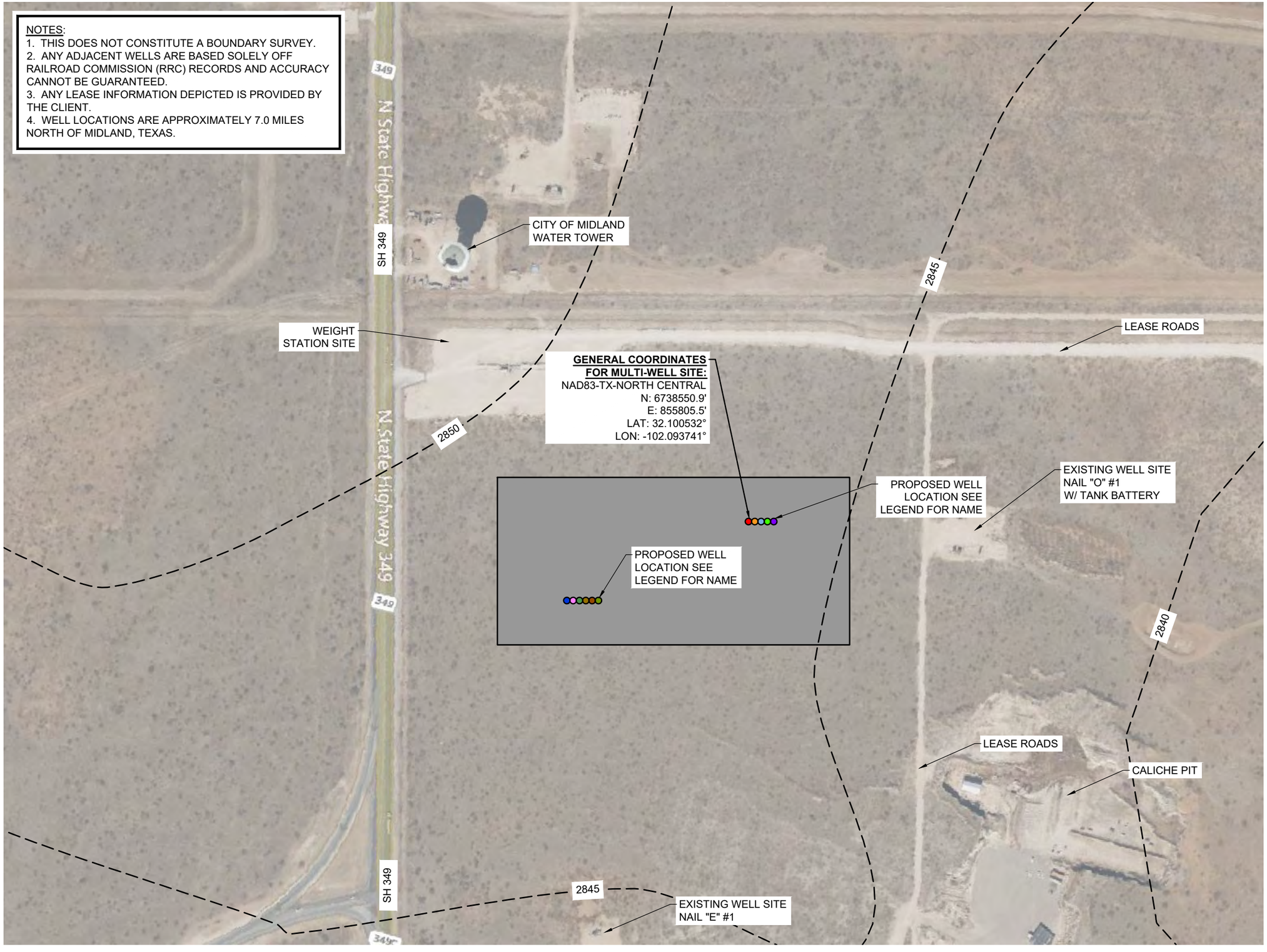
EXHIBIT "H"
TRANSPORTATION ROUTE

NAIL-TILLMAN W1G-W1R 407H-418H

LOCATED IN:
SECTION 1, BLOCK 39,
TOWNSHIP-1-SOUTH,
T.&P. R.R. CO. SURVEY,
ABSTRACT NO. 314,
MARTIN COUNTY, TEXAS

A:\47000s\47474\866\SURV\CADD\Sheets\EXHIBIT\Transportation Route\047474.866_NAIL-TILLMAN_W1G-W1R_418H_TRANS_ROUTE.dwg

NOTES:
1. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.
2. ANY ADJACENT WELLS ARE BASED SOLELY OFF RAILROAD COMMISSION (RRC) RECORDS AND ACCURACY CANNOT BE GUARANTEED.
3. ANY LEASE INFORMATION DEPICTED IS PROVIDED BY THE CLIENT.
4. WELL LOCATIONS ARE APPROXIMATELY 7.0 MILES NORTH OF MIDLAND, TEXAS.



LEGEND

- NAIL-TILLMAN W1G 407H
- NAIL-TILLMAN W1H 408H
- NAIL-TILLMAN W1I 409H
- NAIL-TILLMAN W1J 410H
- NAIL-TILLMAN W1K 411H
- NAIL-TILLMAN W1M 413H
- NAIL-TILLMAN W1N 414H
- NAIL-TILLMAN W1O 415H
- NAIL-TILLMAN W1P 416H
- NAIL-TILLMAN W1Q 417H
- NAIL-TILLMAN W1R 418H
- PROPOSED WELL PAD SITE
- CONTOURS

STATE OF TEXAS
REGISTERED
HUNTER WADE WILLS
5929
PROFESSIONAL
LAND SURVEYOR

Hunter Wade Wills
03/28/2025

N

0' 300' 600

SCALE: 1" = 300'

halff
3300 NORTH A STREET, BUILDING 2, SUITE 120
MIDLAND, TX 79705-5471
TEL (432) 253-3255
TBPELS SURVEYING FIRM #10193998

DATE: 2/24/2025
BY: J. ALVAREZ
AVO: 047474.866

PIONEER NATURAL RESOURCES USA, INC.

EXHIBIT "G"
TOPOGRAPHIC FEATURES

NAIL-TILLMAN W1G-W1R 407H-411H, 413-418H

LOCATED IN:
SECTION 1, BLOCK 39, TOWNSHIP-1-SOUTH, T.&P. R.R. CO. SURVEY, ABSTRACT No. 314, MARTIN COUNTY, TEXAS

PAGE 1 OF 1

A:\47000S\47474\866\SURV\CADD\SHEETS\EXHIBIT\047474.866_TOPO_FEATURES_EXHIBIT_G.DWG

City Council Meeting

Item Number: 23.
Meeting Date: October 14, 2025
To: City Council
From: Beatriz Quezada, Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 0.177-ACRE TRACT OF LAND OUT OF LOT 1B, BLOCK 28, WYDEWOOD ESTATES, SECTION 30, CITY AND COUNTY OF MIDLAND, TEXAS, FROM O-1, OFFICE DISTRICT TO TH, TOWNHOUSE (ATTACHED) DWELLING DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF PRESTON DRIVE, APPROXIMATELY 255 FEET EAST OF SUNBURST 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

Purpose:
Maverick Engineering, on behalf of Tam Pham, is requesting a zone change from O-1, Office District, to TH, Townhouse (Attached) Dwelling District, to allow for the construction of a dwelling on a 0.177-acre tract located at 3100 Sunburst Drive.

Recommended Action:
Approve

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Current Zoning:

O-1, Office District

Surrounding Zoning and Land Use:

The property south of the subject property is zone, SF-3, Single-Family Dwelling District and is currently a public school. The properties to the north and west are zoned PD, Planned Development District for a Shopping Center and consist of offices for consultants and a church. The properties east of 3100 Sunburst are zoned PD, Planned Development District for a

Housing Development and it’s residential.

Analysis:

The property is located at 3100 Sunburst Drive. Maverick Engineering, on behalf of the owner Tam Pham, is requesting a zone change in order to construct a townhome. The property is currently zoned O-1, Office District, which does not permit the use being proposed.

The surrounding area consists of both residential dwellings and offices, and the proposed use would be consistent with the character of the neighborhood. The properties to the east are zoned PD, Planned Development District for a Housing Development that is subject to the regulations of TH, Townhouse (Attached) Dwelling District (Ordinance 8798), which is the same zone classification as the applicant is requesting.

In 1998, the property was rezoned from TH, Townhouse (Attached) District to O-1, Office District (Ordinance 7753). The applicant is now requesting to return the property to its original zoning designation. The property meets the regulations of the TH, Townhouse (Attached) District zoning.

The property is currently in the process of getting replatted to subdivide the 0.177-acre tract of land from the lot.

This request is consistent with the Tall City Tomorrow Comprehensive Plan, which designates this area as Urban-High (U-H). This designation identifies TH, Townhouse (Attached) District as a potential zoning category and allows for a mix of complementary uses, including multi-family residential and large offices, with residential options ranging from townhomes to apartment towers.

This proposed zone change has been circulated to the respective City departments for internal review and their comments, conditions, and requirements are as follows:

Fire: (Approved)

No comments or objections.

Engineering: (Approved)

No objections to zone change. [For Applicant’s Information Only.]

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For Applicant’s Information Only.]

Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application.

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For the Applicant's information only.]

No objection to zone change. [For the Applicant's information only.]

Planning: (Approved)

Staff recommends approval of this Zone Change from O-1, Office District to TH, Townhouse (Attached) Dwelling District.

Letters of Objection:

As of October 2, staff has received no letters of objection for this request.

Attachments:

A. ORDINANCE W/ EXH - Z-25-0446.O-1 to TH Ord w Exh
B. CC - - 3100 Sunburst Drive Zone Change from O1 to TH
C. Z-25-0446, Combined Files

Beatriz Quezada, Development Services	Created/Initiated - 9/24/2025
Landon Ochoa, Development Services	Approved - 10/2/2025
Elizabeth Triggs, Development Services	Approved - 10/2/2025
Linda Ochoa, Legal	Approved - 10/5/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Jan Hamilton, City Secretary	Final Approval - 10/7/2025

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 0.177-ACRE TRACT OF LAND OUT OF LOT 1B, BLOCK 28, WYDEWOOD ESTATES, SECTION 30, CITY AND COUNTY OF MIDLAND, TEXAS, FROM O-1, OFFICE DISTRICT TO TH, TOWNHOUSE (ATTACHED) DWELLING DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF PRESTON DRIVE, APPROXIMATELY 255 FEET EAST OF SUNBURST 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

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by rezoning a 0.177-acre tract of land out of Lot 1B, Block 28, Wydewood Estates, Section 30, City and County of Midland, Texas (the "Property"), said Property being more specifically described by metes and bounds in Exhibit A, which is attached hereto and incorporated herein, to TH, Townhouse (Attached) Dwelling District, as set out hereinafter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from O-1, Office District to TH, Townhouse (Attached) Dwelling District.

SECTION TWO. That the definitions given in the zoning regulations contained in the City Code of the City of Midland, Texas, shall be applicable to such of those terms as are used herein.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as

that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2025; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2025, at a regular meeting of the City Council:

Council members voting “AYE”:

Council members voting “NAY”:

PASSED AND APPROVED THIS _____ day of _____, A.D., 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

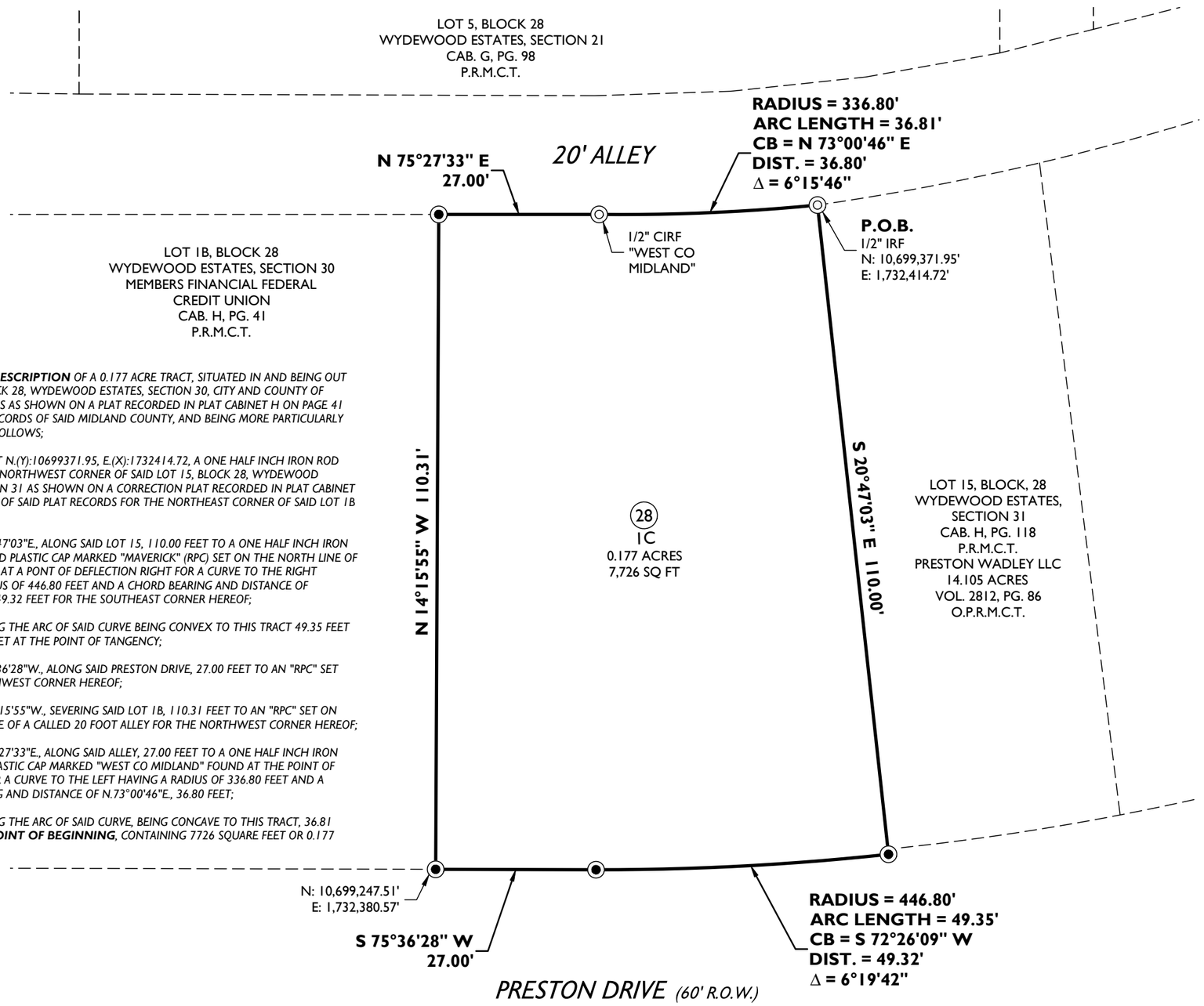
_____
Marcia Bentley-German, City Secretary

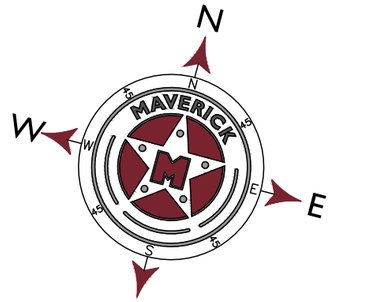
APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney





FIELD NOTE DESCRIPTION *OF A 0.177 ACRE TRACT, SITUATED IN AND BEING OUT OF LOT 1B, BLOCK 28, WYDEWOOD ESTATES, SECTION 30, CITY AND COUNTY OF MIDLAND, TEXAS AS SHOWN ON A PLAT RECORDED IN PLAT CABINET H ON PAGE 41 OF THE PLAT RECORDS OF SAID MIDLAND COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;*

BEGINNING *AT N.(Y):10699371.95, E.(X):173241 4.72, A ONE HALF INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID LOT 15, BLOCK 28, WYDEWOOD ESTATES SECTION 31 AS SHOWN ON A CORRECTION PLAT RECORDED IN PLAT CABINET H ON PAGE 127 OF SAID PLAT RECORDS FOR THE NORTHEAST CORNER OF SAID LOT 1B AND HEREOF;*

THENCE *S.20°47'03"E., ALONG SAID LOT 15, 110.00 FEET TO A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK" (RPC) SET ON THE NORTH LINE OF PRESTON DRIVE AT A PONT OF DEFLECTION RIGHT FOR A CURVE TO THE RIGHT HAVING A RADIUS OF 446.80 FEET AND A CHORD BEARING AND DISTANCE OF S.72°26'09"W., 49.32 FEET FOR THE SOUTHEAST CORNER HEREOF;*

THENCE *ALONG THE ARC OF SAID CURVE BEING CONVEX TO THIS TRACT 49.35 FEET TO AND "RPC" SET AT THE POINT OF TANGENCY;*

THENCE *S.75°36'28"W., ALONG SAID PRESTON DRIVE, 27.00 FEET TO AN "RPC" SET FOR THE SOUTHWEST CORNER HEREOF;*

THENCE *N.14°15'55"W., SEVERING SAID LOT 1B, 110.31 FEET TO AN "RPC" SET ON THE SOUTH LINE OF A CALLED 20 FOOT ALLEY FOR THE NORTHWEST CORNER HEREOF;*

THENCE *N.75°27'33"E., ALONG SAID ALLEY, 27.00 FEET TO A ONE HALF INCH IRON ROD WITH A PLASTIC CAP MARKED "WEST CO MIDLAND" FOUND AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 336.80 FEET AND A CHORD BEARING AND DISTANCE OF N.73°00'46"E., 36.80 FEET;*

THENCE *ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 36.81 FEET TO THE* ***POINT OF BEGINNING****, CONTAINING 7726 SQUARE FEET OR 0.177 ACRE OF LAND.*

LEGEND

◉	DENOTES SET MAG NAIL
◎	DENOTES FOUND MONUMENT AS NOTED
———	DENOTES BOUNDARY LINE
– – – – –	DENOTES EXISTING PROPERTY LINES
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
P.R.M.C.T.	PLAT RECORDS, MIDLAND CO., TX

SURVEY NOTES:

1. BASIS OF BEARING, COORDINATES, DISTANCES AND ACREAGE ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NORTH AMERICAN DATUM 1983, U.S. SURVEY FOOT, WITH A CONVERGENCE ANGLE (theta) OF -0°54'48.40" AND A COMBINED SCALE FACTOR OF 0.99989691 1 AT NGS "MIDLAND".

2. 1/2 IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.

3. SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.

M A V E R I C K
CIVIL ENGINEERING / LAND SURVEYING
1909 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FIRM #: F-15089
SURVEY FIRM #: 10194514
Tel: (432) 262-0999 Fax: (432) 262-0989
www.Maverick-Eng.com

JOB NO.:	FIELD WORK:	DRAWN BY:	REV 1:	REV 2:
250143	7.24.25	JARII		

I THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE SURVEY INFORMATION FOUND ON THIS PLAT WAS DERIVED FROM FIELD NOTES OR ELECTRONIC DATA OF AN ACTUAL ON-THE-GROUND SURVEY MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. NO WARRANTY IS MADE OR INTENDED FOR THE LOCATION OF ANY OR ALL EASEMENTS THAT MAY EXIST WITHIN THE BOUNDS OF THIS SURVEY.

AUGUST 18, 2025

GREGORY W. SHOULTS, RPLS #5356
FIRM NO. TX #10194514

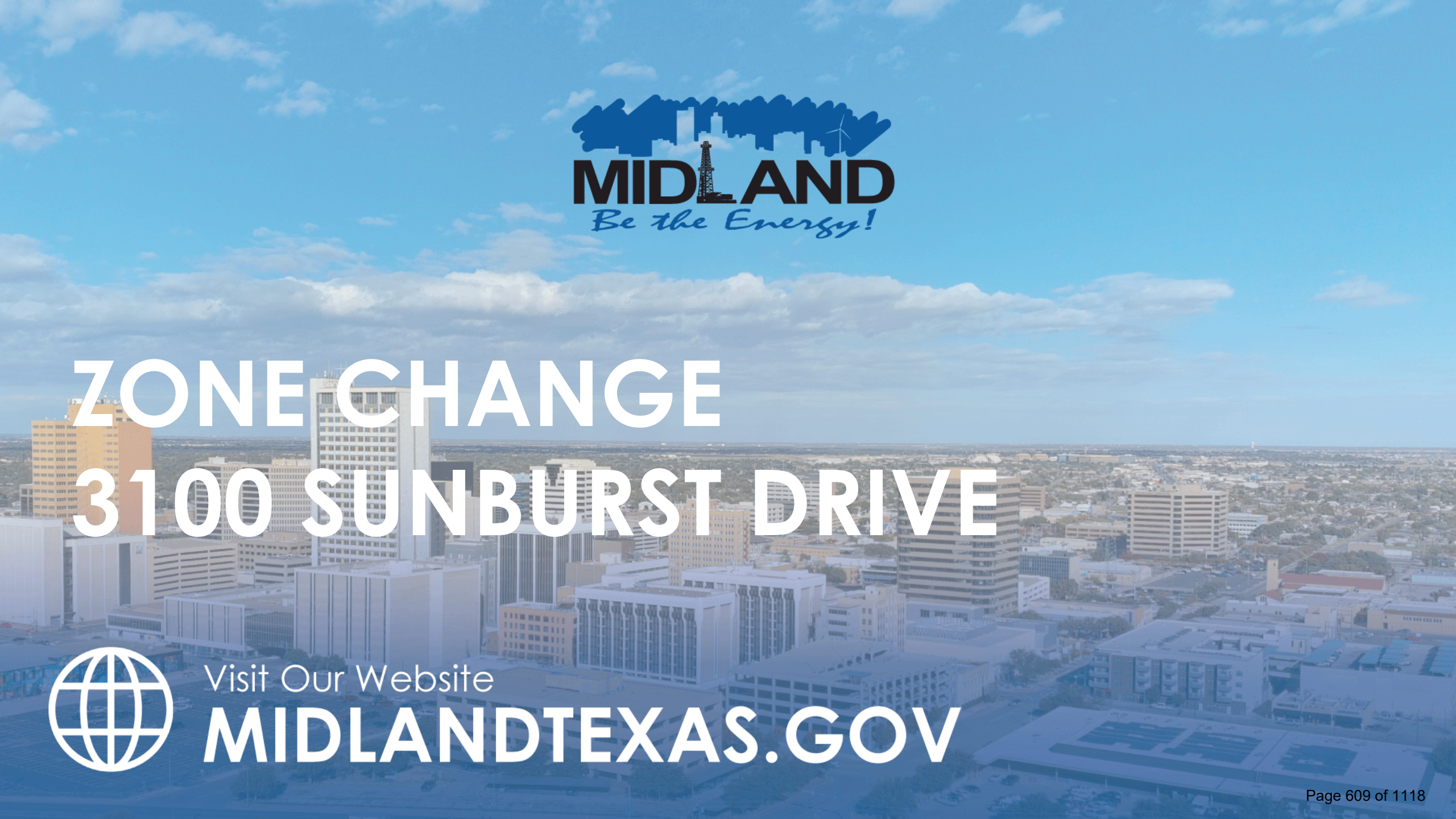
STATE OF TEXAS
REGISTERED
GREGORY W. SHOULTS
5356
PROFESSIONAL
LAND SURVEYOR

EXHIBIT A

ZONING BOUNDARY EXHIBIT

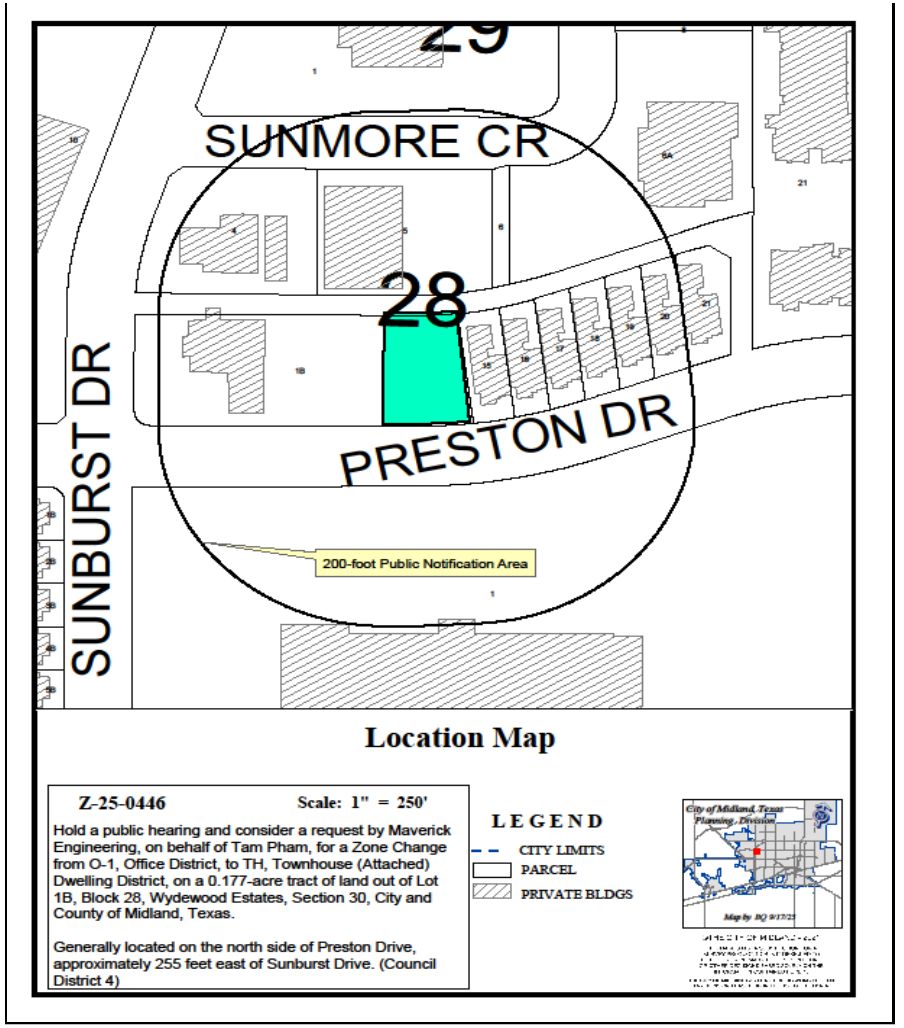
WYDEWOOD ESTATES, SECTION 36

BEING A 0.177 ACRE TRACT OF LAND OUT OF LOT 1B, BLOCK 28, WYDEWOOD ESTATES, SECTION 30, LOCATED IN SECTION 19, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS


MIDLAND
Be the Energy!
ZONE CHANGE
3100 SUNBURST DRIVE
Visit Our Website
MIDLANDTEXAS.GOV

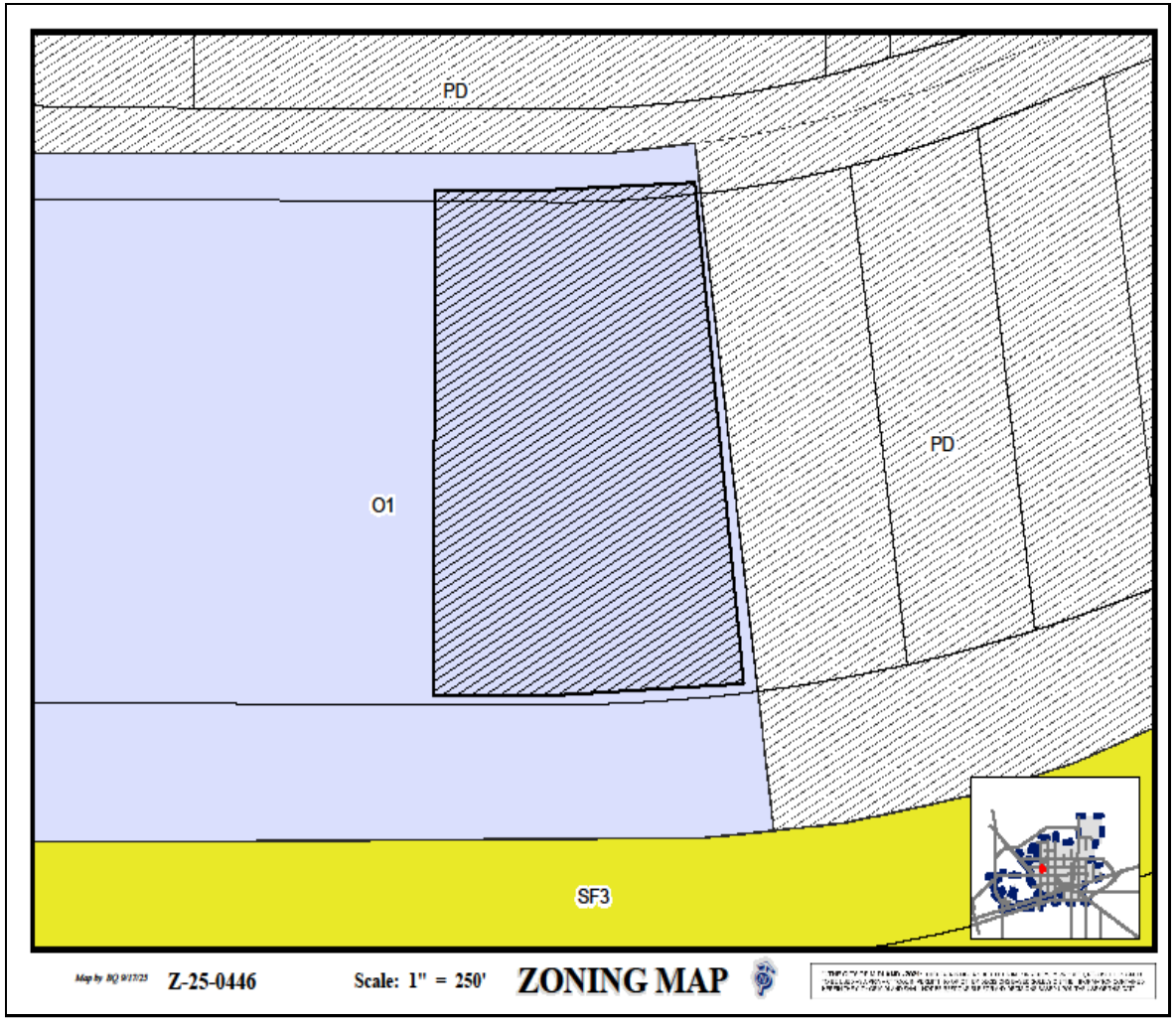
APPLICATION SUMMARY

- **Property Owner:** Tam Pham
- **Representative:** Andrew Mellen with Maverick Engineering
- **Location:** 3100 Sunburst Drive (District 4)
- **Reason for Request:** to be able to build a home



ZONING

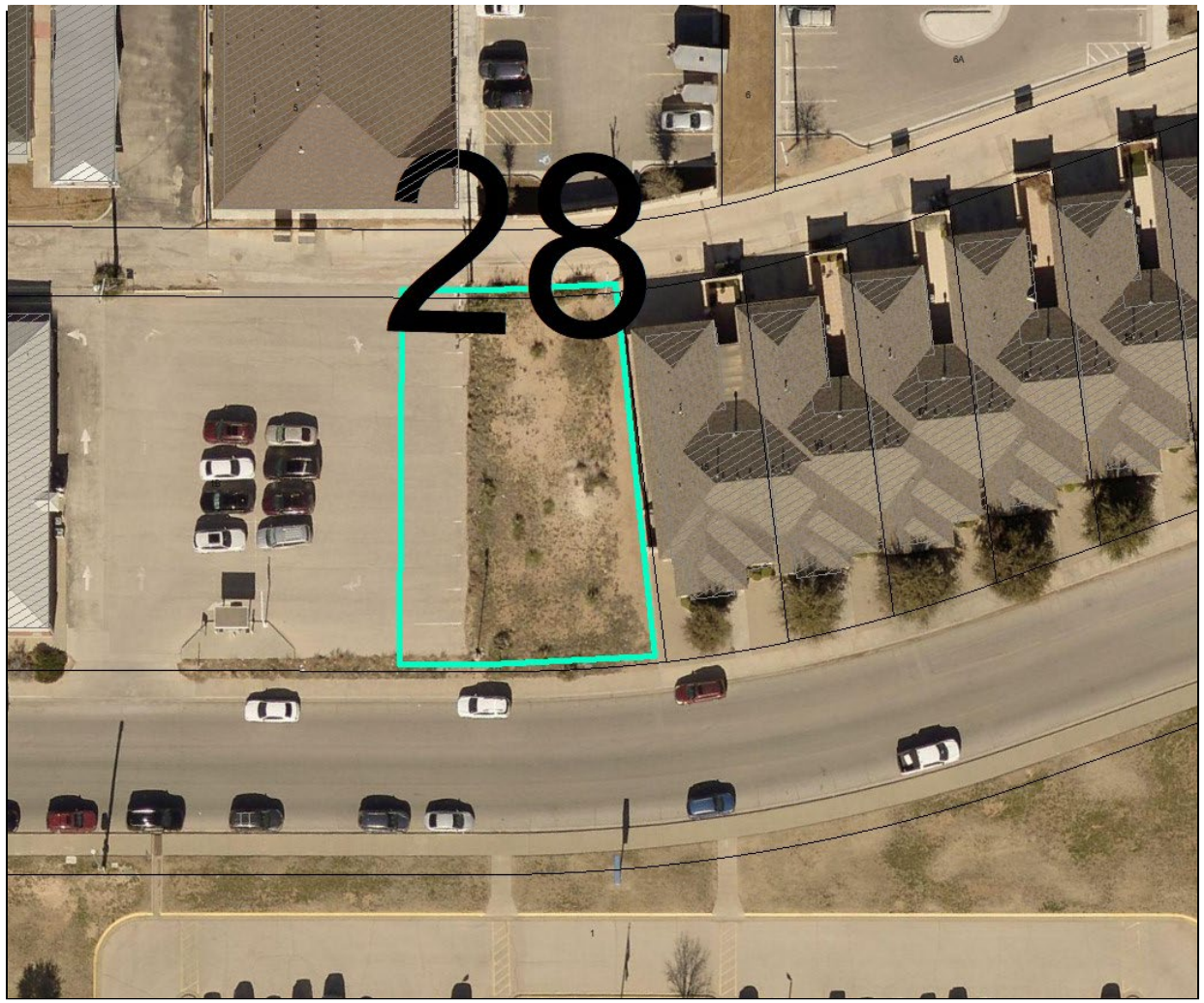
- **Current Zoning:** O-1, Office District
- **Surrounding Zoning:**
  - **North:** PD, Planned Development District for a Shopping Center
  - **South:** SF-3, Single-Family Dwelling District
  - **East:** PD, Planned Development District for a Housing Development
  - **West:** O-1, Office District
- **Proposed Zoning:** TH, Townhouse (Attached) Dwelling District



MIDLAND
Be the Energy!

LAND USE

- **Current Use:** Vacant
- **Surrounding Uses:**
  - **North:** Offices
  - **South:** School
  - **East:** Residential
  - **West:** Bank
- **Proposed Use:** Residential



MIDLAND
Be the Energy!

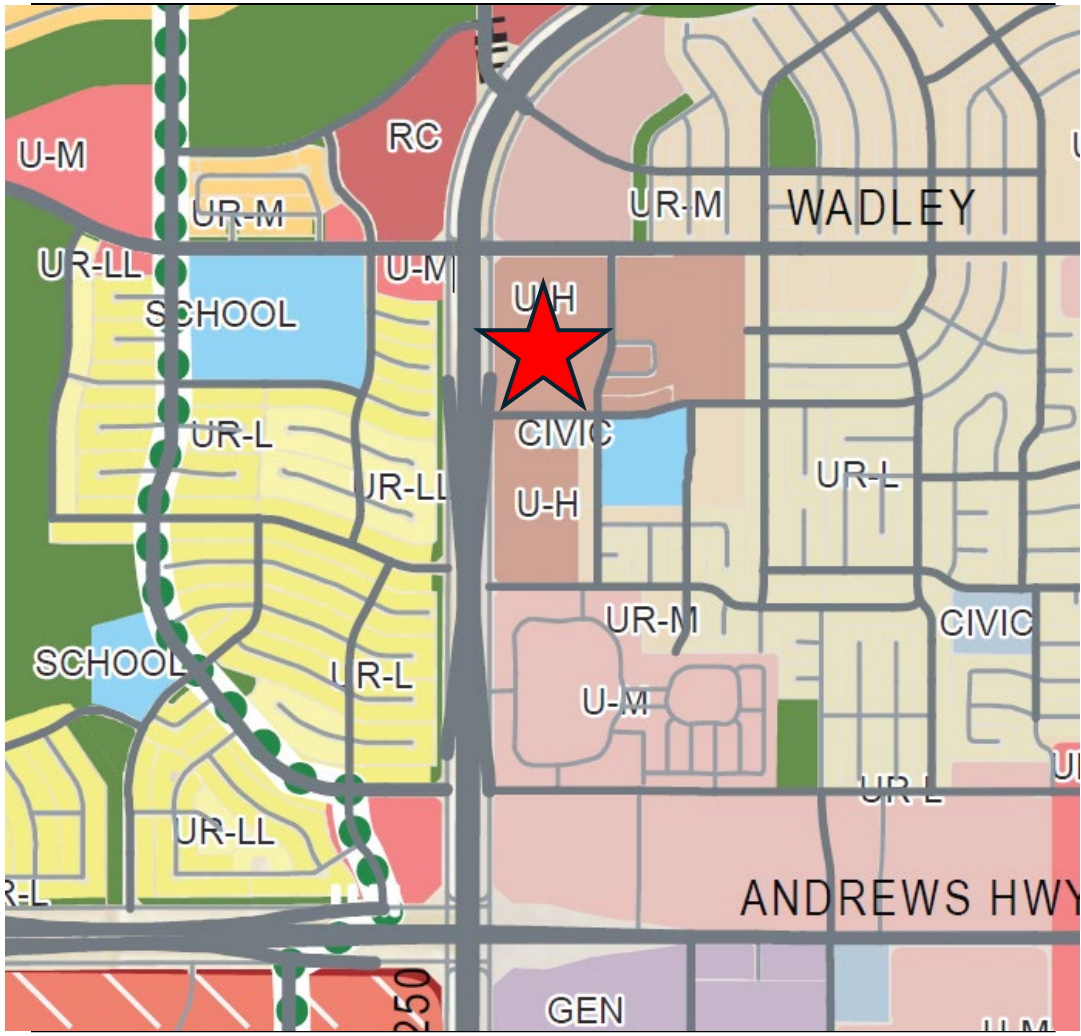
On Preston Drive, Looking North

5

MIDLAND
Be the Energy!

COMPREHENSIVE PLAN

- **Land Use Designation: Urban High (U-H)**
- **Supported Uses:** A mix of complementary uses, including multi-family residential, large offices, medical buildings, regional commercial, limited industrial
- The request is compatible with the *Tall City Tomorrow Comprehensive Plan.*



MIDLAND
Be the Energy!

STAFF'S RECOMMENDATION

- No objections were received.
- The Planning and Zoning Commission approved this request on October 6, 2025.
- Staff recommends approval of this request with the following conditions:

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.

MIDLAND
Planning Division

Zone Change/Planned District Amendment/Site Plan Approval

Project Number: _____

Case Number: Z-25-0446

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: SEE OWNER		Phone ( ) Email	
Address	City	State	Zip

Property Owner Printed Name: TAM PHAM		Phone ( ) Email	
Address	City	State	Zip

Representative *(if different from Applicant or Property Owner)* Firm: MAVERICK ENGINEERING Printed Name: ANDREW MELLEN		Phone (432) 262-0999 Email amellen@maverick-eng.com	
Address 1909 W WALL STREET, SUITE K	City MIDLAND	State TX	Zip 79701

Street Address: 3100 SUNBURST

Legal Description
Lot: 1C Block: 28 Subdivision: WYDEWOOD ESTATES, SECTION 30

Current Zoning: O1	**Proposed Zone:** TH *(List by tracts if more than one district is requested)*

Reason for Zone Change Request: TO BE ABLE TO BUILD A HOME

Present Use of Property: VACANT

Proposed Use of Property: RESIDENTIAL

How would this zone change affect the public health, safety and welfare? NO CHANGE

Describe how conditions affecting the property have changed since present zoning designation: IT WAS PART OF THE COMMERCIAL PROPERTY BUT IS NOW BECOMING RESIDENTIAL.

Submittal and Fees
Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Site Plan
- Digital Copies of Site Plan (PDF/JPEG)

Signature *(by property owner only – authorized agent must sign affidavit below)*	
Applicant (signature): Tam pham	Date: 8/28/25
Applicant (printed): TAM PHAM	
Property Owner (signature): Tam pham	Date: 08/28/2025
Property Owner (printed) : TAM PHAM	

The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear Tam Pham who, being by me duly sworn, upon oath says: That (s)he is the owner of 3100 Sunburst or authorized by _____, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Andrew L. Mills
Authorized Agent (*signature*)

Subscribed and sworn to before me, this 28th day of August, 2025, to certify which witness my hand and seal of office.

Nancy Moore
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

NANCY MOORE NOTARY PUBLIC STATE OF TEXAS ID 8336204 EXP. 01-24-2028

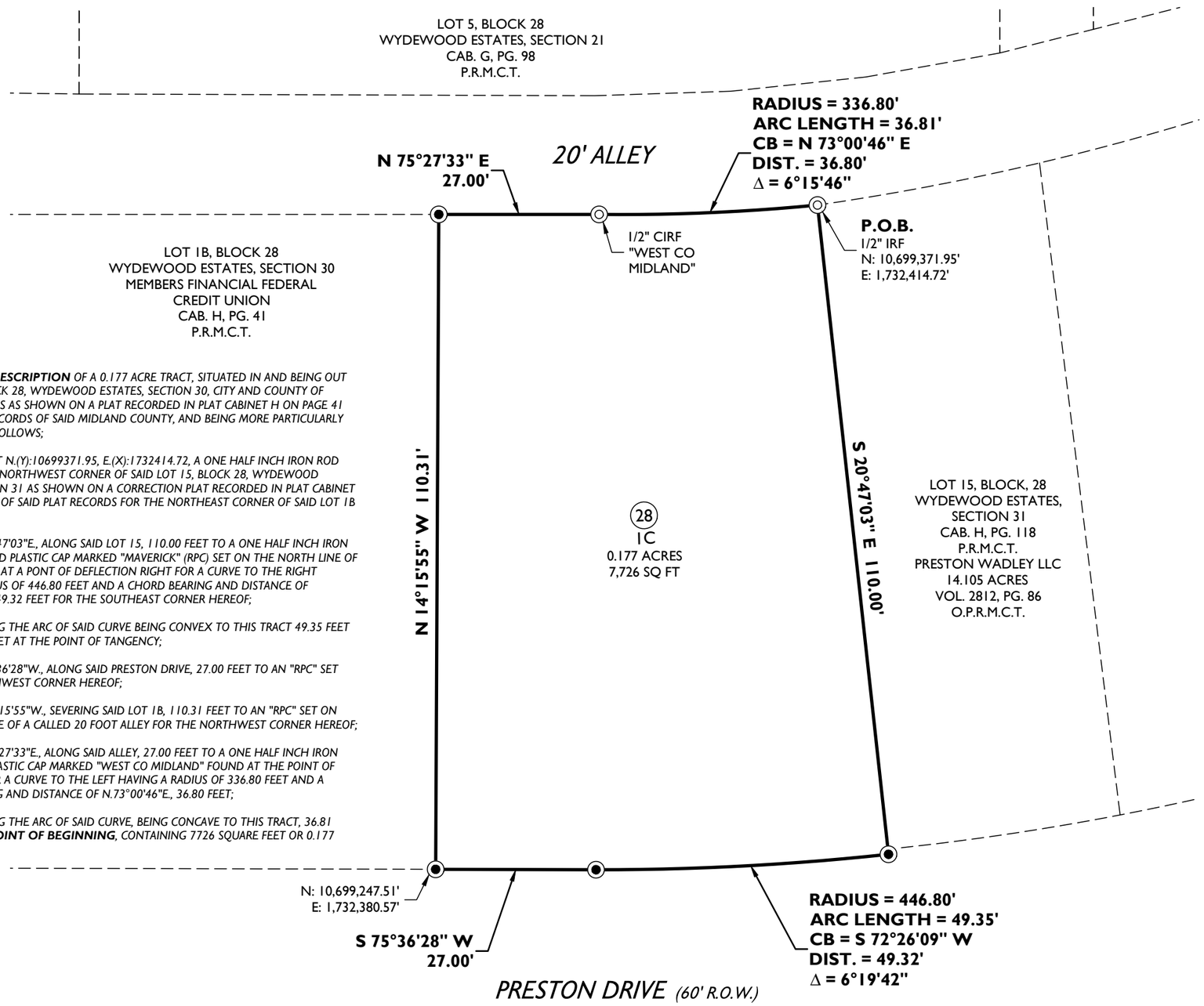
FOR OFFICE USE ONLY

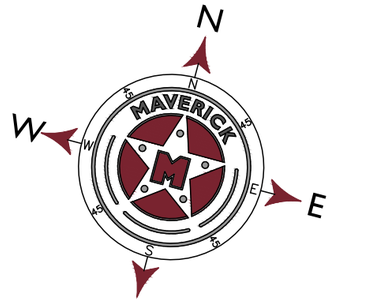
☑ Property Owner Authorization
☑ Application Fee
Check # 5530
☑ Dimensioned Site Plan
☐ Plans in Digital Format (PDF/JPEG)

RECEIVED
SEP 08 2025

Received By: Beatriz Angel
Date:
Initial: _____

****Application will not be considered for scheduling until reviewed by a planner.****





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BEGINNING *AT N.(Y):10699371.95, E.(X):173241 4.72, A ONE HALF INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID LOT 15, BLOCK 28, WYDEWOOD ESTATES SECTION 31 AS SHOWN ON A CORRECTION PLAT RECORDED IN PLAT CABINET H ON PAGE 127 OF SAID PLAT RECORDS FOR THE NORTHEAST CORNER OF SAID LOT 1B AND HEREOF;*

THENCE *S.20°47'03"E., ALONG SAID LOT 15, 110.00 FEET TO A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK" (RPC) SET ON THE NORTH LINE OF PRESTON DRIVE AT A PONT OF DEFLECTION RIGHT FOR A CURVE TO THE RIGHT HAVING A RADIUS OF 446.80 FEET AND A CHORD BEARING AND DISTANCE OF S.72°26'09"W., 49.32 FEET FOR THE SOUTHEAST CORNER HEREOF;*

THENCE *ALONG THE ARC OF SAID CURVE BEING CONVEX TO THIS TRACT 49.35 FEET TO AND "RPC" SET AT THE POINT OF TANGENCY;*

THENCE *S.75°36'28"W., ALONG SAID PRESTON DRIVE, 27.00 FEET TO AN "RPC" SET FOR THE SOUTHWEST CORNER HEREOF;*

THENCE *N.14°15'55"W., SEVERING SAID LOT 1B, 110.31 FEET TO AN "RPC" SET ON THE SOUTH LINE OF A CALLED 20 FOOT ALLEY FOR THE NORTHWEST CORNER HEREOF;*

THENCE *N.75°27'33"E., ALONG SAID ALLEY, 27.00 FEET TO A ONE HALF INCH IRON ROD WITH A PLASTIC CAP MARKED "WEST CO MIDLAND" FOUND AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 336.80 FEET AND A CHORD BEARING AND DISTANCE OF N.73°00'46"E., 36.80 FEET;*

THENCE *ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 36.81 FEET TO THE* ***POINT OF BEGINNING****, CONTAINING 7726 SQUARE FEET OR 0.177 ACRE OF LAND.*

LEGEND

◉	DENOTES SET MAG NAIL
◎	DENOTES FOUND MONUMENT AS NOTED
———	DENOTES BOUNDARY LINE
– – – – –	DENOTES EXISTING PROPERTY LINES
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
P.R.M.C.T.	PLAT RECORDS, MIDLAND CO., TX

SURVEY NOTES:

1. BASIS OF BEARING, COORDINATES, DISTANCES AND ACREAGE ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NORTH AMERICAN DATUM 1983, U.S. SURVEY FOOT, WITH A CONVERGENCE ANGLE (theta) OF -0°54'48.40" AND A COMBINED SCALE FACTOR OF 0.99989691 1 AT NGS "MIDLAND".

2. 1/2 IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.

3. SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.

M A V E R I C K
CIVIL ENGINEERING / LAND SURVEYING
1909 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FIRM #: F-15089
SURVEY FIRM #: 10194514
Tel: (432) 262-0999 Fax: (432) 262-0989
www.Maverick-Eng.com

JOB NO.:	FIELD WORK:	DRAWN BY:	REV 1:	REV 2:
250143	7.24.25	JARII		

I THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE SURVEY INFORMATION FOUND ON THIS PLAT WAS DERIVED FROM FIELD NOTES OR ELECTRONIC DATA OF AN ACTUAL ON-THE-GROUND SURVEY MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. NO WARRANTY IS MADE OR INTENDED FOR THE LOCATION OF ANY OR ALL EASEMENTS THAT MAY EXIST WITHIN THE BOUNDS OF THIS SURVEY.

AUGUST 18, 2025

GREGORY W. SHOULTS, RPLS #5356
FIRM NO. TX #10194514

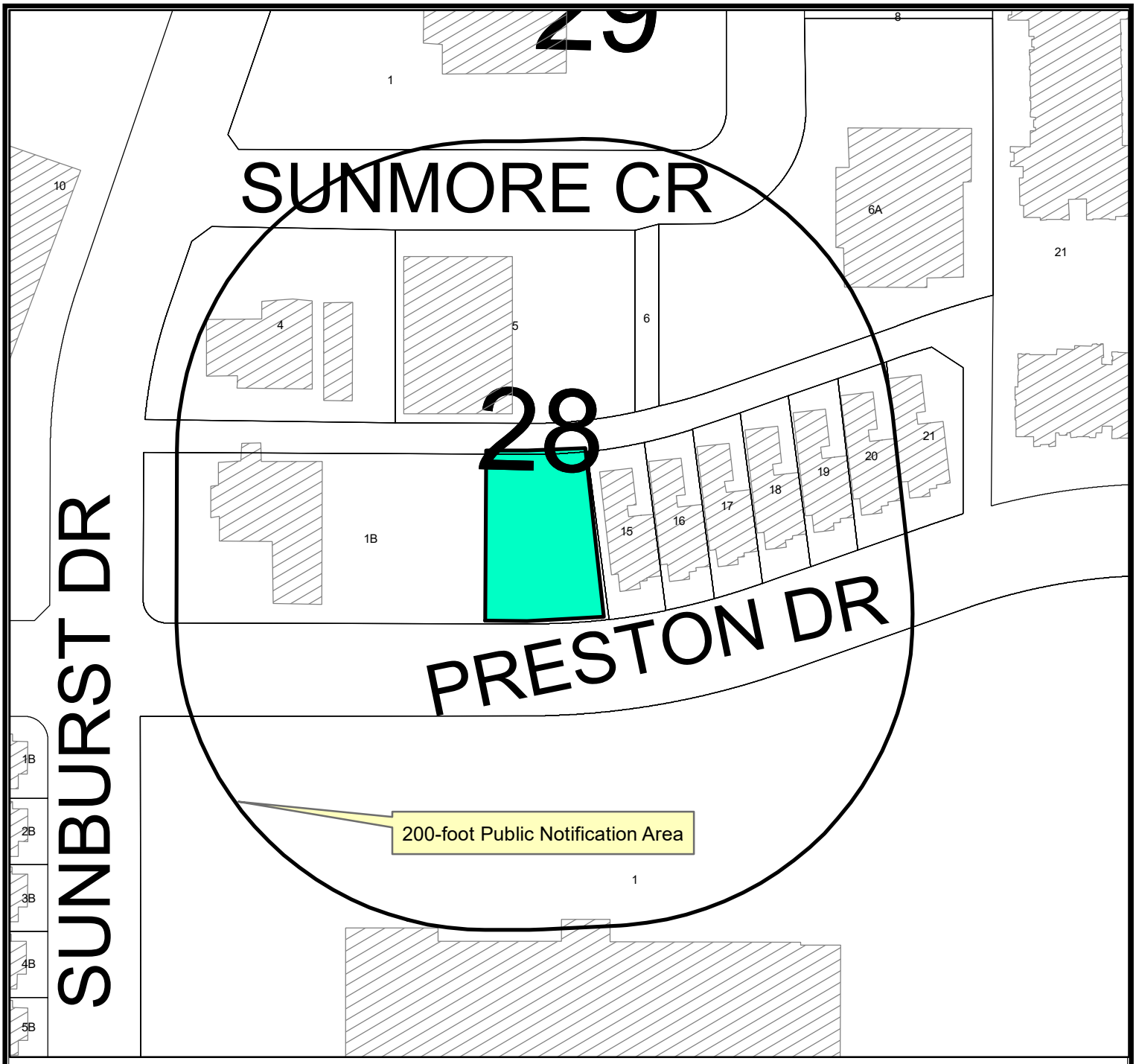
STATE OF TEXAS
REGISTERED
GREGORY W. SHOULTS
5356
PROFESSIONAL
LAND SURVEYOR

EXHIBIT A

ZONING BOUNDARY EXHIBIT

WYDEWOOD ESTATES, SECTION 36

BEING A 0.177 ACRE TRACT OF LAND OUT OF LOT 1B, BLOCK 28, WYDEWOOD ESTATES, SECTION 30, LOCATED IN SECTION 19, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS



Location Map

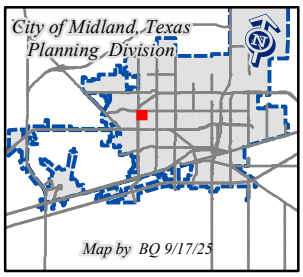
Z-25-0446 **Scale: 1" = 250'**

Hold a public hearing and consider a request by Maverick Engineering, on behalf of Tam Pham, for a Zone Change from O-1, Office District, to TH, Townhouse (Attached) Dwelling District, on a 0.177-acre tract of land out of Lot 1B, Block 28, Wydewood Estates, Section 30, City and County of Midland, Texas.

Generally located on the north side of Preston Drive, approximately 255 feet east of Sunburst Drive. (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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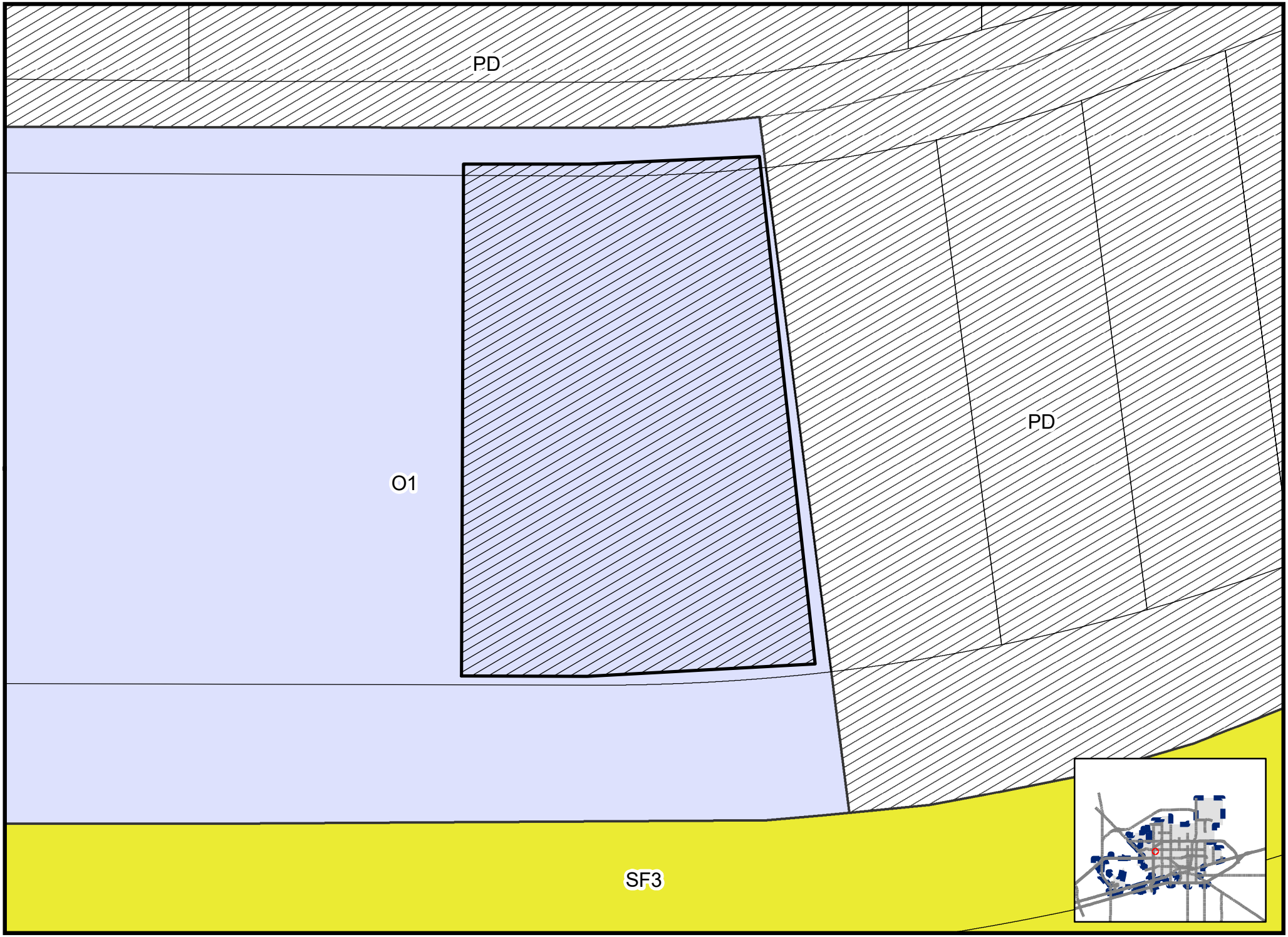

Map by BQ 9/17/25

Z-25-0446

Scale: 1" = 250'

ZONING MAP

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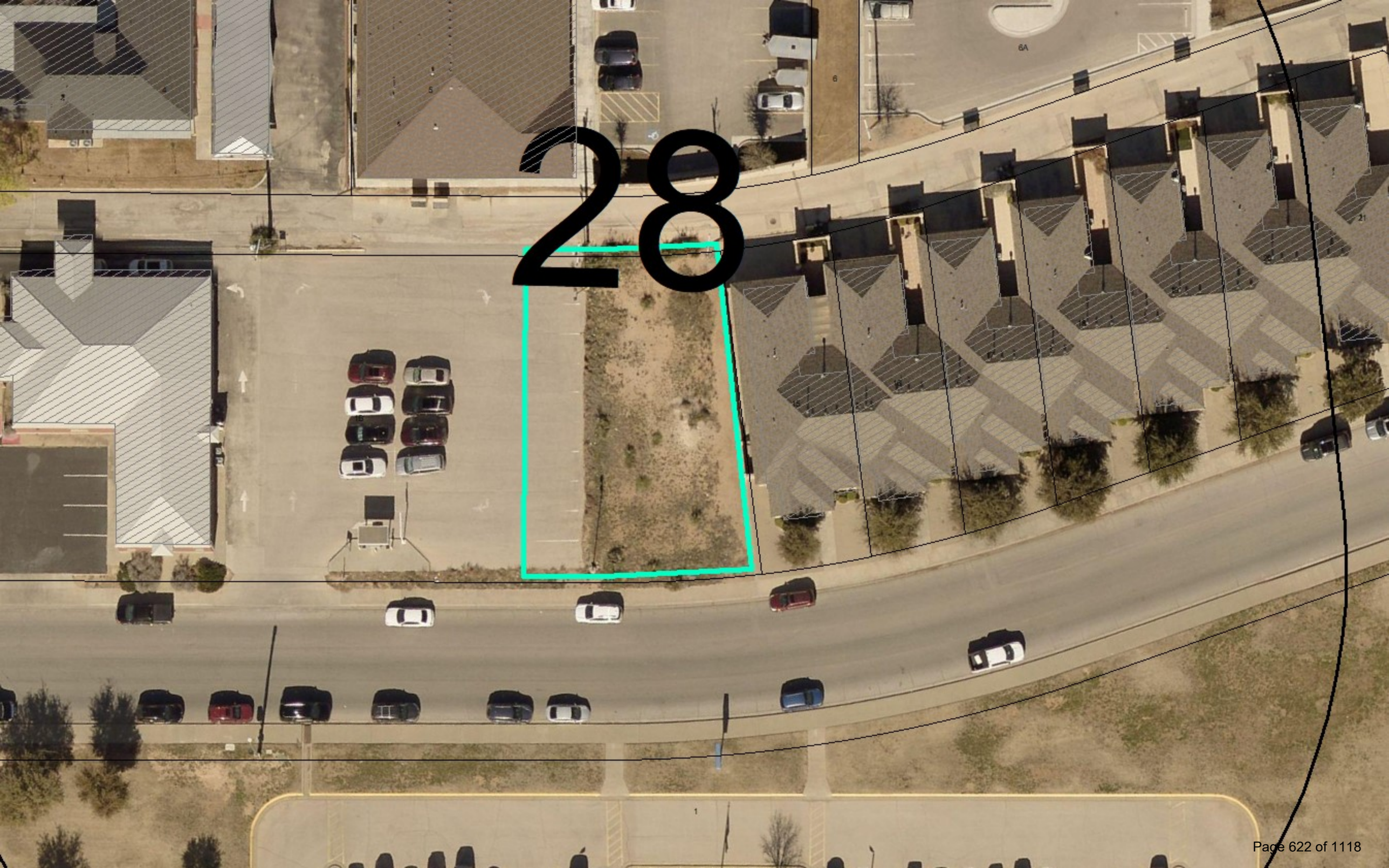

28

City Council Meeting

Item Number: 24.
Meeting Date: October 14, 2025
To: City Council
From: Britton Murry, Senior Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 1.992-ACRE TRACT OF LAND OUT OF TRACTS 2 AND 3, MIDKIFF HEIGHTS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-16, MULTIPLE-FAMILY DWELLING DISTRICT TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED EAST OF THE INTERSECTION OF AUSTIN STREET AND PRINCETON 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

Purpose:
PJP Group, LLC, on behalf of SHMK Development, LLC, is requesting a Zone Change from MF-16, Multiple-Family Dwelling District to RR, Regional Retail District for future retail development on a property located at 1110 Austin Street.

Recommended Action:
Approve

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Current Zoning:

MF-16, Multiple-Family Dwelling District

Surrounding Zoning and Land Use:

The properties to the north and east are zoned RR, Regional Retail District and consist of retail stores and shops. The properties to the west are zoned SF-1, Single-Family Dwelling District, and consist of single-family housing. The property to the south is zoned PD, Planned Development District for an Office Center and is currently a vacant lot.

Analysis:

The subject property is located at 1110 Austin Street. The property is currently zoned MF-16, Multiple-Family Dwelling District. PJP Group, LLC, on behalf of SHMK Development, LLC, is seeking a zone change to RR, Regional Retail District in order to development retail stores and shops. The current zoning, MF-16, Multiple-Family Dwelling District, does not allow for the use of retail stores and shops [Midland City Code 4.03].

Approving this zone change request would establish a zoning that offers a wide variety of uses for the property owner. The applicant does not know the exact type of businesses that will be included on this lot, so having the versatility of RR, Regional Retail District zoning provides them with numerous options. The applicant plans to development a shopping center with five tenants. Per the Nonresidential Zoning District Dimensional Regulations Chart, this lot meets the requirements for the RR, Regional Retail District zoning. [Midland City Code Section 5.05]

The Tall City Tomorrow Comprehensive Plan, Chapter 3; designates this area as a Special Study Area. This designation has no policies established.

This proposed zone change has been circulated to the respective City departments for internal review, and their comments, conditions, and requirements are as follows:

Fire: (Approved)

No comments or objections.

Engineering: (Approved)

No objections to zone change. [For Applicant's Information Only.] Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For Applicant's Information Only.]

Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application.

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For the Applicant's information only.] No objection to zone change. [For the Applicant's information only.]

Planning: (Approved)

Staff recommends approval of this Zone Change from MF-16, Multiple-Family Dwelling District to RR, Regional Retail District.

Letters of Objection:

Staff has not received any letters of objection as of October 2, 2025.

Attachments:

A. ORDINANCE W/ EXH - Z-25-0441.MF-16 to RR Ord w Exh
B. Z-25-0441, Combined Documents
C. P&Z - - 1110 Austin Street Zone Change

Britton Murry, Development Services	Created/Initiated - 10/1/2025
Landon Ochoa, Development Services	Approved - 10/2/2025
Elizabeth Triggs, Development Services	Approved - 10/2/2025
Linda Ochoa, Legal	Approved - 10/5/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Jan Hamilton, City Secretary	Final Approval - 10/7/2025

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 1.992-ACRE TRACT OF LAND OUT OF TRACTS 2 AND 3, MIDKIFF HEIGHTS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-16, MULTIPLE-FAMILY DWELLING DISTRICT TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED EAST OF THE INTERSECTION OF AUSTIN STREET AND PRINCETON 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

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by rezoning a 1.992-acre tract of land out of Tracts 2 and 3, Midkiff Heights, City and County of Midland, Texas (the "Property"), said Property being more specifically described by metes and bounds in Exhibit A, which is attached hereto and incorporated herein, to RR, Regional Retail District, as set out hereinafter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from MF-16, Multiple-Family Dwelling District to RR, Regional Retail District.

SECTION TWO. That the definitions given in the zoning regulations contained in the City Code of the City of Midland, Texas, shall be applicable to such of those terms as are used herein.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as

that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2025; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2025, at a regular meeting of the City Council:

Council members voting “AYE”:

Council members voting “NAY”:

PASSED AND APPROVED THIS _____ day of _____, A.D., 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

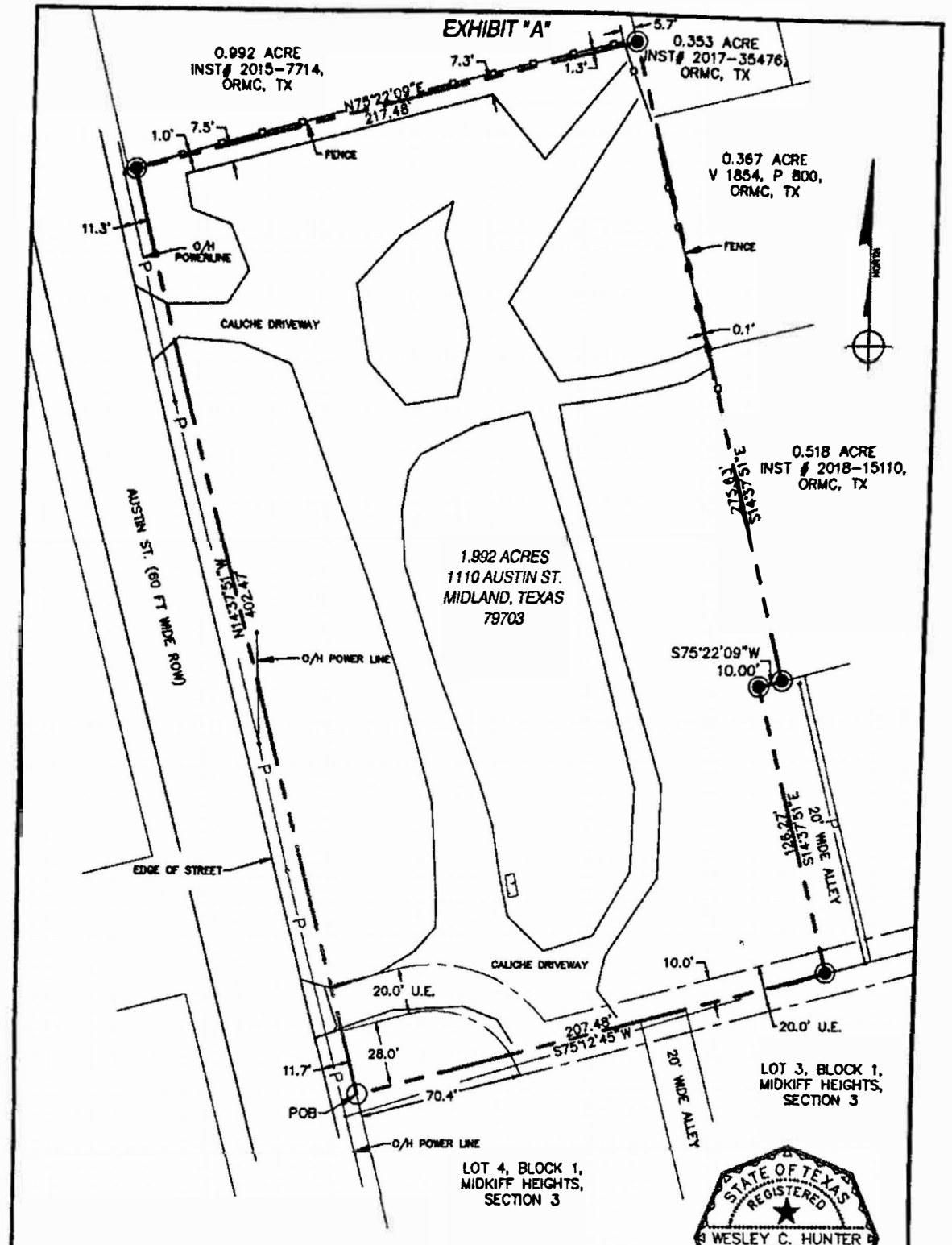
_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney



○= FOUND 1/2" IRON ROD
◉= SET 1/2" IRON ROD

WESLEY C. HUNTER
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6268

I, Wesley C. Hunter, a Registered Professional Land Surveyor in the State of Texas, License Number 6268, do hereby certify this plat to represent a survey made on the ground in the Month of July, 2018 under my direction and supervision, and the corner monuments shown hereon were found in compliance with the minimum requirements of a Category 1A, Condition II Land Title Survey and in accordance with the rules and regulations of the State of Texas..

NOTES:

1. ALL BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983, CENTRAL ZONE
2. THE SURVEY WAS PERFORMED WITH THE BENEFIT OF A TITLE COMMITMENT G.F. NO. [illegible] ISSUED BY ALAMO TITLE INSURANCE COMPANY, ISSUED SEPTEMBER 18, 2007, EFFECTIVE SEPTEMBER 7, 2007.
3. PROPERTY IS SUBJECT TO THE RESTRICTIONS RECORDED IN VOLUME 89, PAGE 385, ALL IN DEED RECORDS OF MIDLAND COUNTY, TEXAS
4. ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP MIDLAND COUNTY, TEXAS, MAP NUMBER 48329C 0085F, REVISED SEPTEMBER 18, 2008, THIS TRACT IS SHOWN TO BE IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN

SURVEY FOR
GKW PROPERTIES, LTD.

BEING A 1.992 ACRE TRACT OF LAND CALLED 1.99 ACRES IN VOLUME 2934, PAGE 502, OFFICIAL RECORDS OF MIDLAND COUNTY, TEXAS, BEING ALSO A PORTION OF TRACTS 2 AND 3, MIDKIFF HEIGHTS, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 84, PAGE 385, DEED RECORDS OF MIDLAND COUNTY, TEXAS

EXPLORER SURVEYING
SURVEYING & MAPPING
2403 S COUNTY RD 1110 LOT B, MIDLAND, TX 79706
(432) 238-4199 WWW.EXPSURVEY.COM
FIRM # 10194660 REGULATED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING

DRAWN BY: DH	DATE: 7/19/2018	DWG. NO.	REV.
CHECKED BY: WH	DATE: 7/23/2018	ES-WH-S2-T2-3-001	0
SCALE: 1"=50'	APP.: 7/24/2018	GF#: 0709-078-BH	

MIDLAND
Planning Division

Zone Change/Planned District Amendment/Site Plan Approval

Project Number: _____

Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: Shafik Tejani, SHMK Development, LLC		Phone (432) 967-2763 Email shafik.tejani@mtp-hosp.com	
Address 4108 N Big Spring	City Midland	State TX	Zip 79705

Property Owner Printed Name: SHMK Development, LLC		Phone (432) 967-2763 Email shafik.tejani@mtp-hosp.com	
Address 4108 N Big Spring	City Midland	State TX	Zip 79705

Representative *(if different from Applicant or Property Owner)* Firm: PJP Group, LLC Printed Name: Jignesh Patel		Phone (210) 316-0659 Email jignesh.patel083@gmail.com	
Address 2525 Durango Drive	City Carrollton	State TX	Zip 75010

Street Address: 1110 Austin Street, Midland, TX 79703

Legal Description
Lot: 4 Block: 1 Subdivision: Midkiff Heights, Section 3

Current Zoning: MF16

Proposed Zone: RR - Regional Retail District
(List by tracts if more than one district is requested)

Reason for Zone Change Request: The reason for the zoning change request is to align the subject property's classification with the surrounding area, which is currently zoned RR (Regional Retail District) and PD (Planned Development District).

Present Use of Property: Vacant

Proposed Use of Property: Future retail development

How would this zone change affect the public health, safety and welfare? This zoning change would positively impact public health, safety, and welfare by encouraging the development of high-quality, low-intensity retail projects. It supports the revitalization of underperforming and declining areas within the Central City by maximizing the use of infill sites.

Describe how conditions affecting the property have changed since present zoning designation: N / A

Submittal and Fees
Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Site Plan
- Digital Copies of Site Plan (PDF/JPEG)

Signature *(by property owner only – authorized agent must sign affidavit below)*	
Applicant (signature):	Date:
Applicant (printed):	
Property Owner (signature):	Date: 8/13/25
Property Owner (printed) : Shafik T Alibhai	

The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear_____who, being by me duly sworn, upon oath says: That (s)he is the owner of _____or authorized by_____, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

_____
Authorized Agent (*signature*)

Subscribed and sworn to before me, this_____day of_____, 20____, to certify which witness my hand and seal of office.

_____

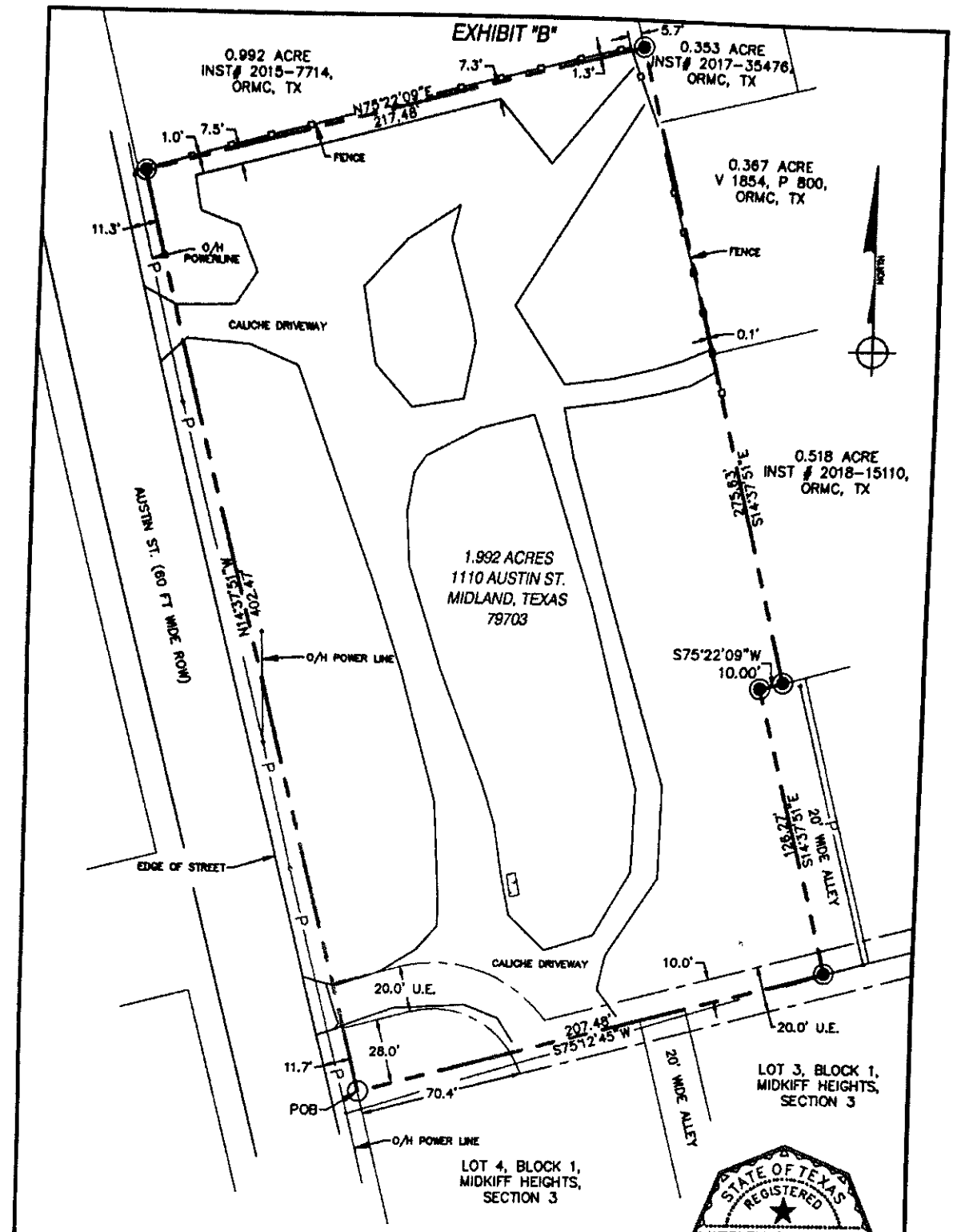
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☑ Property Owner Authorization	☑ Dimensioned Site Plan
☐ Application Fee	☐ Plans in Digital Format (PDF/JPEG)
Check # INVOICE	
Received By: Angelina Bettencourt	Date: 8/13/25

RECEIVED
AUG 13 2025
Initial: AB

****Application will not be considered for scheduling until reviewed by a planner.****



○= FOUND 1/2" IRON ROD
◉= SET 1/2" IRON ROD

STATE OF TEXAS
REGISTERED
WESLEY C. HUNTER
6268
PROFESSIONAL
LAND SURVEYOR

WESLEY C. HUNTER
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6268

I, Wesley C. Hunter, a Registered Professional Land Surveyor in the State of Texas, License Number 6268, do hereby certify this plat to represent a survey made on the ground in the Month of July, 2018 under my direction and supervision, and the corner monuments shown hereon were found in compliance with the minimum requirements of a Category 1A, Condition II Land Title Survey and in accordance with the rules and regulations of the State of Texas.

NOTES:

1. ALL BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983, CENTRAL ZONE
2. THE SURVEY WAS PERFORMED WITH THE BENEFIT OF A TITLE COMMITMENT G.F. NO 0709-078-BH AS ISSUED BY ALAMO TITLE INSURANCE COMPANY, ISSUED SEPTEMBER 18, 2007, EFFECTIVE SEPTEMBER 7, 2007.
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2403 S COUNTY RD 1110 LOT B, MIDLAND, TX 79706
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FIRM # 10194660 REGULATED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING

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DRAWN BY: DH	DATE: 7/19/2018	DWG. NO.	REV.
CHECKED BY: WH	DATE: 7/23/2018	ES-MH-S2-T2-3-001	0
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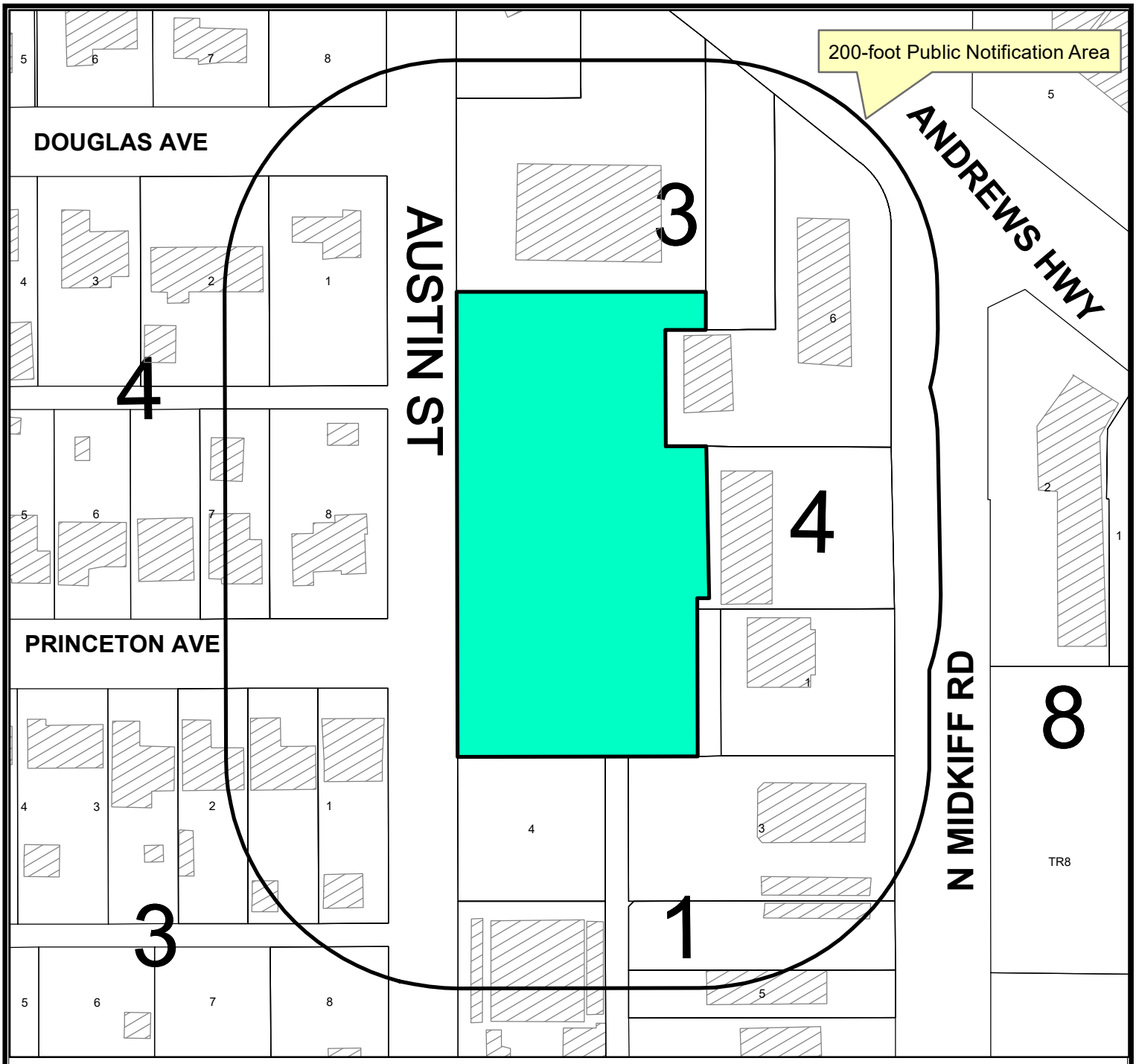


Location Map

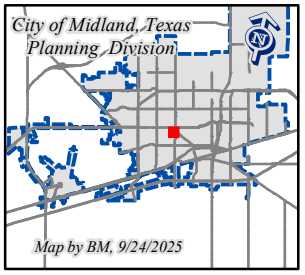
Z-25-0441 **Scale: 1" = 123'**

Consider a request by PJP Group, LLC, on behalf of SHMK Development, LLC, for a Zone Change from MF-16, Multiple-Family Dwelling District, to RR, Regional Retail District on a 1.992-acre tract of land out of Tracts 2 and 3, Midkiff Heights, City and County of Midland, Texas.

Generally located east of the intersection of Austin Street and Princeton Avenue. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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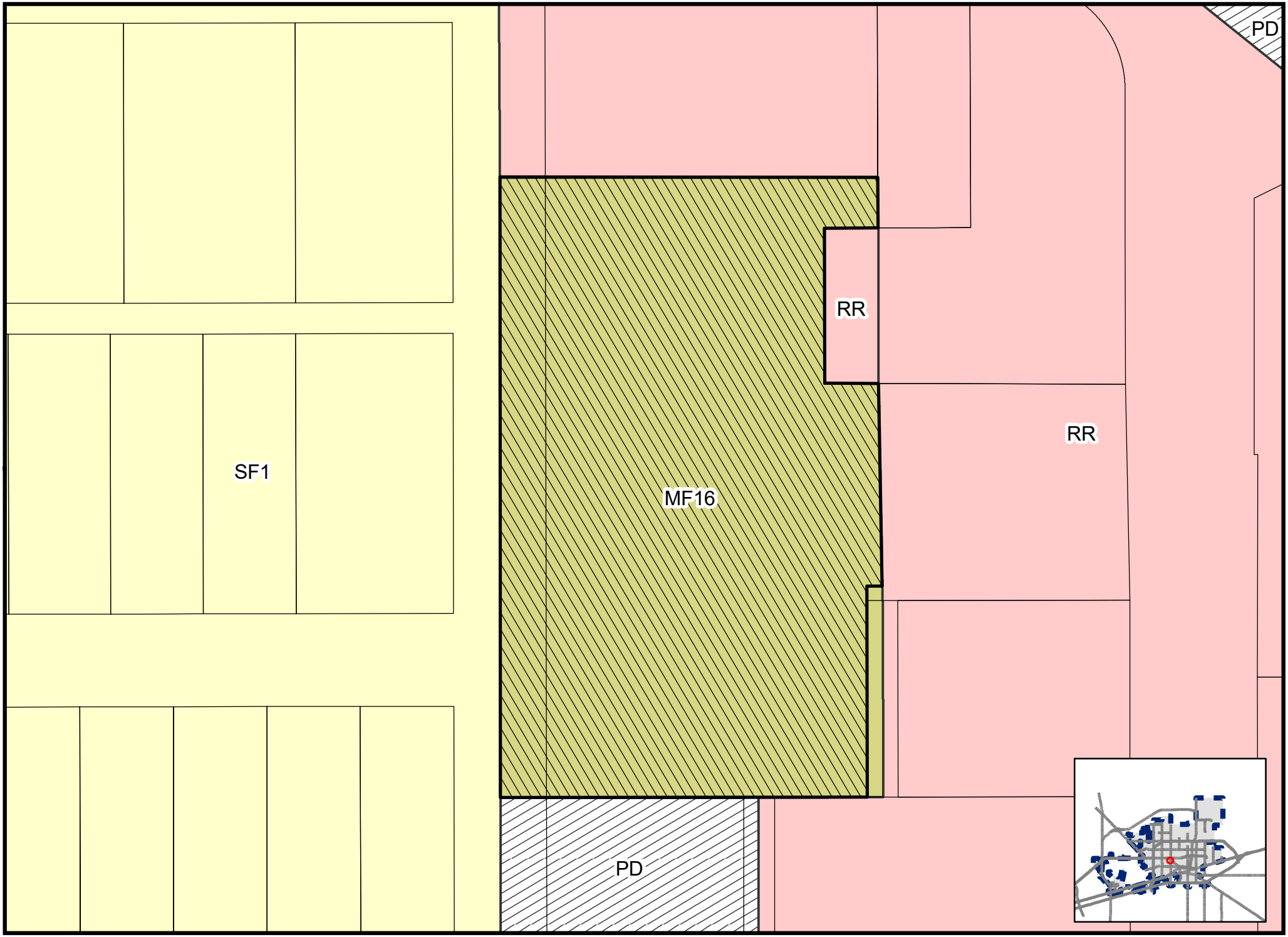

Map by BM, 9/24/2025

Z-25-0441

Scale: 1" = 78'

ZONING MAP

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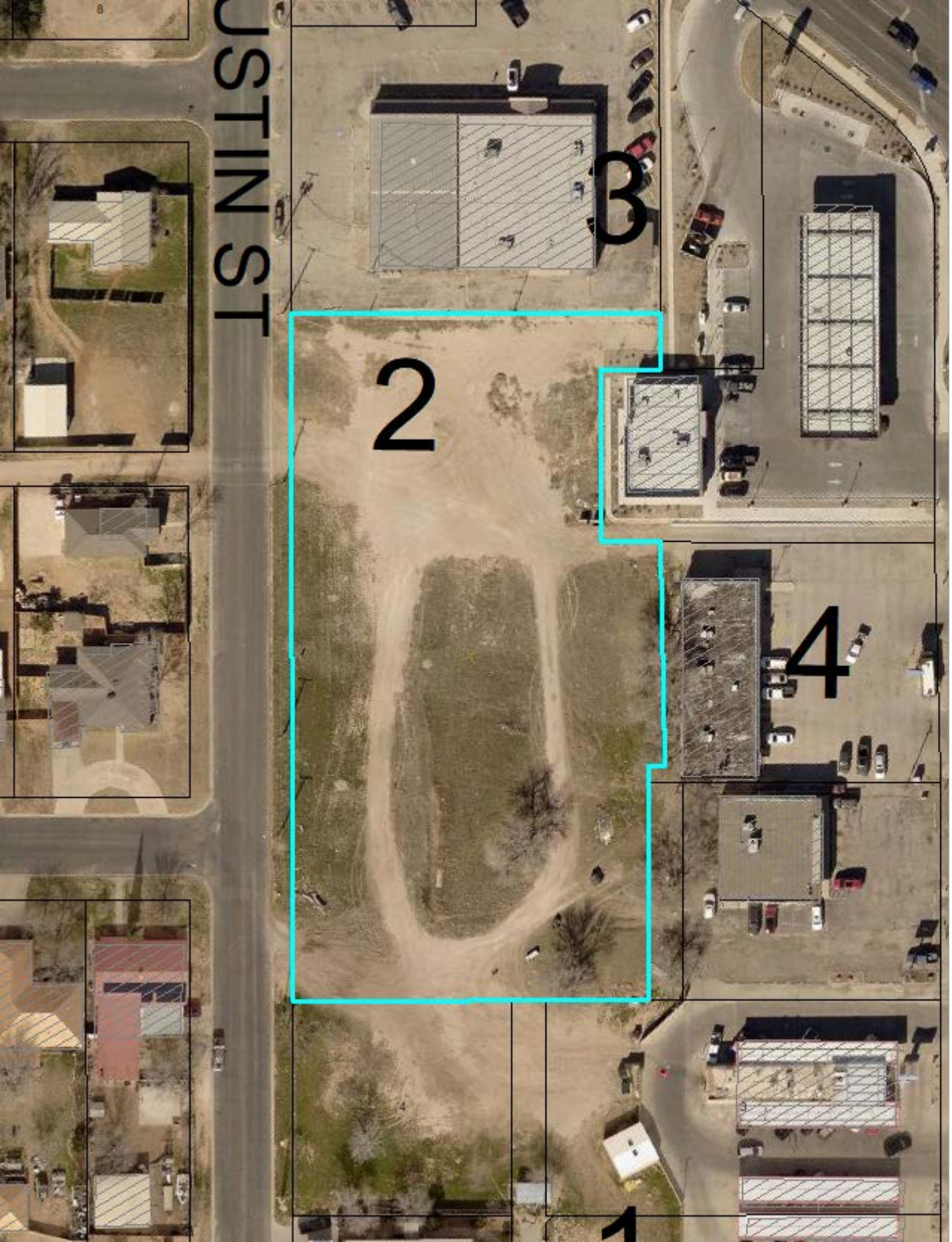
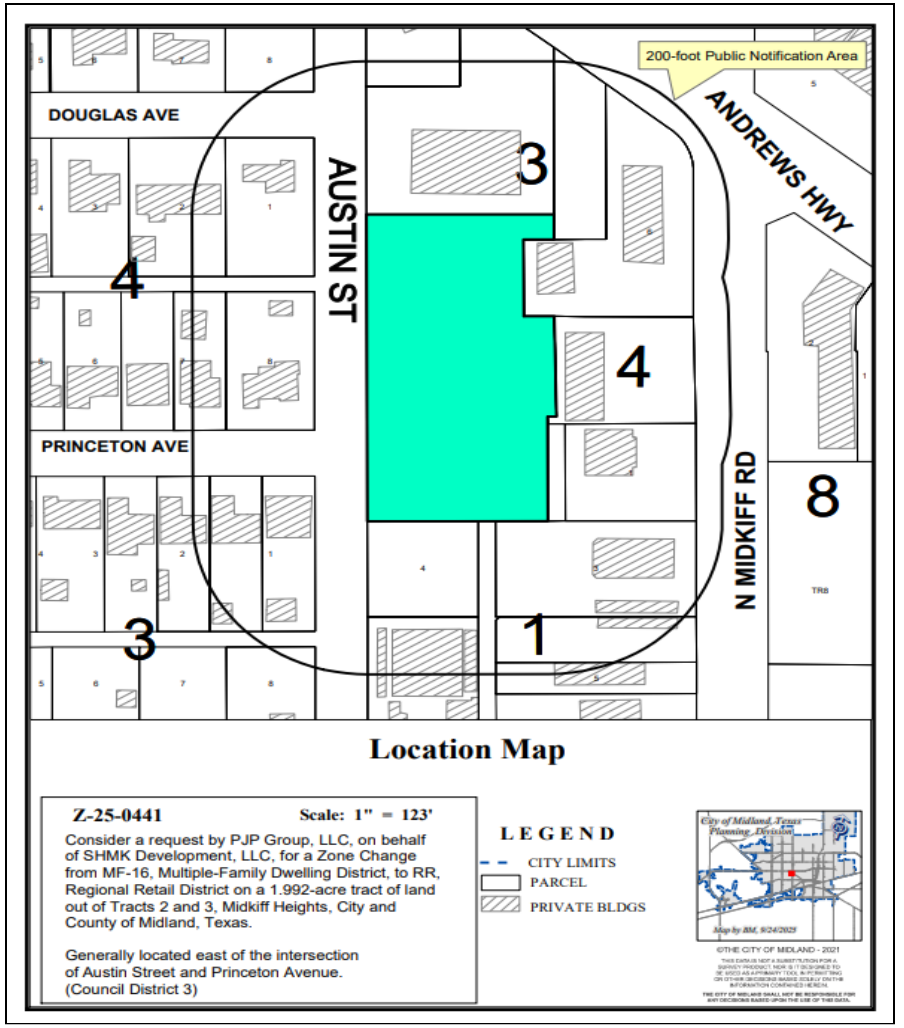

USTIN ST
3
2
4
1

MIDLAND
Be the Energy!
ZONE CHANGE
1110 AUSTIN STREET
Visit Our Website
MIDLANDTEXAS.GOV

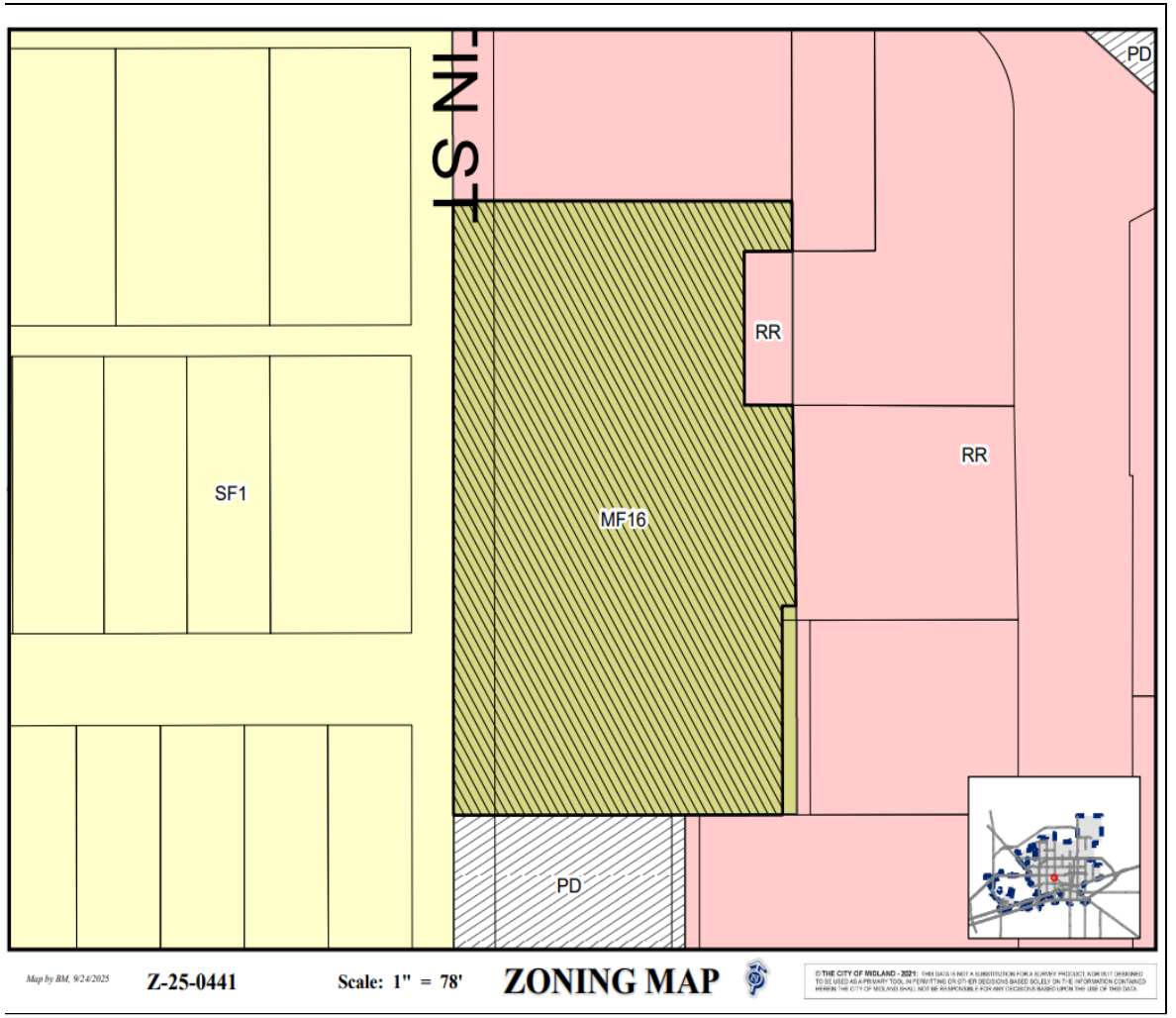
APPLICATION SUMMARY

- **Applicant/Property Owner:** SHMK Development, LLC
- **Representative:** PJP Group, LLC
- **Location:** 1110 Austin Street (Council District 3)
- **Reason for Request:** For future retail development



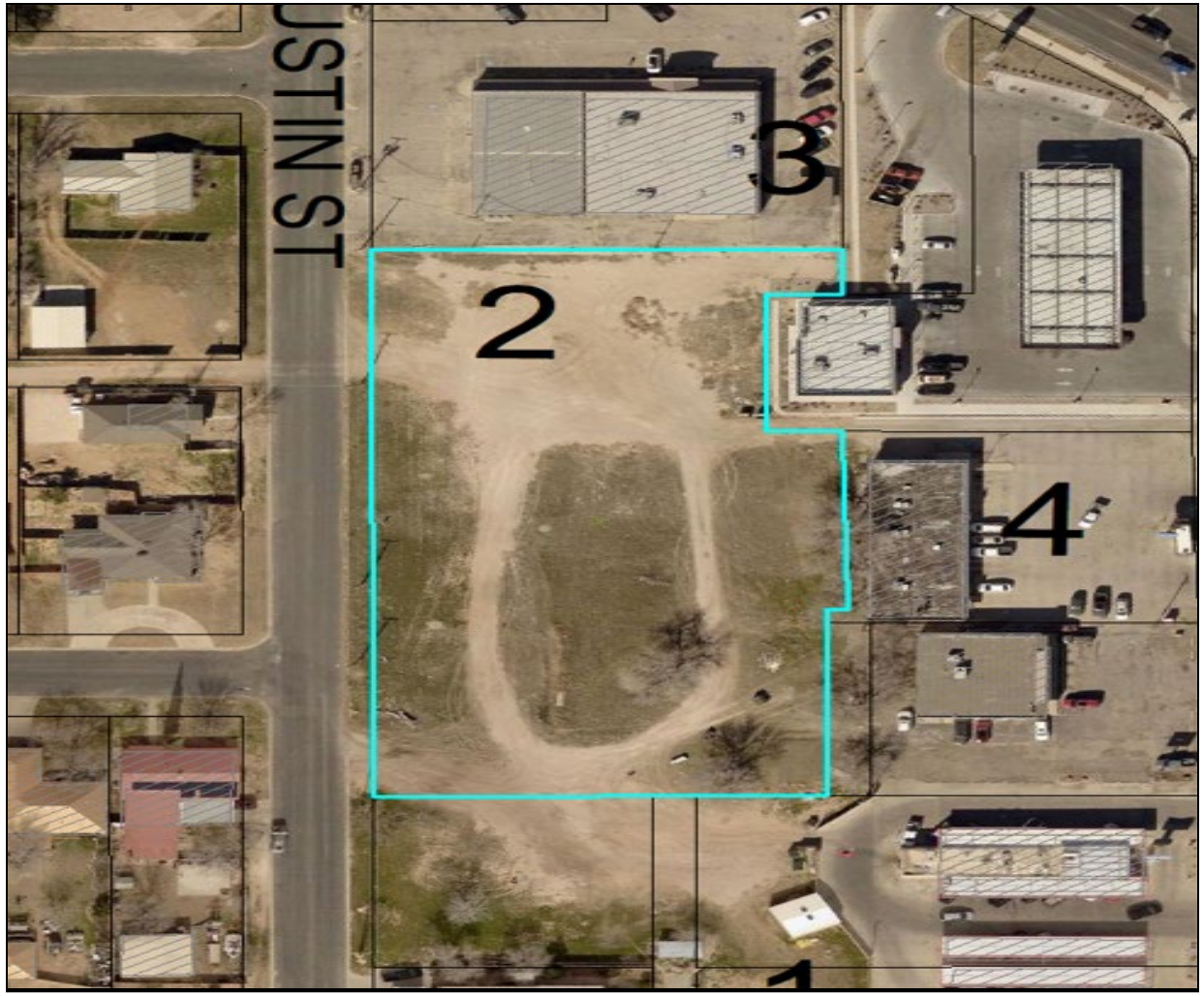
ZONING

- **Current Zoning:** MF-16, Multiple-Family Dwelling District
- **Surrounding Zoning:**
  - **North/East:** RR, Regional Retail District
  - **South:** PD, Planned Development District for an Office Center
  - **West:** SF-1, Single-Family Dwelling District
  - **Proposed Zoning:** RR, Regional Retail District



LAND USE

- **Current Use:** Vacant Land
- **Surrounding Uses:**
  - **North/East:** Retail Stores and Shops
  - **South:** Vacant Land
  - **West:** Single-Family Housing
- **Proposed Use:** Retail Stores and Shops



MIDLAND
Be the Energy!

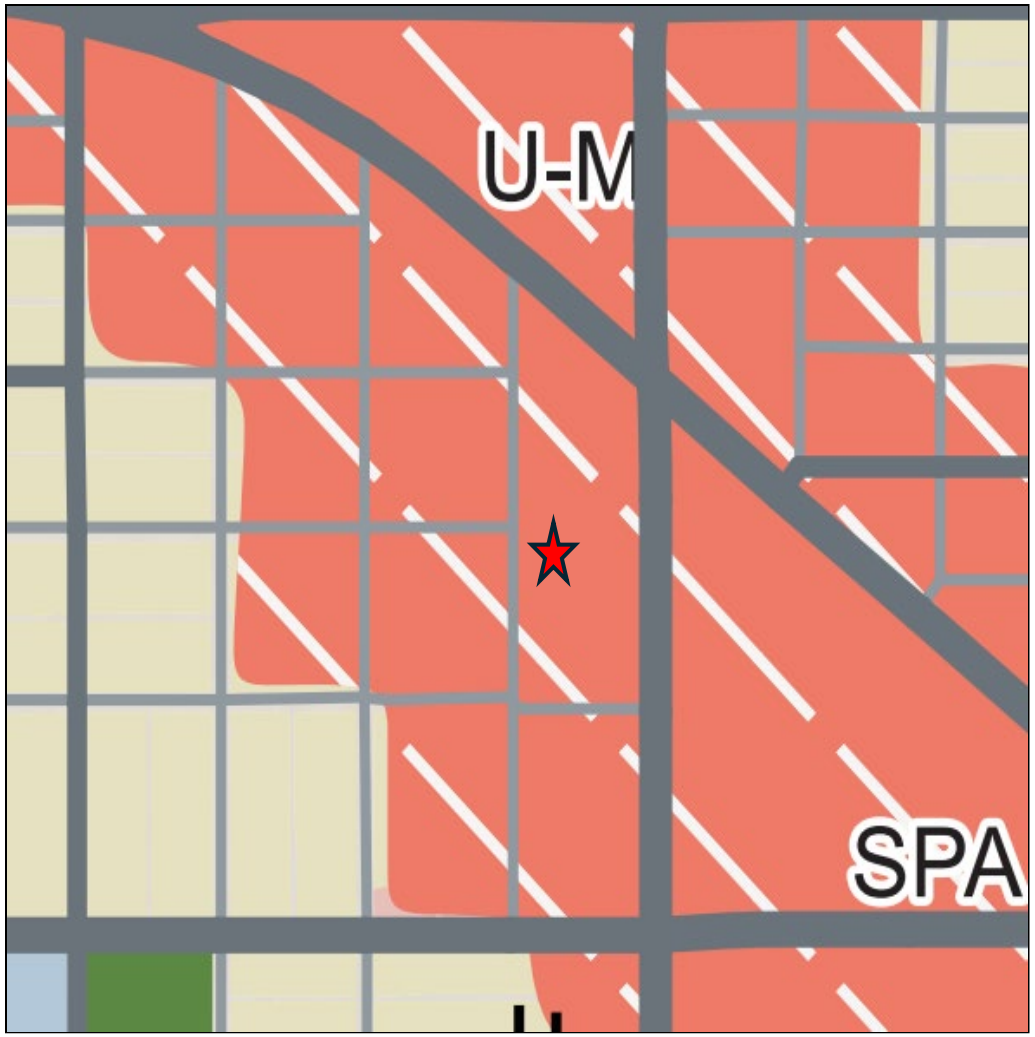
On Austin Street, Looking East

COMPREHENSIVE PLAN

- **Land Use Designation:** Special Study Area

  Supported Uses: This is a special study area and there are no policies established for this location.

- The request is compatible with the *Tall City Tomorrow Comprehensive Plan.*



MIDLAND
Be the Energy!

STAFF'S RECOMMENDATION

- No objections were received.
- The Planning & Zoning Commission recommended approval of this request on October 6, 2025.
- Staff recommends approval of this request.

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.

City Council Meeting

Item Number: 25.
Meeting Date: October 14, 2025
To: City Council
From: Landon Ochoa, Planning Division Manager
Subject: AN ORDINANCE AMENDING TITLE XI, "PLANNING AND DEVELOPMENT" OF THE CITY CODE OF MIDLAND, TEXAS, BY ADDING CHAPTER 1B, "RESIDENTIAL OVERLAY DISTRICT NUMBER 1" SO AS TO ESTABLISH AN OVERLAY ZONING DISTRICT THAT SHALL APPLY TO AN APPROXIMATE 100.84-ACRE AREA OF SECTION 36, BLOCK 39, TOWNSHIP 1 SOUTH, TEXAS AND PACIFIC RAILWAY COMPANY SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED SOUTH OF EAST INDIANA AVENUE, EAST OF THE ALLEY IMMEDIATELY EAST OF SOUTH LINCOLN STREET, NORTH OF THE ALLEY IMMEDIATELY NORTH OF CLOVERDALE ROAD, AND WEST OF SOUTH FAIRGROUNDS ROAD); AUTHORIZING LAND LOCATED WITHIN SAID OVERLAY ZONING DISTRICT TO BE DEVELOPED IN ACCORDANCE WITH THE REGULATIONS OF THE SF-3, SINGLE-FAMILY DWELLING DISTRICT; ESTABLISHING PROVISIONS RELATED TO LAND USE AND DEVELOPMENT WITHIN SAID OVERLAY ZONING DISTRICT; AMENDING THE ZONING MAP; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ESTABLISHING AN EFFECTIVE DATE OF NOVEMBER 1, 2025; AND ORDERING PUBLICATION

Purpose:
The purpose of this ordinance is to amend Title XI, "Planning and Development," of the City Code of Midland, by adding Chapter 1B, "Residential Overlay District No. 1," to establish an overlay zoning district for approximately 100.84 acres generally located south of East Indiana Avenue, east of South Lincoln Street, north of Cloverdale Road, and west of South Fairgrounds Road. The ordinance authorizes land within the overlay to be developed under the standards of the SF-3, Single-Family Dwelling District, and establishes provisions regulating land use and development within the district. The zoning map will be amended accordingly.

Recommended Action:
Approve

Fiscal Impact:
This ordinance has no direct fiscal impact.

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Current Zoning & Land Use:

The current zoning of the subject properties is MF-22, Multi-Family Dwelling District, in part, SF-3, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, C, Commercial District, in part, RR, Regional Retail District. The current use of these properties is primarily Single-Family (Detached) Dwelling with the exception of a Community Center, Duplexes, and vacant lots.

Surrounding Zoning and Land Use:

The properties to the north are zoned SF-3, Single-Family Dwelling District, in part, and LI, Light Industrial District, in part, and are the locations of a Public School, Police Station (DEA Office), and a vacant lot. Additionally, there are properties to the north which are located in the ETJ, Extraterritorial Jurisdiction. One of which is the location of a Manufactured Home. The rest are vacant lots. The properties to the east are zoned C, Commercial District and are the locations of a Community Center, Religious Use (Church), Private Garage, and a Contractor's Storage Yard. The properties to the south are zoned C, SF-3, TH, Townhouse Dwelling District, in part, and PD, Planned District for Housing Development (9093) and are the locations of a Vacation Travel Trailer Park, Single-Family Dwellings, and Vacant Lots. The properties to the west are zoned SF-3 and are the locations of Single-Family (Detached) Dwellings.

Discussion:

The subject area is currently experiencing development challenges due to zoning that does not align with existing or intended land uses. While most of the properties are developed—or are platted—for single-family residential use, the prevailing zoning classifications (primarily MF-22 and C) do not permit single-family detached dwellings. As a result, property owners must pursue individual rezoning requests to build homes, creating delays and increasing development costs.

To address this issue and facilitate residential development, the City Council has directed staff to propose a zoning solution that aligns with the area's existing character and future land use vision. Rather than rezoning the area to SF-3, which would create nonconforming lots due to minimum lot dimension requirements, staff is proposing the establishment of Residential Overlay District 1 (ROD-1).

ROD-1 will retain the existing zoning but will overlay new provisions that allow development in accordance with the SF-3 (Single-Family Dwelling District) standards. Notably, it will allow for the use of single-family detached dwellings and it will reduce the minimum lot width to 50 feet for lots developed under the SF-3 standards, accommodating existing lot sizes and preventing the creation of nonconformities. Importantly, the overlay will not render any existing legal nonconformities illegal.

The proposed ordinance is consistent with the Tall City Tomorrow Comprehensive Plan, which designates the area as Urban Medium (U-M). This land use category supports a mix of housing types and complementary uses, such as schools, parks, churches, and commercial

development, along with walkable and well-connected neighborhood design.

Letters of Objection:

Staff has not received any letters of objection as of October 2, 2025.

Attachments:

A. ORDINANCE - Add 11-1b - Residential Overlay District No. 1 FINAL Ord
B. ROD 1 Location
C. ROD 1 Zoning

Landon Ochoa, Development Services	Created/Initiated - 10/2/2025
Landon Ochoa, Development Services	Approved - 10/2/2025
Elizabeth Triggs, Development Services	Approved - 10/3/2025
Linda Ochoa, Legal	Approved - 10/5/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Jan Hamilton, City Secretary	Final Approval - 10/7/2025

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE XI, "PLANNING AND DEVELOPMENT" OF THE CITY CODE OF MIDLAND, TEXAS, BY ADDING CHAPTER 1B, "RESIDENTIAL OVERLAY DISTRICT NUMBER 1" SO AS TO ESTABLISH AN OVERLAY ZONING DISTRICT THAT SHALL APPLY TO AN APPROXIMATE 100.84-ACRE AREA OF SECTION 36, BLOCK 39, TOWNSHIP 1 SOUTH, TEXAS AND PACIFIC RAILWAY COMPANY SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED SOUTH OF EAST INDIANA AVENUE, EAST OF THE ALLEY IMMEDIATELY EAST OF SOUTH LINCOLN STREET, NORTH OF THE ALLEY IMMEDIATELY NORTH OF CLOVERDALE ROAD, AND WEST OF SOUTH FAIRGROUNDS ROAD); AUTHORIZING LAND LOCATED WITHIN SAID OVERLAY ZONING DISTRICT TO BE DEVELOPED IN ACCORDANCE WITH THE REGULATIONS OF THE SF-3, SINGLE-FAMILY DWELLING DISTRICT; ESTABLISHING PROVISIONS RELATED TO LAND USE AND DEVELOPMENT WITHIN SAID OVERLAY ZONING DISTRICT; AMENDING THE ZONING MAP; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ESTABLISHING AN EFFECTIVE DATE OF NOVEMBER 1, 2025; AND ORDERING PUBLICATION

WHEREAS, the City Council finds it to be in the public interest to approve and adopt an amendment to Title XI, "Planning and Development" of the City Code of the City of Midland, Texas, by adding Chapter 1b, "Residential Overlay District Number 1" so as to establish an overlay zoning district and provisions related to land use and development within said overlay zoning district and to amend the Zoning Map; and

WHEREAS, the City Council finds that the zoning regulations contained in Chapter 1b are in accordance with the City's comprehensive plan and have been designed to:

A. lessen congestion in the streets;

B. secure safety from fire, panic, and other dangers;

C. promote health and the general welfare;

D. provide adequate light and air;

E. prevent the overcrowding of land;

F. avoid undue concentration of population; and

G. facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements; and

WHEREAS, the City Council finds that the zoning regulations contained in Chapter 1b were made with reasonable consideration, among other things, for the character of each zoning district therein and its peculiar suitability for particular uses, with a view of conserving the value of buildings and encouraging the most appropriate use of land in the City; and

WHEREAS, the overlay zoning district to be established by this ordinance (1) will have the effect of allowing more residential development than allowed without the overlay zoning district and (2) includes an area along a major roadway, highway, or transit corridor, and, thus, this ordinance constitutes a proposed comprehensive zoning change; and

WHEREAS, the City Council finds that all required notices for this proposed comprehensive zoning change have been given in accordance with applicable laws, and all procedural requirements necessary for the adoption of the ordinance have been complied with and satisfied; and

WHEREAS, after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the City Council finds that the public health, safety, and general welfare will be best served by amending Title XI, "Planning and Development" of the City Code of the City of Midland, Texas, as described in this ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That Title XI, "Planning and Development" of the City Code of the City of Midland, Texas, is hereby amended by adding Chapter 1b, "Residential Overlay District Number 1" to read in its entirety as follows:

11-1b-1 - Purpose.

The purpose of Residential Overlay District Number 1 is to facilitate residential development in areas that lack residential zoning districts but contain lots that are otherwise appropriate for residential development.

11-1b-2 - Application.

This Chapter applies only to property located within Residential Overlay District Number 1.

11-1b-3 - Definitions.

A. The words and terms used in this Chapter and in the application of this Chapter shall have the same meanings given those words and terms in Chapter 1 of this Title, as amended.

B. *OPRMCT* means the Official Public Records of Midland County, Texas.

C. *PRMCT* means the Plat Records of Midland County, Texas.

11-1b-4 - Description of district.

Residential Overlay District Number 1 means an approximate 100.84-acre area consisting of the following-described tracts of land, and being as shown in Figure 11-1b-4.1:

all of Lots 1-6, Block 3, all of Block 4, Lots 1-6 and Lots 9-12, Block 5, and all of Block 6, Greenwood Addition First Section, as recorded in Cabinet C, Page 124, of the Plat Records of Midland County, Texas (the "PRMCT");

all of Lot 7A, Block 5, Greenwood Addition Section 14 as recorded in Cabinet M, Page 98 of the PRMCT;

all of Blocks 7 and 8, and Lots 7-12, Block 9, Greenwood Addition Second Section, as recorded in Cabinet 125, Page 594 of the PRMCT;

Lots 7-12, Block 10, all of Blocks 11-14, Lots 1-4 and 7-12, Block 15, Lots 1-6, Block 16, Lots 1-6, Block 20, Lots 3-12, Block 21, Lots 1-11, Block 22, all of Blocks 23-25, Lots 7-12, Block 26, Lots 5-8, Block 27, Lots 1-7 and Lot 10, Block 28, all of Blocks 29-32, Lots 1-6, Block 33, Lots 1-8, Block 36, all of Blocks 37-40, Lots 2-9, Block 41, Lots 2 and 3, Block 42, Lots 1-13, Block 43, and Lots 1-13, Block 44, Greenwood Addition Third, Fourth, and Fifth Sections, as recorded in Cabinet B, Page 56 of the PRMCT;

all of Lot 5A, Block 15, Correction Plat of Greenwood Addition Section 9, as recorded in Cabinet E, Page 319 of the PRMCT;

all of Lot 1A, Block 21, Greenwood Addition Section 13, as recorded in Cabinet H, Page 300 of the PRMCT;

all of Lot 12A, Block 22, Greenwood Addition Section 10, as recorded in Cabinet H, Page 242 of the PRMCT;

all of Lot 8A, Block 28, Greenwood Addition Section 12, as recorded in Cabinet H, Page 299 of the PRMCT;

all of Lot 1 and Lots 8-13, Block 42, of the Replat of Greenwood Addition, as recorded in Cabinet B, Page 55 of the PRMCT;

a called 0.140-acre tract of land as conveyed in Document Number1993-3702 of the OPRMCT, and having an address of 2401 East California Avenue;

all of that called tract of land conveyed in Document Number 1959-11061 of the OPRMCT, and having an address of 2403 East California Avenue;

a called 0.14-acre tract of land as conveyed in a Sheriff's Deed in Document Number 1998-20611 of the OPRMCT and being further described in Document Number 1962-2124 of the OPRMCT, and having an address of 2407 East California Avenue;

a called 0.14-acre tract of land known as "Tract 5" as conveyed in Document Number 1958-740 and a called 0.14-acre tract of land known as "Tract 6" as conveyed in Document Number 2005-18978 of the OPRMCT, both tracts having an address of 2409 East California Avenue;

a called 0.14-acre tract of land as conveyed in Document Number 1959-2958 of the OPRMCT, and having an address of 2411 East California Avenue;

a called 0.14-acre tract of land as conveyed in Document Number 2005-23999 and more particularly described in Volume 448, Pg. 447 of the OPRMCT, and having an address of 2413 East California Avenue;

a called 0.14-acre tract of land as conveyed in Document Number 2019-6525 of the OPRMCT, and having an address of 2415 East California Avenue;

a called 0.425-acre tract of land as conveyed in Document Number 2022-16385 of the OPRMCT, and having an address of 2419 East California Avenue;

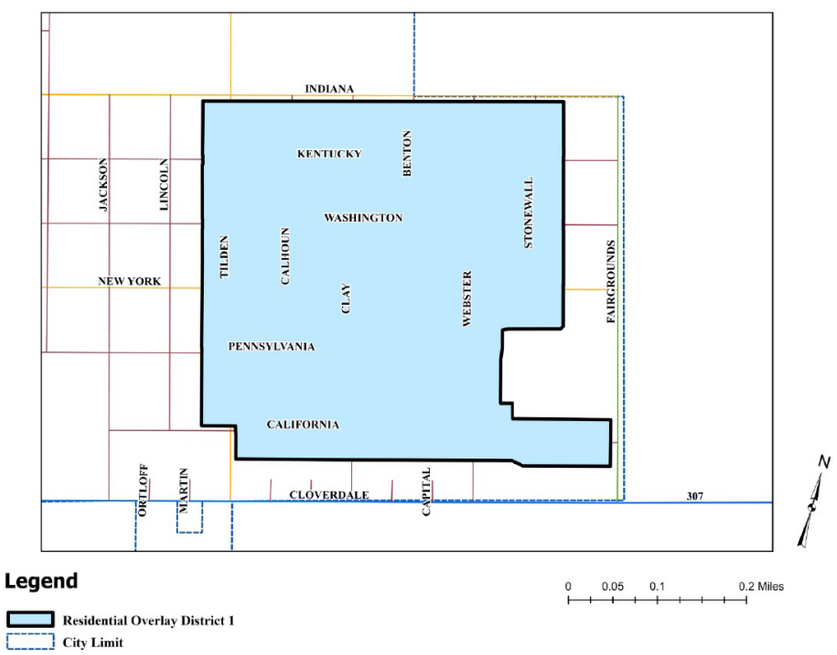
a called 0.129-acre tract of land as conveyed in Document Number 2024-23004 of the OPRMCT, and having an address of 2412 East California Avenue;

a called 100 feet by 110 feet tract of land as conveyed in Document Number 1998-10587 of the OPRMCT, and having an address of 2414 East California Avenue; and

a called 0.29-acre tract of land as conveyed in a Quitclaim Deed in Document Number 2005-6777 of the OPRMCT, and having an address of 800 South Fairgrounds Road;

all being out of Section 36, Block 39, Township 1 South, Texas and Pacific Railway Company Survey, City and County of Midland, Texas.

Figure 11-1b-4.1



11-1b-5 - Compliance with the Zoning Ordinance required.

Except as expressly provided in this Chapter, property shall be developed and used in accordance with the regulations of Chapter 1 of this Title that are applicable to the zoning district in which the property is located as shown on the Zoning Map.

11-1b-6 - Permitted uses; residential lot width; nonconformities.

A. In addition to the uses that are permitted in a property's zoning district in accordance with Chapter 1 of this Title, property may be developed and used in accordance with the regulations of the SF-3, Single-Family Dwelling District.

B. A lot that is developed and used in accordance with the regulations of the SF-3, Single-Family Dwelling District shall have a minimum lot width of 50 feet.

C. This Chapter shall not have the effect of deeming legal nonconformities under Chapter 1 of this Title as illegal nonconformities.

11-1b-7 - Offense and penalty.

Any person, firm, corporation, or other entity who violates, disobeys, or otherwise fails to comply with or who resists the enforcement of any of the provisions of this Chapter shall be guilty of a misdemeanor and shall be fined not more than $2,000.00 for each violation. Each day that a violation exists shall constitute a separate and distinct offense.

SECTION TWO. That the Zoning Map is hereby amended in accordance with Section One of this Ordinance.

SECTION THREE. That the provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. That the penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code

of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. That this ordinance shall become effective on November 1, 2025.

SECTION SEVEN. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2025; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2025, at a regular meeting of the City Council:

Council members voting "AYE":

Council members voting "NAY":

PASSED AND APPROVED THIS _____ day of _____, A.D., 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

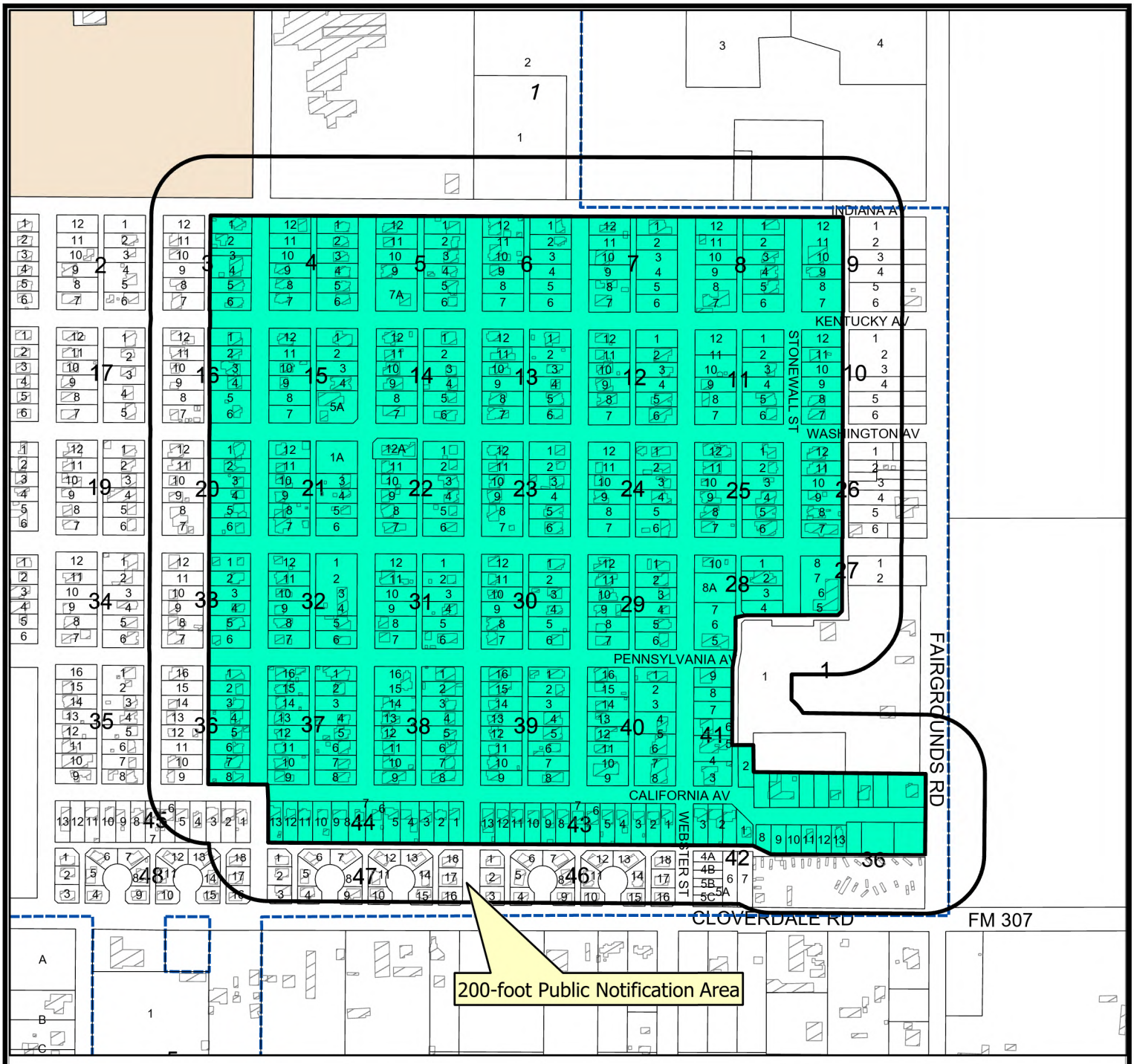
_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney



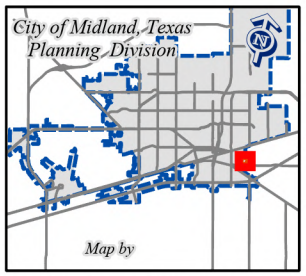
Location Map

District Overlay **Scale: 1" = 482'**

An ordinance amending Title XI, "Planning and Development" by
adding Chapter 1B, "Residential Overlay District Number 1" establishing an overlay zoning district and provisions related to land use and development within said overlay zoning district and to amend the zoning map accordingly.

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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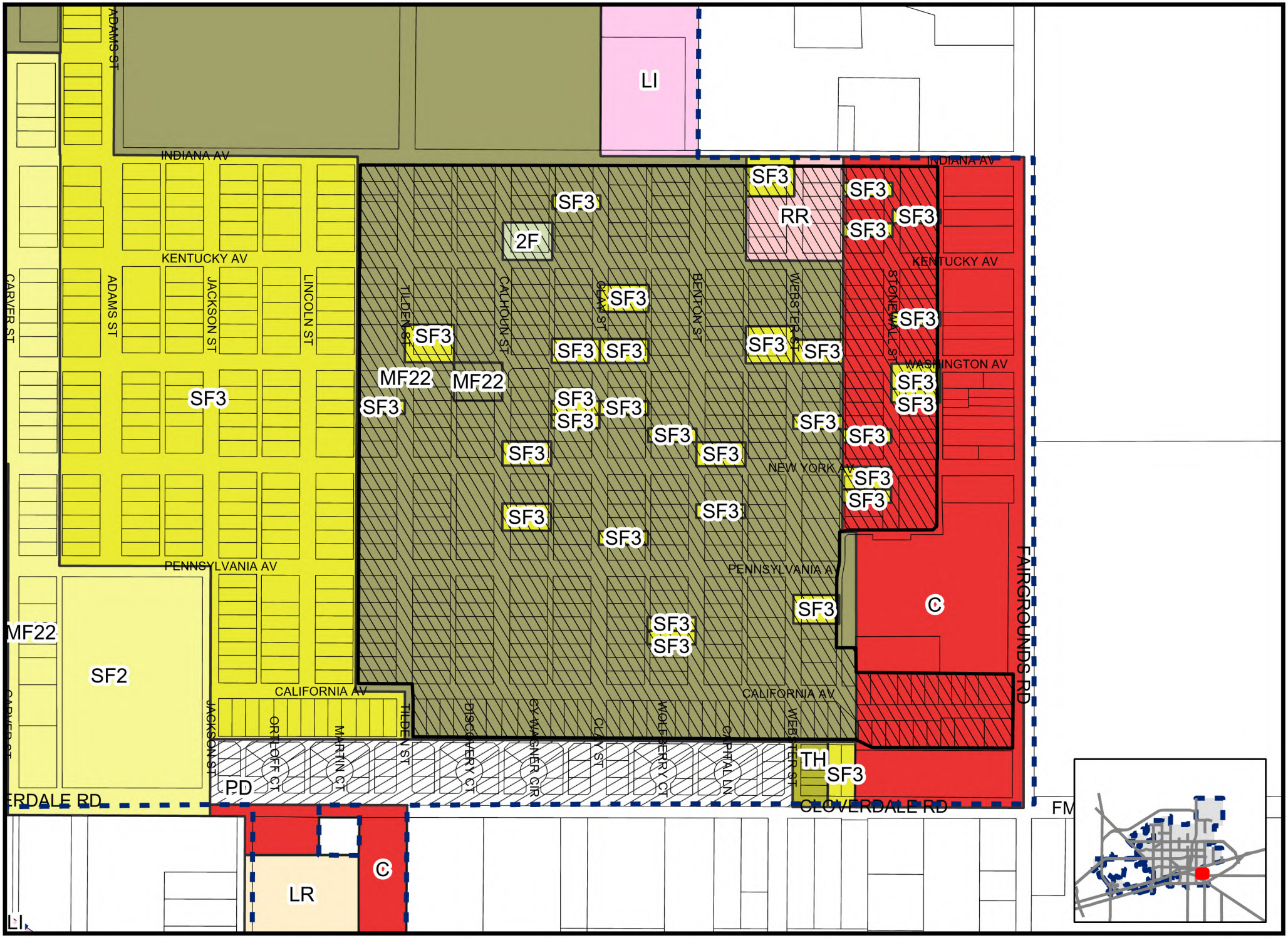
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Created 7/16/2025

District Overlay

Scale: 1" = 600'

ZONING MAP

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City Council Meeting

Item Number: 26.
Meeting Date: October 14, 2025
To: City Council
From: Landon Ochoa, Planning Division Manager
Subject: AN ORDINANCE AMENDING TITLE XI, "PLANNING AND DEVELOPMENT", CHAPTER 2, "PLATS AND SUBDIVISIONS" OF THE CITY CODE OF MIDLAND, TEXAS, SO AS TO (1) REVISE VARIOUS DEFINITIONS, (2) REMOVE THE SKETCH PLAT REQUIREMENT, (3) AUTHORIZE THE ESTABLISHMENT OF A PLAT APPLICATION SUBMITTAL CALENDAR, (4) REVISE THE APPROVAL PROCEDURE FOR CERTAIN RESIDENTIAL REPLATS, AND (5) AUTHORIZE CERTAIN CITY EMPLOYEES TO EXERCISE THE PLANNING AND ZONING COMMISSION'S PLAT APPROVAL AUTHORITY AND CERTAIN RELATED RESPONSIBILITIES, SUBJECT TO CERTAIN EXCEPTIONS; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; ESTABLISHING AN EFFECTIVE DATE OF NOVEMBER 1, 2025; AND ORDERING PUBLICATION

Purpose:
The purpose of this ordinance is to amend Title XI, "Planning and Development," Chapter 2, "Plats and Subdivisions" of the City Code to streamline the subdivision process, shorten entitlement timelines, and make development more predictable for applicants. Key changes include eliminating the sketch plat requirement, establishing a plat application submittal calendar, revising replat procedures, and delegating certain plat approvals to City staff. These revisions simplify the process for developers while ensuring infrastructure, safety, and planning standards are upheld.

Recommended Action:
Approve

Fiscal Impact:
The ordinance has no direct fiscal impact to the City. By eliminating redundant review steps and reducing staff workload, the amendments may create indirect efficiencies that allow City resources to be used more effectively.

Strategic Priority:
STRONG ECONOMY WITH MORE QUALITY JOBS

Discussion:

This ordinance supports **Goal 1 of the City of Midland's Strategic Plan: A Strong Economy**

by aligning the development review process with the City's commitment to improving *speed to market*. The current sketch plat requirement adds significant time and workload for both applicants and staff. Over the past two years, the Planning Division processed approximately 219 sketch plats. On average, it took 63 days—about two months—for applicants to move from sketch plat to preliminary plat. Eliminating this requirement will shorten entitlement timelines, reduce redundant review, and eliminate nearly 200 unnecessary plats that staff would otherwise have to process, review, and report on.

By removing the sketch plat step, applicants can move directly to the preliminary plat stage while still preserving opportunities for staff to review project details and ensure compliance with infrastructure and safety standards. Combined with the establishment of a submittal calendar, revised replat procedures, and the delegation of routine approvals to staff, these changes will provide a faster, more predictable process for developers and allow staff to better manage workloads.

Streamlining the subdivision process strengthens Midland's competitive position by reducing delays that discourage investment, enhancing customer service, and making the development experience more efficient and business-friendly. At the same time, the ordinance maintains public protections by requiring compliance with state law, infrastructure requirements, and appropriate public hearings. Together, these amendments advance the City's efforts to shorten entitlement timelines, improve predictability, and foster a strong economy through timely and well-managed growth.

Attachments:

A. ORDINANCE - Amend 11-2 FINAL Ord

Landon Ochoa, Development Services	Created/Initiated - 10/3/2025
Landon Ochoa, Development Services	Approved - 10/3/2025
Elizabeth Triggs, Development Services	Approved - 10/3/2025
Linda Ochoa, Legal	Approved - 10/5/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Jan Hamilton, City Secretary	Final Approval - 10/7/2025

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE XI, "PLANNING AND DEVELOPMENT", CHAPTER 2, "PLATS AND SUBDIVISIONS" OF THE CITY CODE OF MIDLAND, TEXAS, SO AS TO (1) REVISE VARIOUS DEFINITIONS, (2) REMOVE THE SKETCH PLAT REQUIREMENT, (3) AUTHORIZE THE ESTABLISHMENT OF A PLAT APPLICATION SUBMITTAL CALENDAR, (4) REVISE THE APPROVAL PROCEDURE FOR CERTAIN RESIDENTIAL REPLATS, AND (5) AUTHORIZE CERTAIN CITY EMPLOYEES TO EXERCISE THE PLANNING AND ZONING COMMISSION'S PLAT APPROVAL AUTHORITY AND CERTAIN RELATED RESPONSIBILITIES, SUBJECT TO CERTAIN EXCEPTIONS; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; ESTABLISHING AN EFFECTIVE DATE OF NOVEMBER 1, 2025; AND ORDERING PUBLICATION

WHEREAS, Chapter 212, Local Government Code, governs a city's authority to regulate plats and subdivisions of land; and

WHEREAS, the City Council finds it to be in the public interest to revise various definitions used in Title XI, "Planning and Development", Chapter 2, "Plats and Subdivisions" of the City Code (the "Subdivision Regulations"); and

WHEREAS, the City Council finds it to be in the public interest to remove the sketch plat requirement from the Subdivision Regulations; and

WHEREAS, the notice requirements of the Texas Open Meetings Act can give rise to timing difficulties when complying with the requirements of Subchapter A, Chapter 212, Local Government Code; and

WHEREAS, Section 212.0015, Local Government Code, provides that "[Subchapter A, Chapter 212, Local Government Code] may not be construed to restrict a municipality from establishing a submittal calendar to be used by an applicant to facilitate compliance with the approval process described by Sections 212.009, 212.0091, 212.0093, and 212.0095"; and

WHEREAS, the City Council finds it to be in the public interest to authorize the establishment of a plat application submittal calendar in the Subdivision Regulations; and

WHEREAS, the City Council finds it to be in the public interest to revise the approval procedure for certain residential replats and to conform the procedure to that in Chapter 212, Local Government Code; and

WHEREAS, Chapter 212, Local Government Code, authorizes the governing body of a municipality to delegate plat approval authority and related responsibilities to one or more employees of the municipality; and

WHEREAS, the City Council finds it to be in the public interest to delegate plat approval authority and related responsibilities to certain City employees; and

WHEREAS, the City Council finds it to be in the public interest to amend Title XI, "Planning and Development", Chapter 2, "Plats and Subdivisions" of the City Code of Midland, Texas, so as to (1) revise various definitions, (2) remove the sketch plat requirement, (3) authorize the establishment of a plat application submittal calendar, (4) revise the approval procedure for certain residential replats, and (5) authorize certain city employees to exercise the planning and zoning commission's plat approval authority and certain related responsibilities, subject to certain exceptions; and

WHEREAS, on October 14, 2025, the City Council held a public hearing on the revisions and additions contained in this ordinance; and

WHEREAS, the City Council finds that notice of the public hearing was published at least once in the official newspaper of the City not later than seven days prior to the date of the public hearing, and said notice set forth the time, date and place of the public hearing;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the recitals of this ordinance are hereby approved, adopted, and fully incorporated herein by reference.

SECTION TWO. That Title XI, "Planning and Development", Chapter 2, "Plats and Subdivisions", Section 1, "General provisions", Subsection (D), "Authority" of the City Code of Midland, Texas, is hereby amended to read in its entirety as follows:

(D) Authority. In addition to its other responsibilities, the commission is vested with the authority to review, approve, conditionally approve, or disapprove plats and vacations of plats; provided, however, (1) that to the extent that a provision of this

Chapter requires the Council to approve, conditionally approve, or disapprove a plat, the commission is not authorized to exercise the Council's authority, and (2) that to the extent that a provision of this Chapter authorizes the director to approve, conditionally approve, or disapprove a plat and the director exercises such authority, the commission is not authorized to exercise its authority as to such plat except to the extent that a decision of the director is appealed to the commission as provided in this Chapter.

SECTION THREE. That Title XI, "Planning and Development", Chapter 2, "Plats and Subdivisions", Section 1, "General provisions", Subsection (G), "Units of measure" of the City Code of Midland, Texas, is hereby amended to read in its entirety as follows:

(G) Units of measure. All units of measurement contained herein are expressed in SI (or metric system) units, followed by the U.S. customary (or English) system units in parentheses. The measurements generally will not be equivalent because of rounding of SI units. All subdivision plats shall show all units of measure either in SI units or in U.S. customary system units until January 1, 2000. Where measurements are in other than SI units, wherever practical, it is encouraged that SI units of measure follow in parentheses. Effective January 1, 2000, only SI units of measure shall be used. Unless required otherwise by other applicable regulations, until January 1, 2000, the developer may elect as primary units of measurement for a subdivision plat and for all subdivision improvements either SI or U.S. customary units, regardless of which measurement unit contained herein or in other applicable codes or public improvements standards is the more restrictive, but must conform to the minimum requirements specified in one of the systems of measurement exclusively for each subdivision. A developer shall not mix measurement systems with respect to compliance with minimum requirements. Where required for federal or state government participation in public improvements, the City may require that the SI system of measurement be used for all units of measurement. Where an extension of an existing right-of-way or easement would be a lesser width than the existing, the plat shall dedicate a suitable transition from the greater to the lesser width.

SECTION FOUR. That Title XI, "Planning and Development", Chapter 2, "Plats and Subdivisions", Section 2, "Definitions", Subsection (B), "Words and terms defined" of the City Code of Midland, Texas, is hereby amended to read in its entirety as follows:

(B) Words and terms defined. As used in this Chapter, the following words and terms shall have the accompanying definitions:

1. *Abandonment.* Release of the interest in easements or right-of-way by all parties with rights to said easement or right-of-way.

2. *Alley.* A public or private way primarily designed to serve as a secondary means of access to the side or rear of those properties whose principal frontage is on some other street or on some other space intended in place of direct street frontage. "Alley" means public alley unless otherwise specified.

3. *Amended plat.* A revised plat correcting errors or making minor changes to the original recorded final plat.

4. *Amenity.* An improvement providing an aesthetic, recreational or other benefit.

5. *Approach road.* An off-site access road required by these regulations as a minimum condition of development approval.

6. *Base flood elevation.* The maximum water elevation of a flood having a one percent chance of being equaled or exceeded in any given year. The base flood shall be determined by using a fully developed watershed and the City's storm drainage design manual criteria for a 100-year storm.

7. *Block.* A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or boundary lines of municipalities.

8. *Bond.* Any form of a surety bond executed by a surety company authorized to do business in the State of Texas in an amount and form satisfactory to the City.

9. *Capital improvements program.* An adopted schedule of future capital improvement projects together with cost estimates.

10. *City.* The City of Midland, Texas.

11. *City engineer.* The city official with responsibility to review and release plans for construction projects or such official's designee.

12. *Commission.* The city planning and zoning commission for the City of Midland.

13. *Comprehensive plan.* A plan for development of the City prepared and adopted by the Council, and including any part of such plan separately adopted and any amendment to such plan, or parts thereof.

14. *Contiguous.* Lots are contiguous when at least one boundary line of one lot touches a boundary line or lines of another lot.

15. *Council.* The City Council of the City of Midland, Texas.

16. *County.* Midland, Martin or Ector County, depending on whether a proposed subdivision or addition, or part thereof, is located in such county.

17. *Dedication plat.* A plat prepared for the purpose of dedicating land or easements for rights-of-way for public use.

18. *Detention basin.* A manmade or natural water collector facility designed to collect surface and subsurface water in order to impede its flow and to release the same gradually at a rate not greater than that prior to the development of the property, into natural or manmade outlets.

19. *Developer or subdivider.* Any person, business, corporation, association or other legal entity who (1) having legal title to or sufficient proprietary or other interest in the land comprising the subdivision causes it, directly or indirectly, to be divided into a subdivision, or who (2) directly or indirectly sells, leases, or develops, or offers to sell, lease, or develop, or advertises to sell, lease, or develop, any interest, lot, parcel, site, unit, or plat in a subdivision or addition, or who (3) engages directly or through an agent in the business of selling, leasing, developing, or offering for sale, lease, or development a subdivision or addition or any interest, lot, parcel, site, unit or plat in a subdivision or addition, and who (4) is directly or indirectly controlled by, or under direct or indirect common control with, any of the foregoing. The term "developer" includes the term "subdivider" and the term "property owner."

20. *Development.* Any manmade change to improved or unimproved real estate, including but not limited to the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure, paving, drainage or utilities; mining, excavation, landfill or land disturbance; and any use or extension of the use of land.

21. *Development contract or agreement for public works construction (development agreement).* A contract entered into by the developer and the City by which the developer promises to complete the required public improvements within the subdivision within a specified time period following final plat approval.

22. *Development exaction.* Any dedication of land or easements for, construction of, or contribution toward construction of a public improvement required as a condition of plat approval by the City under these regulations.

23. *Director.* The City's Planning and Development Officer or the Planning and Development Officer's designee; provided, however, that in the absence of a Planning and Development Officer, the "director" shall be the City employee who is responsible for supervising the City's Development Services Department or such employee's designee.

24. *Divided street.* A street having an island, median or other barrier separating moving lanes.

25. *Drainage.* The removal of surface water or groundwater from land by drains, grading or other means.

26. *Drainage system.* The system through which water flows from the land, including all watercourses, water bodies and wetlands.

27. *Drainageway.* All land areas needed to allow passage of the base flood, including sufficient access above the base flood elevation along each side of and parallel to the natural or excavated channel.

28. *Driveway.* An area improved for ingress or egress of vehicles, and allowing access from a street to a building or other structure or facility.

29. *Easement.* The right of a person, government agency, or public utility company to use public or private land owned by another for specific purpose.

30. *Extraterritorial jurisdiction (ETJ).* The unincorporated area that is contiguous to the corporate boundaries of the City as defined in V.T.C.A., Local Government Code ch. 42, as amended, except as set forth in such agreements that may be entered between the City and any other governmental entity whose ETJ would overlap the City's ETJ.

31. *Filing of application for final plat.* Submission by the property owner of a plat which has received all preliminary approvals prescribed by these regulations, conforms to all conditions imposed pursuant to such preliminary approvals and which meets submittal requirements for a final plat as prescribed by this Chapter.

32. *Final plat.* The map of a subdivision or addition to be recorded after approval by the commission and any accompanying material and additional requirements as described in this Chapter.

33. *Fire lane.* A dedicated, privately maintained drive, constructed to city standards, providing an unobstructed means of access for fire department apparatus.

34. *Floodplain.* Any land area susceptible to being inundated by water from the base flood.

35. *Floodway.* The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood as defined in Section 11-3-1 without cumulatively increasing the base flood elevation more than a designated height.

36. *Frontage.* That side of a lot abutting a public or private street.

37. *Global Positioning System (GPS).* A system which utilizes satellites to determine relative location of a point on the earth's surface with highly accurate reference coordinates.

38. *Grade.* The degree of rise or descent of a sloping surface, such as a street, parkway or berm, usually expressed in percentage terms.

39. *Island.* In street design, a raised area, usually curbed, placed to guide traffic and separate lanes, or used for landscaping, signing, or lighting.

40. *Lake area.* Any natural or manmade stormwater lake area or playa in the City or within the jurisdiction of this Chapter, the perimeter of which may be or has been established and shown on maps maintained by the City engineer, and is substantially the estimated high-water level for the lake.

41. *Loop street.* A street whose only connections to another street are at two points on that street; usually a collector or local street.

42. *Lot or parcel.* A tract, plot or portion of a subdivision, addition or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or possession or for building or development.

43. *Lot area.* The total horizontal area within the lot lines of a lot.

44. *Lot line.* The line dividing one lot from another lot or from a street, alley, right-of-way, public place or common use area.

45. *Lot of record.* A parcel of land which is designated as a separate and distinct lot or tract on a duly approved subdivision plat, which has been recorded in the office of the county clerk of the appropriate county.

46. *Main.* In any system of continuous piping, the principal artery of the system to which branches may be connected.

47. *Median.* That portion of a divided roadway separating lanes of traffic proceeding in opposite directions.

48. *Minor plat.* A proposed plat with no more than four contiguous lots, with said lot or lots fronting on an existing street, and not requiring the creation of any new street or any public improvements.

49. *Mutual access easement.* An officially approved, privately maintained drive, open to unrestricted and irrevocable access to two or more lots.

50. *Open space.* Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

51. *Oversize main.* A water or wastewater main required to interconnect property being developed with the City's water or wastewater system, which is a larger size than a 20 centimeter (8 inches) water main or a 25 centimeter (10 inches) wastewater main.

52. *Park.* An area conveyed or otherwise dedicated to a municipality, municipal agency, board of education, state or county agency, or other public body for recreational or conservational uses.

53. *Parkway.* The area of a street within the dedicated right-of-way located between the boundary of the right-of-way and the street pavement, normally reserved for the placement of utilities, sidewalks and landscaping.

54. *Performance bond and/or surety bond.* A financial guarantee to ensure that all improvements, facilities or work required by this Chapter will be completed in compliance with the ordinance, regulations and approved plans and specifications of a development.

55. *Perimeter street.* Any existing or planned street which abuts the subdivision or addition to be platted.

56. *Plat.* The plan or map for a subdivision or addition, including a preliminary plat, final plat, replat, or any other type of plat described in this Chapter.

57. *Platting.* The act of preparing for approval and processing, pursuant to this Chapter, the plan or map for the subdivision or addition to be filed for record in the county where such subdivision or addition is located.

58. *Pre-application conference.* An initial meeting between developers and city representatives which affords developers the opportunity to present their proposals informally.

59. *Preliminary plat.* The preliminary drawing or drawings, described in these regulations, indicating the proposed manner or layout of the subdivision or addition to be submitted to the director for approval as specified herein.

60. *Private street.* A vehicle accessway which provides access to one or more lots, in place of a public street, but not dedicated to the public use.

61. *Property owner.* Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land comprising the subdivision or addition, or any representative or agent thereof, who has express written authority to act on behalf of such owner. The term includes developer.

62. *Property owners' association.* A private, nonprofit corporation of owners and/or residents of a fixed area formed for the purpose of owning, operating and maintaining various common properties or facilities.

63. *Pro rata.* A charge against a developer requesting to connect to existing water or sanitary sewer lines, said charge serving as reimbursement to the original installer of the line.

64. *Public improvement.* Any drainageway, roadway, parkway, sidewalk, utility, pedestrian way, off-street parking area, lot improvement, open space, or other facility for which the City or other governmental entity will ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established or that affects the health, safety or welfare of the general public.

65. *Public improvement plans.* The plans showing the specific location and design of public improvements to be installed in the proposed subdivision or addition in accordance with the requirements of the commission as a condition of the approval of the plat. These plans, as determined by the City engineer, may include, but are not limited to, grading plan, dimensional control plan, paving plan/profile, drainage area map, drainage plan/profile, water and sewer plan/profile, lift station plan, special details, hydrologic studies and other plans.

66. *Remainder.* The residual land left after platting of a portion of a tract or the residual of a lot, a portion of which has been replatted.

67. *Registered surveyor.* A registered professional land surveyor as authorized by state statutes to certify land surveys in the State of Texas.

68. *Replatting.* Any change in a map of an approved or recorded plat, except as permitted as an amended plat, that affects any street layout on the map or area reserved or dedicated thereon for public use or any lot line, or that affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions or additions. Replatting includes the combination of lots into a single lot for purposes of development.

69. *Reserve strip.* A strip along a plat boundary, reserved with the purpose of preventing access to an element of the subdivision, usually a street, alley, easement, or other public facility.

70. *Retaining wall.* A structure erected between lands of different elevation to protect structures and/or prevent the washing down or erosion of earth from the upper slope level.

71. *Retention basin.* A pond, pool, or basin used for permanent storage of water runoff.

72. *Right-of-way.* A parcel of land occupied or intended to be occupied by a street or alley, and, where appropriate, other facilities and utilities including sidewalks, railroad crossings, electrical, communication, oil or gas, water or sanitary or storm sewer facilities, or for any other special use. The use of right-of-way shall also include parkways and medians outside of pavement. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels.

73. *Security.* The bond, letter of credit or cash escrow provided by the applicant to secure its promises in the improvement agreement.

74. *Sewer.* Any pipe conduit used to collect and carry away sewage or stormwater runoff from the generating source to treatment plants, receiving streams, or retention basins, either constructed or natural.

75. *Sight triangle.* A triangular-shaped portion of land established at intersecting streets, highways, alleys and driveways in which nothing may be erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection, as required by the City Code.

76. *Site plan.* A plan of a specific parcel of land, prepared to scale, showing accurately all buildings, existing or proposed, in relation to the platted parcel of land, and containing proposed floor area and coverage area for each structure and all impervious surface areas, to be used in determining compliance with the requirements of this ordinance, along with other essential site elements such as parking facilities necessary to comply with the minimum requirements of the proposed use, locations of all buildings and structures, means of access, and areas to be landscaped, together with any other requirements of the zoning code or other valid ordinances of the City.

77. *Reserved*.

78. *Street.* A public right-of-way used, or intended to be used, for passage or travel by motor vehicles and classified as follows:

    (a) *Arterial street,* including such terms as "freeway" or "expressway," is a street of considerable continuity which is intended to function primarily as a main traffic artery for travel of high volumes of vehicles through and among large areas of the City, at speeds consistent with safety and efficiency of such travel and with minimum delay, including any street so designated on the major thoroughfare plan.

    (b) *Collector street* is a street which carries traffic from minor streets to arterial streets, including the principal entrance streets of a residential development.

    (c) *Local street* is a street used primarily for access to the abutting properties. A cul-de-sac or dead-end street is a local street with only one outlet.

    (d) *Marginal access street* is a minor street which is parallel and adjacent to an arterial street and which provides access to abutting properties and protection from through traffic.

    (e) *Commercial or industrial street* is a street intended primarily to serve traffic within an area of commercial or industrial development or proposed development.

79. *Street hierarchy.* The conceptual arrangement of streets based upon function. A hierarchical approach to street design classifies streets according to function from heavy-traffic roads down to streets whose function is residential access.

80. *Subdivision.* The division of any tract or parcel of land into two or more lots for the purpose, whether immediate or future, of offer, sale, or lease or for the purpose of development or transfer of ownership. Subdivision includes the division or development of residentially and nonresidentially zoned land, whether by deed, metes and bounds description, devise, intestacy, lease, map, plat or other recorded instrument. Subdivision also includes resubdivision. Subdivision also refers to the land to be so divided, as the context may indicate, and includes the term "addition."

81. *Substandard street.* An existing street or highway that is not constructed to the ultimate standards for the type of roadway as designated in the major

thoroughfare plan or does not meet other minimum specifications in the major thoroughfare plan or the City's minimum standards and specifications, or, if a state highway, does not meet the minimum standard specifications of the Texas Department of Transportation.

82. *Survey control monument, official city (city survey control monument).* A permanent monument, established by or accepted by the City engineer as an official city survey monument, and marking a point on the City of Midland Control Network (CMCN). A record of all such monuments is maintained in the office of the City engineer.

83. *Temporary improvement.* Improvements built and maintained by an owner during construction of the development of the subdivision or addition and prior to release of the performance bond or improvements security and required for the short-term use of the property.

SECTION FIVE. That Title XI, "Planning and Development", Chapter 2, "Plats and Subdivisions", Section 3, "Platting procedures" of the City Code of Midland, Texas, is hereby amended to read in its entirety as follows:

11-2-3. Platting procedures.

(A) General.

1. General application requirements for all plats. The following requirements shall be met in the submittal of an application for review or approval of a plat or a plat vacation, except as specified herein:

   (a) Title block in the lower righthand corner of each plat which indicates:

      (1) The proposed subdivision name.

      (2) The owner's name, address and phone number.

      (3) The name and address of the individual or firm preparing the plat.

      (4) The name of a contact person with address and phone number, except for final plats.

   (b) A locator map.

   (c) North direction clearly indicated to the top or right of the drawing, theta angle for the permanent survey monument on the plat boundary nearest the City survey control monument, graphic scale, and last revision date.

   (d) Names of adjacent subdivisions or additions or the names of record owners of adjoining parcels of unplatted land.

2. Fees, application forms and procedures.

   (a) The Council shall establish a schedule of fees as it determines appropriate to recoup costs related to the administration of this Chapter.

(b) The director shall establish procedures, forms and standards with regard to the content, format and number of copies of information constituting an application for a plat or plat vacation.

(c) The director shall establish annually a submittal calendar that designates the dates when applications for plats and plat vacations may be submitted. An application shall not be deemed to be submitted unless it is received by the director. An applicant shall not submit an application on a day other than a date designated in the submittal calendar. Notwithstanding any provision of this Chapter to the contrary, if the director receives such an application on a day other than a date designated in the submittal calendar, the application shall not be deemed to be submitted until the next designated date in the submittal calendar.

(B) Official filing date. For the purpose of this Chapter, the date on which an application for approval of a final plat that contains all required elements mandated by Local Government Code § 212.004(b), and the elements required by Section 11-2-3(A) and (H) is first submitted shall constitute the official filing date for the plat, after which the statutory period required for approval or disapproval of the plat shall commence to run.

(C) Reserved.

(D) Preliminary plat.

1. Purpose. The purpose of the preliminary plat is to allow the commission to evaluate the proposed plat for conformity with this Chapter and other applicable provisions of this Code and with the comprehensive plan and to evaluate related public improvement plans.

2. Applicability. A preliminary plat shall be required for all subdivisions of property and the recording of single lots within the City, except as provided by Sections 11-2-1(E) and 11-2-3(I).

3. Pre-application conference. Before preparing the preliminary plat, the applicant may schedule an appointment to meet with the director to discuss the procedures for approval of the plat and the requirements or recommendations concerning the general layout of streets, reservations of land, street improvements, drainage, sewerage, fire protection, and similar matters, as well as the availability of existing services.

4. General application requirement. On forms approved by the City, the applicant shall file for approval of a preliminary plat. The plat shall include a drawing of the boundary description which has been prepared by a registered surveyor and shall bear the surveyor's seal, signature and date on each sheet and a statement that the boundary description shown thereon accurately describes the survey of the tract boundary conducted by said surveyor. The payment of all applicable fees shall be required at the time of submission. The proposed preliminary plat shall conform to the following standards and shall contain the following information in addition to the requirements specified in Section 11-2-3(A):

(a) Application form provided by the office of the director.

(b) The plat shall be clearly and legibly drawn to a scale of 1:2,500 (1″ = 200′) or such larger scale as may be required by the director or commission.

(c) Proposed use of lots and restrictive covenants if any common area is proposed.

(d) Contours with intervals of 0.30 meter (1 foot) referred to National Geodetic Vertical Datum of 1929. Contours, including benchmark references, shall be determined from the benchmark elevation given by the City engineer, if available. The location and elevation of the reference benchmark shall be specified on the plat.

(e) Location of existing utilities, drainage channels, power poles and such other significant items which may affect general development of the property.

(f) To the extent that any oil and gas wells are located within 500 feet of the property that is the subject of the plat, the location of each such well (if the location of the well can reasonably be described or depicted on the plat) and a depiction of a 500-foot radius around each such well, at least to the extent that such radius encroaches into the property that is the subject of the plat.

(g) All parcels and easements to be dedicated to public use, including off-site dedications within 100 meters (330 feet) of the plat boundary.

(h) Layout, names and widths of streets with curve data, alleys and easements.

(i) Layout, numbers and approximate dimensions of lots and blocks.

(j) Tract lines and record owners of all unplatted land immediately adjoining the proposed subdivision within a distance of 100 meters (330 feet) thereof.

(k) Existing improvements located within or near the boundary of the tract(s) to be subdivided.

(l) Boundaries and existing features required on final plats shall be shown and described by a registered surveyor based on a survey on the ground and certified by him.

(m) A drainage plan in the form and containing the elements specified by the City of Midland storm drainage design manual.

(n) Proposed water, sanitary sewer and storm sewer pipelines with culverts, bridges, and other appurtenances or structures shown.

(o) Stormwater retention or detention basins as required.

(p) Phases of development and schedule of phasing.

(q) If the source of the water supply intended for the subdivision is groundwater under that land, the application must have attached to it a statement that (i) is prepared by an engineer licensed to practice in Texas or a geoscientist licensed to practice in Texas and (ii) certifies that adequate groundwater is available for the subdivision. This certification shall be provided on a form established by the Texas Commission on Environmental Quality and shall be accompanied by any other related document or information required by state law or rule.

5. Public improvements installed prior to final plat. If the developer intends to install public improvements in the subdivision prior to approval of the final plat,

the preliminary plat shall contain the engineering plat data required for final plats by Section 11-2-3(H)3(b) except items (1) and (8) thereof.

6. Filing.

   (a) The developer shall submit the preliminary plat and application for approval in accordance with the submittal calendar. The preliminary plat shall be considered officially filed only when it has been submitted to the director in full compliance with the provisions of this subsection (D). The following notice shall be stamped on the face of each preliminary plat: "Preliminary Plat—for review purposes only."

   (b) Filing fee. A filing fee shall accompany each preliminary plat when submitted. Said fee shall be for the purpose of defraying, in whole or in part, the cost of review of said plat, and no refund shall be made.

7. Review by director. The director, following determination that the application is complete, shall transmit copies of the plat to the director of utilities and the Texas Department of Transportation when the land to be subdivided abuts a state or state-maintained highway. The director shall review the plat for conformance with the requirements of this Chapter and shall make recommendations to the commission for approval, conditional approval or disapproval of the preliminary plat. The director also shall report the applicable comments and recommendations of other agencies to the commission.

8. Standards for approval. No preliminary plat shall be approved by the commission or by the Council unless the following standards have been met:

   (a) A preliminary drainage plan has been approved by the City engineer. The city engineer may approve a preliminary drainage plan which does not include information in sufficient detail to determine whether public street, alley and drainage improvement plans which will be submitted later will conform to all usual standards, but the lack of such detailed information shall result in approval of the preliminary plat being conditioned as described in paragraph 13 below, whether such condition is or is not explicit in the commission or Council's action.

   (b) The plat conforms to applicable zoning and other regulations.

   (c) The plat meets all other requirements of these regulations, subject to approval of variances.

9. Plats requiring zoning district changes. A preliminary plat which is dependent, for conformance with this Chapter or the comprehensive plan, upon changes in existing zoning districts may be considered by the commission concurrently with its consideration of such zoning district changes. If the commission makes a recommendation to the Council that the needed zoning district changes be approved, it may then consider and approve the preliminary plat, conditioned upon later zoning approval by the Council. Following conditional approval by the commission, if the preliminary plat is one that requires Council approval, it shall be forwarded for Council consideration along with the needed zoning district changes. If the commission recommends that the needed zoning district changes be disapproved, the commission shall disapprove the preliminary plat, citing as its basis the lack of conformity of the proposed plat to the existing zoning districts and this Chapter, and the plat shall not be further considered unless the Council subsequently approves the needed zoning district changes. In the event of such subsequent zoning approval within a period of 90 days

following the commission's disapproval of the proposed plat, the developer shall be entitled to file the preliminary plat for reconsideration by the commission, and no additional plat review fee shall be charged for the refiling.

10. Action by the commission. Upon receipt of the preliminary plat and other information from the director together with the director's recommendations, the commission shall render a decision within 30 days from the date the plat was properly filed with the director. The commission may approve, disapprove or conditionally approve the preliminary plat. If approval by the Council is required pursuant to Section 11-2-3(D)11, approval by the commission shall be considered a recommendation to the Council and shall be subject to the Council's approval, conditional approval, or disapproval.

11. Approval by the Council.

(a) Approval by the Council shall be required prior to consideration of a final plat by the commission for any preliminary plat which:

(1) is 25 acres or more in area;

(2) includes any new street or continuation of an existing street which connects two arterial streets;

(3) involves a request for a variance from any of the subdivision design standards affecting any arterial street;

(4) does not provide an alley abutting or connected by pedestrian access easement to each lot zoned for four dwelling units or less;

(5) includes any proposed private street or alley or other area of common ownership;

(6) involves any other matter cited in this Chapter as requiring Council approval;

(7) involves any matter of such policy significance that the commission determines that said plat should be considered by the Council;

(8) includes any potentially significant problem, in its form as approved by the commission, that the City Manager determines, upon the recommendation of any department head of the City, should be considered by the Council;

(9) is a replat of a subdivision or part of a subdivision that attempts to amend or remove a common area or green space that is in the preceding plat; or

(10) was approved by operation of law due to the commission's failure to approve, approve with conditions, or disapprove said plat within the applicable period of time prescribed by Chapter 212 of the Local Government Code, as amended, or due to the commission's failure to otherwise comply with a requirement of Chapter 212 of the Local Government Code, as amended.

(b) A preliminary plat described by Subparagraph (a), together with the recommendation of the commission, shall be submitted, by the director, to the Council for its consideration where required, promptly after approval or conditional approval by the commission or following the filing of a revised

preliminary plat, conforming to all conditions of approval by the commission.

(c) The Council shall act on a preliminary plat described by Subparagraph (a) and recommendation of the commission within the applicable period of time prescribed by Chapter 212 of the Local Government Code, as amended, unless such time is extended by agreement with the property owner.

(d) The Council shall review the recommendation of the commission and determine whether to approve, conditionally approve, or disapprove a preliminary plat described by Subparagraph (a).

12. Recording action taken. When the preliminary plat has been approved, conditionally approved, or disapproved, the director shall notify the property owner in writing. All objections made to the preliminary plat, or conditions imposed, shall be furnished to the property owner in writing. When a preliminary plat has been approved, the director shall stamp a copy of said plat as approved and affix the director's signature and date of approval thereto, together with a statement of the conditions of approval, if any, and retain the plat for the City's records.

13. Effect of approval.

(a) Approval of a preliminary plat shall be considered to be approval of the general arrangement of lots, streets and alleys and the widths of streets and alleys but is conditional and shall not be considered to be final acceptance of the subdivision or approval that all dimensions, notations and other matters of detail appropriate to a final plat are sufficient. Approval shall also be subject to approval of public improvement plans by the City engineer, and matters such as the locations, alignments, and widths of streets, alleys and easements are subject to the possible need for changes if public improvement plans as submitted by the developer do not conform to the usual standards for such facilities. If any plat is disapproved by the commission or Council, such disapproval shall be deemed a refusal by the City of the offered dedications shown thereon.

(b) Approval of a preliminary plat by the commission, and completion of a development agreement, if applicable, constitutes authorization for the City engineer to release public improvement plans, subject to the City engineer's final approval, and for the property owner to commence grading of the site and construction of such public improvements as he desires. Approval of a preliminary plat also authorizes the property owner, upon fulfillment of all requirements and conditions of approval, to submit an application for final plat approval. Upon release of the public improvement plans, the City engineer shall issue a certificate indicating the said plans have been released and construction of the improvement is thereafter authorized. Additional certificates may be issued by the City engineer authorizing the construction of private utilities on a phased schedule. The certificate shall read as follows: "The preliminary plat for [insert name of the subdivision or addition] as approved by the City of Midland [insert whichever body or designee is applicable (City Council, Planning and Zoning Commission, Planning and Development Officer, Planning Division Manager, etc.)] on [insert date of approval] is authorized for the construction of public improvements as approved by the City engineer. A final plat shall be approved by the City of Midland upon the completion of all public improvements or the provision of a subdivision improvement agreement and a public improvements guarantee

as required and submission of a final plat in compliance with Section 11-2-3(G) and (H) of the Midland City Code, as amended."

14. Lapse of preliminary plat approval. The applicant shall submit a final plat to the City for the entire area for which a preliminary plat has been approved, or, if the subdivision is to be developed in phases, the first of a series of final plats, each covering a portion of the approved preliminary plat, within six months of the date of approval or conditional approval of the preliminary plat. Each time the applicant submits a final plat of one phase of the development, conforming to the approved preliminary plat, and said final plat is approved, the approval of the preliminary plat shall be extended for a period of one year from the date of approval of said final plat. If the property owner fails to submit an initial or additional final plat application within such period, the preliminary plat shall lapse, and all further proceedings concerning the subdivision shall terminate. The applicant shall be required to submit a new preliminary plat, as required by this Chapter, subject to all zoning and subdivision standards then in effect.

(E) Amendments to preliminary plat.

1. At any time following the approval of a preliminary plat, and before the lapse of such approval, a property owner may request approval of an amendment.

2. The commission shall approve, conditionally approve or disapprove any proposed amendment and may make any modifications in the terms and conditions of preliminary plat approval reasonably related to the proposed amendment.

3. If the applicant is unwilling to accept the proposed amendment under the terms and conditions required by the commission, the applicant may withdraw the proposed amendment.

(F) Extension and reinstatement procedure.

1. Sixty days prior to the lapse of approval for a preliminary plat, the property owner may petition the commission to extend or reinstate the approval. Such petition shall be considered at a public meeting of the commission.

2. In determining whether to grant such request, the commission shall take into account the reasons for lapse, the ability of the property owner to comply with any conditions attached to the original approval, the extent to which the property owner agrees to abide by newly adopted subdivision regulations, and any changed conditions in the surrounding area which would make an extension undesirable. The commission shall extend its approval of the plat, or deny the request. In the event the commission denies extension of the preliminary plat, the property owner must submit a new application for approval.

3. The commission may specify a shorter time for lapse of the extended plat than is applicable to original approvals, but shall not extend the period that a preliminary plat approval is valid to more than two years from the date of original approval.

4. At any time following the lapse of approval of a preliminary plat, a developer may request, and the commission may approve, at its discretion, a reinstatement of such preliminary plat for the purpose of considering and approving a final plat for all or a portion of the area covered by the preliminary plat. The commission shall reinstate a preliminary plat only when it determines that it would be in the public interest to do so to avoid unnecessary review of a preliminary plat, and

when the pattern of development proposed by the plat would not be to the detriment of any nearby area or the general development of the City. The commission may establish such conditions on reinstatement as are necessary to ensure that the reinstated plat conforms to the City's comprehensive plan, Chapter 11-1 of the Midland City Code, as amended, and provisions of this Chapter, including plans or policies referenced herein, which may have been amended since the original approval of the lapsed preliminary plat.

(G) Public improvements.

1. Timing of public improvements. Except as provided otherwise herein, all street, alley, water, sanitary or storm sewer, and other public improvements, as well as lot improvements on the individual lots of the subdivision or addition as required in these regulations, for subdivisions within the City or within 1.5 kilometers (0.93 miles) thereof, shall be installed as required by the public improvement plans, prepared in accordance with Section 11-2-4, offered for dedication and accepted by the City prior to final plat approval. The required improvements shall be those specified and approved by the City in the public improvement plans. As used in this Section, "lot improvements" refers to grading and installation of improvements required for proper drainage and prevention of soil erosion.

2. Request for deferral of improvements. The developer may request that subdivision improvements be installed, offered for dedication and accepted by the City following final plat approval. If the City agrees, the developer shall be required to execute a subdivision development agreement and provide security as required by Section 11-2-4. The developer shall include a schedule of phasing and construction for the development agreement.

(H) Final plat.

1. Purpose. The purpose of a final plat is to record the subdivision of property, including but not limited to the accurate description of blocks, rights-of-way, easements, building lines and street names and other property restrictions.

2. Applicability. A final plat shall be required for all subdivisions of property and the recording of single lots within the City, except as otherwise provided in Section 11-2-1(E). A final plat shall require approval by the commission.

3. General application requirements. The final plat shall contain all of the information required for plats, as specified in Section 11-2-3(A). In addition, the application shall be accompanied by the following:

   (a) If a final plat approval is required by the county, such plat shall be signed by an authorized county official prior to filing of the application with the City.

   (b) Copies of the proposed final plat, clearly and legibly drawn on one or more sheets of mylar or other comparable material with a minimum dimension of 40 centimeters (16 inches) to a scale of 1:1,200 (1″ = 100′) or such larger scale as required by the director or commission. The plat shall have a minimum letter size of 0.20 centimeter (0.08 inch). The density of inking shall be sufficient to insure legible reproduction of the entire plat. The plat shall contain the following:

      (1) Language stating: “Notice: Selling a portion of this addition by metes and bounds may be a violation of City ordinance and state law and subject to fines and withholding of utilities and building permits.”

(2) The boundary lines with accurate distances and courses and the exact location and width of all existing or recorded streets, blocks, lots, alleys, easements or other rights-of-way, watercourses, and other important features within or adjacent to the boundaries of the tract and within 60 meters (200 feet) thereof. Lines or indications outside the plat boundary shall be dashed lines. The boundary of the tract or tracts the plat is proposed to subdivide shall be shown with distinctly heavier lines than other lines on the plat (solid if tract boundaries, dashed within continuous rights-of-way).

(3) If the subdivision is within 1.5 kilometer (1 mile) of an existing city survey control monument, at least two corner points on the subdivision boundary shall be tied by grid bearing and grid distance to a city survey control monument and shown on the plat. Two additional corner points on the opposite side of any subdivision greater than 16 hectares (40 acres) in area shall be tied to a city survey control monument. These boundary corner points shall be described by theta angle and combination sea level and mapping grid factor, relative to the U.S. Coast and Geodetic Survey NAD 83 Plane Coordinate System. If the subdivision is not within one mile of an existing city survey control monument, the subdivision boundary ties shall be to the nearest established street intersection and to a permanent survey monument (PSM) accepted by the City engineer as a known point for survey reference. The location and description of each PSM required by Section 11-2-5(A) shall be shown on the final plat. Those PSMs which are not required to be in place prior to filing of the final plat with the director for consideration shall be depicted as proposed monuments.

(4) The location and elevation of each benchmark required by Section 11-2-5(A) and the vertical datum used to establish the elevation of each benchmark.

(5) Course and distance of all street centerlines, including curve data comprised of the central angle, tangent length, arc length, chord length, and chord bearing or azimuth. This data may be shown adjacent to each curve or compiled in a curve table on the plat.

(6) The exact layout of all plat features, including (i) street names; (ii) length of all arcs, radii, internal angles, points of curvature, length, and bearings of the tangents; (iii) locations and dimensions of all easements for rights-of-way provided for public services or utilities, including guying easements, and any limitations of the easements; and (iv) all lot and block numbers and lines with accurate dimensions in meters (feet), and hundredths of meters (feet). The courses, either in bearing or azimuth form, of all lot lines shall be shown either adjacent to the lot line or in a line table on the plat. Curve data shall be presented for all curves including returns at block corners and length, arc length, chord length, and chord bearing or azimuth. This data may be shown adjacent to each curve or compiled in a curve table on the plat.

Cul-de-sac turnarounds shall have curve data shown on the plat. The radius point of such turnarounds must be shown on the plat and course and distance shown to the right-of-way lines.

Where a street or other public right-of-way lies along a boundary of the plat and the property on the opposite side of said right-of-way is located

within a platted subdivision, the plat survey shall certify the total width of the right-of-way, including any additional dedication being made by the plat, and the property corners along the opposite side of the right-of-way and the minimum dimensions across said right-of-way shall be shown on the plat.

(7) The accurate outline of all property being offered for dedication for public use with the purpose indicated thereon, including off-site dedications within 100 meters (330 feet) of the plat boundary, and of all property that may be reserved by deed covenant for the common use of the property owners in the subdivision or addition.

(8) Special restrictions including, but not limited to, drainage, fire lanes, screening, standard notes for floodway, if applicable, and other standard notes for plats, including boundaries and notes required for special flood hazard areas, as specified by Section 11-2-5(D)6, where applicable.

(9) To the extent that any oil and gas wells are located within 500 feet of the property that is the subject of the plat, the location of each such well (if the location of the well can reasonably be described or depicted on the plat) and a depiction of a 500-foot radius around each such well, at least to the extent that such radius encroaches into the property that is the subject of the plat.

(10) Certification by a registered surveyor to the effect that the plat represents a survey made by the surveyor or under the surveyor's supervision and that all the monuments shown thereon have been placed under the surveyor's direction, and that their location, size, and material description are correctly shown, and that the survey correctly shows the locations of all visible easements and rights-of-way and all rights-of-way, easements and other matters of record affecting the property being platted.

(11) Plat boundary survey closure and subdivision area calculation.

(12) The volume and page or filing references of recorded instruments in the county records of each existing public dedication and public and private easement which encumbers the area of the plat.

(c) Additional documents necessary for dedication or conveyance of easements or rights-of-way, as required by the City. The City may, in some instances, require the conveyance of fee simple title for certain rights-of-way. Except as otherwise provided in this Chapter, the developer shall be responsible for securing and submitting, in proper form, with the plat, all dedication instruments needed in conjunction with the plat, but located outside the plat boundary.

(d) Formal irrevocable offers of dedication to the public of all streets, local government uses, utilities, and easements either in the form specified herein on the plat or, if separate, in a form approved by the City attorney.

(e) A copy of an owner's policy of title insurance, a commitment for issuance of a title policy, or a title opinion prepared by a member in good standing of the Texas Bar Association. Said title policy, title commitment, or title opinion must have been issued and dated not earlier than 90 days prior to the date the final plat is considered by the City and identify all record owners and lienholders of the property covered by the final plat as of the date of issuance.

(f) The development agreement and security, if required, in a form satisfactory to the City attorney, and in an amount established by the commission upon recommendation of the City engineer, as provided in Section 11-2-4, and shall include a provision that the property owner shall comply with all the terms of the final plat approval as determined by the commission.

(g) A plat application fee in an amount as set by the Council.

(h) The final plat shall also be supplied in digital form either as a DOS Auto Cad ".dxf" or ".dwg" file or as a DOS ASCII text file. A ".dxf" or ".dwg" file shall contain the plat boundary and all lots within the subdivision. If an ASCII text file is supplied, it shall contain the point numbers and coordinates for all lots, radius points, and boundary points for the subdivision, together with a point drawing which shall supply the location of all points and their respective numbers. Alternatively, the developer may choose not to submit a digital file and shall instead pay a fee which will be established in the schedule of platting fees for conversion of the plans to digital form by the City.

(i) Construction record drawings prepared by the property owner's engineer, if public improvements have been completed, as required by Section 11-2-4(C)2.

(j) A written application for final approval and authorization for the City secretary to file the plat with the county clerk for recording. The application shall also authorize the filing of the associated documents which are approved by the commission and shall authorize the City to reproduce from the plat, at the expense of the applicant, two film positives, ten direct prints for city record files, and one direct print for each utility company franchised to provide service within the City, after final approval.

(k) Tax certificates showing that no taxes are delinquent against the land being platted.

(l) Restrictive covenants which require approval by the commission.

(m) Certificates to be placed on plat as applicable:

(1) Owner's certificate (to be placed on plat), which must be acknowledged by the owner(s) of the property in the same manner as deeds as required by Property Code § 12.001, as amended. Acknowledgments may be modified to reflect the type of individual or entity who has an ownership interest in the property and the capacity in which a person is signing, e.g., partner, officer of corporation, etc. A separate acknowledgment should be made for each person signing. A separate acknowledgment need not be done for the same person signing in various capacities (i.e., both individually and as a corporate officer) if the signature block and acknowledgment indicate all capacities in which the person is signing.

OWNER'S CERTIFICATE
STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, _____is/are the record owner(s) of a tract of land situated in the _____ Survey, County of Midland, and more particularly described (as follows:) (hereon.) [use whichever applies]

BEGINNING … (if applicable)

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That _____ do(es) hereby adopt this plat designating the hereinabove described property as _____, an addition to the City of Midland, Texas, and, hereby dedicate to the public use forever the streets, alleys and easements (and parks) (and parkways) (and drainage basins) [include all that apply] shown thereon.

WITNESS our hands at (City, State), this the _____ day of _____, 20_____ . (Include a separate statement for each location or date of signature.)

(Print or Type Name Here)

*If applicable.

ACKNOWLEDGMENT

STATE OF TEXAS COUNTY OF _____

This plat was acknowledged before me on (DATE) by (NAME OF OWNERS SIGNING ABOVE).

(Notary Seal) Notary Public, State of Texas

(2) Surveyor's certificate.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I,_____, a Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.

(Print or Type Name Here)

Registration Number _____

(3) Certificate of approval by the City planning and zoning commission (to be placed on plat).

CERTIFICATE OF APPROVAL

For approval by the commission:

This is to certify that the above and foregoing plat of _____ Addition was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this _____ day of _____, 20_____ .

Signed:

(Print or Type Name Here), Chairman

Attest:

(Print or Type Name Here), Secretary

For approval by the director or an employee designated by the director:

This is to certify that the above and foregoing plat of _____ Addition was approved by proper action of [insert director's or employee's title] of the City of Midland, Texas on this _____ day of _____, 20_____ .

Signed:

(Print or Type Name Here), [insert director's or employee's title]

(4) Utility company's certificate (to be placed on plat).

This plat has been checked for accessibility of utilities.

Signed:
(Name of each Utility Company)

Note: Provide one signature line for each utility, not operated by the City of Midland, and franchised to operate within the City.

(n) If the source of the water supply intended for the subdivision is groundwater under that land, the application must have attached to it a statement that (i) is prepared by an engineer licensed to practice in Texas or a geoscientist licensed to practice in Texas and (ii) certifies that adequate groundwater is available for the subdivision. This certification shall be provided on a form established by the Texas Commission on Environmental Quality and shall be accompanied by any other related document or information required by state law or rule.

4. Filing. A complete application for approval of a final plat shall be submitted to the director, together with all required documents, in accordance with the submittal calendar. The final plat shall be considered filed for approval on the date that the submitted application that meets all the requirements of this Section and those elements mandated by Local Government Code § 212.004(b), is submitted.

5. Standards for approval. No final plat shall be approved by the director, the commission or the Council unless the following standards have been met:

(a) The plat substantially conforms to the approved preliminary plat, and all conditions of approval thereof, if a preliminary plat was required.

(b) Where the final plat includes only a portion of the area of the approved preliminary plat, and a phasing plan for final plats has not previously been approved by the commission or Council, the partial plat is determined to provide adequate street and alley circulation and otherwise to represent a logical and well-planned phasing of the development and that adequate provision for public improvements has been made.

(c) Required public improvements have been constructed and accepted, or a development agreement setting forth a schedule of phasing and construction and providing for security for the subsequent completion of improvements has been accepted by the City.

(d) The plat conforms to applicable zoning and other city regulations, and provisions of state law.

(e) Provision has been made for adequate public facilities under the terms of this Chapter.

(f) The plat meets all other requirements of this Chapter, subject to approval of variances.

(g) All escrow and pro rata fees have been paid.

6. Approval procedure.

(a) Review by director. The director, following determination that the application is complete, shall transmit copies of the final plat to the director of utilities and to the Texas Department of Transportation when the land to be subdivided abuts a state or state-maintained highway. The director shall review the plat for conformance with the requirements of this Chapter and shall make recommendations to the commission for approval or disapproval of the final plat. The director shall notify the property owner of any recommended changes or suggestions so that the final tracing or other required material may be corrected and resubmitted for final approval.

(b) Time requirement. The commission shall act on the final plat within 30 days after the filing of the plat or corrected plat, as may be the case, unless such time is extended by agreement with the subdivider or the subdivider's agent. If approved, the chairman and secretary of the commission shall affix their signatures to the plat denoting final approval. If not approved within 30 days from the date of filing, the commission shall disapprove and reject the plat with the right to reconsider same when the objections are cured.

(c) Recording. Upon approval of the final plat, the commission shall immediately forward the plat to the City secretary, who shall record one copy of the plat and requisite documents in the office of the county clerk.

7. Effect of approval. Approval of a final plat shall certify compliance with the regulations of the City pertaining to the subdivision of land. An approved and signed final plat may be used to reference lots and interests in property thereon defined for the purpose of conveyance and development as allowed by these regulations.

(I) Alternative approval procedures.

1. Short form procedure.

(a) Applicability. The procedure provided herein may be followed for approval of a subdivision when the land proposed to be subdivided or resubdivided meets the following conditions and requirements:

(1) Adequate existing streets, easements and public areas. The land abuts upon a street of adequate width and is so situated that no additional street,

alley, easement nor other public property is required in order to meet the requirements of this Chapter.

(2) Satisfactory survey, plat and proximity to monument. The perimeter of the tract being subdivided has been surveyed and marked on the ground and a plat thereof prepared by a registered surveyor and filed with the director showing that the nearest corner of each lot or parcel of such proposed subdivision is within 60 meters (200 feet) of a known corner which is adequately marked by concrete monument or iron stakes, as determined by the City engineer.

(3) Satisfactory drainage. The topography of the tract and the surrounding land is such that no drainage improvements are required, or, where drainage facilities are required, arrangements have been made for the construction of such facilities as approved by the director.

(4) Utilities. The utilities, as required in this Chapter, are in place to serve each parcel or lot of such subdivision or resubdivision, or arrangements to provide such facilities have been made.

(5) Zoning. The proposed map of any part of the subdivision is not inconsistent with existing zoning.

(b) Procedure. The final plat may be submitted for consideration without prior approval of a preliminary plat. All requirements and procedures for final plat approval shall be as specified in Section 11-2-3(H), except that final plats which are to be considered pursuant to this procedure shall be filed with a written request for short form consideration.

2. Administrative approval.

(a) Applicability. If a proposed minor plat contains no more than four lots and requires no public improvements nor the creation of any public streets, nor the extension of any public facilities, the director may approve or disapprove the final plat without consideration by the commission. The director may not approve a variance to these regulations.

(b) Procedure. Submittal requirements and approval standards shall be the same as for other final plats. The director shall approve or disapprove the minor plat within 30 days from the date the application is filed or transmit the plat to the commission for its consideration within sufficient time to enable the commission to act on the plat within 30 days from the date the application is filed. The time for approval of the plat may be extended by agreement with the property owner.

3. Survey monumentation. For plats approved by short form procedure or through administrative approval, at least two corner points of the plat boundary shall be tied to a city survey monument by grid course and grid distance shown on the plat if it:

(a) contains any parcel or combination of parcels which is zoned as a nonresidential district and which is 0.5 hectare (1.2 acres) or more in area or contains a total area of all parcels of 1.0 hectare (2.5 acres) or more; and

(b) lies within 1.5 kilometers (1.0 mile) of a city survey monument.

If not, it shall show a tie to any established point approved by the City engineer.

4. Benchmarks shall be shown as required for other final plats.

SECTION SIX. That Title XI, "Planning and Development", Chapter 2, "Plats and Subdivisions", Section 5, "Requirements for public improvements, reservation and design", Subsection (I), "Public uses" of the City Code of Midland, Texas, is hereby amended to read in its entirety as follows:

(I) Public uses.

1. Reservation of land. Preliminary plats and final plats shall reserve land which has not been dedicated for such use pursuant to these regulations or other provisions of the City Code for future public use, as designated in the comprehensive plan and associated plans for future public facilities and utilities. These uses include, but are not limited to: parks, recreation and open space areas, schools, libraries, police and fire stations, pump stations, water storage tanks, and lift stations. Land reserved shall be of a suitable size, dimension, topography, and character for the designated purpose.

2. Procedure for reserving land. All preliminary plats and final plats shall provide for the necessary reservation of land for future public use, as required by the commission or Council. Boundaries of land reserved for public use may be adjusted subject to the approval of the commission or Council. The City, or other responsible public entity, shall initiate acquisition of any area reserved for public use on the final plat within 18 months of the date of approval of the final plat, unless the period is extended by mutual agreement of the City and the developer. The reservation shall be made void if the City, or other responsible public entity, fails to initiate acquisition of the area reserved within this period. In such event, the reserved area may be developed upon approval of a replat in accordance with Section 11-2-7, or development may proceed if the final plat has included the platting of the land reserved for public acquisition on a contingent basis.

SECTION SEVEN. That Title XI, "Planning and Development", Chapter 2, "Plats and Subdivisions", Section 5, "Requirements for public improvements, reservation and design", Subsection (K), "Common areas" of the City Code of Midland, Texas, is hereby amended to read in its entirety as follows:

(K) Common areas. Where any area is retained under private ownership and is to be established for the common use or enjoyment or to serve a common need of a subdivision and the owners of lots therein, said area shall be established as a common area on the plat, and designated by a special common area number or letter. The plat shall be accompanied by the covenants or ownership agreements providing for the perpetual ownership and maintenance of such area, which shall be submitted to and approved by the commission in conjunction with the plat and filed of record with the plat. All improvements to a common area which are required as a condition of plat approval and all sidewalks required by Section 4-1-4 of the building code along streets abutting any common area shall be considered to be required subdivision improvements, subject to the requirements of Section 11-2-4 herein.

SECTION EIGHT. That Title XI, "Planning and Development", Chapter 2, "Plats and Subdivisions", Section 7, "Replatting", Subsection (A), "Replatting of land" of the City Code of Midland, Texas, is hereby amended to read in its entirety as follows:

(A) Replatting of land.

1. Replat required. Unless otherwise expressly provided for herein, a property owner who proposes to replat any portion of an already approved final plat, other than to amend or vacate the plat, must first obtain approval for the replat under the same standards and by the same procedures prescribed for the platting of land by these regulations.

2. Replatting without vacating preceding plat. A replat of a final plat or portion of a final plat may be recorded and is controlling over the preceding plat without vacation of that plat if:

   (a) the replat is signed and acknowledged by only the owners of the property being replatted;

   (b) the replat is approved by the commission; and

   (c) the replat does not attempt to amend or remove any covenants or restrictions.

3. Additional requirements for certain replats.

   (a) *Application.* In addition to compliance with Paragraph 2, a replat without vacation of the preceding plat must conform to the requirements of this Paragraph 3 if:

      (1) during the preceding five years, any of the area to be replatted was limited by an interim or permanent zoning classification to residential use for not more than two residential units per lot; or

      (2) any lot in the preceding plat was limited by deed restrictions to residential use for not more than two residential units per lot.

   (b) *Public hearing required.* A public hearing must be held by the commission on a proposed replat described by Subparagraph (a) above.

   (c) *Notice of public hearing.*

      (1) If a proposed replat described by Subparagraph (a) does not require a variance or exception, notice of the public hearing required under Subparagraph (b) shall be given before the 15th day before the date of the hearing by:

         a. publication in an official newspaper or a newspaper of general circulation in the County; and

         b. by written notice forwarded by the director or the director's designee, on behalf of the commission or the Council, as applicable, to the owners of lots that are in the original subdivision and that are within 200 feet of the lots to be replatted, as indicated on the most recently approved municipal tax roll or in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved County tax

roll of the property upon which the replat is requested. The written notice may be delivered by depositing the notice, properly addressed with postage prepaid, in a post office or postal depository within the boundaries of the City.

(2) If a proposed replat described by Subparagraph (a) requires a variance or exception, notice of the public hearing required under Subparagraph (b) shall be given before the 15th day before the date of the hearing by:

a. publication in an official newspaper or a newspaper of general circulation in the County; and

b. by written notice forwarded by the director or the director's designee, on behalf of the commission or the Council, as applicable, to the owners of lots that are in the original subdivision and that are within 200 feet of the lots to be replatted, as indicated on the most recently approved municipal tax roll or in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved County tax roll of the property upon which the replat is requested. The written notice may be delivered by depositing the notice, properly addressed with postage prepaid, in a post office or postal depository within the boundaries of the City. Such written notice shall have attached a copy of the following language, or a copy of the then-current version of Section 212.015(c), Local Government Code: "If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the municipal planning commission or governing body, or both. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the municipal planning commission or governing body, or both, prior to the close of the public hearing. Loc. Gov't Code § 212.015(c)."

(d) *Protested replat requiring a variance.*

(1) If a proposed replat described by Subparagraph (a) requires a variance and is protested in accordance with this Subparagraph, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the commission members present and, if the replat requires approval by the Council, the affirmative vote of at least three-fourths of the Council members present.

(2) For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the commission or the Council, or both, prior to the close of the public hearing. In computing the percentage of land area hereunder, the area of streets and alleys shall be included.

(3) Compliance with this Subparagraph is not required for approval of a replat of part of a preceding plat if the area to be replatted was designated or reserved for other than single or duplex family residential use by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.

SECTION NINE. That Title XI, "Planning and Development", Chapter 2, "Planning and Zoning Commission" is amended to add Section 8, "Delegation of commission's authority", which shall read in its entirety as follows:

11-2-8. Delegation of commission's authority.

(A) Delegation. Except as provided in Subsection (C), the director may:

1. exercise the commission's authority to approve, approve with conditions, or disapprove a plat;

2. perform the responsibilities under Section 212.0115 of the Local Government Code, as amended;

3. exercise the commission's authority to approve covenants or ownership agreements in conjunction with a plat for which the director is exercising the commission's authority under this Subsection;

4. exercise the commission's authority to approve or disapprove:

   (a) extensions of preliminary plat approvals; and

   (b) reinstatement of lapsed preliminary plats; and

5. exercise the commission's authority to approve one or more extensions of the 30-day period during which a plat must be approved, approved with conditions, or disapproved if such extension is requested by an applicant in writing.

(B) Performance of commission's duties optional. The director may, for any reason, elect to present a plat for approval to the commission.

(C) Exceptions to delegation. This Section does not delegate:

1. the commission's authority to approve, approve with conditions, or disapprove a plat that is 25 acres or more in area;

2. the commission's duty to hold public hearings as required by this Chapter or Chapter 212 of the Local Government Code, as amended;

3. the commission's authority to approve, approve with conditions, or disapprove a plat for which the commission holds a public hearing;

4. the commission's or the Council's authority to approve a variance to the regulations of this Chapter or to approve or conditionally approve a plat that requires such a variance;

5. the commission's authority to approve a plat for which this Chapter or Chapter 212 of the Local Government Code, as amended, requires the affirmative vote of more than a simple majority of the commission members present; or

6. the Council's authority to approve, approve with conditions, or disapprove a plat for which Council approval is required under this Chapter.

SECTION TEN. That the provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION ELEVEN. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION TWELVE. That this ordinance shall become effective on November 1, 2025.

SECTION THIRTEEN. That the City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2025; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2025, at a regular meeting of the City Council:

Council members voting "AYE":

Council members voting “NAY”:

PASSED AND APPROVED THIS _____ day of _____, A.D., 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

City Council Meeting

Item Number: 27.
Meeting Date: October 14, 2025
To: City Council
From: Jeff Pinkstaff, jepinkstaff@midlandtexas.gov
Subject: AN ORDINANCE AMENDING TITLE IV, "BUILDING REGULATIONS", CHAPTER 11, "RESIDENTIAL CODE", SECTION 3, "CHANGES AND ADDITIONS TO ADOPTED RESIDENTIAL CODE", OF THE CITY CODE OF THE CITY OF MIDLAND, TEXAS, SO AS TO ESTABLISH REGULATIONS RELATED TO CONSTRUCTION SITE DEBRIS; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ESTABLISHING AN EFFECTIVE DATE THAT SHALL BE 30 DAYS AFTER THE DATE OF ADOPTION OF THIS ORDINANCE; AND ORDERING PUBLICATION

Purpose:
The purpose of this ordinance is to amend Title IV, "Building Regulations," Chapter 11, "Residential Code," Section 3 of the City Code of Midland, Texas, to establish regulations related to construction site debris. While the City Code currently contains provisions for construction debris and jobsite cleanliness on commercial projects, no comparable regulation exists for residential construction. This amendment will align residential requirements with those already in place for commercial projects, ensuring that residential contractors and permit holders maintain clean and orderly jobsites.

Recommended Action:
Approve

Fiscal Impact:
The ordinance has no significant fiscal impact to the City. Enforcement will be carried out by existing Code Enforcement officers and Building Inspectors as part of their regular duties.

Strategic Priority:
SET THE STANDARD FOR A SAFE AND SECURE CITY

Discussion:

This ordinance advances **Goal 2 of the City of Midland's Strategic Plan: Safe and Secure City** by creating safer and cleaner construction sites within residential areas. At present, the City Code contains standards for managing construction debris on commercial projects (Section 4-1-3), but there is no equivalent requirement for residential construction. As a result,

Code Enforcement officers and Building Inspectors have faced challenges in addressing litter, debris, and poor housekeeping at residential job sites, leading to complaints from nearby residents and concerns about neighborhood safety and appearance.

The proposed amendment fills this gap by clearly defining expectations for residential contractors and permit holders. By requiring proper management of trash, litter, and debris, the ordinance ensures that job sites are maintained in a manner that reduces hazards, minimizes nuisance conditions, and upholds community standards. The ordinance further authorizes enforcement through citations and affidavits, giving staff the tools necessary to hold offenders accountable.

Establishing these regulations will bring residential construction in line with commercial requirements, strengthen code enforcement capabilities, and support the City's broader efforts to protect public health, safety, and neighborhood quality of life. The ordinance will take effect 30 days after adoption and will be published in accordance with legal requirements.

Attachments:

A. ORDINANCE - Amend 4-11-3 (Residential Code - Construction Site Debris) Ord
B. Ordinance Comp

Jeff Pinkstaff, Development Services	Created/Initiated - 9/19/2025
Landon Ochoa, Development Services	Approved - 10/2/2025
Elizabeth Triggs, Development Services	Approved - 10/3/2025
Linda Ochoa, Legal	Approved - 10/3/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Jan Hamilton, City Secretary	Final Approval - 10/7/2025

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE IV, "BUILDING REGULATIONS", CHAPTER 11, "RESIDENTIAL CODE", SECTION 3, "CHANGES AND ADDITIONS TO ADOPTED RESIDENTIAL CODE", OF THE CITY CODE OF THE CITY OF MIDLAND, TEXAS, SO AS TO ESTABLISH REGULATIONS RELATED TO CONSTRUCTION SITE DEBRIS; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ESTABLISHING AN EFFECTIVE DATE THAT SHALL BE 30 DAYS AFTER THE DATE OF ADOPTION OF THIS ORDINANCE; AND ORDERING PUBLICATION

WHEREAS, by Ordinance No. 9925, the City Council adopted the 2018 Edition of the International Residential Code and local amendments thereto as the Residential Code of the City of Midland, which has been further amended by Ordinance No. 10597; and

WHEREAS, the Council finds it to be in the public interest to amend Title IV, "Building Regulations", Chapter 11, "Residential Code", Section 3, "Changes and Additions to Adopted Residential Code", of the City Code of the City of Midland, Texas, so as to establish regulations related to construction site debris; and

WHEREAS, the Council finds that all legal requirements and conditions precedent to the adoption of this ordinance have been satisfied;

NOW , THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That Title IV, "Building Regulations" Chapter 11, "Residential Code", Section 3, "Changes and Additions to Adopted Residential Code", of the City Code of the City of Midland, Texas, is hereby amended to read in its entirety as follows:

4-11-3. Changes and additions to adopted Residential Code.

Notwithstanding any provisions of this Chapter or said adopted Residential Code to the contrary, the latter is adopted with certain changes, additions and deletions thereto so that the following sections and provisions thereof shall hereafter read as follows, to wit:

R101.1 Title. Section R101.1 shall read in its entirety as follows:

These provisions shall be known as the Residential Code for One- and

Two-Family Dwellings of the City of Midland, and shall be cited as such and will be referred to herein as "this code".

R103.2 Appointment. Section R103.2 shall read in its entirety as follows:

The Building Official, Assistant Building Official, Inspectors and other personnel shall be appointed in accordance with the personnel policies of the City and shall be subject to all personnel rules and regulations of the City of Midland.

R105.2 Work Exempt from Permit. The following deletion and addition are made to Section R105.2:

Building subsection 2 is deleted; and

Building subsection 11 is added and shall read as follows:

Tree forts or other play structures supported partially or entirely by a tree.

R105.8 Contractor's Responsibilities. Section R105.8 shall read in its entirety as follows:

(a) It shall be the duty of every contractor or builder, who is engaged in the construction, erection, alteration or repair of residential buildings or structures, subject to the provisions of this Code, to give good and sufficient bond in the sum of ten thousand dollars ($10,000.00) to be approved by the City Attorney, conditioned to conform to the Building Regulations of this Section, and other ordinances and laws of the City of Midland in reference to buildings and related construction and site requirements. The bond herein required shall include the bonds required for early clearance procedures as required by Section 9 of this Title and Chapter and with the sidewalk, driveway and curb bond required by this Code with no increase in amounts.

(b) No building permit shall be issued by the Building Official unless and until a bond as herein provided has been tendered to and approved by the Building Official by the person or firm requesting such permit.

(c) Nothing in this Code shall prevent a homeowner from maintaining, altering or adding to his home within his own property boundaries provided such work is done by himself for the exclusive benefit of his family. Such privilege does not convey the right to violate any of the provisions of this Code, nor is it to be construed as exempting any such property owner from obtaining a permit and paying the required fees therefore.

R105.8.1 Construction Site Debris. Section R105.8.1 is added and shall read in its entirety as follows:

It shall be the responsibility of each permit holder to make provisions for containment of building materials, construction debris, and all other trash and debris generated within the property boundaries. The particular method, which

may include but is not limited to refuse containers, roll-offs, fenced areas or other types of wire enclosures, shall be specified by the applicant prior to obtaining a building permit. The applicant may specify City of Midland container service if available, provided it is a container assigned for use at the particular job site. Said container may only be used for materials for which it is suitable, as determined by the City Sanitation Division or as specified by Title 8, Chapter 6 of the Midland City Code. Blowing trash, paper, building material packaging, and other construction site related debris, allowed to collect or accumulate outside the property boundaries for which a permit has been issued, in other than an approved container, shall constitute a violation of this section of the City of Midland Code. Such violations shall be subject to enforcement provisions as provided for in the Residential Code, including stop work order, revocation of permit and fine.

R108.2 Schedule of Permit Fees. Section R108.2 shall read in its entirety as follows:

The fees for all work requiring a permit shall be as indicated in the current adopted Fee Schedule.

R108.5 Refunds. Section R108.5 shall read in its entirety as follows:

Refunds shall be in accordance with the current adopted Fee Schedule.

R112.1 General. Section R112.1 is renamed *Application for Appeal* and shall read in its entirety as follows:

A person shall have the right to appeal a decision of the code official to the board of appeals, per International Building Code section 113. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within twenty (20) days after the notice was served.

R112.2 - R112.4. Sections R112.2 through R112.4 are deleted in their entirety.

TABLE R301.2(1) Climatic and Geographic Design Criteria. TABLE R301.2(1) shall read in its entirety as follows:

Ground Snow Load	3.5 PSF
Basic Wind Speed	115 MPH
Topographic effects	No
Seismic Design Category	A
Weathering	Moderate
Frost Line Depth	12 inches
Termite	Moderate to Heavy
Decay	Slight to Moderate
Winter Design Temp	21 degrees F
Ice Barrier Underlayment Required	No
Flood Hazards	Adoption Date NFIP 09/27/91 Current FIRM 09/15/05
Air Freezing Index	1500 or less
Mean Annual Temp	65 degrees F
Elevation	2851

Latitude	32 degrees
Winter Heating	21 degrees F
Summer Cooling	103 degrees F
Altitude Correction Factor	0.901
Indoor Design Temperature	68 degrees F
Design Temperature Cooling	75 degrees F
Heating Temperature Difference	47 degrees F
Cooling Temperature Difference	28 degrees F
Wind Velocity Heating	15 mph
Wind Velocity Cooling	10 mph
Coincident Wet Bulb	67
Daily Range	High
Winter Humidity	57%
Summer Humidity	51%

Section R313 Automatic Fire Sprinkler Systems. Section R313 is deleted in its entirety.

G2417.4 Test Pressure Measurement. Section G2417.4 shall read in its entirety as follows:

> Test pressure shall be measured with an ounce gauge, manometer or with a mercury gauge designed and calibrated to read, record or indicate a pressure loss due to leakage during the test period. The source of pressure shall be isolated before the pressure tests are made.

G2417.4.1 Test Pressure. Section G2417.4.1 shall read in its entirety as follows:

> Low pressure (not in excess of 0.5 psi) gas piping shall withstand a pressure of not less than 1 1/2 times the proposed maximum working pressure, but not less than 5.88 psi, ninety (90) ounces, or twelve inches (12") of mercury for a period of not less than ten (10) minutes without showing any drop in pressure. Higher pressure piping (2-psi gas) shall withstand a pressure of at least 10 psi or twenty inches (20") of mercury for a period of not less than ten (10) minutes without showing any drop in pressure.

G2420.1.4 Service Line Shutoff Valve. Section G2420.1.4 is added and shall read in its entirety as follows:

> An approved shutoff valve shall be installed above ground outside on the service line at the building entrance on all new gas line installations and on all replaced gas lines.

P2503.4 Building Sewer Testing. Section P2503.4 shall read in its entirety as follows:

> Building sewer tests shall consist of plugging the end of the building sewer at the point of connection with the public sewer, filling the building sewer with water, testing with not less than three feet (3') head of water and maintaining such pressure for fifteen (15) minutes. The building sewer shall be watertight at all points.

P2902.1.1 Backflow Ordinance. Section P2902.1.1 is added and shall read in its entirety as follows:

> All potable water supply systems shall conform to Title VIII, Chapter 9, of the Midland City Code (Ordinance No. 7605) for purposes of

cross connection and backflow prevention.

TABLE P2906.4 Water Service, Pipe. The following footnotes are added to Table P2906.4:

Footnote 1. Copper or copper-alloy tubing shall be minimum Type "L" for underground water supply systems.

Footnote 2. Plastic water pipe used for water service shall terminate thirty-six inches (36") from the water meter. The water service pipe shall be connected to the water meter with not less than thirty-six inches (36") of minimum Type "L" copper.

P2906.20 Underground Hoints. Section P2906.20 is added and shall read in its entirety as follows:

For purposes of repair only, joints in polybutylene (PB) plastic pipe or tubing underground or under a concrete floor slab shall be installed using heat fusion, in accordance with the manufacturer's installation instructions. Joints in copper pipe or tubing installed in a concrete floor slab or under a concrete floor slab on grade shall be installed using wrought-copper fittings and brazed joints.

P3103.1.1 Roof Extension. Section P3103.1.1 shall read in its entirety as follows:

Open vent pipes that extend through a roof that do not meet the conditions of Section P3103.1.2 or P3103.1.3 shall terminate not less than twelve inches (12") above the roof.

SECTION TWO. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION THREE. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FOUR. The penalty for violation of this ordinance shall be in accordance

with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION FIVE. This ordinance shall become effective on the 30th day after its final approval and adoption.

SECTION SIX. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2025; and passed to second reading on motion of Council member _____, seconded by Council member_____, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2025, at a regular meeting of the City Council:

Council members voting "AYE":

Council members voting "NAY":

PASSED AND APPROVED THIS _____ day of _____, A.D., 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Jose Ortiz, Deputy City Manager

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

Existing Amendment

105.8.1 Construction Site Debris. Section 105.8.1 is added and shall read in its entirety as follows:

It shall be the responsibility of each permit holder to make provisions for containment of building materials, construction debris, and all other trash and debris generated within the property boundaries. The particular method, which may include but is not limited to refuse containers, roll-offs, fenced areas or other types of wire enclosures, shall be specified by the applicant prior to obtaining a building permit. The applicant may specify City of Midland container service if available, provided it is a container assigned for use at the particular job site. Said container may only be used for materials for which it is suitable, as determined by the City Sanitation Division or as specified by Title 8, Chapter 6 of the Midland City Code. Blowing trash, paper, building material packaging, and other construction site related debris, allowed to collect or accumulate outside the property boundaries for which a permit has been issued, in other than an approved container, shall constitute a violation of this section of the City of Midland Code. Such violations shall be subject to enforcement provisions as provided for in the Building Code, including stop work order, revocation of permit and fine.

Commented [JP1]: The same amendment that is currently added to the adopted Building Codes, will now be added to the adopted Residential Codes. Essentially the same provision, but will address jobsite cleanliness for Residential construction sites. "Building" will be removed from the new amendment and "Residential" will take it's place.

New Amendment

R105.8.1 Construction Site Debris. Section R105.8.1 is added and shall read in its entirety as follows:

It shall be the responsibility of each permit holder to make provisions for containment of building materials, construction debris, and all other trash and debris generated within the property boundaries. The particular method, which may include but is not limited to refuse containers, roll-offs, fenced areas or other types of wire enclosures, shall be specified by the applicant prior to obtaining a building permit. The applicant may specify City of Midland container service if available, provided it is a container assigned for use at the particular job site. Said container may only be used for materials for which it is suitable, as determined by the City Sanitation Division or as specified by Title 8, Chapter 6 of the Midland City Code. Blowing trash, paper, building material packaging, and other construction site related debris, allowed to collect or accumulate outside the property boundaries for which a permit has been issued, in other than an approved container, shall constitute a violation of this section of the City of Midland Code. Such violations shall be

subject to enforcement provisions as provided for in the Residential Code, including stop work order, revocation of permit and fine.

Commented [JP2]: "Residential" is added to replace "Building". This reflects that the amendment will be a new provision for Residential jobsites.

City Council Meeting

Item Number: 28.
Meeting Date: October 14, 2025
To: City Council
From: Alexis Martinez, Associate Planner
Subject: **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 SPECIAL EVENT CENTER 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**

Purpose:
Angelica Prather, is requesting a Specific Use Designation with term, for the sale of all alcoholic beverages for on-premises consumption, in an event center, on a property located at 3211 West Wadley Avenue suite 3B for Permian Party, LLC.

Recommended Action:
Approve

Fiscal Impact:
none

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Current Zoning:

RR, Regional Retail District

Surrounding Zoning and Land Use:

The properties to the north are RR, regional retail, for shopping center. The properties to the east are PD, Planned District, for housing development. The properties to the west are PD-planned district, for shopping center. The properties to the south are SF2, single- family dwelling.

Analysis:

The property is zoned RR, Regional Retail District and is the location of the shopping center where the restaurant is located. RR, Regional Retail District zoning allows for alcoholic beverages sales for on-premises consumption in a special event center with the approval of an SUD. The total area of the restaurant is 2,100 square feet and the proposed alcohol serviceable area is 1,346-square feet.

The proposed days and hours of operation are:

Monday through Friday from 8 a.m. to 10 p.m.

The applicant is requesting the following alcohol serviceable hours.

Sunday through Friday from 12:00 p.m. (noon) to 10:00 p.m.; and
Saturday from 12:00 p.m. (noon) to 11:00 p.m.

Per Midland City Code, Section 5-4-4, Prohibited Places of Business:

The sale of any alcoholic beverage is hereby prohibited by any person, where the place of business of any such dealer is within 300 feet of any church, public-school, public-school ground, athletic stadium used by any public school or public hospital, the measurements to be along the property lines of the street fronts and from front door to front door and in a direct line across intersections where they occur.

There are no schools or churches within 300 feet of the property using the front door to door distance measurement.

This request has been circulated to and reviewed by respective City departments for internal review and their comments, conditions, and requirements are as follows:

Fire: (Approved)

No comments or objections.

Engineering: (Approved)

No objection. [For Applicant's Information Only.]

Transportation: (Approved)

No objection. [For Applicant's Information Only.]

Building Code: (Approved)

The SUD for Permian Party is acceptable. The property must adhere to the maximum occupant load of 89 persons for the alcohol serviceable area. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning: (Approved with Conditions)

This request meets all requirements; therefore, staff recommends approval of the request of the Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a event center, subject to conditions A through G.

Conditions

A. That the serviceable area of the Establishment shall be limited to approximately 1,346 square feet as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes.

B. That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.

C. That the days and hours of alcoholic beverage sales and consumption shall be limited to the following: *Sunday through Friday from 12:00 p.m. (noon) to 10:00 p.m.; and Saturday from 12:00 p.m. (noon) to 11:00 p.m.*

D. That the occupancy of the Establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.

E. That the Establishment shall meet the requirements of the Fire Department and the Code Administration Division.

F. That the operator of the establishment shall obtain a Certificate of Occupancy prior to commencement of the sale of alcohol beverages for on premises consumption to ensure that the conditions of this Specific Use Designation with Term are satisfied.

G. That the operator of the Establishment shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on-premises consumption to ensure that the conditions of this Specific Use Designation With Term are satisfied.

Letters of Objection:

As of October 2, 2025 staff has not received any letters of objections.

Attachments:

A. ORDINANCE W/ EXH - SUD-25-0208.Permian Party, LLC - Alcohol Sales Ord w Exh
B. SUD-25-0208, Combined Docs

Alexis Martinez, Development Services	Created/Initiated - 9/30/2025
Landon Ochoa, Development Services	Approved - 10/2/2025
Elizabeth Triggs, Development Services	Approved - 10/2/2025
Linda Ochoa, Legal	Approved - 10/7/2025
Morris Williams, City Manager	Approved - 10/7/2025

Jose Ortiz, City Manager
Jan Hamilton, City Secretary

Approved - 10/7/2025
Final Approval - 10/7/2025

ORDINANCE NO. _____

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 SPECIAL EVENT CENTER 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

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, Texas, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after holding due hearings affording a full and fair hearing to all of the property owners generally, and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body of the City of Midland finds that the public convenience will be best served by granting 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 (the "Property"), as set out hereinafter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to grant the Property a Specific Use Designation With Term for the sale of all alcoholic beverages in a special event center (the "Establishment") for on-premises consumption, together with the uses permitted in the present RR, Regional Retail District.

SECTION TWO. That the Property shall be subject to the following conditions and restrictions:

A. That the serviceable area of the Establishment shall be limited to approximately 1,346 square feet as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes.

B. That the sale and on-premises consumption of alcoholic beverages shall conform to all applicable state and local laws.

C. That the days and hours of alcoholic beverage sales and consumption shall be limited to the following:

Sunday through Friday from 12:00 p.m. (noon) to 10:00 p.m.; and
Saturday from 12:00 p.m. (noon) to 11:00 p.m.

D. That the occupancy of the Establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.

E. That the Establishment shall meet the requirements of the Fire Department and the Code Administration Division.

F. That the operator of the Establishment shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on-premises consumption to ensure that the conditions of this Specific Use Designation With Term are satisfied.

G. That in accordance with Section 11-1-9.07.E.3 of the City Code, the Establishment shall be in operation within 120 days from the final adoption date of this ordinance.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances, inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2025; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2025, at a regular meeting of the City Council:

Council members voting "AYE":

Council members voting "NAY":

PASSED AND APPROVED THIS _____ day of _____, A.D., 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

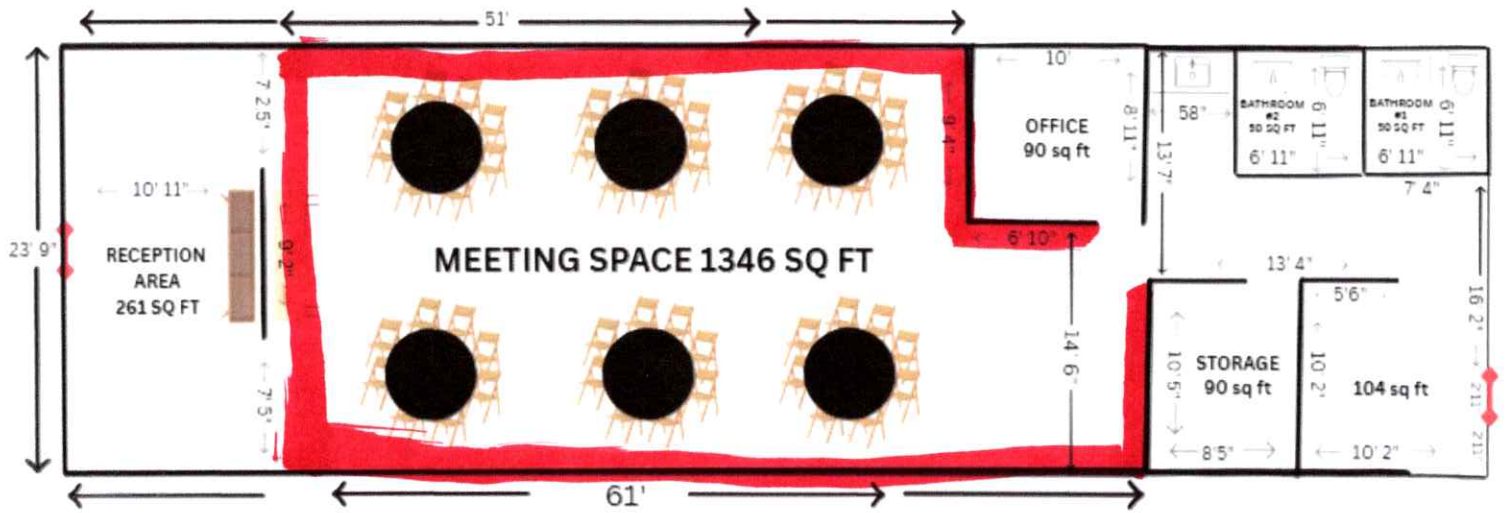
APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

EXHIBIT A

IMPERIAL SHOPPING CENTER - SUITE 3B

3211 W WADLEY AVE, SUITE 3B,
MIDLAND TEXAS 79705



MIDLAND
Planning Division

Specific Use Designation with Term for the Sale of Alcoholic Beverages for On-Premises Consumption

FOR STAFF'S USE ONLY
Project Number: _____
Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: Angelica Prather		Phone (432) 556 2634 Email info@midland-social.com	
Address 6209 Sequoia Dr.	City Midland	State Tx	Zip 79707

Property Owner Printed Name: Imperial Shopping Center I LTD.		Phone (432) 697-6401 Email anthony@imperialshoppingcenter.com	
Address 3211 W Wadley Ave #9A	City Midland	State Tx	Zip 79705

Representative *(if different from Applicant or Property Owner)* Firm: _____ Printed Name:		Phone ( ) Email	
Address	City	State	Zip

Street Address: 3211 W. Wadley, Suite 3B, Midland Tx 79705

Business Name: Permain Party LLC

Reason for Request: mixed beverage permit

Type of Business *(restaurant, bar, lounge, nightclub, etc.)*: event space

Proposed/Current Days and Hours of Operation: by booked event only;
M-F 8am-10pm

Proposed Days and Hours of Alcohol Service: by booked event only;
M-F 12pm-10pm per request

Total Square Footage of Business: 2100 sq. ft.

Square Footage of Alcohol Serviceable Area: 1346
(Outline in red on floor plan)

Restroom Fixtures:	*Men*	**Toilets/Urinals:** 1 /	**Bathroom Sinks:** 1
	Women	**Toilets:** 1	**Bathroom Sinks:** 1

****Application will not be considered for scheduling until reviewed by a planner.****

Submittal and Fees

Items to be submitted with this application form:

Application Fee of $300 –

- If by check, put Payable to the 'City of Midland'
- If online, check email for invoice

Dimensioned Floor Plan showing:

- Seating
- Exits
- Restrooms
- Kitchen (if applicable)
- Total Square Footage
- Serviceable Square Footage (outlined in red & labeled)

Dimensioned Site Plan showing:

- Parking
- Business Footprint

Digital Copies of Floor Plan & Site Plan (PDF/JPEG)

Signatures

Applicant (signature): Aprather	Date: 3.17.25
Applicant (printed): Angelica Prather	
Property Owner (signature):	Date: 8.20.2025
Property Owner (printed): Sean A. Mallory	8.20.2025

The Specific Use Designation with Term for the sale of all alcoholic beverages shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared _____ who, being by me duly sworn, upon oath says: That (s)he is authorized by _____, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

_____
Authorized Agent (*signature*)

Subscribed and sworn to before me, this _____ day of _____, 20 _____, to certify which witness my hand and seal of office.

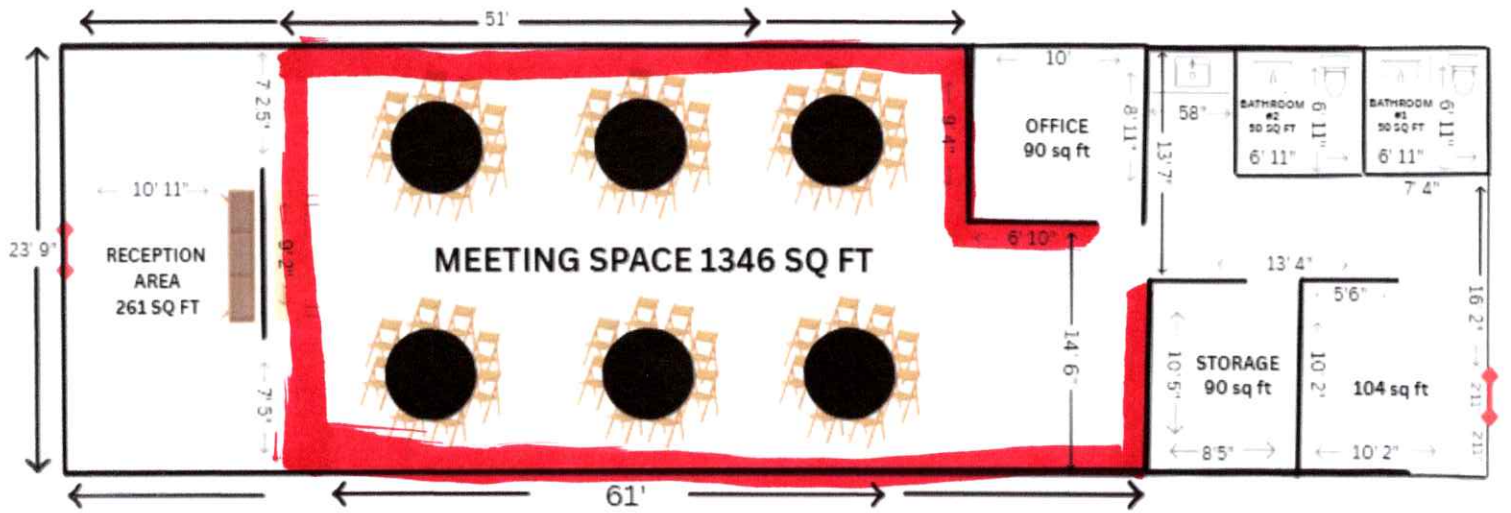
_____
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

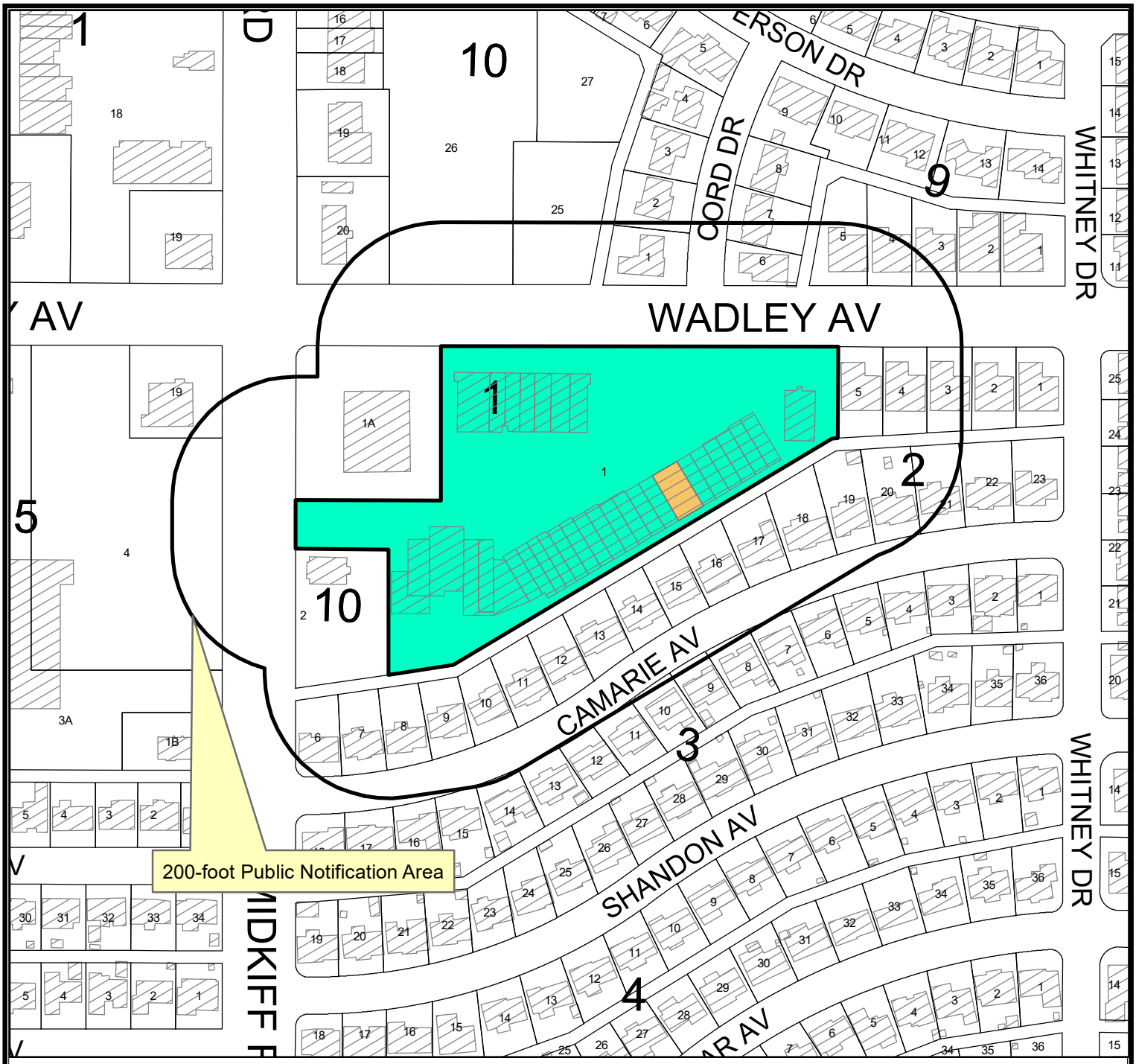
****Application will not be considered for scheduling until reviewed by a planner.****

RECEIVED
AUG 25 2025
Initial: BC

IMPERIAL SHOPPING CENTER - SUITE 3B

3211 W WADLEY AVE, SUITE 3B,
MIDLAND TEXAS 79705





Location Map

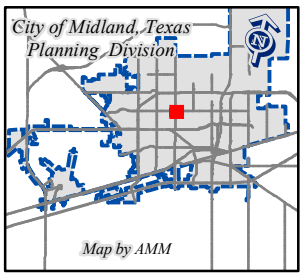
SUD-25-0208 **Scale: 1" = 3,331'**

Consider a request by Angelica Prather for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages for on premises consumption in a Special Event Center on a 2,100-square foot portion on Lot 1, Block 1, Imperial Heights, City and County of Midland, Texas.

Generally located at the southeast corner of the intersection of West Wadley Avenue and North Midkiff Road. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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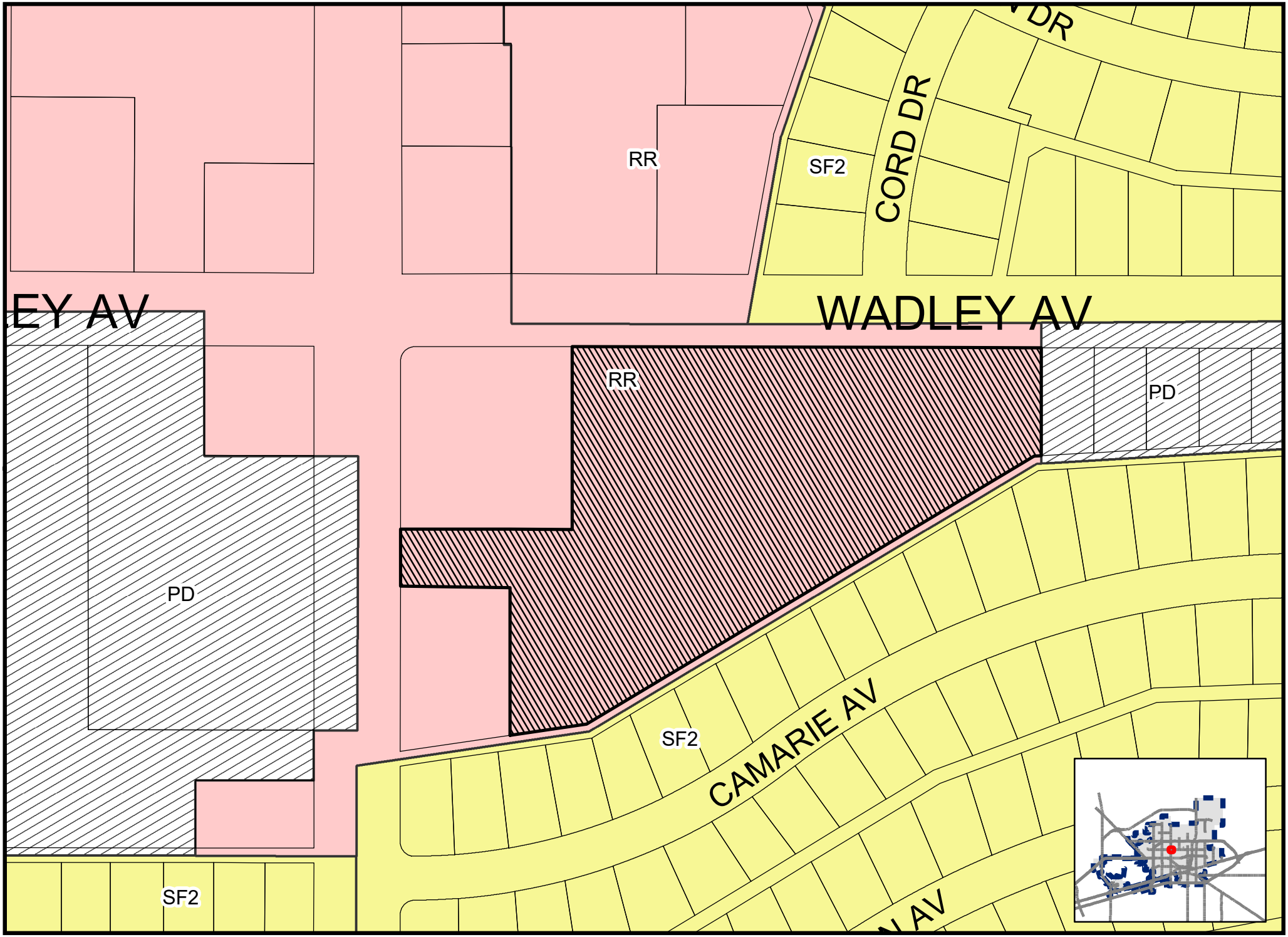
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



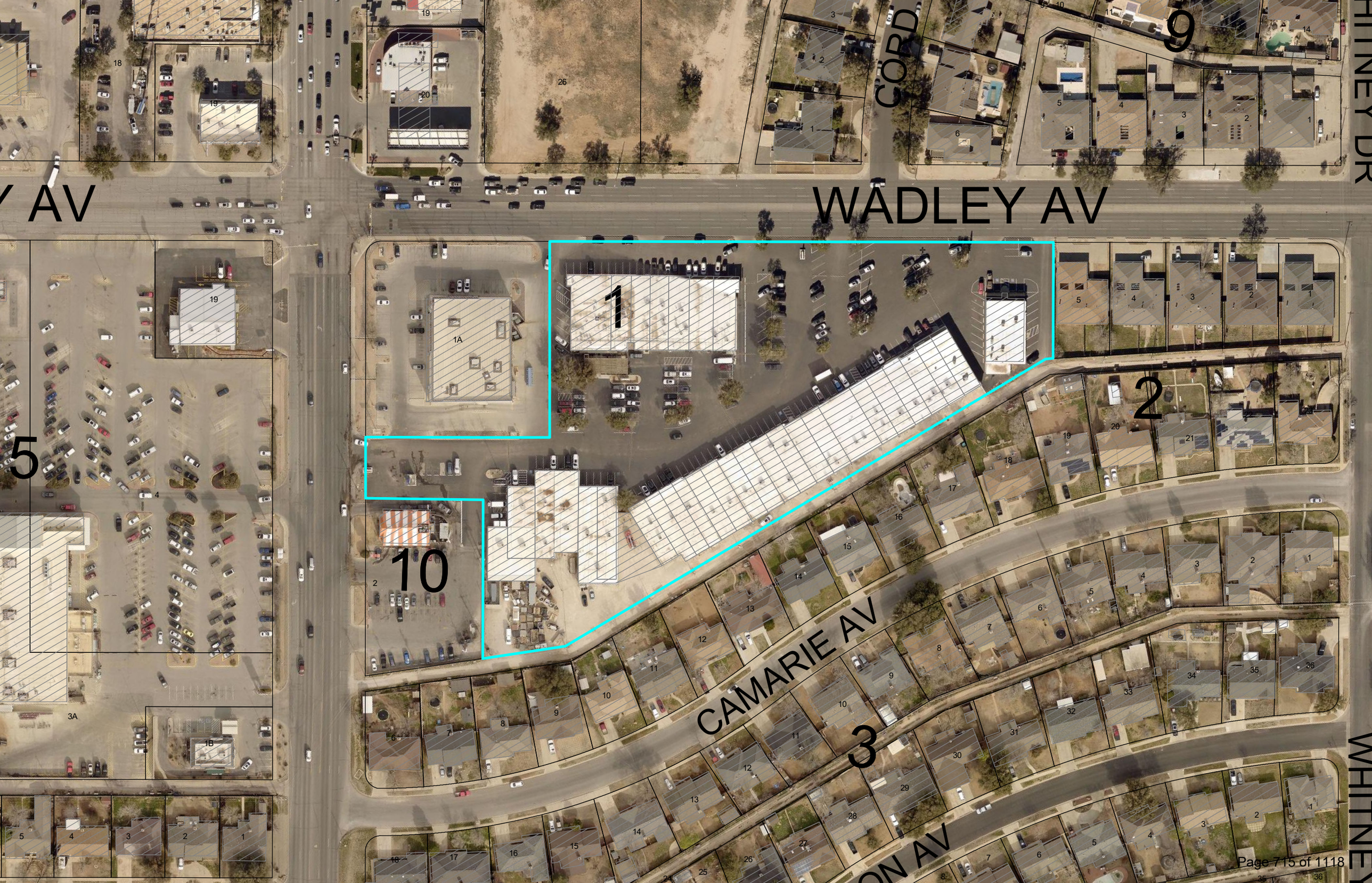
Map AMM 9/4/2025

SUB-25-0208

Scale: 1" = 977'

ZONING MAP

© THE CITY OF MIDLAND - 2021: THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS MADE OR ACTIONS TAKEN BASED UPON THIS MAP.


WADLEY AV
CAMARIE AV
CORD
WHITNEY DR
1
2
3
5
9
10

VII
BEAUTY LOUNGE
TOKYO 1
Weichert of the Permian Basin
Nails
Lashes
PILATES

City Council Meeting

Item Number: 29.
Meeting Date: October 14, 2025
To: City Council
From: Alexis Martinez, Associate Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 6,214-SQUARE-FOOT PORTION OF LOT 1, BLOCK 1, 349 RETAIL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF NORTH HIGHWAY 349, APPROXIMATELY 330 FEET NORTH OF TEJAS), 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

Purpose:
Alex Gamboa, is requesting a Specific Use Designation with term, for the sale of all alcoholic beverages for on-premises consumption, on a property located at 6411 North Highway 349 for a Taphouse Kitchen & Bar.

Recommended Action:
Approve

Fiscal Impact:
NONE

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Strategic Priority:

(Quality of Life & Place)

Current Zoning:

RR, Regional Retail District

Surrounding Zoning and Land Use:

The properties to the north and west are zoned RR- Regional Retail District. South are zoned PD- Planned District for shopping center. The properties east, north and west are vacant and the property to the south will be a Dollar Tree.

Analysis:

The property is zoned RR, Regional Retail District. RR zoning allows for Alcoholic Beverages Sales for On-Premises Consumption in a lounge with the approval of an SUD. The total area of the restaurant, Taphouse Kitchen & Bar, is 6,124-square feet and the proposed alcohol serviceable area is 4,184 square feet.

The proposed days and hours of operation are:

Monday through Sunday from 8 a.m. to 2 a.m.

The applicant is requesting the following alcohol serviceable hours.

Monday through Sunday from 8 a.m. to 2 a.m.

Per Midland City Code, Section 5-4-4, Prohibited Places of Business:

The sale of any alcoholic beverage is hereby prohibited by any person, where the place of business of any such dealer is within 300 feet of any church, public-school, public-school ground, athletic stadium used by any public school or public hospital, the measurements to be along the property lines of the street fronts and from front door to front door and in a direct line across intersections where they occur.

There are no schools or churches within 300 feet of the property using the front door to door distance measurement.

This request has been circulated to and reviewed by respective City departments for internal review and their comments, conditions, and requirements are as follows:

Fire: (Approved)

No comments or objections.

Engineering: (Approved)

No objection. [For Applicant’s Information Only.]

Transportation: (Approved)

No objection. [For Applicant’s Information Only.]

Building Code: (Approved)

The SUD for The Taphouse is acceptable. The property must adhere to the maximum occupant load of 278 persons for the alcohol serviceable area. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning: (Approved with Conditions)

This request meets all requirements; therefore, staff recommends approval of the request of the Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, subject to Condition A through G.

Conditions:
A. That the serviceable area of the Establishment shall be limited to approximately 4,184 square feet as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes.
B. That the sale and on-premises consumption of alcoholic beverages shall conform to all applicable state and local laws.
C. That the days and hours of alcoholic beverage sales and consumption shall be limited to Monday through Sunday from 8:00 a.m. to 2:00 a.m. of the following day.
D. That the occupancy of the Establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.
E. That the Establishment shall meet the requirements of the Fire Department and the Code Administration Division.
F. That the operator of the Establishment shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on-premises consumption to ensure that the conditions of this Specific Use Designation With Term are satisfied.
G. That in accordance with Section 11-1-9.07.E.3 of the City Code, the Establishment shall be in operation within 120 days from the final adoption date of this ordinance.

Letters of Objection:

As of October 2, 2025 staff has not received any letters of objections

Attachments:
A. ORDINANCE W EXH - SUD-25-0209.Taphouse Kitchen & Bar - Alcohol Sales Ord w Exh
B. SUD-25-0209, Combined Docs
C. SUD-25-0209, Alcohol SUD w Term Taphouse

Alexis Martinez, Development Services	Created/Initiated - 9/30/2025
Landon Ochoa, Development Services	Approved - 10/2/2025
Elizabeth Triggs, Development Services	Approved - 10/2/2025
Linda Ochoa, Legal	Approved - 10/7/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Jan Hamilton, City Secretary	Final Approval - 10/7/2025

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 6,214-SQUARE-FOOT PORTION OF LOT 1, BLOCK 1, 349 RETAIL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF NORTH HIGHWAY 349, APPROXIMATELY 330 FEET NORTH OF TEJAS), 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

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, Texas, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after holding due hearings affording a full and fair hearing to all of the property owners generally, and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body of the City of Midland finds that the public convenience will be best served by granting a Specific Use Designation With Term for a 6,214-square-foot portion of Lot 1, Block 1, 349 Retail Addition, City and County of Midland, Texas (the "Property"), as set out hereinafter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to grant the Property a Specific Use Designation With Term for the sale of all alcoholic beverages in a restaurant (the "Establishment") for on-premises consumption, together with the uses permitted in the present RR, Regional Retail District.

SECTION TWO. That the Property shall be subject to the following conditions and restrictions:

A. That the serviceable area of the Establishment shall be limited to approximately 4,184 square feet as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes.

B. That the sale and on-premises consumption of alcoholic beverages shall conform to all applicable state and local laws.

C. That the days and hours of alcoholic beverage sales and consumption shall be limited to Monday through Sunday from 8:00 a.m. to 2:00 a.m. of the following day.

D. That the occupancy of the Establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.

E. That the Establishment shall meet the requirements of the Fire Department and the Code Administration Division.

F. That the operator of the Establishment shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on-premises consumption to ensure that the conditions of this Specific Use Designation With Term are satisfied.

G. That in accordance with Section 11-1-9.07.E.3 of the City Code, the Establishment shall be in operation within 120 days from the final adoption date of this ordinance.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances, inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2025; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2025, at a regular meeting of the City Council:

Council members voting "AYE":

Council members voting "NAY":

PASSED AND APPROVED THIS _____ day of _____, A.D., 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

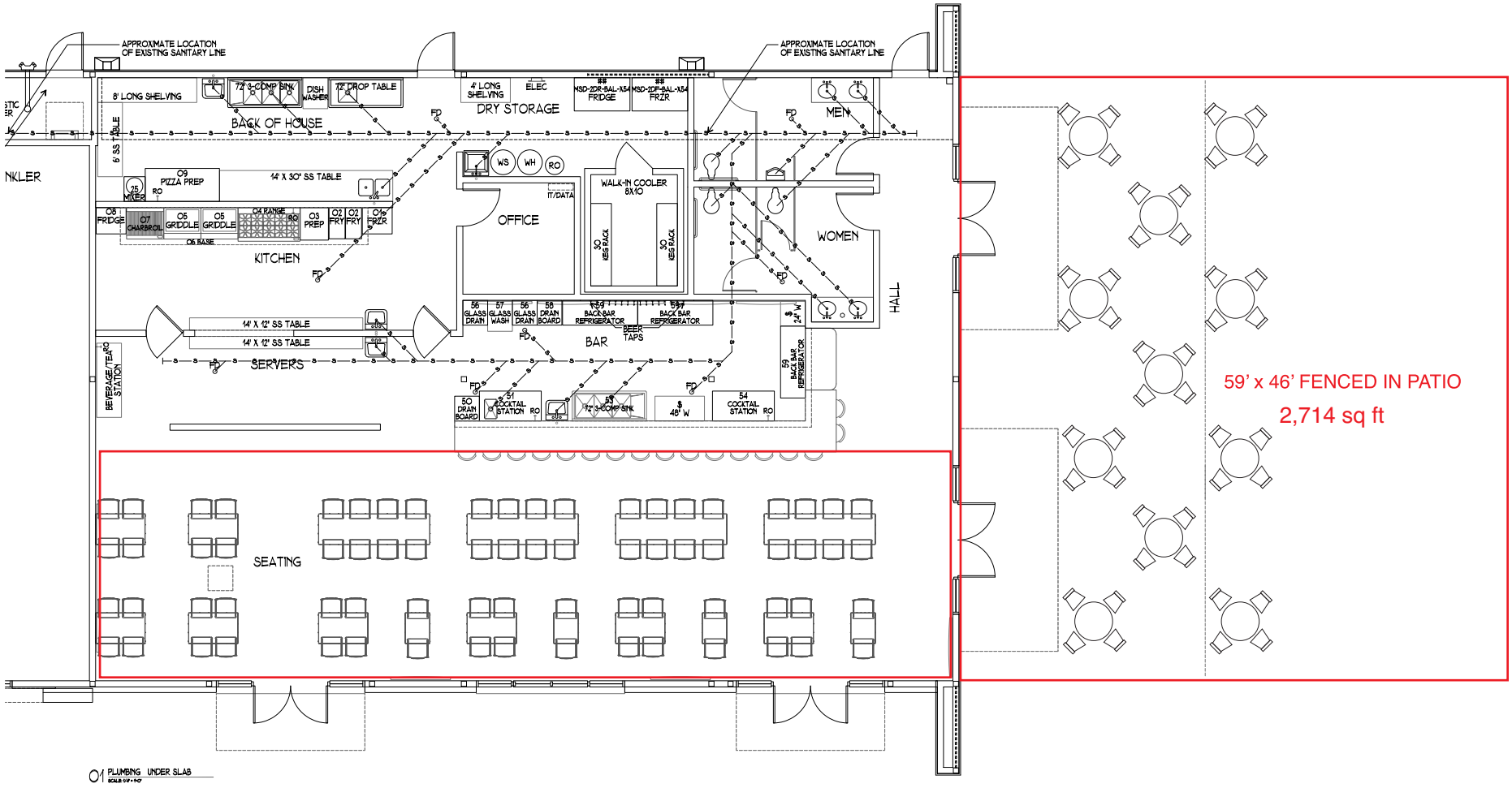
APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

EXHIBIT A



21' x 70'
1,470sq ft for customer seating indoors

MIDLAND
Planning Division

Specific Use Designation with Term for the Sale of Alcoholic Beverages for On-Premises Consumption

FOR STAFF'S USE ONLY
Project Number: _____
Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: ALEX RAMBOR		Phone (432) 661-0314 Email ALEX@LEYENDACOFFEE.COM MARK@LEYENDACOFFEE.COM	
Address 1515 CERRILLOS AVE	City MIDLAND	State TX	Zip 79705
Property Owner FIERCE PROPERTY INVESTMENTS Printed Name: CHRIS BUTLER		Phone (432) 634-1435 Email CHRIS@CMBCLLC.COM	
Address 4416 BRIARWOOD AVE, STE 110	City MIDLAND	State TX	Zip 79707
Representative *(if different from Applicant or Property Owner)* Firm: _____ Printed Name:		Phone ( ) Email	
Address	City	State	Zip

Street Address: 6411 NORTH 349, MIDLAND, TX 79707

Business Name: TAPHOUSE KITCHEN & BAR

Reason for Request: TABC MIXED BEVERAGE PERMIT - ON PREMISE

Type of Business *(restaurant, bar, lounge, nightclub, etc.)*: RESTAURANT

Proposed/Current Days and Hours of Operation: SUNDAY - SATURDAY 8:00AM - 2:00AM

Proposed Days and Hours of Alcohol Service: SUNDAY - SATURDAY 8:00AM - 2:00AM

Total Square Footage of Business: 6,214 SQFT

Square Footage of Alcohol Serviceable Area: 4,184
(Outline in red on floor plan)

Restroom Fixtures:	*Men*	**Toilets/Urinals:** 1 / 1 / 1	**Bathroom Sinks:** 2
	Women	**Toilets:** 2	**Bathroom Sinks:** 2

****Application will not be considered for scheduling until reviewed by a planner.****

Submittal and Fees
Items to be submitted with this application form:

Application Fee of $300 –
- If by check, put Payable to the 'City of Midland'
- If online, check email for invoice

Dimensioned Floor Plan showing:
- Seating
- Exits
- Restrooms
- Kitchen (if applicable)
- Total Square Footage
- Serviceable Square Footage (outlined in red & labeled)

Dimensioned Site Plan showing:
- Parking
- Business Footprint

Digital Copies of Floor Plan & Site Plan (PDF/JPEG)

Signatures

Applicant (signature): Alexander Jackson	Date: 9-5-25
Applicant (printed):	
Property Owner (signature):	Date: 9-5-25
Property Owner (printed): Fierce Property Investments, LLC - Christopher M. Butler	

The Specific Use Designation with Term for the sale of all alcoholic beverages shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Mark Marquez who, being by me duly sworn, upon oath says: That (s)he is authorized by Christopher Butler, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Authorized Agent (*signature*)

Subscribed and sworn to before me, this 5th day of September, 20 25, to certify which witness my hand and seal of office.

ALYSSA RAE CHAVIRA
Notary ID #134489436
My Commission Expires
August 2, 2027

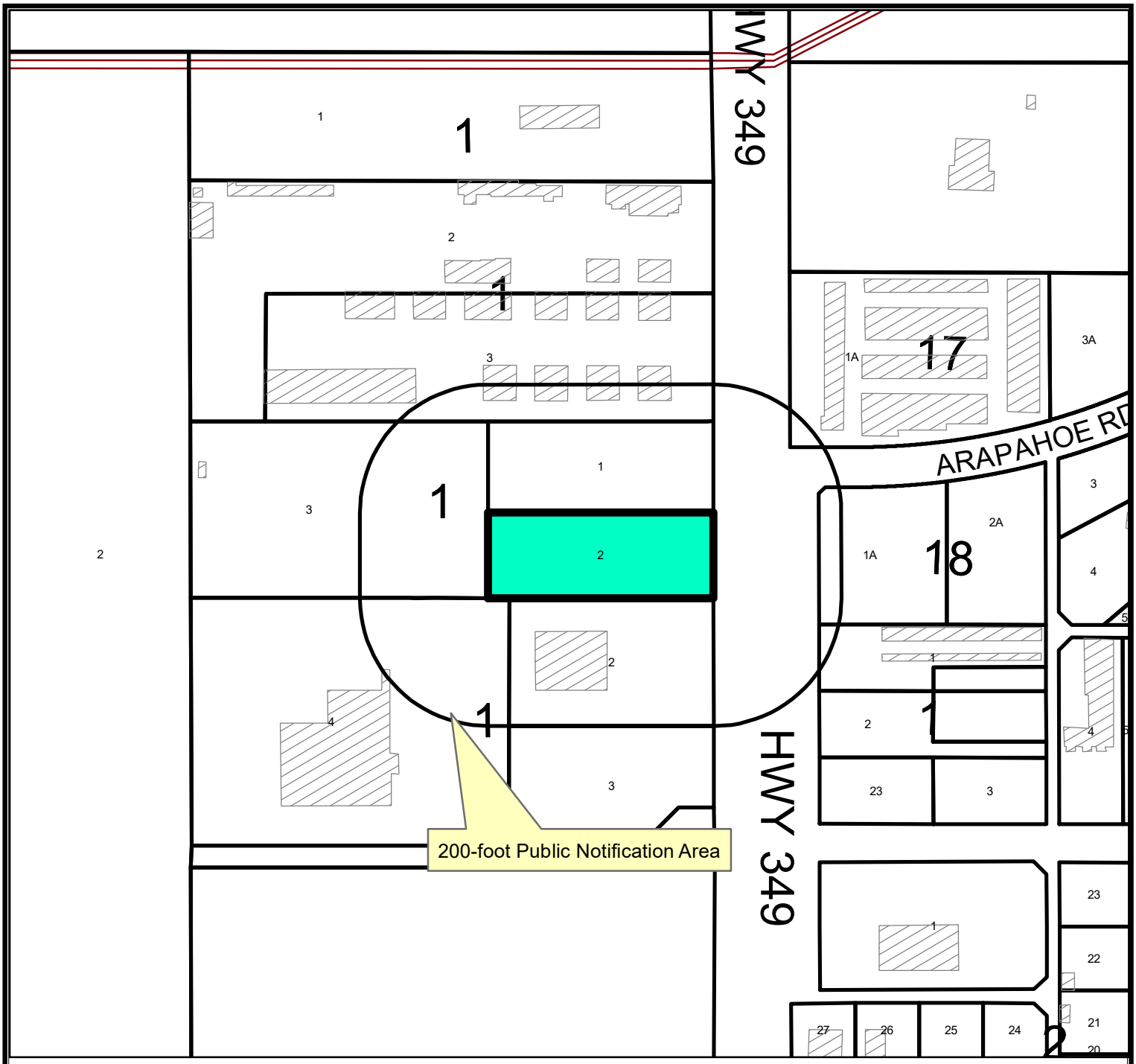
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

****Application will not be considered for scheduling until reviewed by a planner.****

FOR OFFICE USE ONLY		
☑ Property Owner Authorization	☑ Dimensioned Floor Plan	
☐ Application Fee	☑ Site Plan	
Check # invoice	☑ Plans in Digital Format (PDF/JPEG)	RECEIVED
Received By: Alexis	Date: SEP 05 2025	

Initial: _____

****Application will not be considered for scheduling until reviewed by a planner.****



Location Map

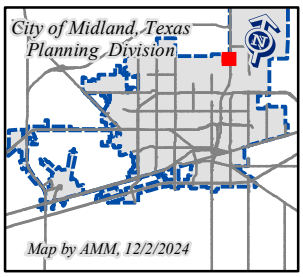
SUD-25-0209 **Scale: 1" = 684'**

Consider a request by Alex Gamboa, for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages for on premises consumption in a restaurant on a 6,214-square foot portion on Lot 1, Block 1, 349 Retail Addition, City and County of Midland, Texas.

Generally located on the west side of North Highway 349, approximately 330 feet north of Tejas. (Council District 1)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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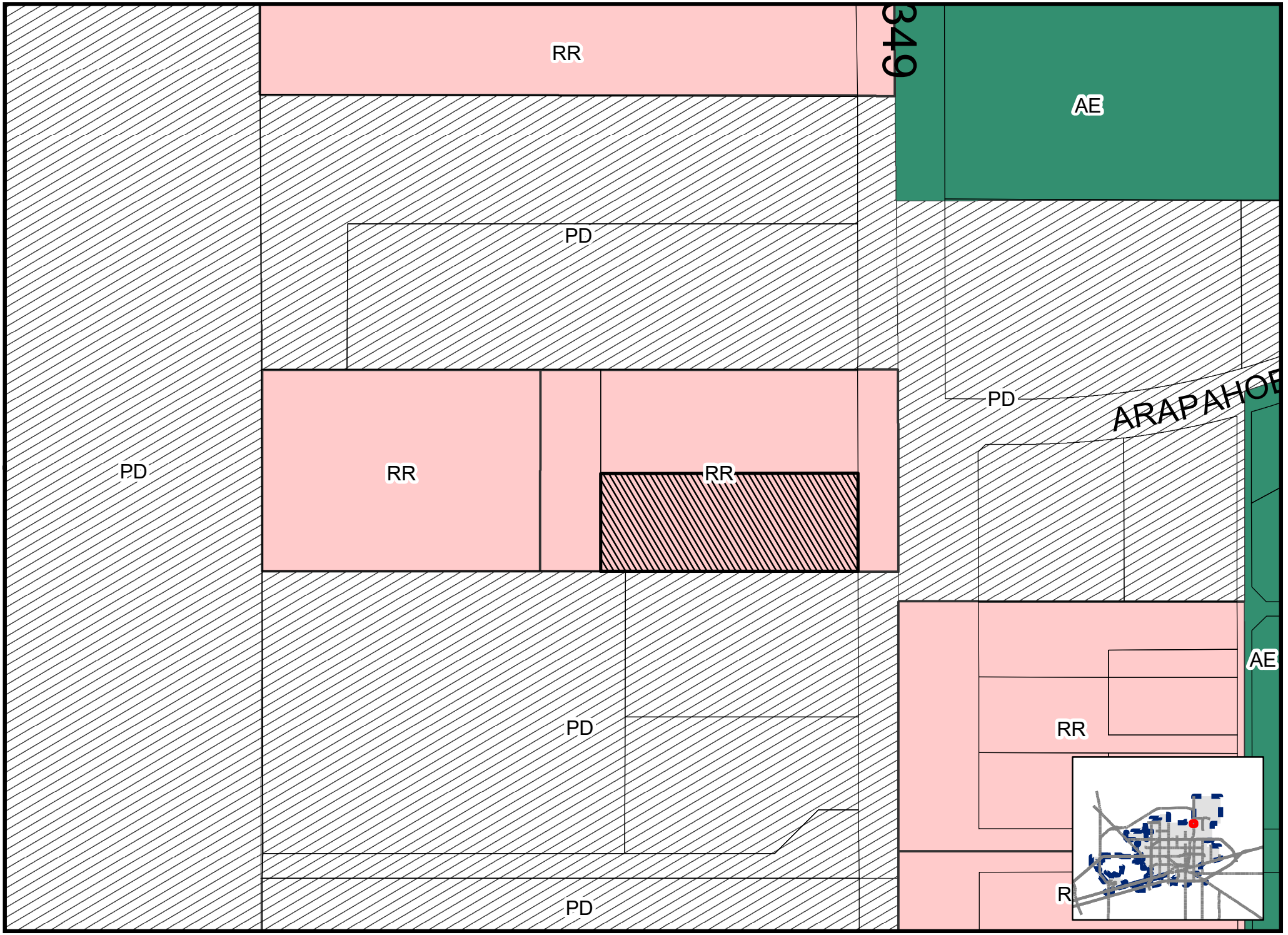

Map AMM, 09/15/2025

SUD-25-0209

Scale: 1" = 977'

ZONING MAP

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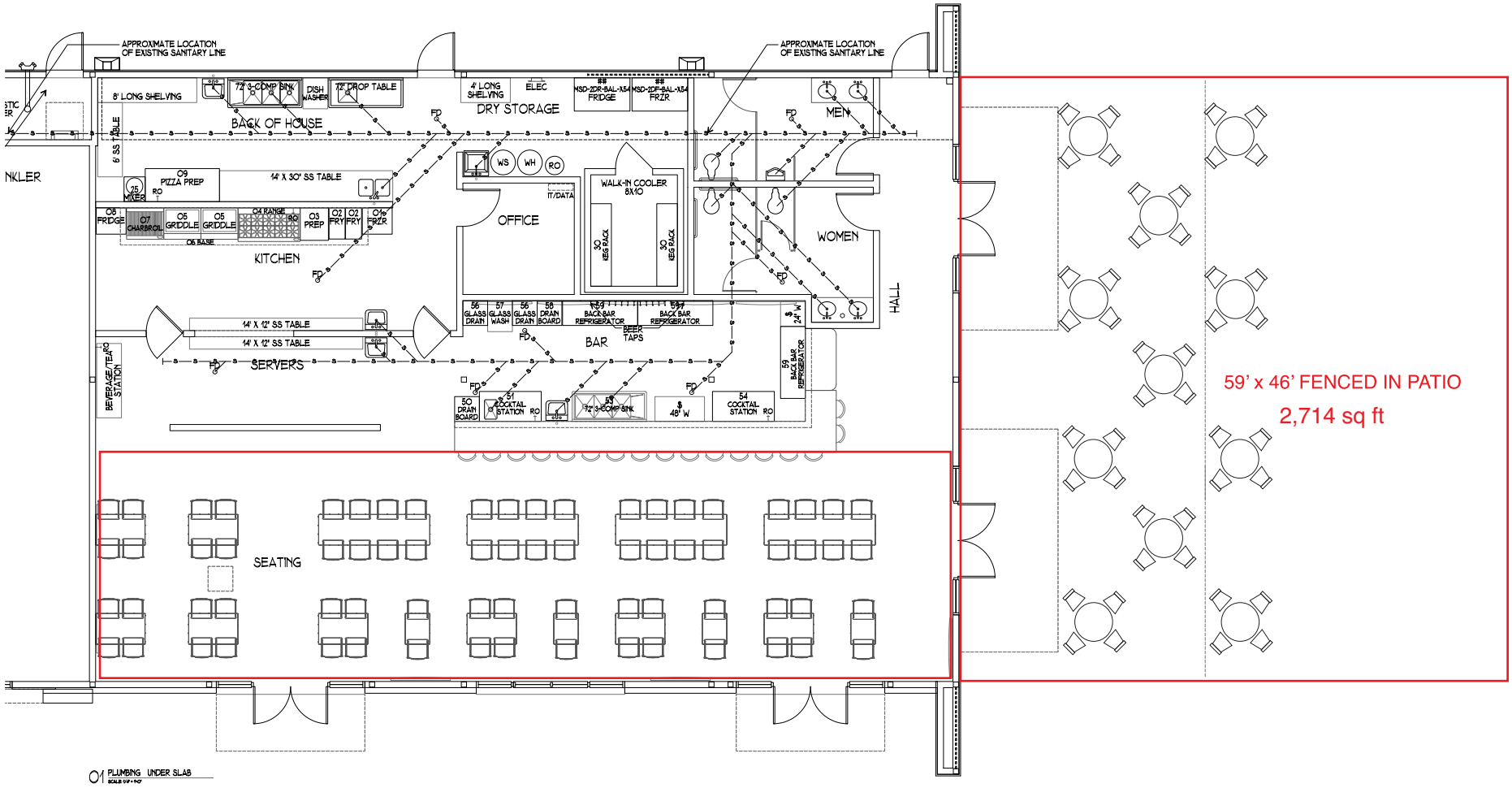
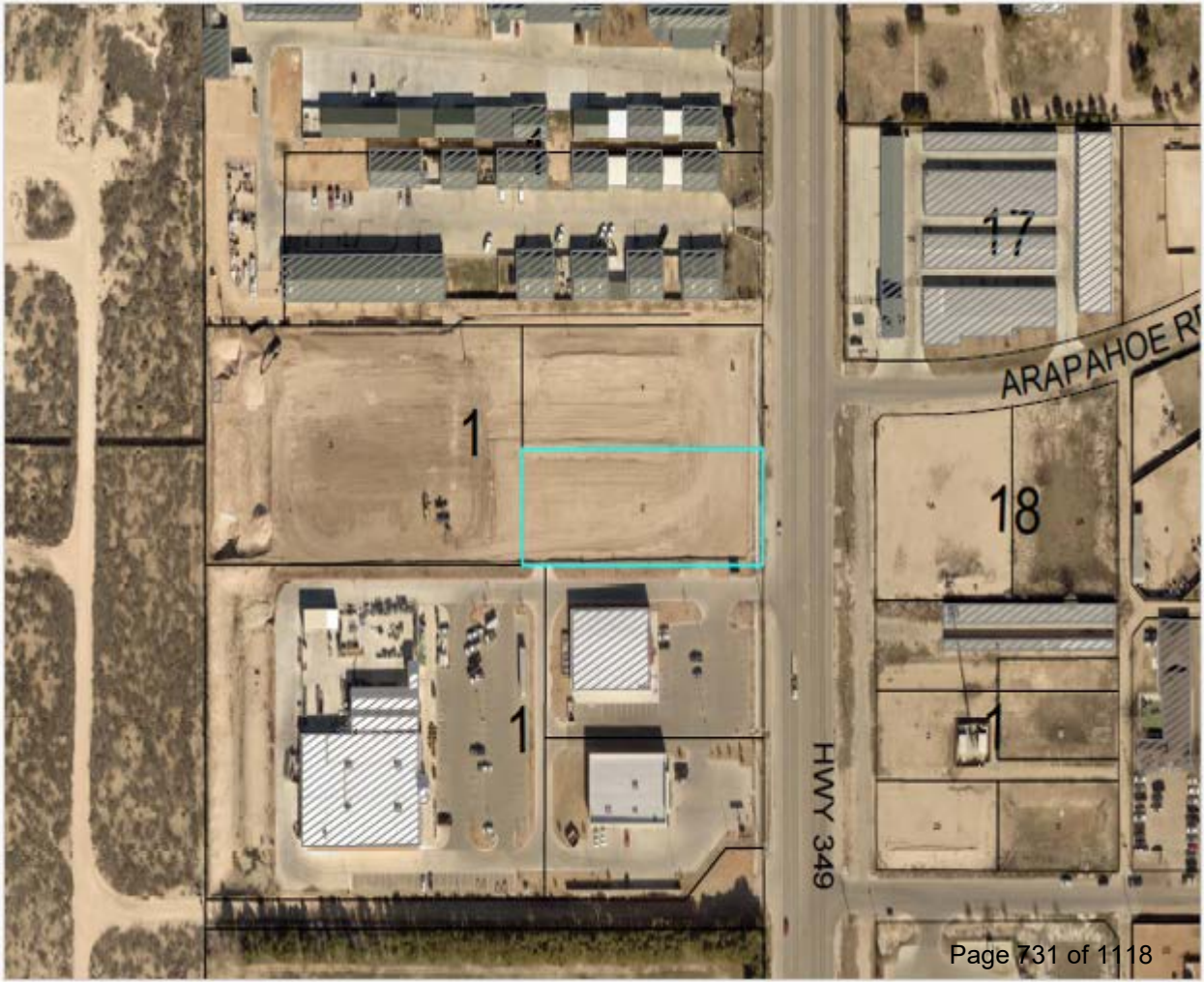

APPROXIMATE LOCATION OF EXISTING SANITARY LINE
APPROXIMATE LOCATION OF EXISTING SANITARY LINE
8' LONG SHELVING
72" 3-COMP SINK
DISH WASHER
72" DROP TABLE
BACK OF HOUSE
4' LONG SHELVING
ELEC
DRY STORAGE
MSD-2DR-BAL-X54 FRIDGE
MSD-2DF-BAL-X54 FRZR
MEN
6' SS TABLE
O9 PIZZA PREP
RO
14' X 30" SS TABLE
WS
WH
RO
IT/DATA
OFFICE
WALK-IN COOLER 8X10
30 KEGS RACK
30 KEGS RACK
WOMEN
O8 FRIDGE
O7 CHARBROIL
O5 GRIDDLE
O5 GRIDDLE
O4 RANGE
O3 PREP
O2 FRY
O2 FRY
O1 FRZR
O6 BASE
KITCHEN
HALL
56 GLASS DRAIN
57 GLASS WASH
56 GLASS DRAIN
58 DRAIN BOARD
59A BACK BAR REFRIGERATOR
59A BACK BAR REFRIGERATOR
BEER TAPS
24" W
59 BACK BAR REFRIGERATOR
14' X 12" SS TABLE
14' X 12" SS TABLE
SERVERS
BAR
BEVERAGE/TEA STATION
50 DRAIN BOARD
51 COCKTAIL STATION RO
53 72" 3-COMP SINK
48" W
54 COCKTAIL STATION RO
SEATING
59' x 46' FENCED IN PATIO
2,714 sq ft
21' x 70'
1,470sq ft for customer seating indoors
O1 PLUMBING UNDER SLAB

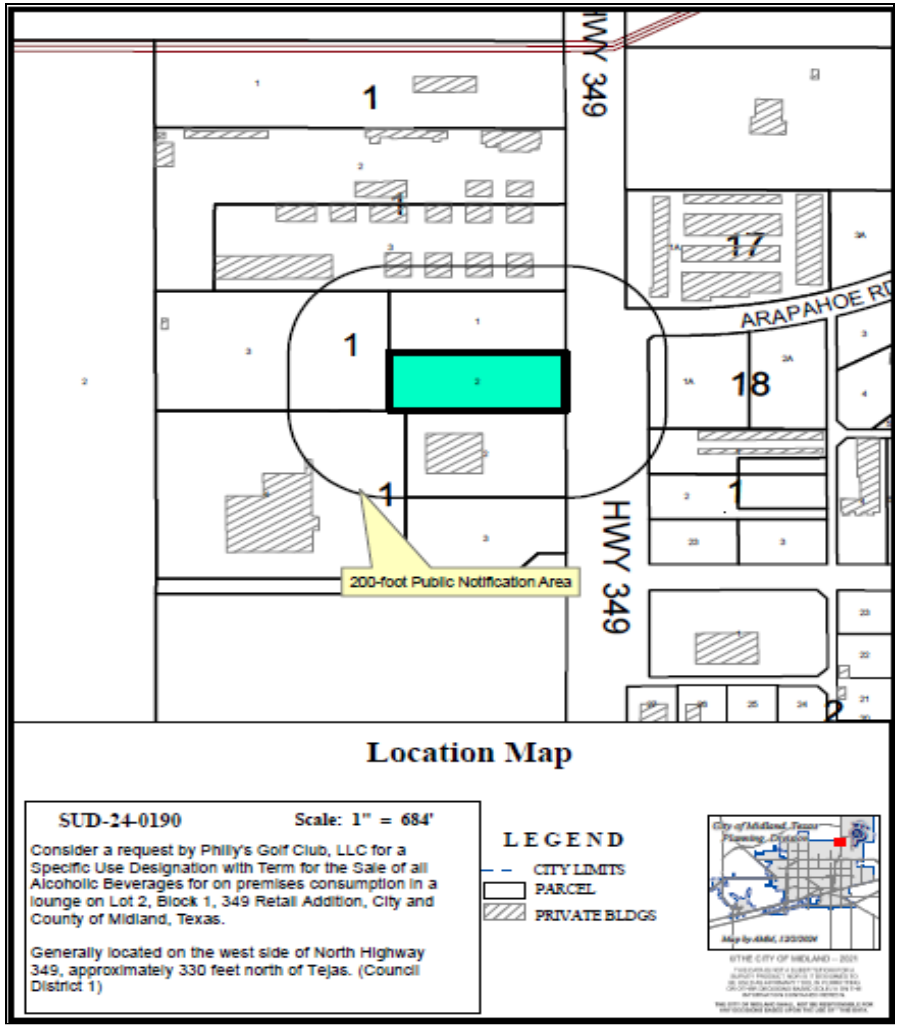

17
ARAPAHOE R
1
18
1
HWY 349

NO PARKING FIRE LANE

MIDLAND
Be the Energy!
ITEM
SPECIFIC USE DESIGNATION
TAPHOUSE KITCHEN & BAR
Visit Our Website
MIDLANDTEXAS.GOV

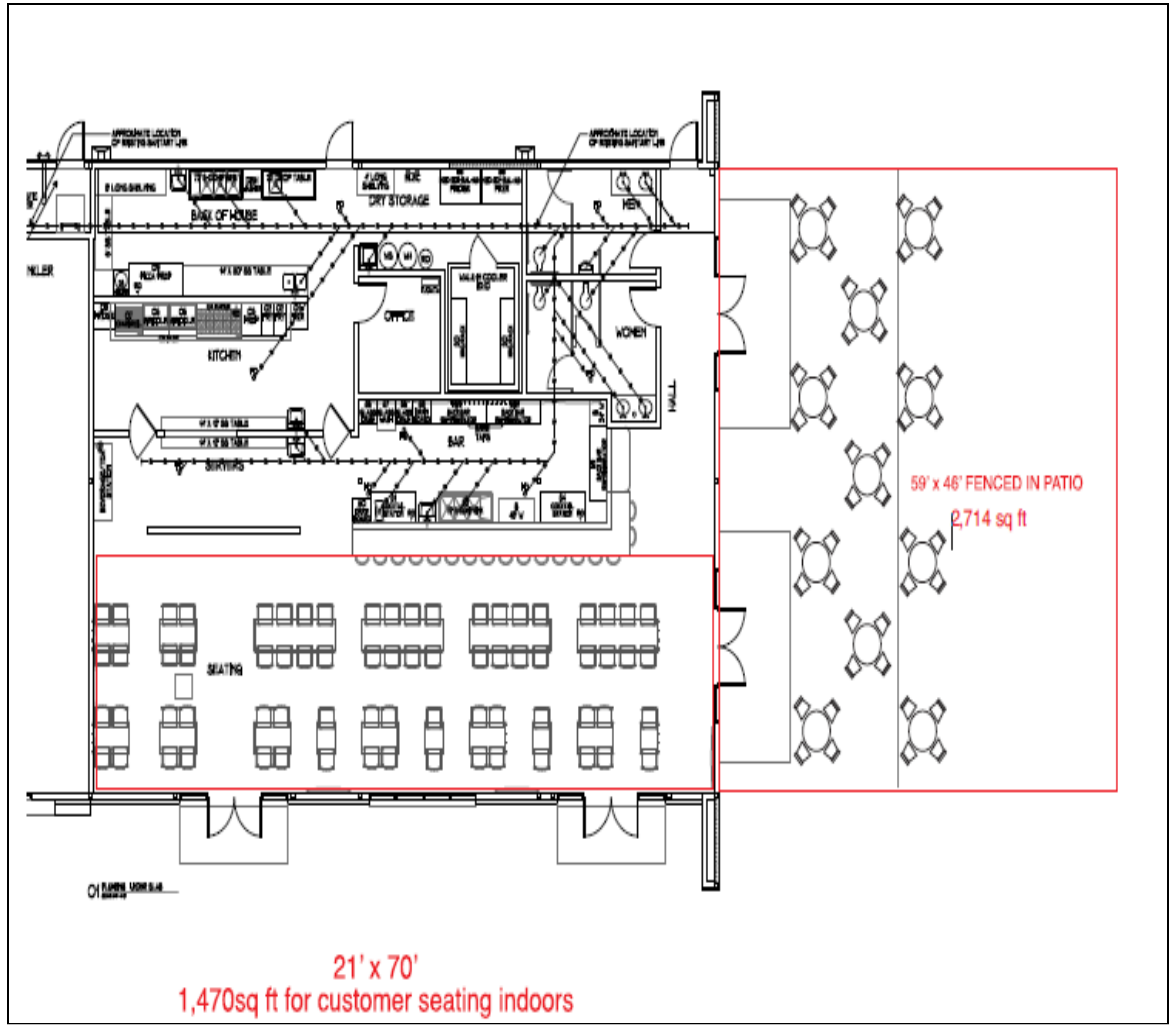
APPLICATION SUMMARY

- **Applicant:** Alex Gamboa
- **Property Owner:** Chris Butler
- **Location:** 6411 North 349 (Council District 1)
- **Reason for Request:** For the sale and on-premises consumption of alcohol



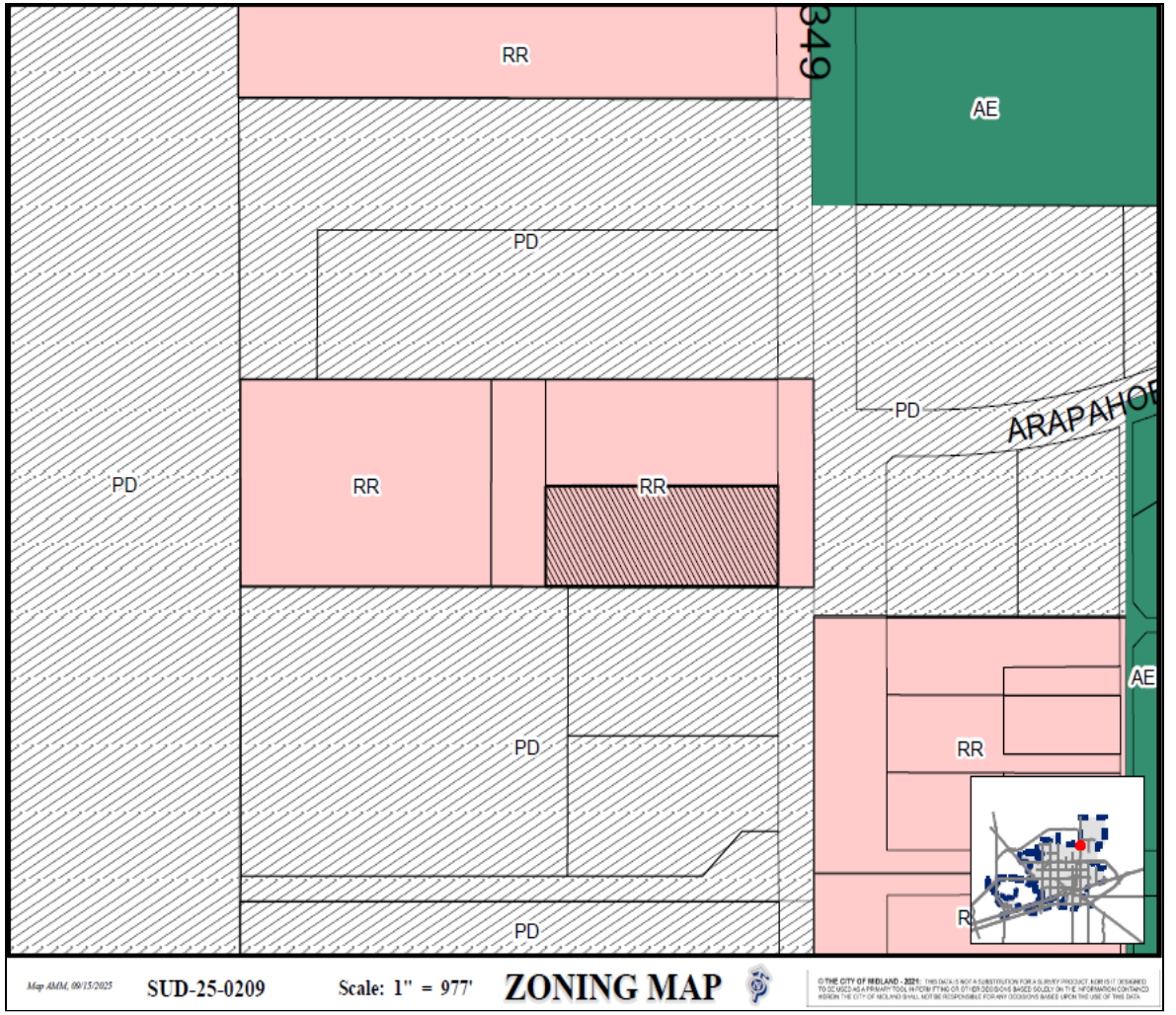
DETAILS OF REQUEST

- **For new business**
- **Area of Business:** 6,214 SF
- **Serviceable Area:** 4,184 SF
- **Hours of Operation and Sales of Alcohol:**
- Monday through Sunday 8 a.m. to 2 a.m.



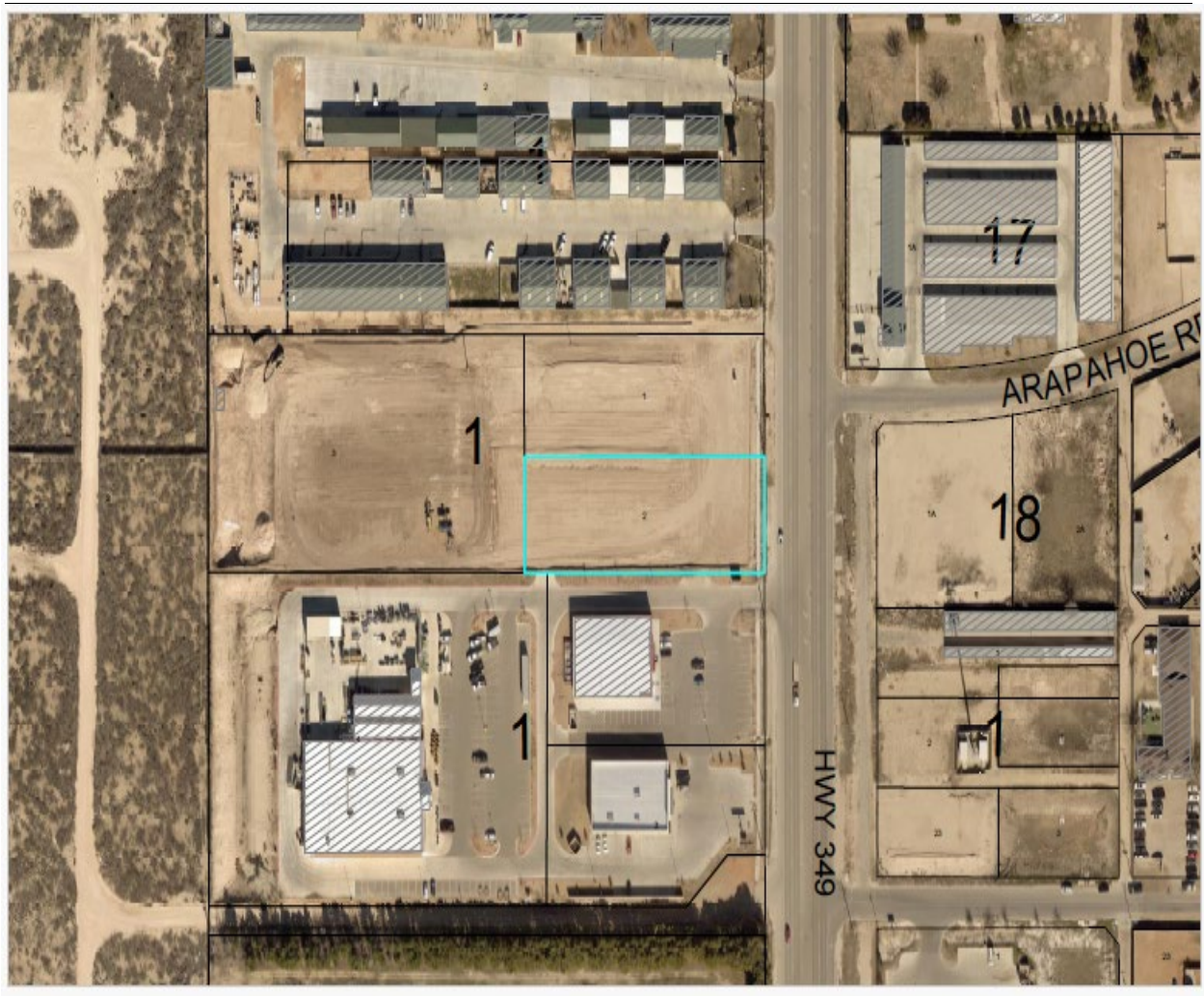
ZONING

- **Current Zoning**: RR, Regional Retail District
- **Surrounding Zoning:**
  - **North: RR, Regional Retail**
  - **East, West and South:** PD, Planned Development District for a Shopping Center and Housing Development
- The use of an SUD for the sale and on-premises consumption is allowed in this zoning.



LAND USE

- **Current Use:** Vacant Building
- **Proposed Use:** Restaurant
- **Surrounding Uses:**
  - **North:** Retail and Residential
  - **East/West:** Retail
  - **South:** Drainage Easement, Storage Units, and Residential



MIDLAND
Be the Energy!

On North Big Spring, Looking North

COMPREHENSIVE PLAN

This request is compatible with the *Tall City Tomorrow Comprehensive Plan* as it is consistent *Chapter 6-Character Plan, Goal 4*, which is to "Encourage the development of places where Midland residents can gather and socialize to build connections."

PROHIBITED PLACES OF BUSINESS

There is no church, public school, public school ground, athletic stadium used by any public school, or public hospital within 300 feet of the building of the subject property as required by *Section 5-4-4 Prohibited Places of Business.*

STAFF'S RECOMMENDATION

- No objections were received.
- Staff recommends approval of this request with the following conditions:

A. That the serviceable area of the Establishment shall be limited to approximately 4,184 square feet as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes.

STAFF'S RECOMMENDATION

B. That the sale and on-premises consumption of alcoholic beverages shall conform to all applicable state and local laws.

C. That the days and hours of alcoholic beverage sales and consumption shall be limited to the following:

Monday through Sunday from 8 a.m. to 2 a.m. the following day.

STAFF'S RECOMMENDATION

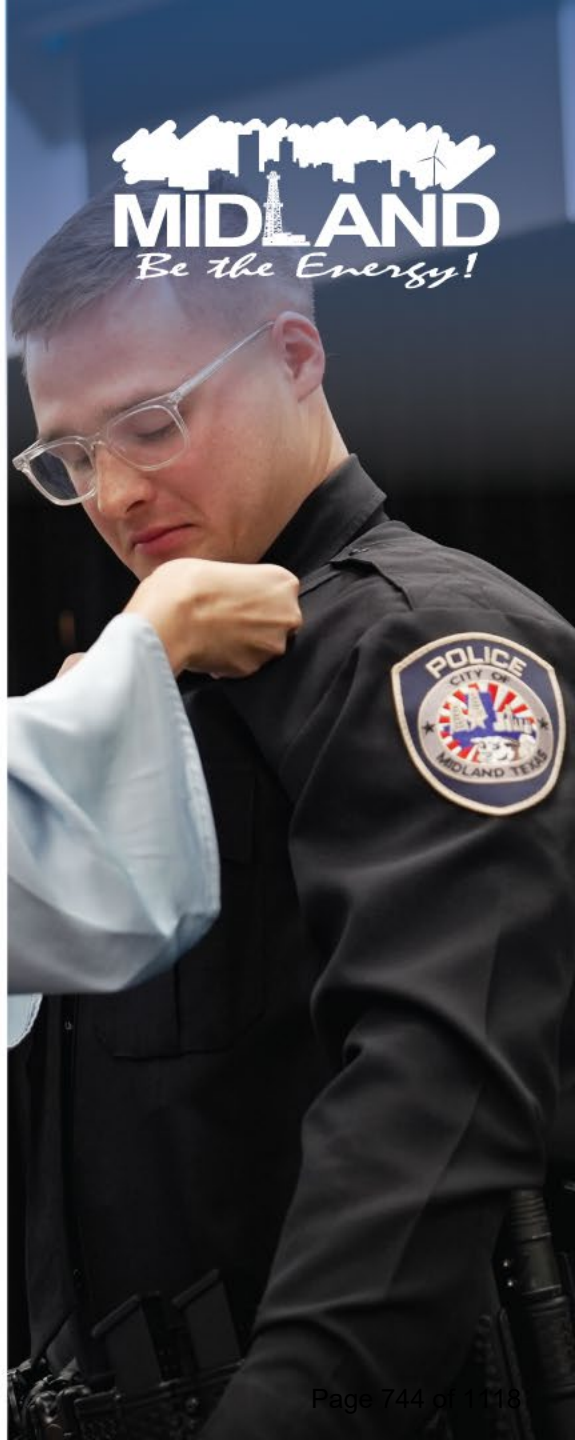
D. That the occupancy of the Establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.

E. That the Establishment shall meet the requirements of the Fire Department and the Code Administration Division

STAFF'S RECOMMENDATION

F. That the operator of the Establishment shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on-premises consumption to ensure that the conditions of this Specific Use Designation With Term are satisfied.

G. That in accordance with Section 11-1-9.07.E.3 of the City Code, the Establishment shall be in operation within 120 days from the final adoption date of this ordinance.



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.

City Council Meeting

Item Number: 30.
Meeting Date: October 14, 2025
To: City Council
From: Alexis Martinez, Associate Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 3,592-SQUARE-FOOT PORTION OF LOTS 7, 8 AND 9, BLOCK 28, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH MARIENFELD STREET AND WEST ILLINOIS AVENUE), WHICH IS PRESENTLY ZONED CB, CENTRAL BUSINESS 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

Purpose:
Leonard Hight, is requesting a Specific Use Designation with term, for the sale of all alcoholic beverages for on-premises consumption, on a property located at 300 North Marienfeld for Georgie's Place.

Recommended Action:
Approve

Fiscal Impact:
none

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Current Zoning:

CB, Central Business District

Surrounding Zoning and Land Use:

All properties to the North, South, East and West are zoned CB, Central Business.

Analysis:

The property is zoned CB, Central Business District. The central business zoning allows for alcoholic beverages sales for on-premises consumption in a restaurant with the approval of an SUD. The property currently does not have an SUD. The total area of the restaurant, Georgie's Place, is 3,592-square feet and the proposed alcohol serviceable area is 3,000 square feet

The proposed days and hours of operation are:

Monday through Sunday from 11 a.m. to 12 a.m.

The applicant is requesting the following alcohol serviceable hours.

Monday through Sunday from 11 a.m. to 12 a.m.

Per Midland City Code, Section 5-4-4, Prohibited Places of Business:

The sale of any alcoholic beverage is hereby prohibited by any person, where the place of business of any such dealer is within 300 feet of any church, public-school, public-school ground, athletic stadium used by any public school or public hospital, the measurements to be along the property lines of the street fronts and from front door to front door and in a direct line across intersections where they occur.

There are no schools or churches within 300 feet of the property using the front door to door distance measurement.

This request has been circulated to and reviewed by respective City departments for internal review and their comments, conditions, and requirements are as follows:

Fire: (Approved)

No comments or objections.

Engineering: (Approved)

No objection. [For Applicant's Information Only.]

Transportation: (Approved)

No objection. [For Applicant's Information Only.]

Building Code: (Approved)

Sq Ft is not correct, not able to give accurate occupant load. As part of the alcohol serviceable area, you do not count areas that are considered occupiable (restrooms, hallways, closets, kitchens, behind bar tops, etc...)

Planning: (Approved with Conditions)

This request meets all requirements; therefore, staff recommends approval of the request of the Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restuarant, subject to Condition A through G.

Conditions:

A. That the serviceable area of the Establishment shall be limited to approximately 3,000 square feet as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes.

B. That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.

C. That the days and hours of alcoholic beverages sales and consumption shall be limited to Monday through Sunday from 11 a.m. to 2 a.m.

D. That the occupancy of the Establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.

E. That the Establishment shall meet the requirements of the Fire Department and the Code Administration Division.

F. That the operator of the establishment shall obtain a Certificate of Occupancy prior to commencement of the sale of alcohol beverages for on-premises consumption to ensure that the conditions of this Specific Use Designation with Term are satisfied.

G. That in accordance with section 9.07.E.3 of the Zoning Ordinance, the establishment shall be in operation within 120 days from the final adoption date of this ordinance.

Letters of Objection:
As of October 2, 2025 staff has not received any letters of objections.

Attachments:
A. ORDINANCE W EXH - SUD-25-0211.Georgie's Place - Alcohol Sales Ord w Exh
B. SUD-25-0211, Combined Docs
C. SUD-25-0211, Alcohol SUD w Term Georgie's Place

Alexis Martinez, Development Services	Created/Initiated - 9/30/2025
Landon Ochoa, Development Services	Approved - 10/2/2025
Elizabeth Triggs, Development Services	Approved - 10/2/2025
Linda Ochoa, Legal	Approved - 10/7/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Rachel Guentensberger, City Secretary	Final Approval - 10/7/2025

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 3,592-SQUARE-FOOT PORTION OF LOTS 7, 8 AND 9, BLOCK 28, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH MARIENFELD STREET AND WEST ILLINOIS AVENUE), WHICH IS PRESENTLY ZONED CB, CENTRAL BUSINESS 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

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, Texas, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after holding due hearings affording a full and fair hearing to all of the property owners generally, and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body of the City of Midland finds that the public convenience will be best served by granting a Specific Use Designation With Term for a 3,592-square-foot portion of Lots 7, 8 and 9, Block 28, Original Town Addition, City and County of Midland, Texas (the "Property"), as set out hereinafter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to grant the Property a Specific Use Designation With Term for the sale of all alcoholic beverages in a restaurant (the "Establishment") for on-premises consumption, together with the uses permitted in the present CB, Central Business District.

SECTION TWO. That the Property shall be subject to the following conditions and restrictions:

A. That the serviceable area of the Establishment shall be limited to approximately 3,000 square feet as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes.

B. That the sale and on-premises consumption of alcoholic beverages shall conform to all applicable state and local laws.

C. That the days and hours of alcoholic beverage sales and consumption shall be limited to the following:

Monday through Sunday from 11:00 a.m. to 12:00 a.m. (midnight).

D. That the occupancy of the Establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.

E. That the Establishment shall meet the requirements of the Fire Department and the Code Administration Division.

F. That the operator of the Establishment shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on-premises consumption to ensure that the conditions of this Specific Use Designation With Term are satisfied.

G. That in accordance with Section 11-1-9.07.E.3 of the City Code, the Establishment shall be in operation within 120 days from the final adoption date of this ordinance.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances, inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2025; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2025, at a regular meeting of the City Council:

Council members voting "AYE":

Council members voting "NAY":

PASSED AND APPROVED THIS _____ day of _____, A.D., 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

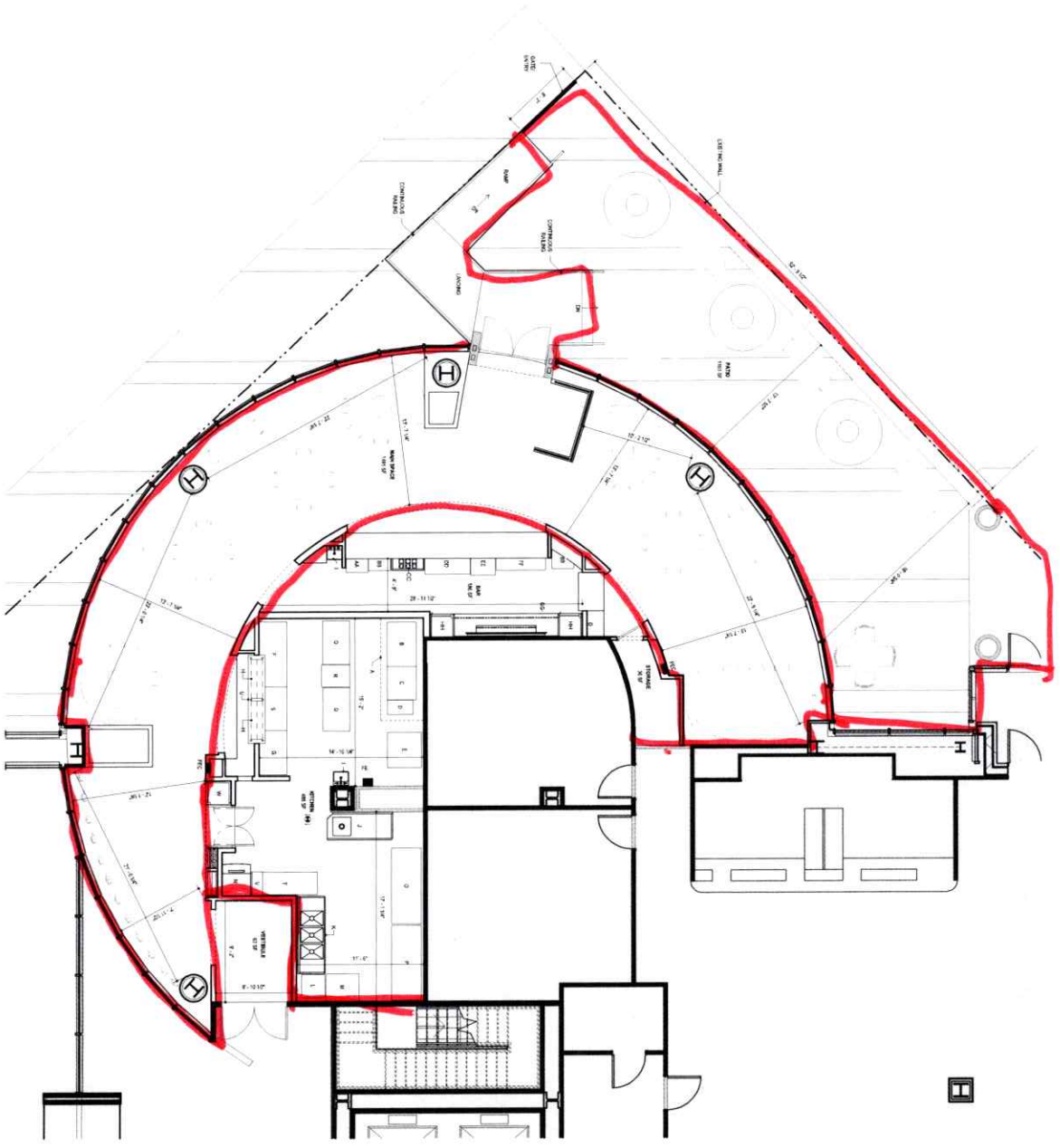
APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

EXHIBIT A



01 EQUIPMENT PLAN - FIRST FLOOR CAFE

TRUE NORTH

T12.12-1

ALCOHOL PERMIT PLAN

ISSUE DATE
05/16/25

SHM PROJECT#
23-034

PERMIAN RESOURCES - LEVEL 1
MIDLAND, TEXAS

LEVEL 1 TENANT IMPROVEMENT

shm ARCHITECTS
5646 Milton Street, Suite 900 · Dallas, Texas 75206
214.252.3830 · 214.252.3840 Fax shmarchitects.com

MIDLAND
Planning Division

Specific Use Designation with Term for the Sale of Alcoholic Beverages for On-Premises Consumption

FOR STAFF'S USE ONLY
Project Number: _____
Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: LEONARD (CHIP) HEINE III		Phone (832) 496-2640 Email CHIP@GEORGIESMTX.COM	
Address 1410 COMMUNITY LN	City MIDLAND	State TX	Zip 79701

Property Owner Printed Name: PERMIAN RESOURCES OPERATING, LLC		Phone (432) 695-4222 Email JONNY.HEINE@PERMIANRES.COM	
Address 300 N. MARIENFELD #1000	City MIDLAND	State TX	Zip 79701

Representative *(if different from Applicant or Property Owner)* Firm: _____ Printed Name:		Phone ( ) Email	
Address	City	State	Zip

Street Address: 300 N. MARIENFELD #150 MIDLAND, TX 79701

Business Name: GEORGIE'S PLACE, LLC

Reason for Request: MB / FD NEW APP.

Type of Business *(restaurant, bar, lounge, nightclub, etc.)*: RESTAURANT

Proposed/Current Days and Hours of Operation: ~~M-SATURDAY 11-12AM~~ 9:30PM M-SUN 11AM - 12AM

Proposed Days and Hours of Alcohol Service: SAME, BUT SEEKING 12 AM CUTOFF TIME FOR SERVICE

Total Square Footage of Business: 2,452 DINING, 1,140 PATIO

Square Footage of Alcohol Serviceable Area: 3,592
(Outline in red on floor plan)

Restroom Fixtures:	*Men*	**Toilets/Urinals:** 1 /	**Bathroom Sinks:** 1
	Women	**Toilets:** 1	**Bathroom Sinks:** 1

****Application will not be considered for scheduling until reviewed by a planner.****

Submittal and Fees

Items to be submitted with this application form:

Application Fee of $300 –

- If by check, put Payable to the 'City of Midland'
- If online, check email for invoice

Dimensioned Floor Plan showing:

- Seating
- Exits
- Restrooms
- Kitchen (if applicable)
- Total Square Footage
- Serviceable Square Footage (outlined in red & labeled)

Dimensioned Site Plan showing:

- Parking
- Business Footprint

Digital Copies of Floor Plan & Site Plan (PDF/JPEG)

Signatures

Applicant (signature):	Date: 9/8/25
Applicant (printed): EDWARD (CHIP) HYATT	
Property Owner (signature):	Date: 9/8/25
Property Owner (printed): Jonny Heins, VP Permian Resources Operating, LLC	

The Specific Use Designation with Term for the sale of all alcoholic beverages shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Jonny Heins who, being by me duly sworn, upon oath says: That (s)he is authorized by Permian Resources Operating, LLC the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Authorized Agent (*signature*)

Subscribed and sworn to before me, this 8 day of September, 20 25, to certify which witness my hand and seal of office.

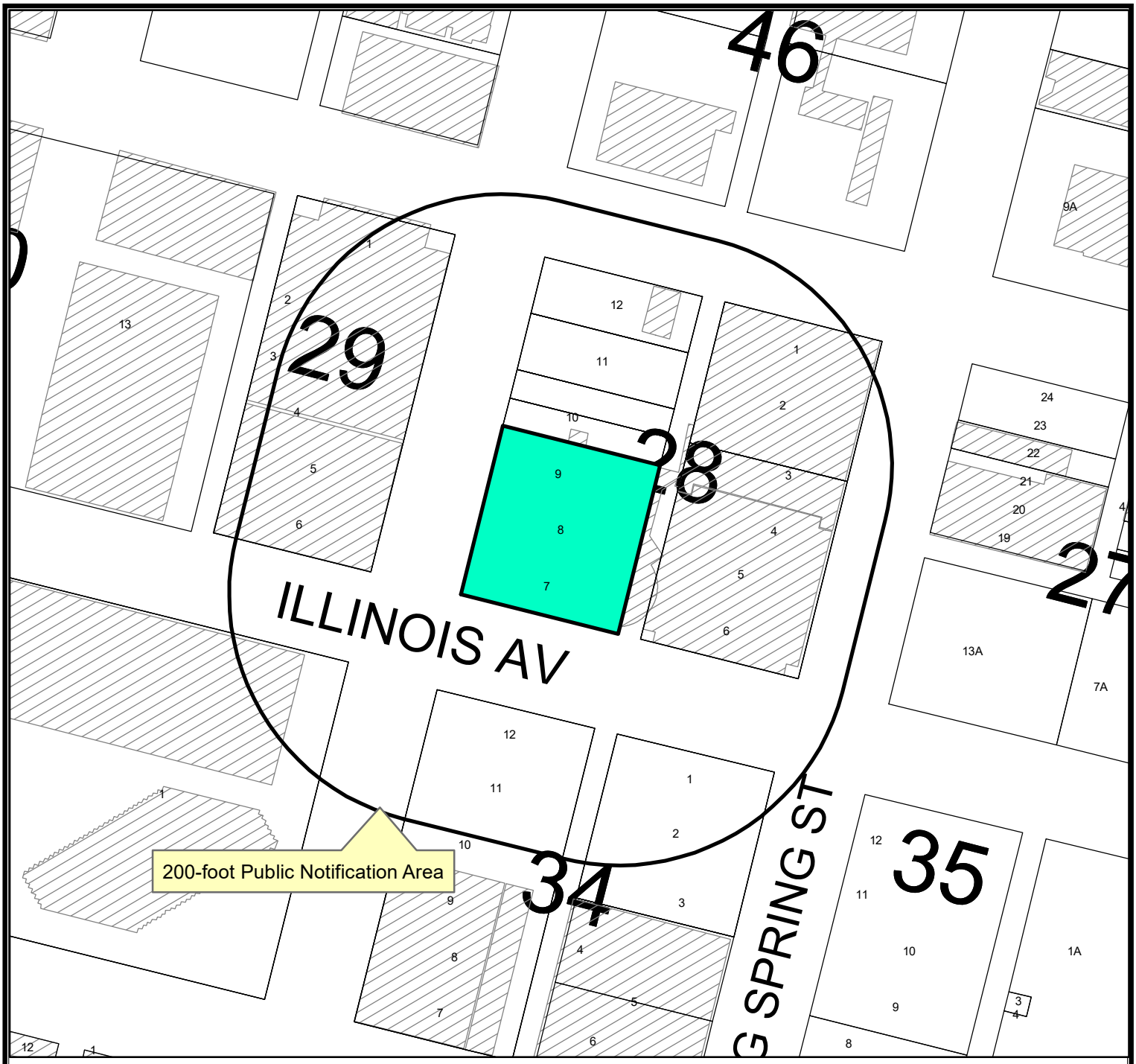
MADELINE HORTON
Notary Public, State of Texas
Comm. Expires 05-12-2028
Notary ID 132473456

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

****Application will not be considered for scheduling until reviewed by a planner.****

FOR OFFICE USE ONLY	
☑ Property Owner Authorization	☐ Dimensioned Floor Plan
☑ Application Fee	☐ Site Plan
Check # Invoice	☐ Plans in Digital Format (PDF/JPEG)
Received By:	Date:

****Application will not be considered for scheduling until reviewed by a planner.****



Location Map

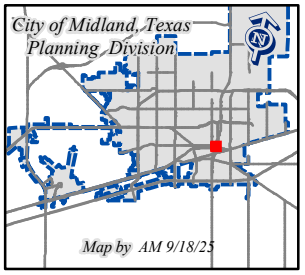
SUD-25-0211 **Scale: 1" = 800 '**

Consider a request by Leonard Hight, for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages for on premises consumption in a restaurant on Lot 7 through 9, Block 28, Original Town, City and County of Midland, Texas.

Generally located at the northeast corner of the intersection of North Marienfeld Street and West Illinois Avenue. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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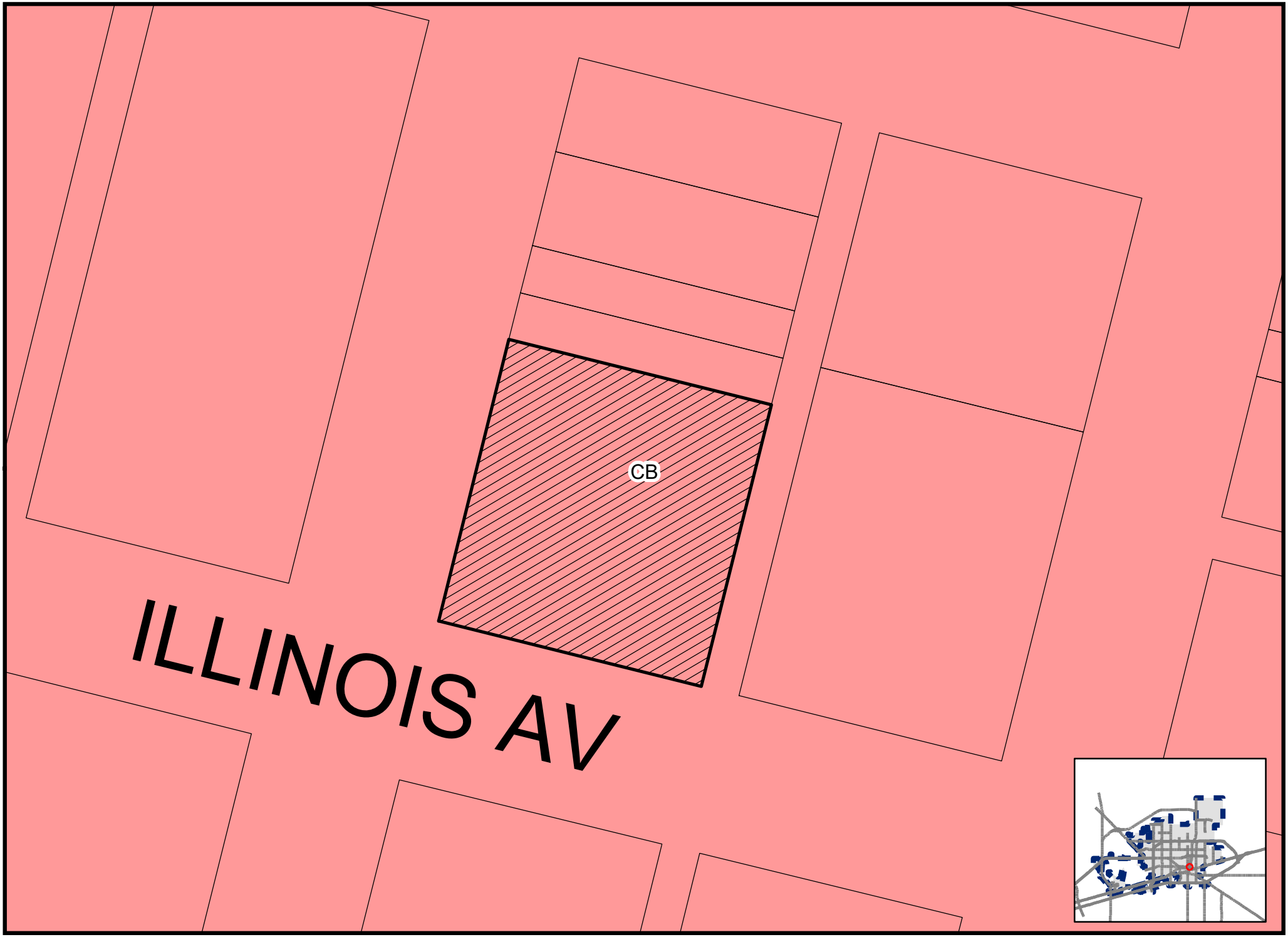
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



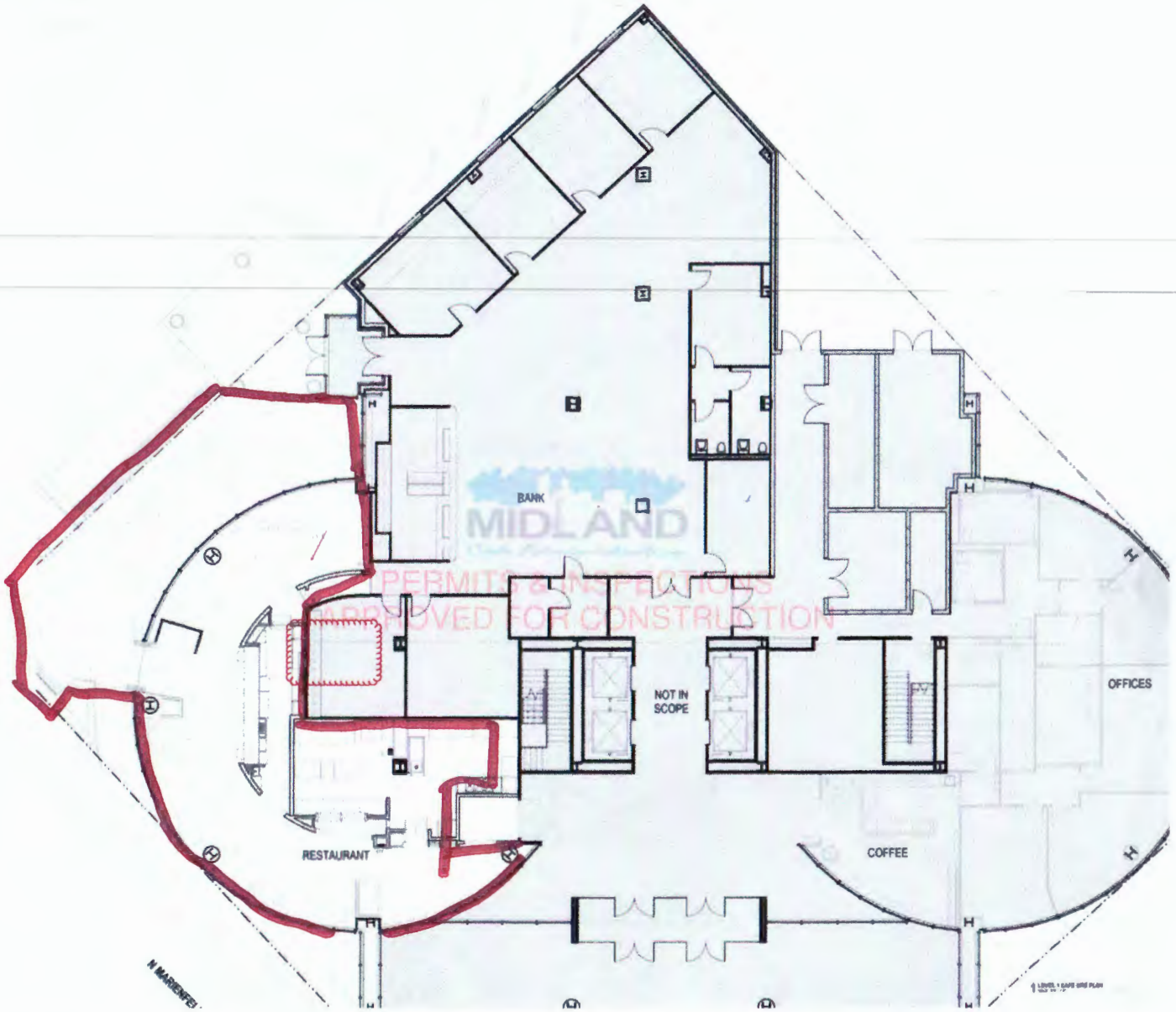
Map by AMM 9/18/2025

SUD-25-0211

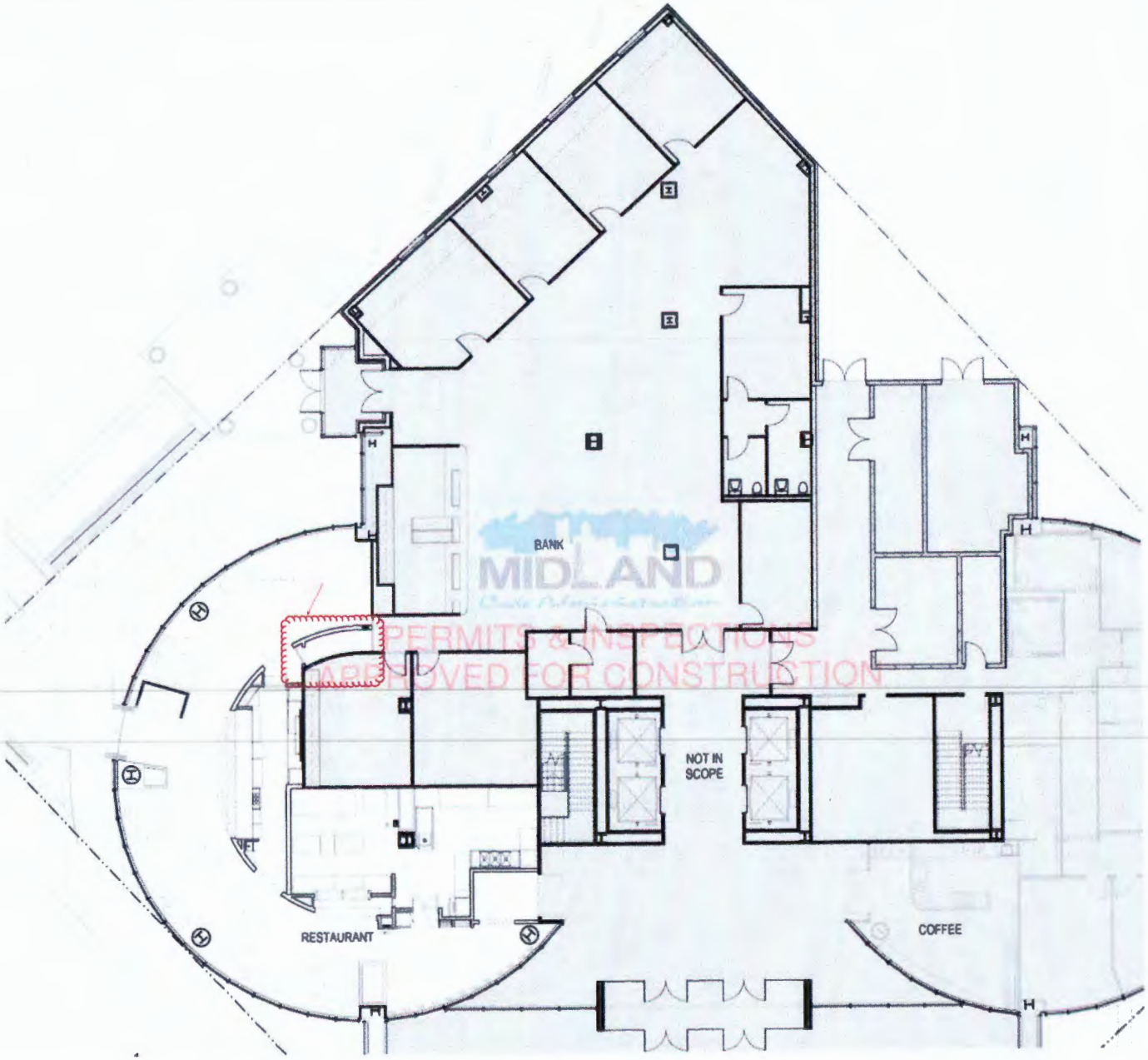
Scale: 1" = 600'

ZONING MAP

© THE CITY OF MIDLAND - 2021: THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS MADE OR ACTIONS TAKEN BASED UPON THE INFORMATION CONTAINED HEREIN.



MIDLAND
PERMITS & INSPECTIONS
APPROVED FOR CONSTRUCTION

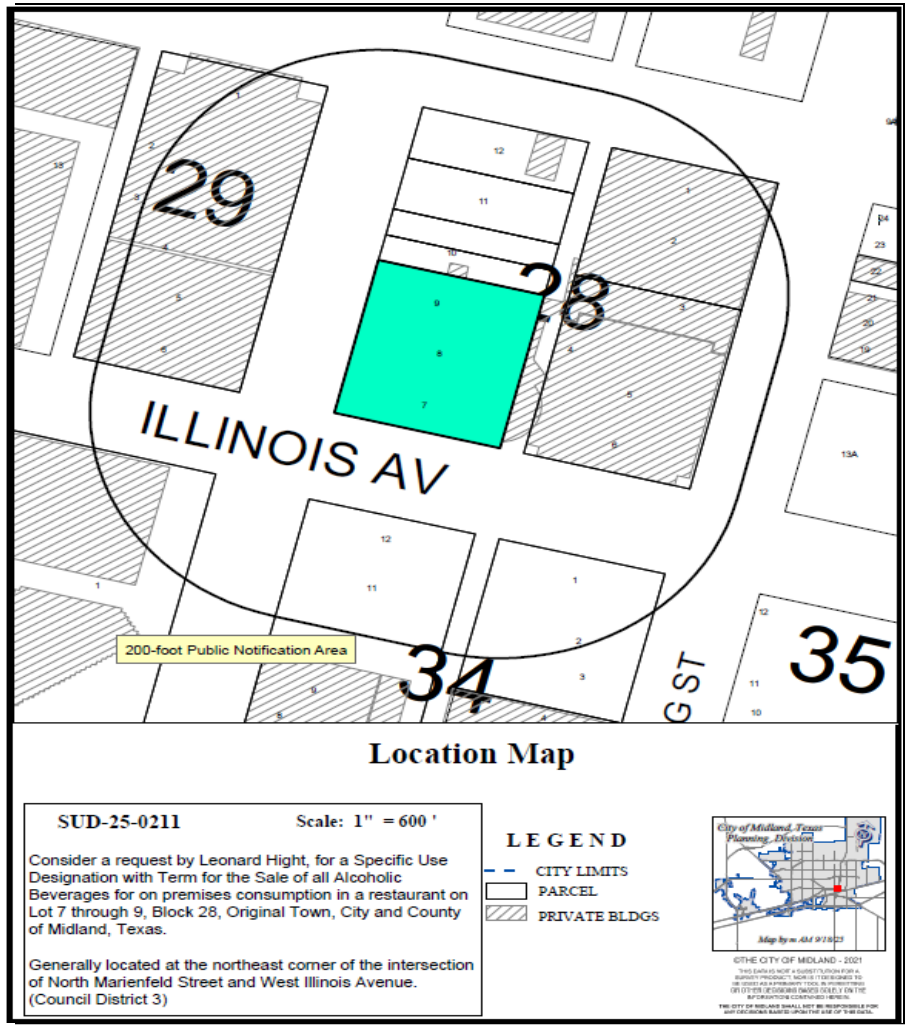

BANK
NOT IN SCOPE
RESTAURANT
COFFEE
MIDLAND
PERMITS & INSPECTIONS
APPROVED FOR CONSTRUCTION

29
28
ILLINOIS AV

MIDLAND
Be the Energy!
SPECIFIC USE DESIGNATION
GEORGIE'S PLACE
Visit Our Website
MIDLANDTEXAS.GOV

APPLICATION SUMMARY

- **Applicant:** Leonard Hight
- **Property Owner:** Permian Resources Operating, LLC
- **Location:** 300 North Marienfeld Street (Council District 3)
- **Reason for Request:** For the sale and on-premises consumption of alcohol in a restaurant

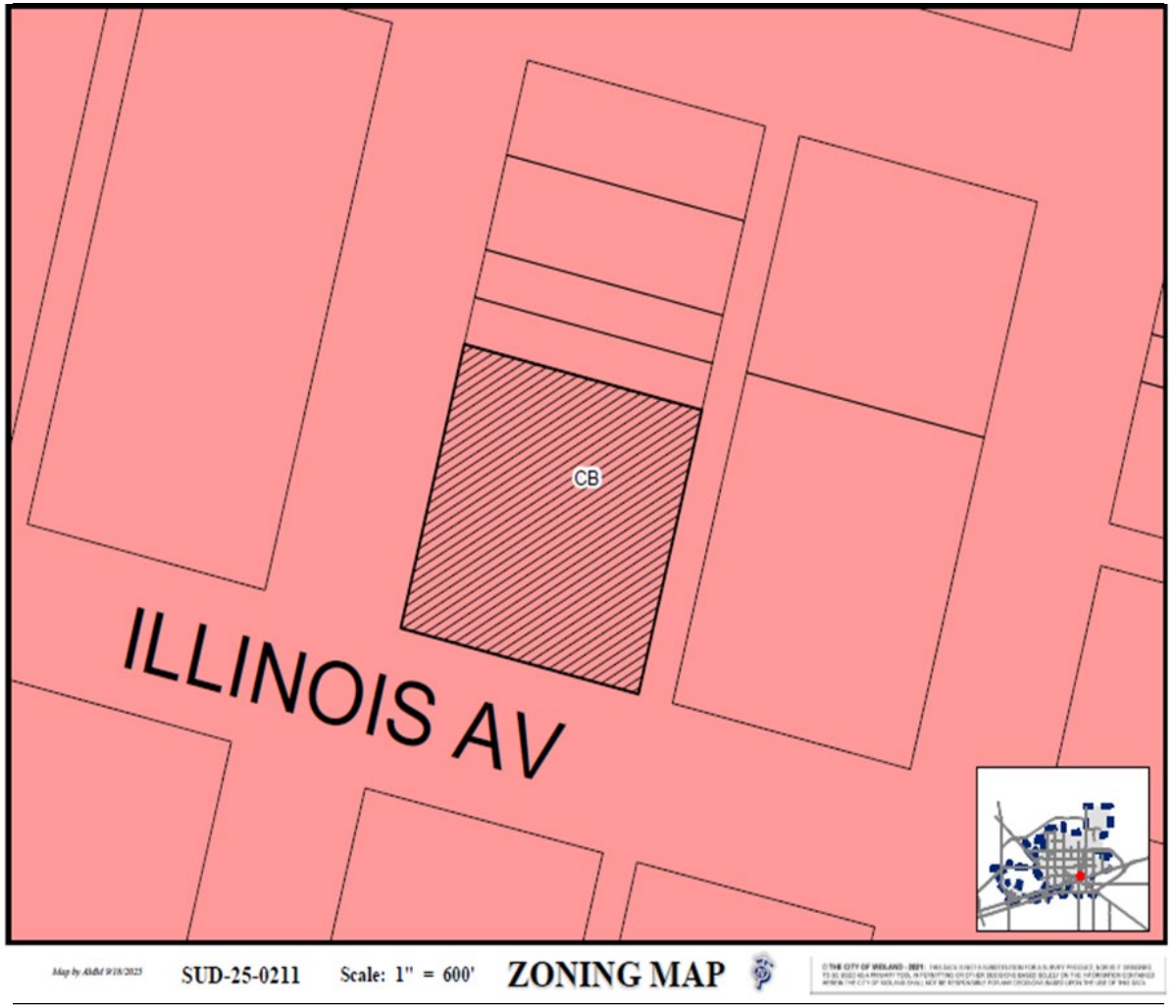


DETAILS OF REQUEST

- **For a new business**
- **Area of Business:** 3,592 SF
- **Serviceable Area:** 3,000 SF
- **Hours of Operation and Sales of Alcohol :**
  - Monday through Sunday
    11:00 a.m. to 12:00 a.m.

ZONING

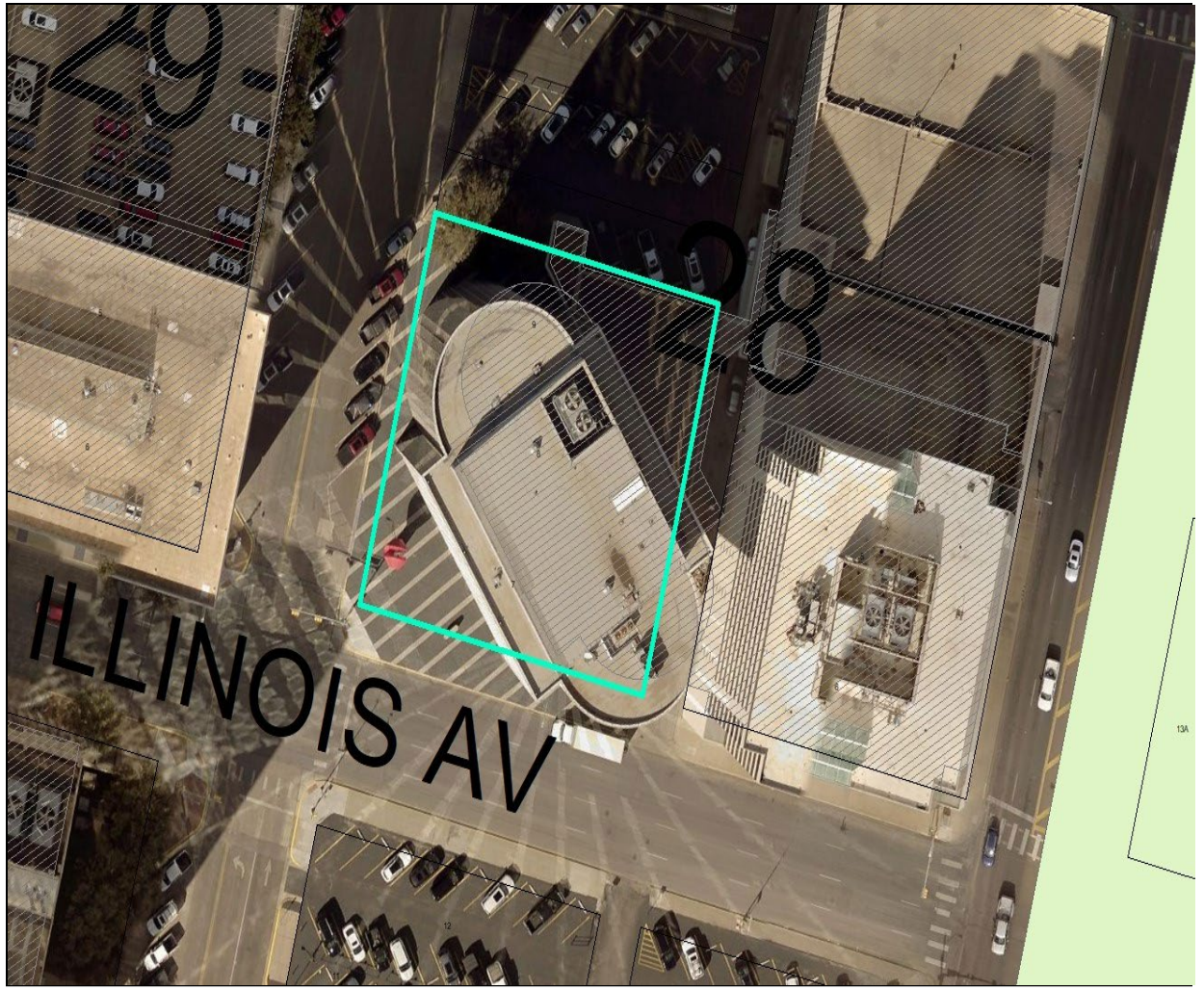
- **Current Zoning**: CB, Central Business District
- **Surrounding Zoning:**
  - **North/South/East/West:** CB, Central Business District
- The use of an SUD for the sale and on-premises consumption is allowed in this zoning.



MIDLAND
Be the Energy!

LAND USE

- **Current Use:** Office Building
- **Proposed Use:** Office Building with a Restaurant
- **Surrounding Uses:**
  - **North/South/East/West:** Office Buildings



On West Illinois Avenue, Looking North

MIDLAND
Be the Energy!

COMPREHENSIVE PLAN

This request is compatible with the *Tall City Tomorrow Comprehensive Plan* as it is consistent *Chapter 6-Character Plan, Goal 4*, which is to “Encourage the development of places where Midland residents can gather and socialize to build connections.”

PROHIBITED PLACES OF BUSINESS

There is no church, public school, public school ground, athletic stadium used by any public school, or public hospital within 300 feet of the building of the subject property as required by *Section 5-4-4 Prohibited Places of Business.*

STAFF'S RECOMMENDATION

- No objections were received.
- Staff recommends approval of this request with the following conditions:

A. That the serviceable area of the Establishment shall be limited to approximately 3,000 square feet as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes.

STAFF'S RECOMMENDATION

B. That the sale and on-premises consumption of alcoholic beverages shall conform to all applicable state and local laws.

C. That the days and hours of alcoholic beverage sales and consumption shall be limited to the following:

Monday through Sunday from 11 a.m. to 12 a.m.

STAFF'S RECOMMENDATION

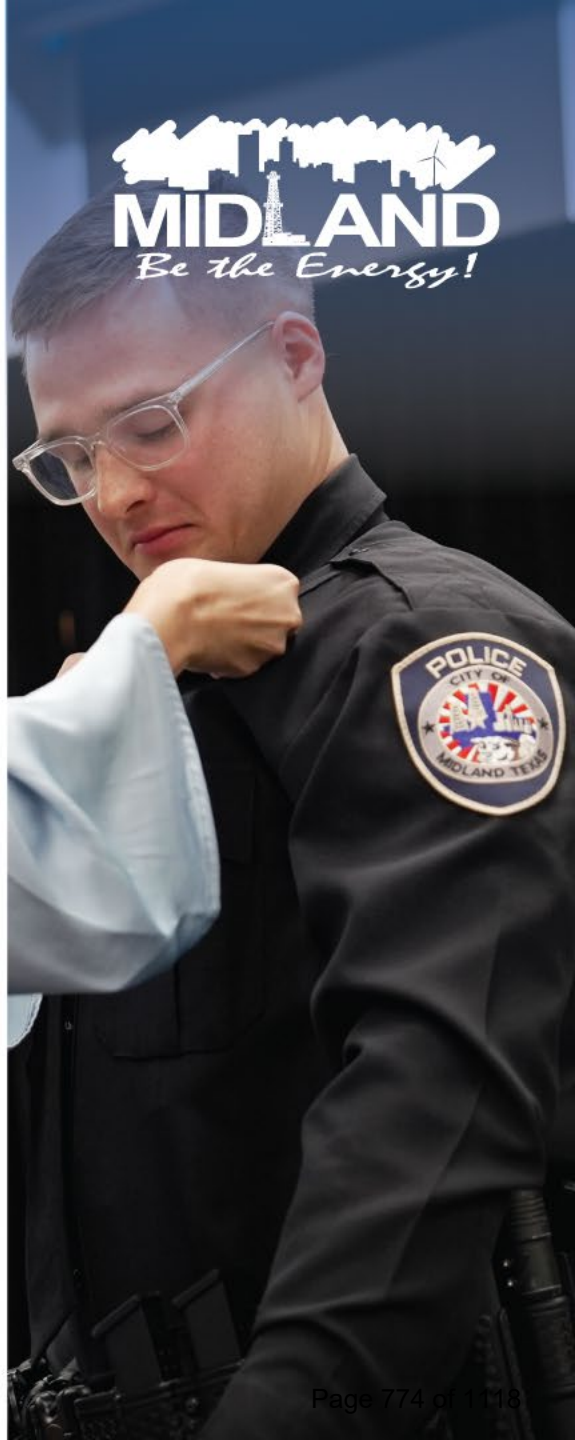
D. That the occupancy of the Establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.

E. That the Establishment shall meet the requirements of the Fire Department and the Code Administration Division

STAFF'S RECOMMENDATION

F. That the operator of the Establishment shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on-premises consumption to ensure that the conditions of this Specific Use Designation With Term are satisfied.

G. That in accordance with Section 11-1-9.07.E.3 of the City Code, the Establishment shall be in operation within 120 days from the final adoption date of this ordinance.



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.

City Council Meeting

Item Number: 31.
Meeting Date: October 14, 2025
To: City Council
From: Angelina Bettanini, Planner II
Subject: AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 1, BLOCK 127, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF EAST KENTUCKY AVENUE AND SOUTH LAMESA STREET), BY PERMITTING A REDUCED MINIMUM LOT WIDTH IN THE EVENT THAT THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND IS AMENDED TO REZONE THE LOT FROM RR, REGIONAL RETAIL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT; 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

Purpose:
Fathom Realty, on behalf of Maria Luisa Gardea, is requesting a Special Exception from the City of Midland Zoning Ordinance, Section 5.04 – Residential Zoning District Dimensional Regulations Chart, to permit a reduced minimum lot width for the property located 400 South Lamesa Street in order to build a single-family dwelling.

Recommended Action:
Approve

Fiscal Impact:
None.

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
The subject property is currently zoned RR, Regional Retail District, and is currently in the process of being rezoned to SF-3, Single-Family Dwelling District. Per Section 5.04 – Residential Zoning District Dimensional Regulations Chart, the minimum lot width for a corner lot is 55 feet for the SF-3, Single-Family Dwelling District. The applicant is proposing a reduced minimum lot width of 50 feet, being a variance of 5 feet. To the north and west it is zoned SF-3, and is being used for single-family residential housing. The lots to the east and south are zoned

RR, Regional Retail District and are being used as vacant lots with the intent of single family housing or have current single family residences on the property. Granting this special exception would help the future residential development of this area. Based off of the multiple surrounding corner lots in this area that also do not meet the 55 feet minimum lot width requirement, the proposed lot would not affect the character of the neighborhood. The subject property is currently vacant. If the special exception and rezone are approved, the owner plans to construct single-family dwellings for the lot. The special exception must be approved prior to the rezone approval.This request is consistent with the Tall City Tomorrow Comprehensive Plan, which designated this area as Urban Residential-Medium (UR-M). This designation calls for any single-family zoning district
This request has been circulated to all pertinent City departments for review. Below are the departments' comments.

Fire: (Approved)

No comments or objections.

Building: (Approved)

No objections as long as all setbacks can still be met by any structure and all fire separation distances can be met.

Engineering: (Approved)

No objections. [For Applicant's Information Only.]

Transportation: (Approved with Conditions)

No access will be allowed on Lamesa, all access needs to be from Kentucky.
Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For the Applicant's information only.]

No objection to zone change. [For the Applicant's information only.]

Planning (Approved with conditions):

Staff recommends approval of this request as it won't affect the safety, comfort and welfare of the occupants in the area who are enjoying the same privileges of reduced lot width subject to the following conditions.

Conditions:

A. That the minimum lot width shall be no less than 50 feet.
B. That said special exception shall be of no force or effect unless and until the Property is rezoned as described in Section One of this ordinance.

Letters of Objection:

Staff has not received any letters of objection as of October 2, 2025.

Attachments:

A. ORDINANCE - E-25-0145.Maria Luisa Gardea - Red Min Lot Width Ord
B. E-25-0145, Combined Docs

Angelina Bettanini, Development Services	Created/Initiated - 9/30/2025
Landon Ochoa, Development Services	Approved - 10/2/2025
Elizabeth Triggs, Development Services	Approved - 10/2/2025
Linda Ochoa, Legal	Approved - 10/5/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Jan Hamilton, City Secretary	Final Approval - 10/7/2025

ORDINANCE NO. _____

AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 1, BLOCK 127, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF EAST KENTUCKY AVENUE AND SOUTH LAMESA STREET), BY PERMITTING A REDUCED MINIMUM LOT WIDTH IN THE EVENT THAT THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND IS AMENDED TO REZONE THE LOT FROM RR, REGIONAL RETAIL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT; 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

WHEREAS, the City Council modified the authority of the Board of Adjustment in Title XI, Chapter 1, Section 7 ("Section 11-1-7") of the Midland City Code; and

WHEREAS, Section 11-1-7 provides for the consideration of requests for special exceptions to the Midland Zoning Ordinance; and

WHEREAS, the Council finds that satisfactory evidence has been presented that the use to be authorized by the granting of the special exception will not be detrimental to the health, safety, comfort and welfare of the occupants of the land area near the tract on which the use to be allowed by special exception will be located; and

WHEREAS, the Council finds that it is clearly and specifically authorized by the terms of Section 11-1-7 to grant such a special exception, and said exception will be in harmony with the general purposes and intent of the zoning provisions of the Midland City Code; and

WHEREAS, after a full and fair public hearing at which all parties in interest were offered an opportunity to be heard, all pursuant to law, the Council finds it to be in the public interest to grant a special exception to the Zoning Ordinance, pursuant to Section 11-1-7, for the purposes herein stated, subject to special conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That a special exception is hereby granted for the property described as Lot 1, Block 127, Southern Addition, City and County of Midland, Texas (the "Lot"). Said special exception shall allow a reduced minimum lot width in the event that the Zoning District Map of the City of Midland, Texas, is amended to rezone the Lot from RR, Regional Retail District to SF-3, Single-Family Dwelling District.

SECTION TWO. Said special exception is subject to the following special conditions:

A. That the Lot's minimum lot width shall be 50 feet.

B. That said special exception shall be of no force or effect unless and until the Property is rezoned as described in Section One of this ordinance.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to file this ordinance with the Office of the County Clerk for purposes of recordation.

SECTION SEVEN. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2025; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2025, at a regular meeting of the City Council:

Council members voting "AYE":

Council members voting "NAY":

PASSED AND APPROVED THIS _____ day of _____, A.D., 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

MIDLAND
Planning Division

Special Exception Application

Project Number: _____

Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: Maria Luisa Gardea		Phone (432) 813-3042 Email	
Address 403 Waverly	City Midland	State TX	Zip 79703

Property Owner Printed Name: Maria Luisa Gardea		Phone ( ) Email	
Address 403 Waverly	City Midland	State TX	Zip 79703

Representative *(if different from Applicant or Property Owner)* Firm: Fathom Realty Printed Name: Mayra Navarrete		Phone (432) 352-9226 Email mayra@westtexhomes.com	
Address 709 S Mineola	City Midland	State TX	Zip 79701

Street Address: 400 S. Lamesa

Legal Description
Lot: 001 Block: ~~88~~ 127 Subdivision: Southern

Current Zoning: RR

This property qualifies as an exception to the City Code because:

- ☐ It is an expansion of a nonconforming use.
- ☐ There are existing nonconforming structures in the area.
- ☑ The addition of architectural or other projections of a minor extent.

Reason for Request: ~~Re-Zone~~ / Reduce lot width

Submittal and Fees
Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Site Plan showing:
  - Parking
  - Building Footprint
- Digital Copies of Site Plan (PDF/JPEG)

Signatures	
Applicant (signature): Ma Luisa Gardea	Date: 9/9/25
Applicant (printed): Maria Luisa Gardea	
Property Owner (signature): Ma Luisa Gardea	Date: 9/9/25
Property Owner (printed) : Maria Luisa Gardea	

The Special Exception shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared _____ who, being by me duly sworn, upon oath says: That (s)he is authorized by _____, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

_____
Authorized Agent (*signature*)

Subscribed and sworn to before me, this _____ day of _____, 20 ___, to certify which witness my hand and seal of office.

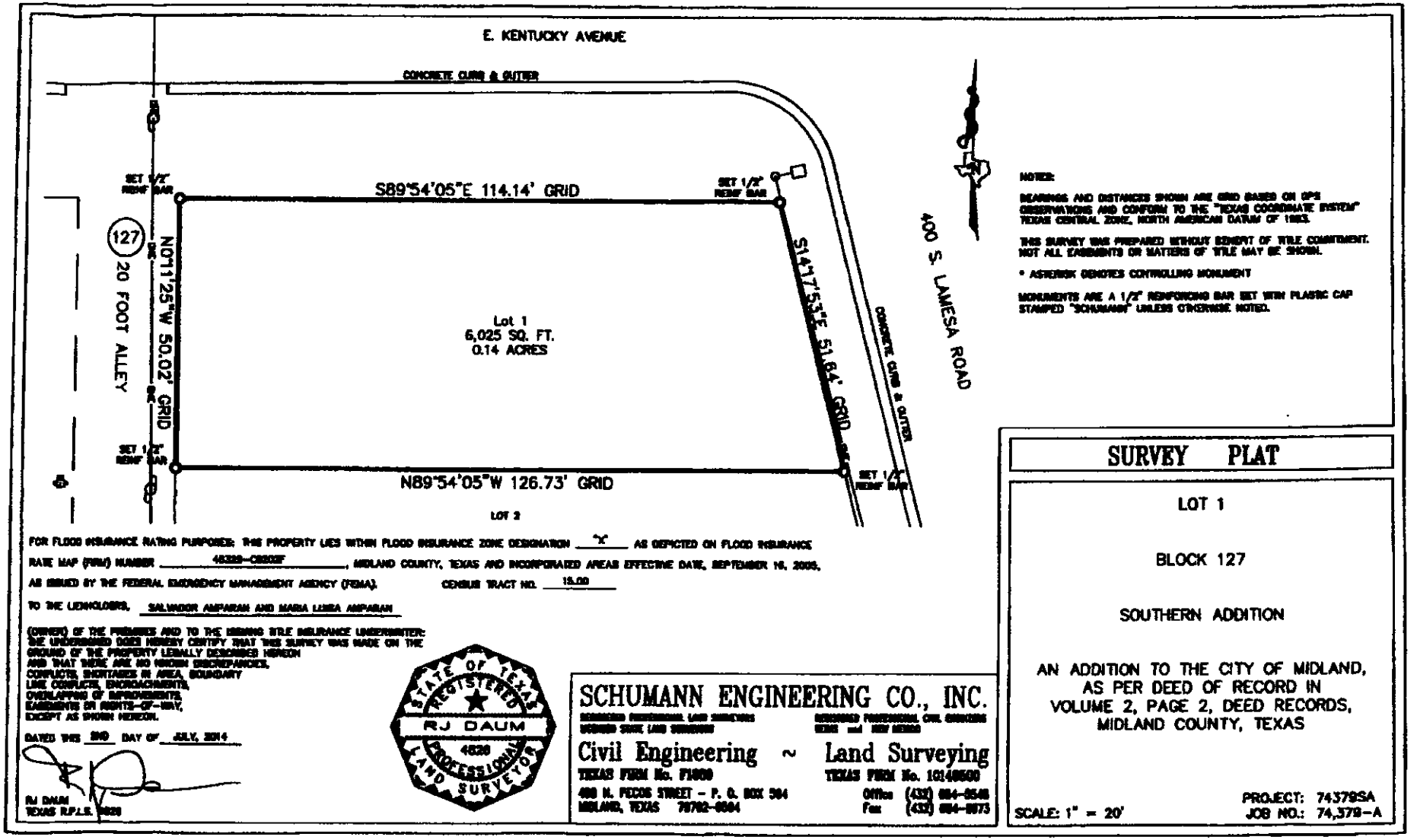
_____
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☑ Property Owner Authorization	☑ Dimensioned Site Plan
☑ Application Fee	☑ Plans in Digital Format (PDF/JPEG)
Check # 1383	
Received By: Angelina Betancourt	Date: 9/9/25

RECEIVED
SEP 09 2025
Initial:

****Application will not be considered for scheduling until reviewed by a planner.****



NOTES:

BEARINGS AND DISTANCES SHOWN ARE GRID BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF TITLE COMMITMENT. NOT ALL EASEMENTS OR MATTERS OF TITLE MAY BE SHOWN.

* ASTERISK DENOTES CONTROLLING MONUMENT

MONUMENTS ARE A 1/2" REINFORCING BAR SET WITH PLASTIC CAP STAMPED "SCHUMANN" UNLESS OTHERWISE NOTED.

FOR FLOOD INSURANCE RATING PURPOSES: THIS PROPERTY LIES WITHIN FLOOD INSURANCE ZONE DESIGNATION "X" AS DEPICTED ON FLOOD INSURANCE RATE MAP (FIRM) NUMBER 48329-C0005F, MIDLAND COUNTY, TEXAS AND INCORPORATED AREAS EFFECTIVE DATE, SEPTEMBER 26, 2008, AS ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA). CENSUS TRACT NO. 15.00

TO THE LIENHOLDER, SALVADOR AMPARAN AND MARIA LISEA AMPARAN

(OWNER) OF THE PREMISES AND TO THE ABOVE TITLE INSURANCE UNDERWRITER: THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND THAT THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHTS-OF-WAY, EXCEPT AS SHOWN HEREON.

DATED THIS 3RD DAY OF JULY, 2014

RJ DAUM
TEXAS R.P.L.S. 4826

STATE OF TEXAS REGISTERED RJ DAUM 4826 PROFESSIONAL LAND SURVEYOR

SCHUMANN ENGINEERING CO., INC.
REGISTERED PROFESSIONAL LAND SURVEYORS
TEXAS STATE LAND SURVEYORS
REGISTERED PROFESSIONAL ENGINEERS
TEXAS and NEW MEXICO
Civil Engineering & Land Surveying
TEXAS FIRM No. F1800
TEXAS FIRM No. 10148500
400 N. PECOS STREET - P. O. BOX 384
MIDLAND, TEXAS 79702-0384
Office (432) 684-3547
Fax (432) 684-3073

SURVEY PLAT

LOT 1

BLOCK 127

SOUTHERN ADDITION

AN ADDITION TO THE CITY OF MIDLAND, AS PER DEED OF RECORD IN VOLUME 2, PAGE 2, DEED RECORDS, MIDLAND COUNTY, TEXAS

SCALE: 1" = 20'

PROJECT: 74379SA
JOB NO.: 74,379-A

Location Map

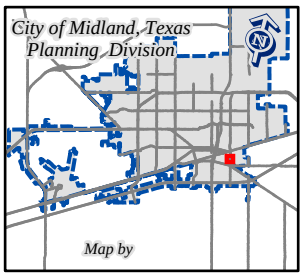
E-25-0145 **Scale: 1" = 100 '**

Consider a request by Fathom Realty, on behalf of Maria Luisa Gardea, for a Special Exception from the City of Midland Zoning Ordinance, Section 5.04 – Residential Zoning District Dimensional Regulations Chart, to permit a reduced minimum lot width for Lot 1, Block 127, Southern Addition, City and County of Midland, Texas.

Generally located at the southwest corner of the intersection of East Kentucky Avenue and South Lamesa Street. (Council District 2)

LEGEND

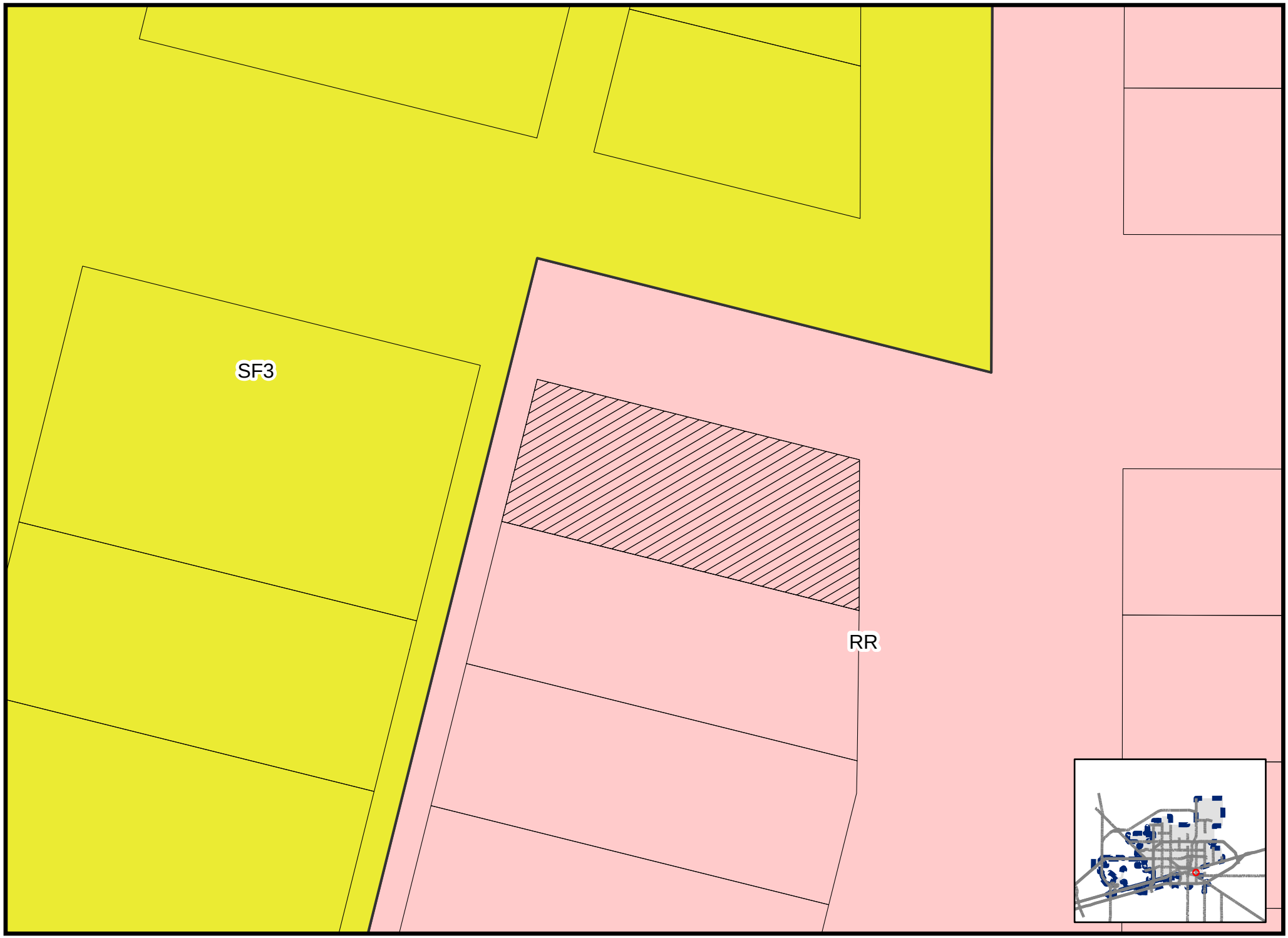
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

THIS DATA S NOT A SUBSTITUT ON FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITT NG OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Created: 9/19/2025

E-25-0145

Scale: 1" = 41 '

ZONING MAP

© **THE CITY OF MIDLAND - 2021:** THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS MADE OR ACTIONS TAKEN BY USE OF THIS DATA.

135
136
44
128
127
45

FOR SALE

City Council Meeting

Item Number: 32.
Meeting Date: October 14, 2025
To: City Council
From: Angelina Bettanini, Planner II
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 10, BLOCK 42, GREENWOOD ADDITION, THIRD, FOURTH, AND FIFTH SECTIONS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM C, COMMERCIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE SOUTH SIDE OF EAST CALIFORNIA AVENUE, APPROXIMATELY 320 FEET EAST OF SOUTH WEBSTER STREET); 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

Purpose:
Jesus A. Carreon is requesting a Zone Change from C, Commercial District to SF-3, Single-Family Dwelling District for the construction of a single-family residence on a property located at 2404 East California Avenue.

Recommended Action:
Approve

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Current Zoning:

C, Commercial District

Surrounding Zoning and Land Use:

All of the surrounding properties to the north, south, east, and west are zoned C, Commercial District. Surrounding land use to the north and east consists of single-family housing, to the south is a mobile home park, and to the west is a vacant lot.

Analysis:

The subject property is zoned C, Commercial District. Jesus A. Carreon is seeking a zone change to SF-3, Single-Family Dwelling District, which would allow for the construction of a single-family residence. This vacant lot is located in a residential neighborhood that is developed with single-family housing. Changing this zoning would help the future residential development of this area. The subject property meets the minimum lot dimension requirements for the SF-3, Single-Family Dwelling District [Midland City Code 5.04].

This request is consistent with the Tall City Tomorrow Comprehensive Plan, Chapter 3; which designated this area as Urban Medium (U-M). This designation calls for any single-family zoning district, local retail district, and office district with a mix of complementary uses, including single-family housings, multi-family housing, schools, mid-sized parks and churches, commercial and mixed use.

This proposed zone change has been circulated to the respective City departments for internal review and their comments, conditions, and requirements are as follows:

Fire: (Approved)

No comments or objections.

Engineering: (Approved)

No objections to zone change. [For Applicant's Information Only.]

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For Applicant's Information Only.]

Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application.

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For the Applicant's information only.]

No objection to zone change. [For the Applicant's information only.]

Planning: (Approved)

Therefore, staff recommends approval of this Zone Change from C, Commercial District to SF-3, Single-Family Dwelling District.

Letters of Objection:

Staff has not received any letters of objection as of October 2, 2025.

Attachments:

A. ORDINANCE - Z-25-0445.C to SF-3 Ord
B. CC, - -2404 E California, Zone Change Request
C. Z-25-0445, Combined Docs

Angelina Bettanini, Development Services	Created/Initiated - 9/30/2025
Landon Ochoa, Development Services	Approved - 10/3/2025
Elizabeth Triggs, Development Services	Approved - 10/3/2025
Linda Ochoa, Legal	Approved - 10/5/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Jan Hamilton, City Secretary	Final Approval - 10/7/2025

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 10, BLOCK 42, GREENWOOD ADDITION, THIRD, FOURTH, AND FIFTH SECTIONS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM C, COMMERCIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE SOUTH SIDE OF EAST CALIFORNIA AVENUE, APPROXIMATELY 320 FEET EAST OF SOUTH WEBSTER STREET); 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

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by rezoning Lot 10, Block 42, Greenwood Addition, Third, Fourth, And Fifth Sections, City and County of Midland, Texas (the "Property"), to SF-3, Single-Family Dwelling District, as set out hereinafter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from C, Commercial District to SF-3, Single-Family Dwelling District.

SECTION TWO. That the definitions given in the zoning regulations contained in the City Code of the City of Midland, Texas, shall be applicable to such of those terms as are used herein.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances

inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2025; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2025, at a regular meeting of the City Council:

Council members voting “AYE”:

Council members voting “NAY”:

PASSED AND APPROVED THIS _____ day of _____, A.D., 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

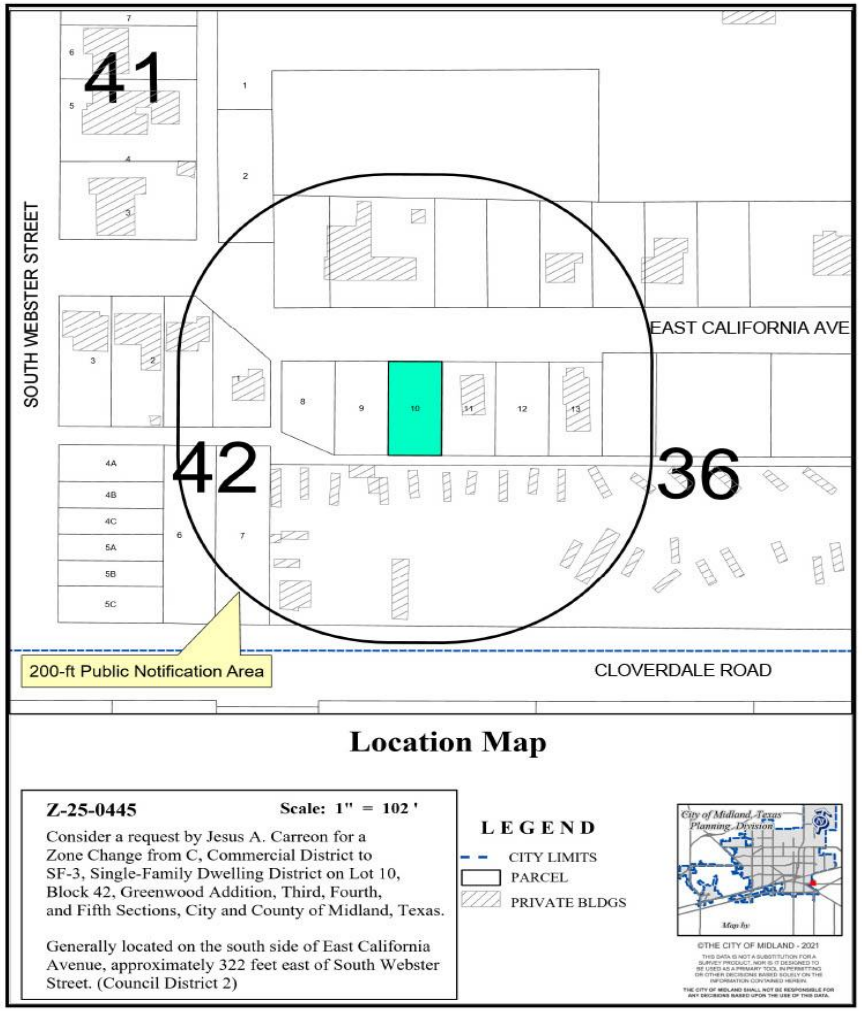
APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

MIDLAND
Be the Energy!
ITEM
ZONE CHANGE
2404 EAST CALIFORNIA AVENUE
Visit Our Website
MIDLANDTEXAS.GOV

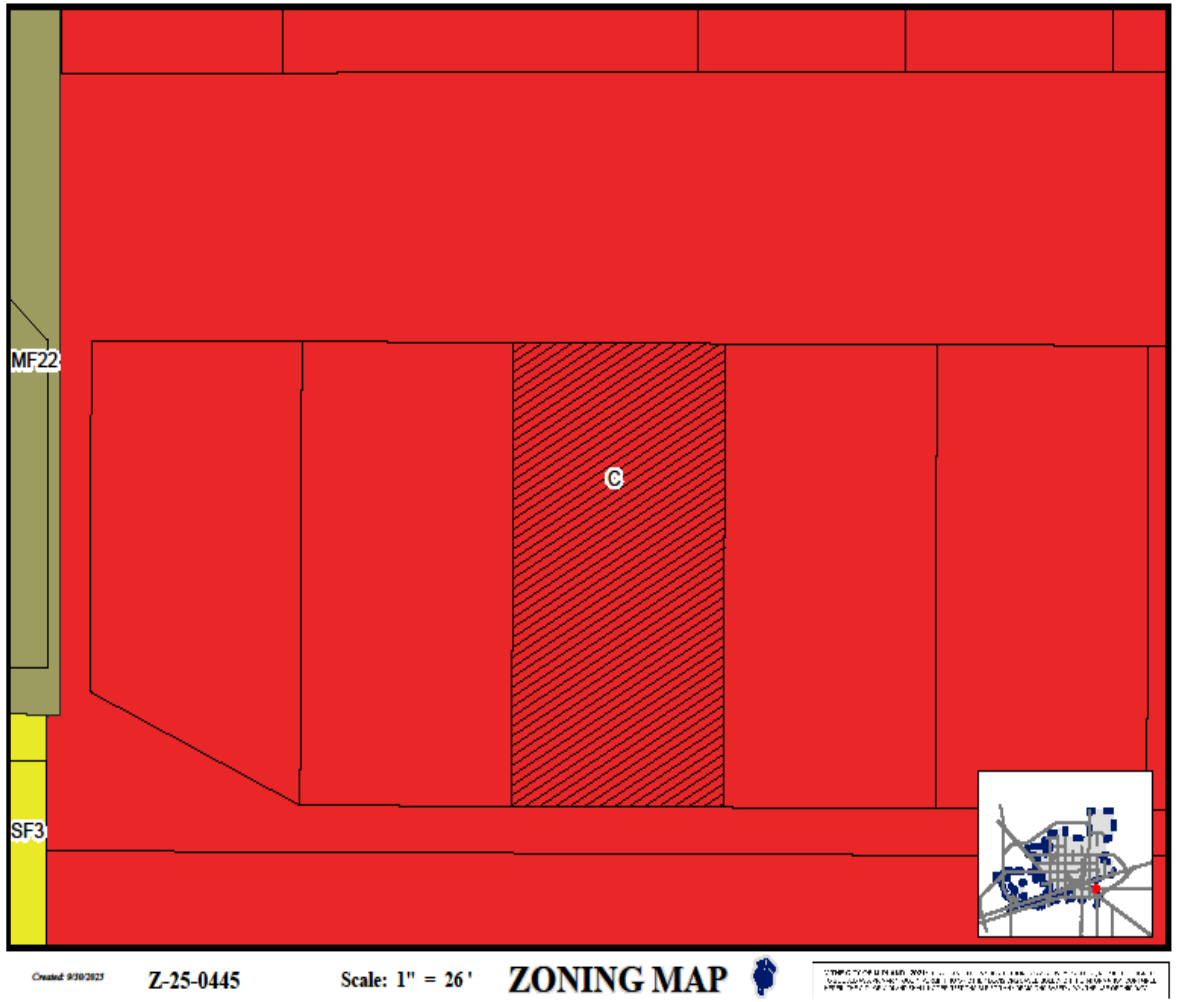
APPLICATION SUMMARY

- **Applicant/Property Owner:** Jesus A. Carreon
- **Location:** 2404 East California Avenue (Council District 2)
- **Reason for Request:** To construct a single-family dwelling



ZONING

- **Current Zoning:** C, Commercial District
- **Surrounding Zoning:**
  - **North/East/South/West:** C, Commercial District
- **Proposed Zoning:** SF-3, Single-Family Dwelling District



MIDLAND
Be the Energy!

LAND USE

- **Current Use:** Vacant
- **Surrounding Uses**
  - **North/East:** Single-Family Housing
  - **South:** Mobile Home Park
  - **West:** Vacant Lot
- **Proposed Use:** Single-Family Dwelling

MIDLAND
Be the Energy!

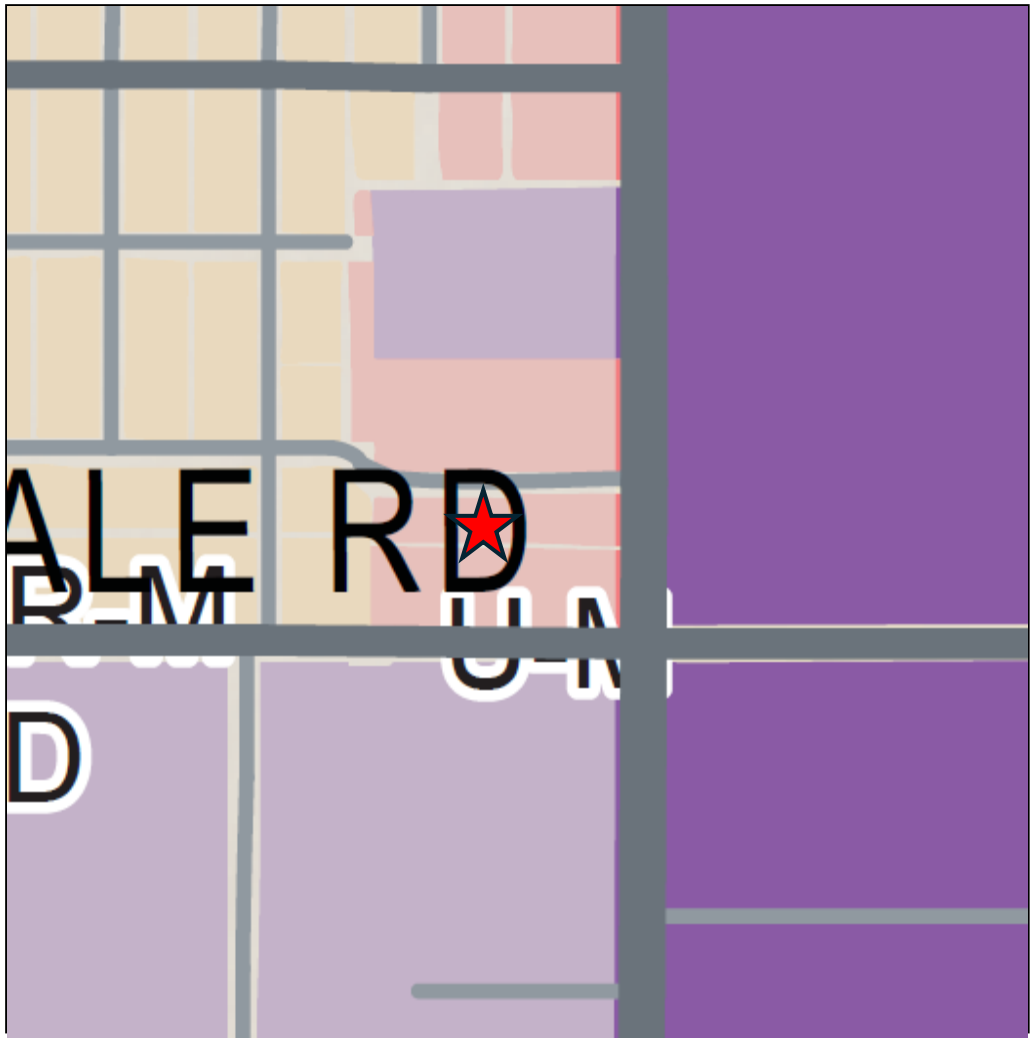
On East California Avenue, Looking South

5

MIDLAND
Be the Energy!

COMPREHENSIVE PLAN

- **Land Use Designation:** Urban Medium (U-M)
- **Supported Uses:** A mix of housing types, neighborhood and community commercial, office, and service uses.
- The request is compatible with the *Tall City Tomorrow Comprehensive Plan.*



MIDLAND
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STAFF'S RECOMMENDATION

- No objections were received.
- The Planning and Zoning Commission recommended approval of this request on October 6, 2025.
- Staff recommends approval of this request.

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.

MIDLAND
Planning Division

Zone Change/Planned District Amendment/Site Plan Approval

Project Number: _____

Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: Jesus A. Carreon		Phone (432) 557-1561 Email carreonboss@gmail.com.	
Address 502 watson st	City Midland	State TX	Zip 79701

Property Owner Printed Name: Jesus A. Carreon		Phone (432) 557-1561 Email carreonboss@gmail.com	
Address 502 watson st	City Midland	State TX	Zip 79701

Representative *(if different from Applicant or Property Owner)* Firm: _____ Printed Name:		Phone ( ) Email	
Address	City	State	Zip

Street Address: 2404 E. California Ave Midland TX 79701

Legal Description
Lot: 010 Block: 042 Subdivision: Greenwood

Current Zoning: Commercial

Proposed Zone: SF-3
(List by tracts if more than one district is requested)

Reason for Zone Change Request: ~~Com~~ JAC. Residential use

Present Use of Property: Empty Lot

Proposed Use of Property: Residintal use

How would this zone change affect the public health, safety and welfare? Nothing

Describe how conditions affecting the property have changed since present zoning designation: n/A

Submittal and Fees
Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Site Plan
- Digital Copies of Site Plan (PDF/JPEG)

Signature *(by property owner only – authorized agent must sign affidavit below)*	
Applicant (signature): Jesus Carreon	Date: 08/26/2025
Applicant (printed): Jesus Carreon	
Property Owner (signature): Jesus Carreon	Date: 08/26/2025
Property Owner (printed) : Jesus Carreon	

The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear_____who, being by me duly sworn, upon oath says: That (s)he is the owner of _____or authorized by_____, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

_____
Authorized Agent (*signature*)

Subscribed and sworn to before me, this_____day of_____, 20____, to certify which witness my hand and seal of office.

_____

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

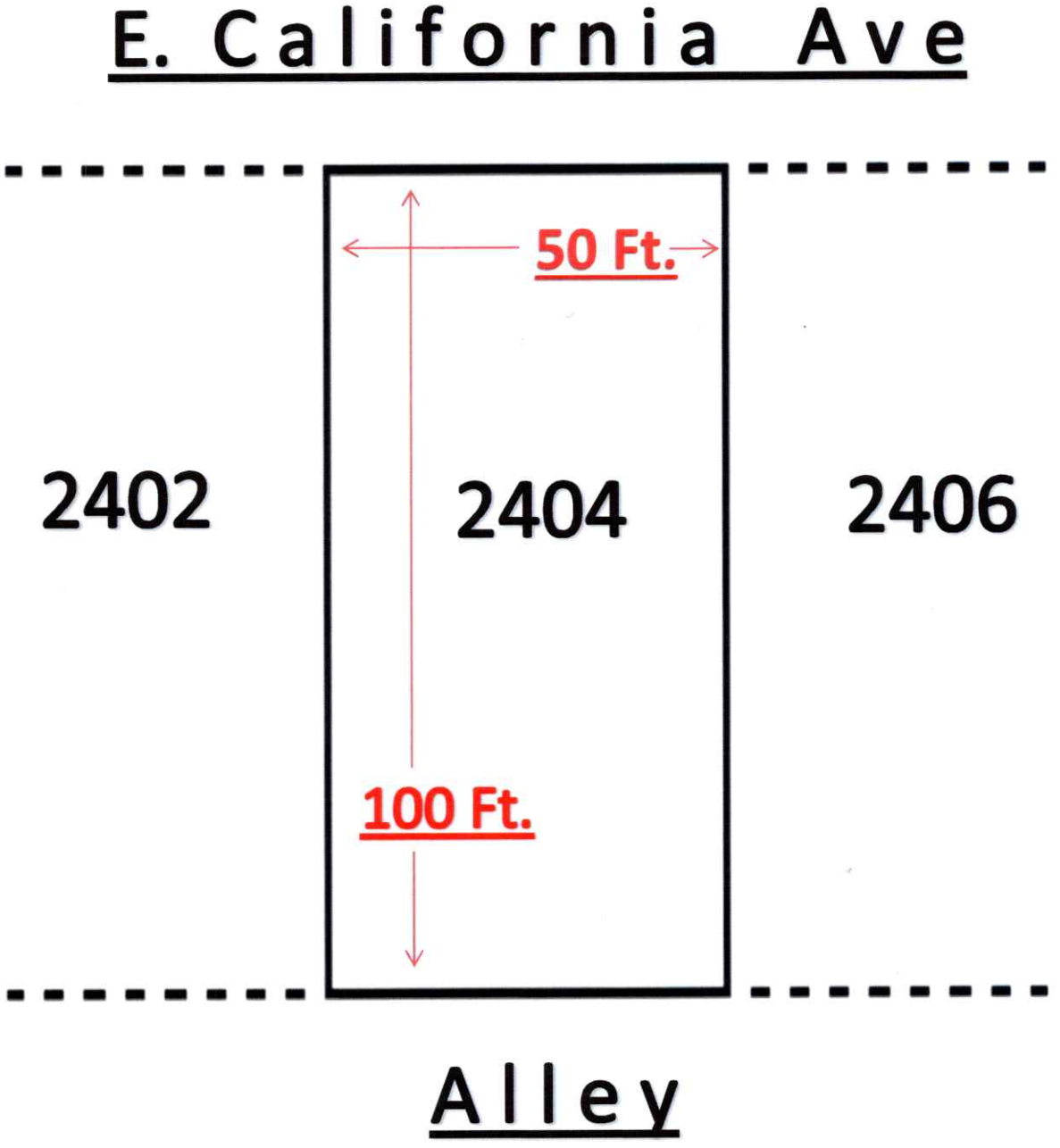
☑ Property Owner Authorization
☑ Application Fee
Check # [redacted] 0200
☑ Dimensioned Site Plan
☑ Plans in Digital Format (PDF/JPEG)

Received By:

Date: RECEIVED AUG 26 2025

Initial:

****Application will not be considered for scheduling until reviewed by a planner.****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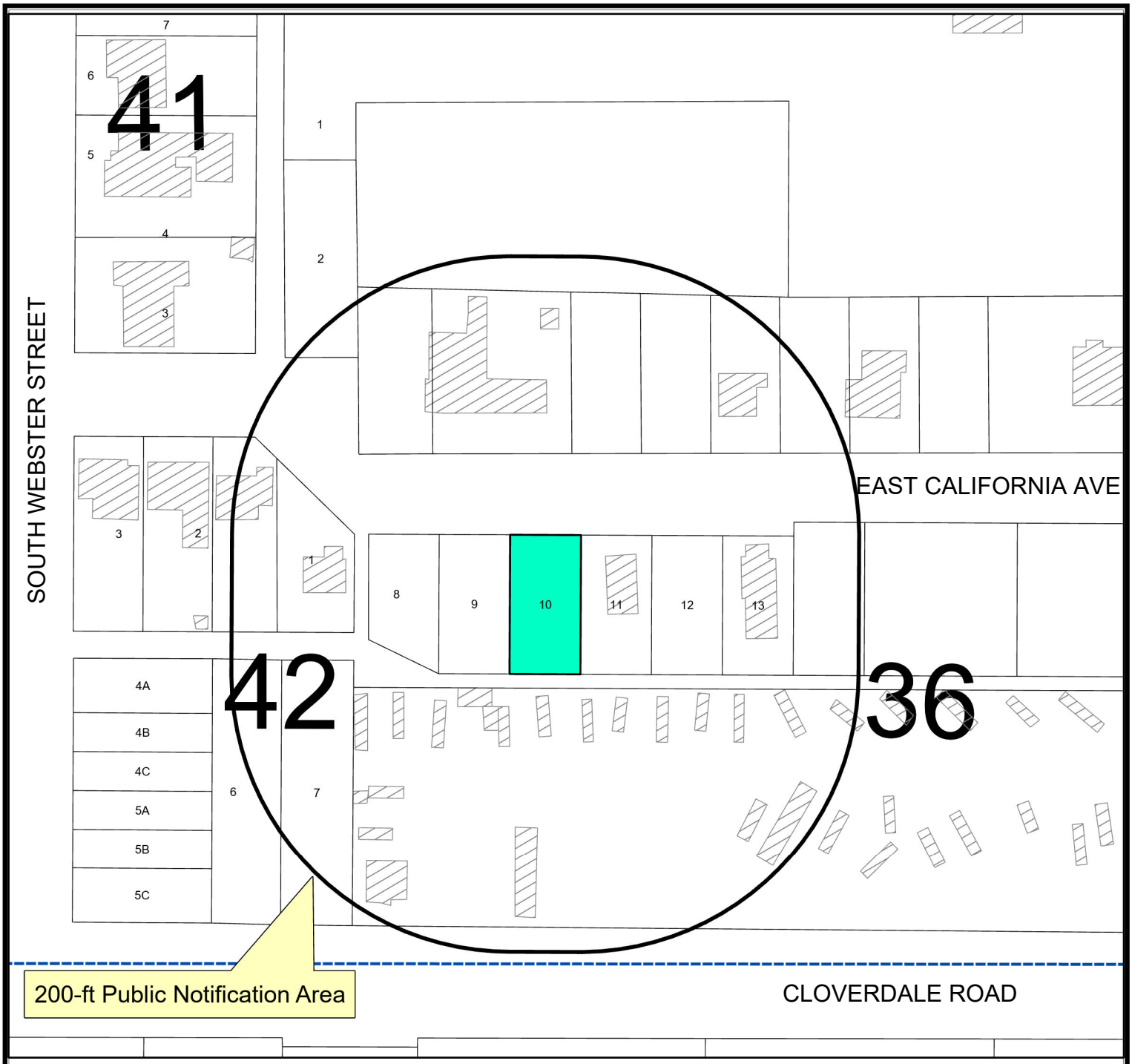


Location Map

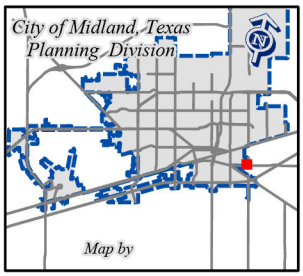
Z-25-0445 **Scale: 1" = 102 '**

Consider a request by Jesus A. Carreon for a Zone Change from C, Commercial District to SF-3, Single-Family Dwelling District on Lot 10, Block 42, Greenwood Addition, Third, Fourth, and Fifth Sections, City and County of Midland, Texas.

Generally located on the south side of East California Avenue, approximately 322 feet east of South Webster Street. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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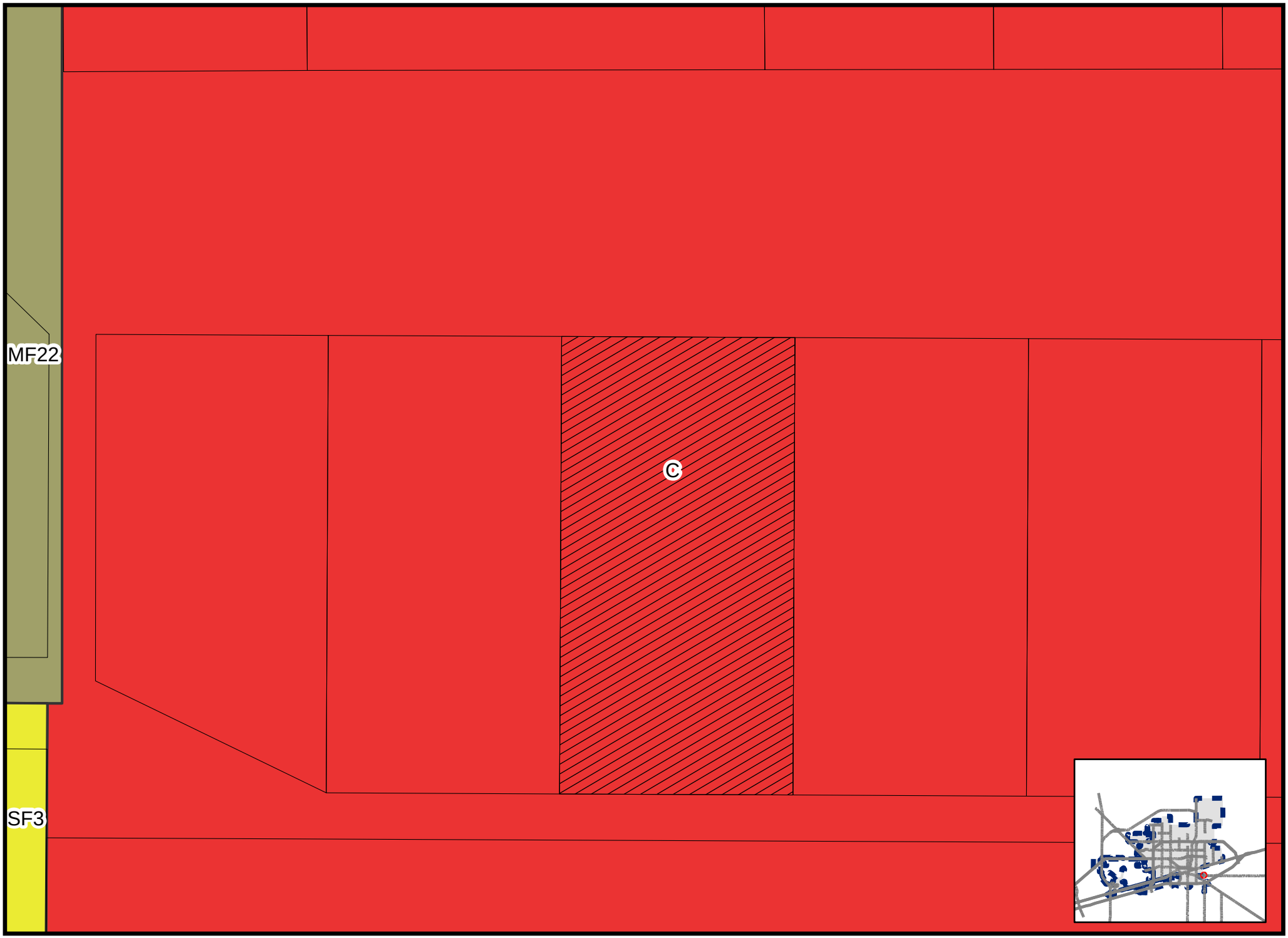

Created: 9/30/2025

Z-25-0445

Scale: 1" = 26 '

ZONING MAP

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City Council Meeting

Item Number: 33.
Meeting Date: October 14, 2025
To: City Council
From: Angelina Bettanini, Planner II
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1A, BLOCK 31A, HOMESTEAD ADDITION, SECTION 6, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR AN OFFICE CENTER TO CB, CENTRAL BUSINESS DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH PECOS STREET AND WEST LOUISIANA 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

Purpose:
Scott Collier, on behalf of Prosperity Bank, is requesting a Zone Change from PD, Planned Development District for an Office Center to CB, Central Business District for the construction of a bank for the property located at 700 North Pecos Street.

Recommended Action:
Approve

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Current Zoning:

PD, Planned Development District for an Office Center

Surrounding Zoning and Land Use:

The properties to the north, east, and west are zoned O-1, Office District. Land use to the north is single-family housing and vacant lots. The land use to the east is a parking lot and office building, and to the west is also an office building. To the south is zoned CB, Central Business District, and the land use is multi-family housing.

Analysis:

The applicant is seeking this zone change in order to construct a bank. This is property is currently zoned PD, Planned Development District for an Office Center, with underlying zoning of CB, Central Business District and a bank is an accepted use in the district. The applicant is seeking a zone change to CB, Central Business District, to avoid complying with PD restrictions, as any deviation from the site plan in the ordinance would require an amendment if there is no zone change.

This request is consistent with the Tall City Tomorrow Comprehensive Plan, which designated this area as a Special Study Area, (SPA). There are no policies established for this location.

This proposed zone change has been circulated to the respective City departments for internal review and their comments, conditions, and requirements are as follows:

Fire: (Approved)

No comments or objections.

Engineering: (Approved)

No objections to zone change. [For Applicant's Information Only.]

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For Applicant's Information Only.]

Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application.

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For the Applicant's information only.]

No objection to zone change. [For the Applicant's information only.]

Planning: (Approved)

Staff recommends approval of this Zone Change from PD, Planned Development District for an Office Center to CB, Central Business District.

Letters of Objection:

Staff has not received any letters of objection as of October 2, 2025.

Attachments:

A. ORDINANCE - Z-25-0447.PDOC to CB Ord
B. CC - - Prosperity Bank
C. Z-25-0447, Combined Files

Angelina Bettanini, Development Services	Created/Initiated - 9/30/2025
Landon Ochoa, Development Services	Approved - 10/3/2025
Elizabeth Triggs, Development Services	Approved - 10/3/2025
Linda Ochoa, Legal	Approved - 10/5/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Jan Hamilton, City Secretary	Approved - 10/7/2025
Rachel Guentensberger, City Secretary	Final Approval - 10/7/2025

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1A, BLOCK 31A, HOMESTEAD ADDITION, SECTION 6, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR AN OFFICE CENTER TO CB, CENTRAL BUSINESS DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH PECOS STREET AND WEST LOUISIANA 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

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by rezoning Lot 1A, Block 31A, Homestead Addition, Section 6, City and County of Midland, Texas (the "Property"), to CB, Central Business District, as set out hereinafter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from PD, Planned Development District for an Office Center to CB, Central Business District.

SECTION TWO. That the definitions given in the zoning regulations contained in the City Code of the City of Midland, Texas, shall be applicable to such of those terms as are used herein.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances

inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2025; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2025, at a regular meeting of the City Council:

Council members voting “AYE”:

Council members voting “NAY”:

PASSED AND APPROVED THIS _____ day of _____, A.D., 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

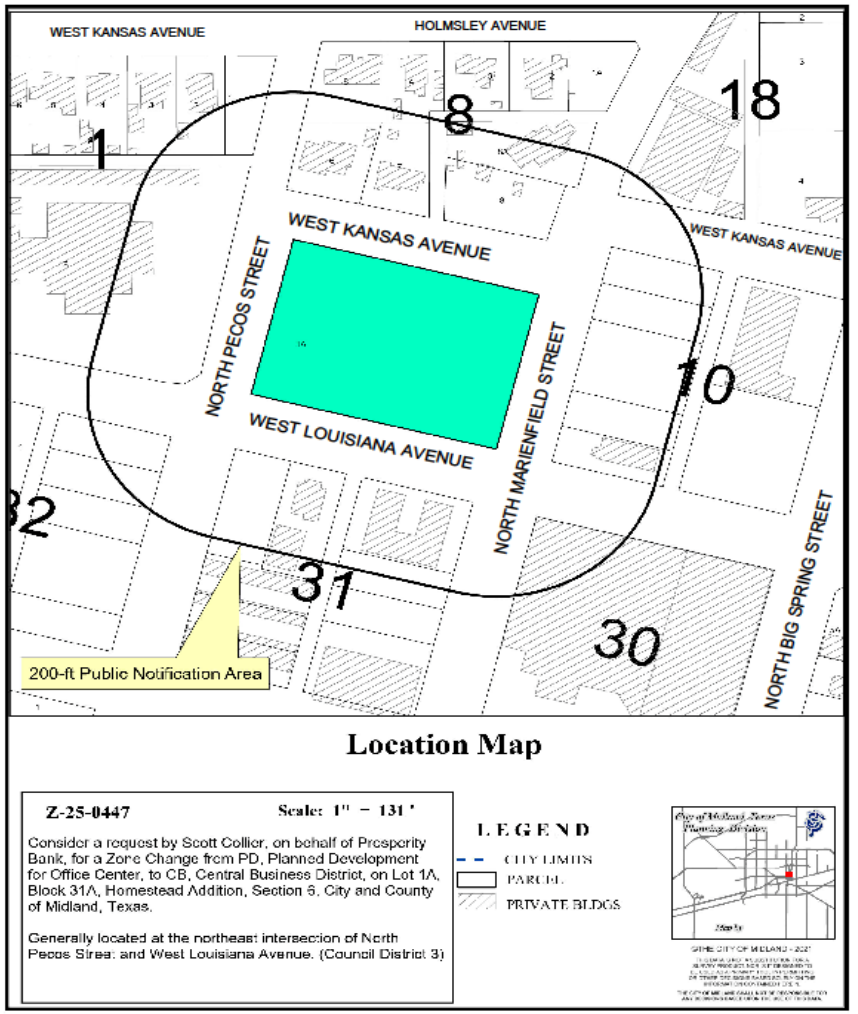
APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

MIDLAND
Be the Energy!
ZONE CHANGE
PROSPERITY BANK
Visit Our Website
MIDLANDTEXAS.GOV

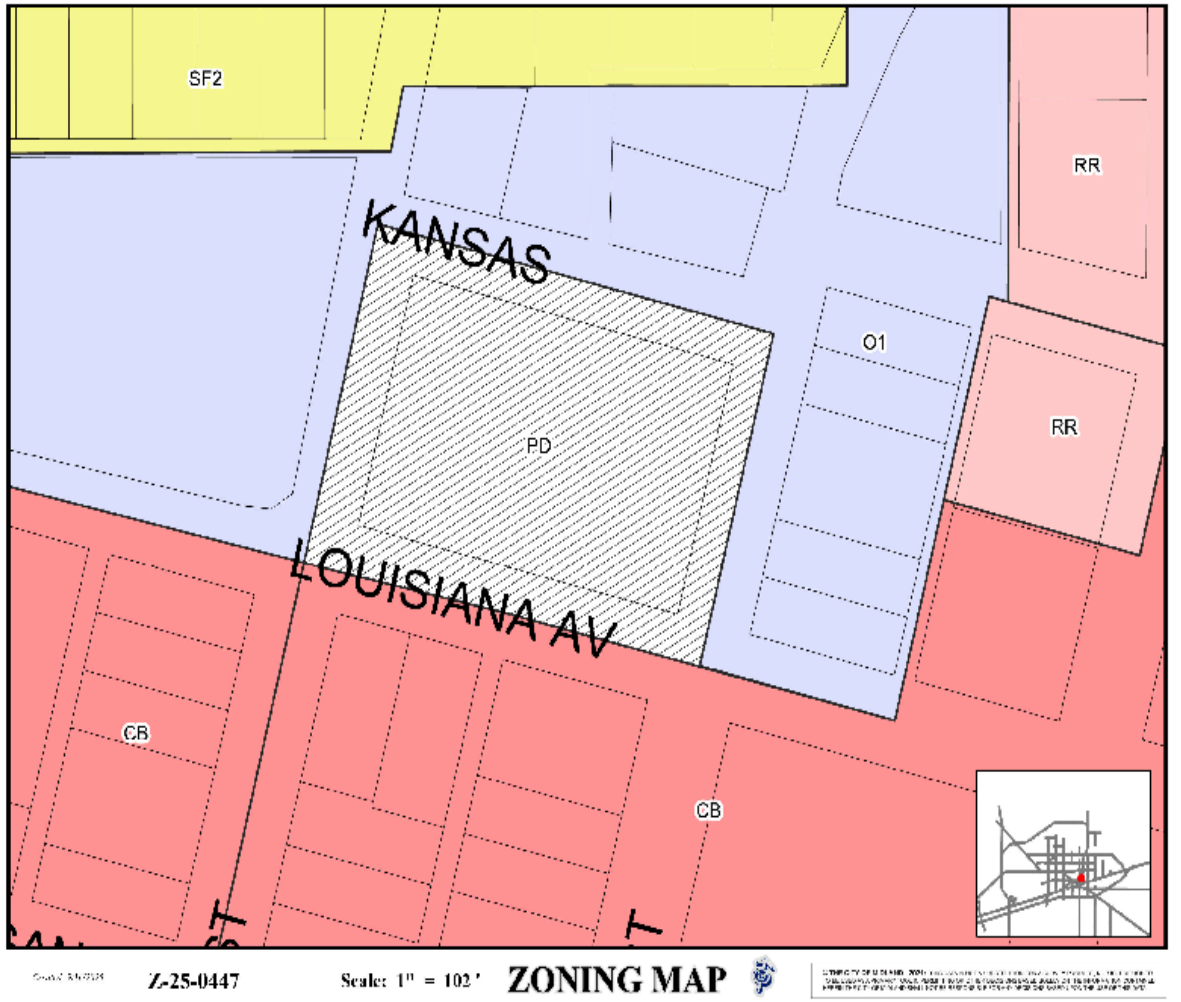
APPLICATION SUMMARY

- **Representative:** Scott Collier
- **Property Owner:** Prosperity Bank
- **Location:** Generally located at the northeast corner of the intersection of North Pecos Street and West Louisiana Avenue
- **Reason for Request:** To construct a bank



ZONING

- **Current Zoning:** PD, Planned Development District for an Office Center
- **Surrounding Zoning:**
  - **North/East/West:** O-1, Office District
  - **South:** CB, Central Business District
- **Proposed Zoning:** CB, Central Business District



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LAND USE

- **Current Use:** Parking lot
- **Surrounding Uses:**
  - **North:** Single-Family Housing and Vacant Lots
  - **East:** Parking lot and Office Building
  - **South:** Multi-family Housing
  - **West:** Office Building
- **Proposed Use:** Bank

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On North Pecos Street, Looking East

5

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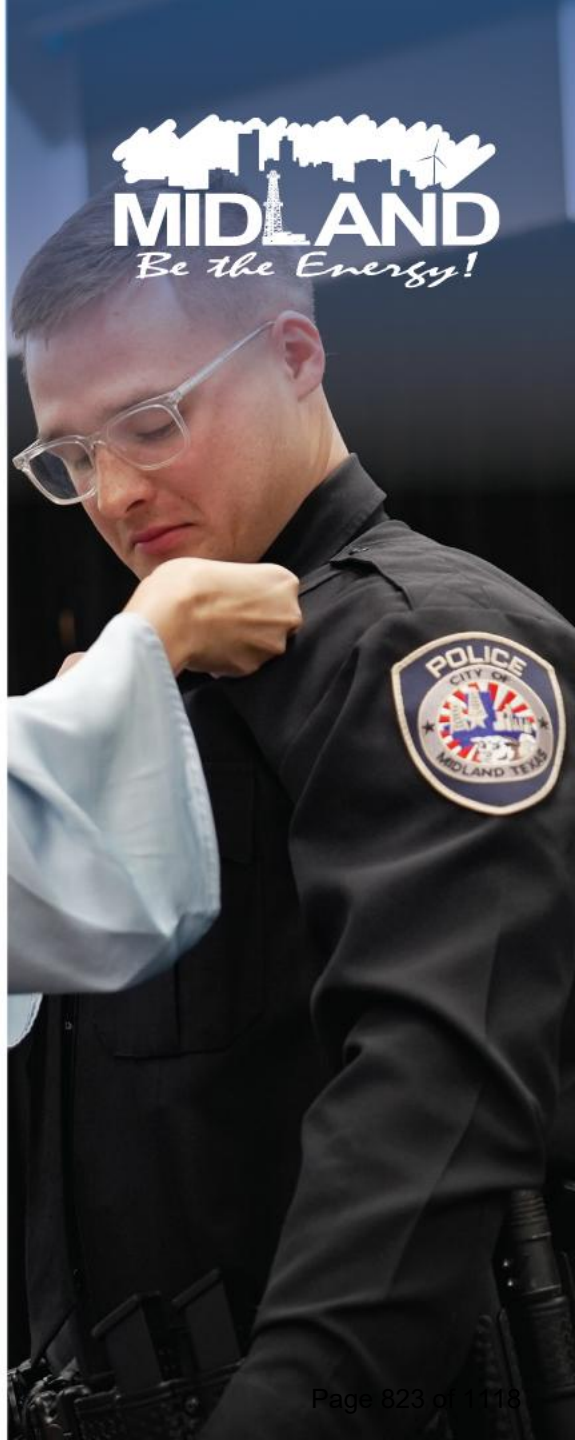
COMPREHENSIVE PLAN

- **Land Use Designation:** Special Study Area (SPA)
- **Supported Uses:** There are no policies established for this location.
- The request is compatible with the *Tall City Tomorrow Comprehensive Plan.*

STAFF'S RECOMMENDATION

- No objections were received.
- The Planning and Zoning Commission approved this request on October 6, 2025.
- Staff recommends approval of this request.



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.

MIDLAND Planning Division

Zone Change/Planned District Amendment/Site Plan Approval

Project Number: _____

Case Number: Z-25-0417

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: Scott Collier		Phone (806) 741-1982 Email scott@colliertx.com	
Address 2202 Avenue E	City Lubbock	State TX	Zip 79404

Property Owner Printed Name: Prosperity Bank		Phone (806)741-2101 Email	
Address 1401 Avenue Q	City Lubbock	State TX	Zip 79401

Representative *(if different from Applicant or Property Owner)* Firm: _____ Printed Name:		Phone ( ) Email	
Address	City	State	Zip

Street Address: North Marienfeld Street & West Louisiana

Legal Description
Lot: 1A Block: 31A Subdivision: Homestead Addition Section 6

Current Zoning: PD Planned Development	**Proposed Zone:** CB Central Business *(List by tracts if more than one district is requested)*

Reason for Zone Change Request: Currently zoned PD, planned development district for a office center. Requesting zone change to CB, central business district to avoid restrictions.

Present Use of Property: Parking lot

Proposed Use of Property: Retail Bank Facility

How would this zone change affect the public health, safety and welfare? None

Describe how conditions affecting the property have changed since present zoning designation: None

Submittal and Fees
Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Site Plan
- Digital Copies of Site Plan (PDF/JPEG)

Signature *(by property owner only – authorized agent must sign affidavit below)*	
Applicant (signature):	Date:
Applicant (printed):	
Property Owner (signature):	Date:
Property Owner (printed) :	

The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear Scott Collier who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or authorized by Property Bank, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Scott Collier
Authorized Agent (*signature*)

Subscribed and sworn to before me, this 3rd day of September, 2025, to certify which witness my hand and seal of office.

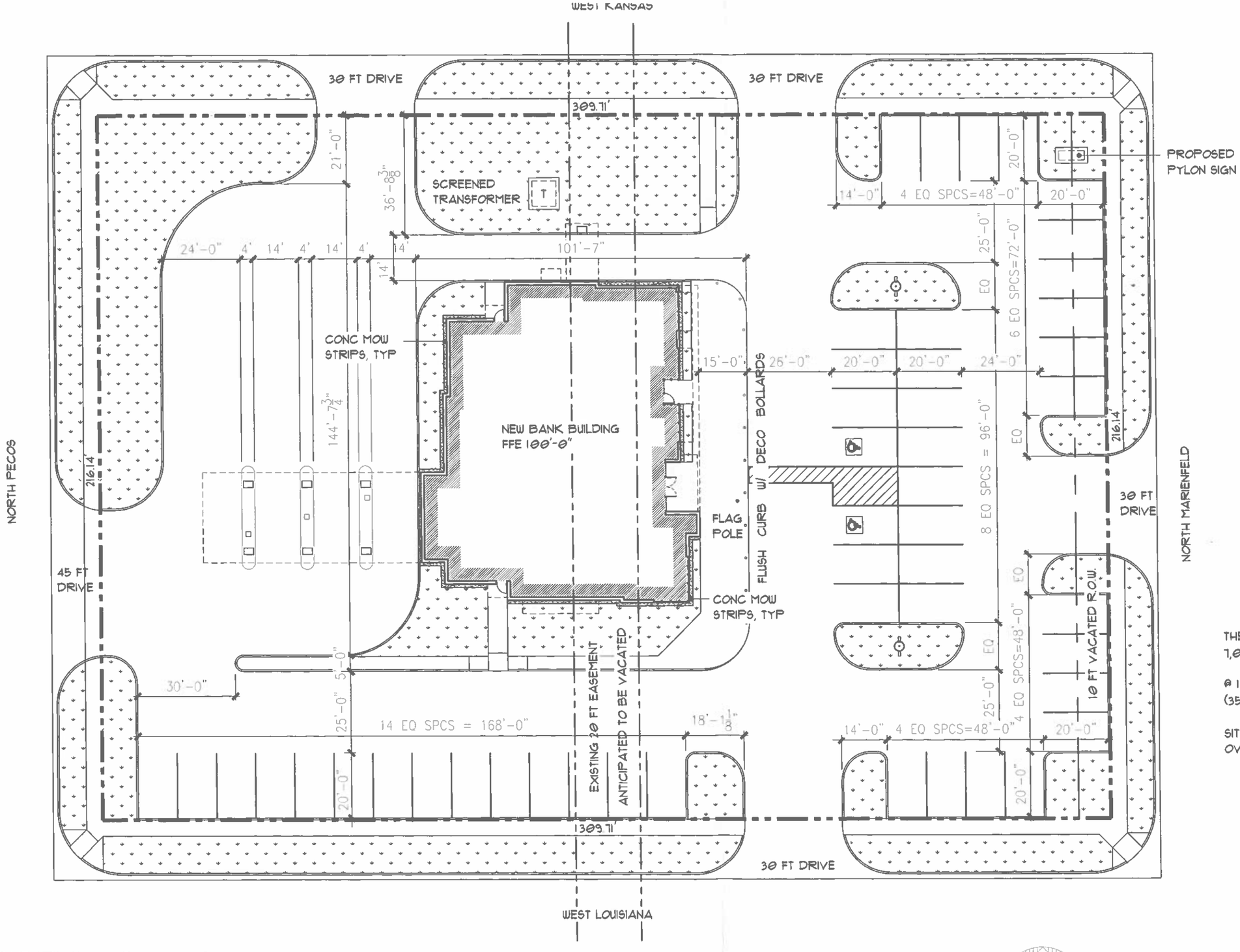
Keleigh Michelle Albright
My Commission Expires
9/27/2026
Notary ID 131644568

Keleigh Albright
Lubbock
NOTARY PUBLIC, ~~MIDLAND~~ COUNTY, TEXAS

FOR OFFICE USE ONLY	
☐ Property Owner Authorization	☐ Dimensioned Site Plan
☐ Application Fee	☐ Plans in Digital Format (PDF/JPEG)
Check #_____	
Received By:	Date:

****Application will not be considered for scheduling until reviewed by a planner.****

PRELIMINARY NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION
DATE: 09/04/25
STEPHEN FAULK NO. 5576
JASON MOORE NO. 19265
MELANIE MEIXNER NO. 19192



THE CURRENT FLOOR PLANS ARE UNDER 7,000 SF PER FLOOR (< 14,000 TOTAL)

@ 1:400, A 14,000 SF BANK REQUIRES (35) PARKING SPACES, MINIMUM

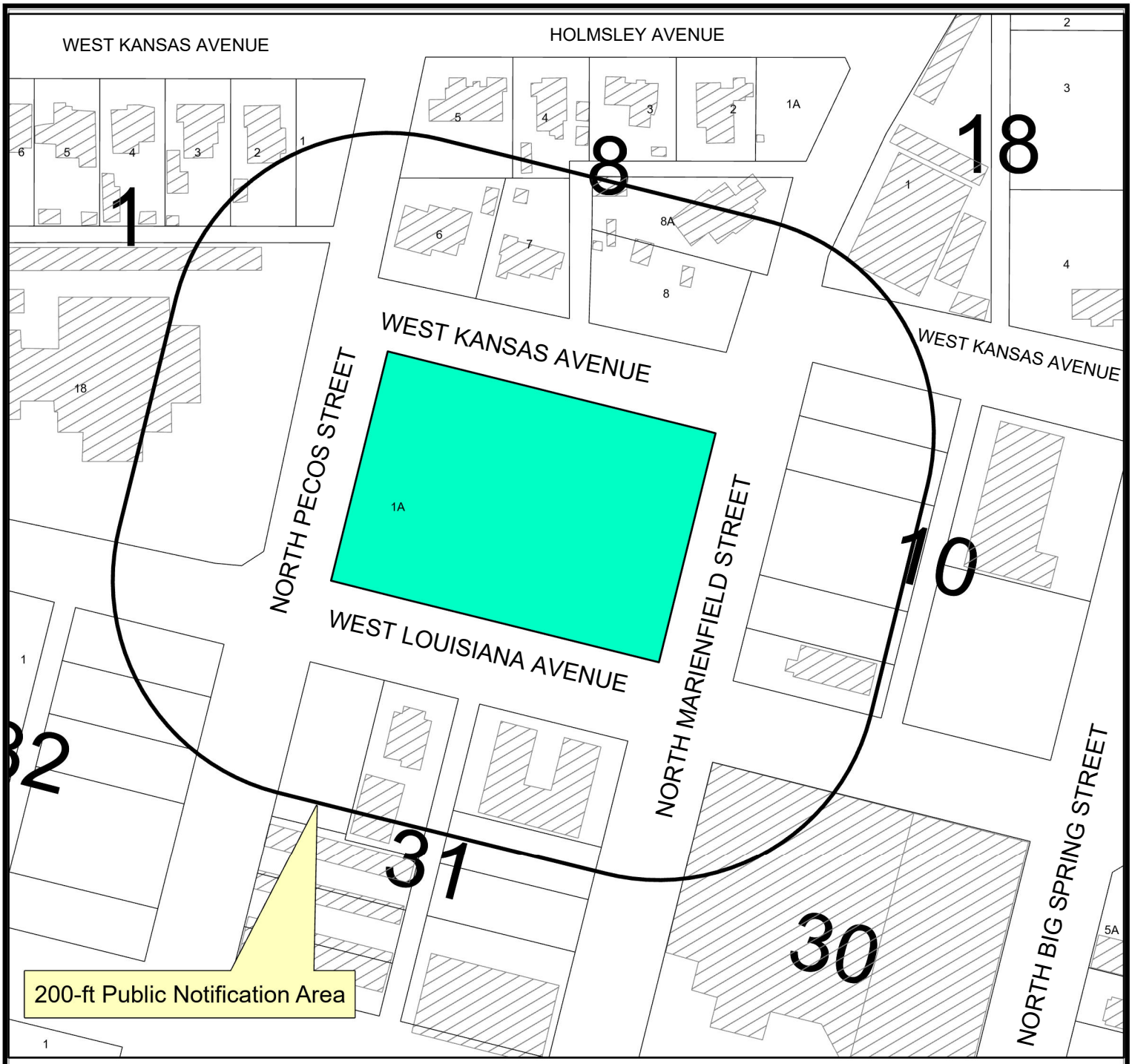
SITE PLAN IS CURRENTLY (12) SPACES OVER-PARKED

PRELIM SITE PLAN - PROSPERITY BANK, MIDLAND

SCALE: 1" = 30'-0"

NORTH

MWM architects



Location Map

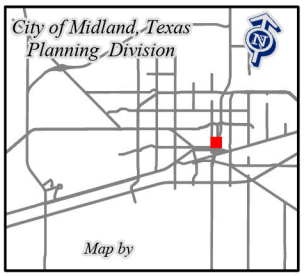
Z-25-0447 **Scale: 1" = 131 '**

Consider a request by Scott Collier, on behalf of Prosperity Bank, for a Zone Change from PD, Planned Development for Office Center, to CB, Central Business District, on Lot 1A, Block 31A, Homestead Addition, Section 6, City and County of Midland, Texas.

Generally located at the northeast intersection of North Pecos Street and West Louisiana Avenue. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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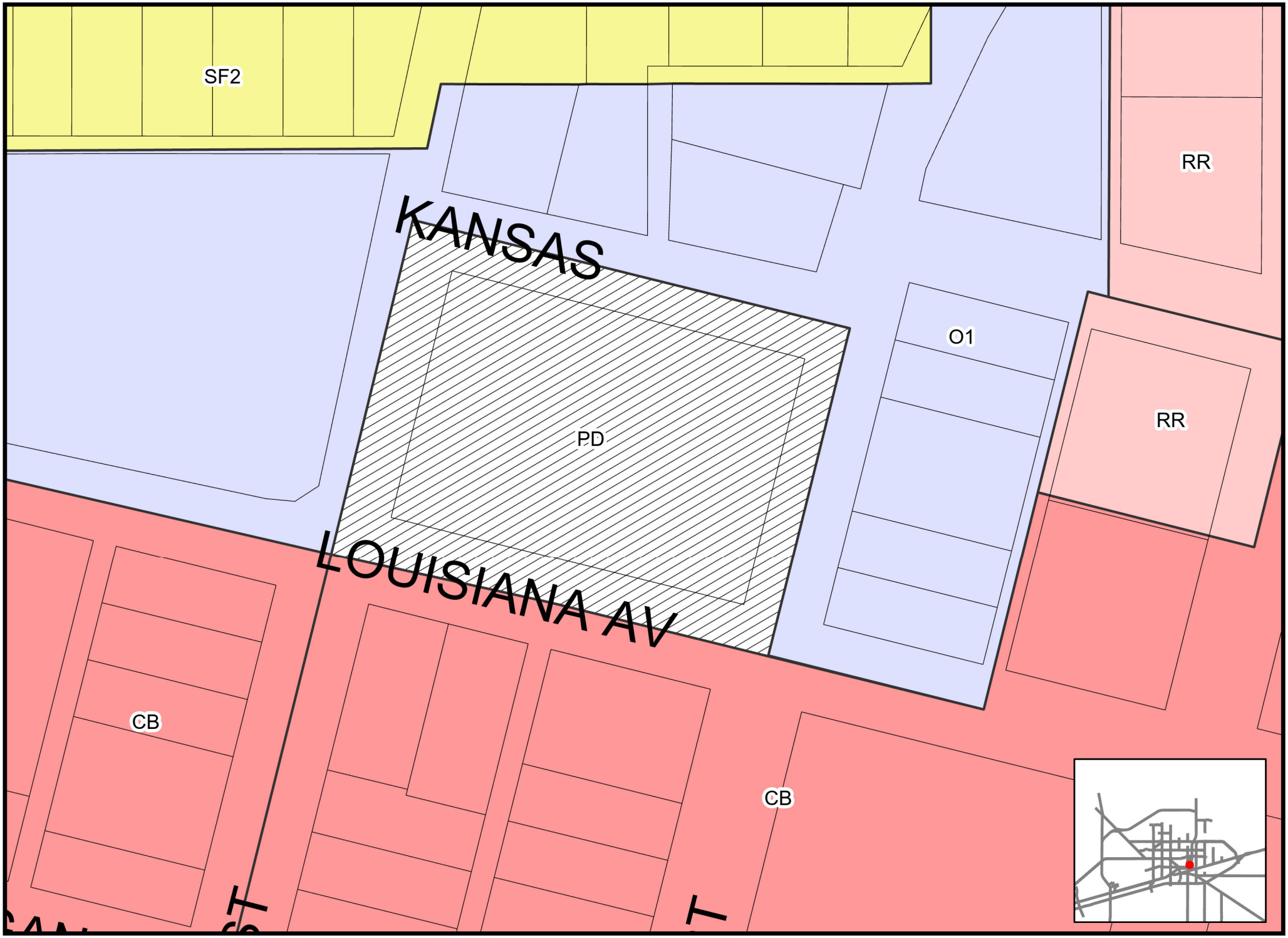

Created: 9/16/2025

Z-25-0447

Scale: 1" = 102 '

ZONING MAP

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City Council Meeting

Item Number: 34.
Meeting Date: October 14, 2025
To: City Council
From: Angelina Bettanini, Planner II
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 12, BLOCK 4, NUEVA LA JOLLA ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MH, MANUFACTURED HOUSING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF NORTH CALHOUN STREET AND ORCHARD LANE); 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

Purpose:
Magrym Consulting, on behalf of Cecilia Garcia, is requesting a Zone Change from MH, Manufactured Housing District to SF-3, Single-Family Dwelling District to build an additional story on the current single-family home located at 701 North Calhoun Street.

Recommended Action:
Approve

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Current Zoning:

MH, Manufactured Housing District

Surrounding Zoning and Land Use:

The properties to the north, east, and west are zoned MH, Manufactured Housing District and is single-family housing. The property to the south is zoned LI, Light Industrial District, and is a church and vacant lot.

Analysis:

The subject property is located at 701 North Calhoun Street. This property is currently zoned MH, Manufactured Housing District and a single-family residence is an accepted use in this zoning district however, the applicant is seeking a zone change to SF-3, Single-Family Dwelling District due to the building height requirements established in Section 5.04 of Midland City Code. The maximum allowable height for MH, Manufactured Housing District is 28 feet whereas SF-3, Single-Family Dwelling District allows for a height of 42 feet. This allows the applicant an additional 14 feet to construct an additional story to the existing home.

Changing this zoning would help the future residential development of this area. The subject property meets the minimum lot dimension requirements for the SF-3, Single-Family Dwelling District [Midland City Code 5.04].

This request is consistent with the Tall City Tomorrow Comprehensive Plan, which designated this area as a Urban Residential-Medium (UR-M). This designation allows for any residential dwelling district.

This proposed zone change has been circulated to the respective City departments for internal review and their comments, conditions, and requirements are as follows:

Fire: (Approved)

No comments or objections.

Engineering: (Approved)

No objections to zone change. [For Applicant's Information Only.]

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For Applicant's Information Only.]

Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application.

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For the Applicant's information only.]

No objection to zone change. [For the Applicant's information only.]

Planning: (Approved)

Staff recommends approval of this Zone Change from MH, Manufactured Housing to SF-3, Single-Family Dwelling District.

Letters of Objection:

Staff has not received any letters of objection as of October 2, 2025.

Attachments:

A. ORDINANCE - Z-25-448.MH to SF-3 Ord
B. CC, - - 701 N Calhoun, Zone Change Request
C. Z-25-0448, Combined Docs

Angelina Bettanini, Development Services	Created/Initiated - 10/3/2025
Landon Ochoa, Development Services	Approved - 10/3/2025
Elizabeth Triggs, Development Services	Approved - 10/3/2025
Linda Ochoa, Legal	Approved - 10/5/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Jan Hamilton, City Secretary	Approved - 10/7/2025
Rachel Guentensberger, City Secretary	Final Approval - 10/7/2025

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 12, BLOCK 4, NUEVA LA JOLLA ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MH, MANUFACTURED HOUSING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF NORTH CALHOUN STREET AND ORCHARD LANE); 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

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by rezoning Lot 12, Block 4, Nueva La Jolla Addition, City and County of Midland, Texas (the "Property"), to SF-3, Single-Family Dwelling District, as set out hereinafter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from MH, Manufactured Housing District to SF-3, Single-Family Dwelling District.

SECTION TWO. That the definitions given in the zoning regulations contained in the City Code of the City of Midland, Texas, shall be applicable to such of those terms as are used herein.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances

inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2025; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2025, at a regular meeting of the City Council:

Council members voting “AYE”:

Council members voting “NAY”:

PASSED AND APPROVED THIS _____ day of _____, A.D., 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

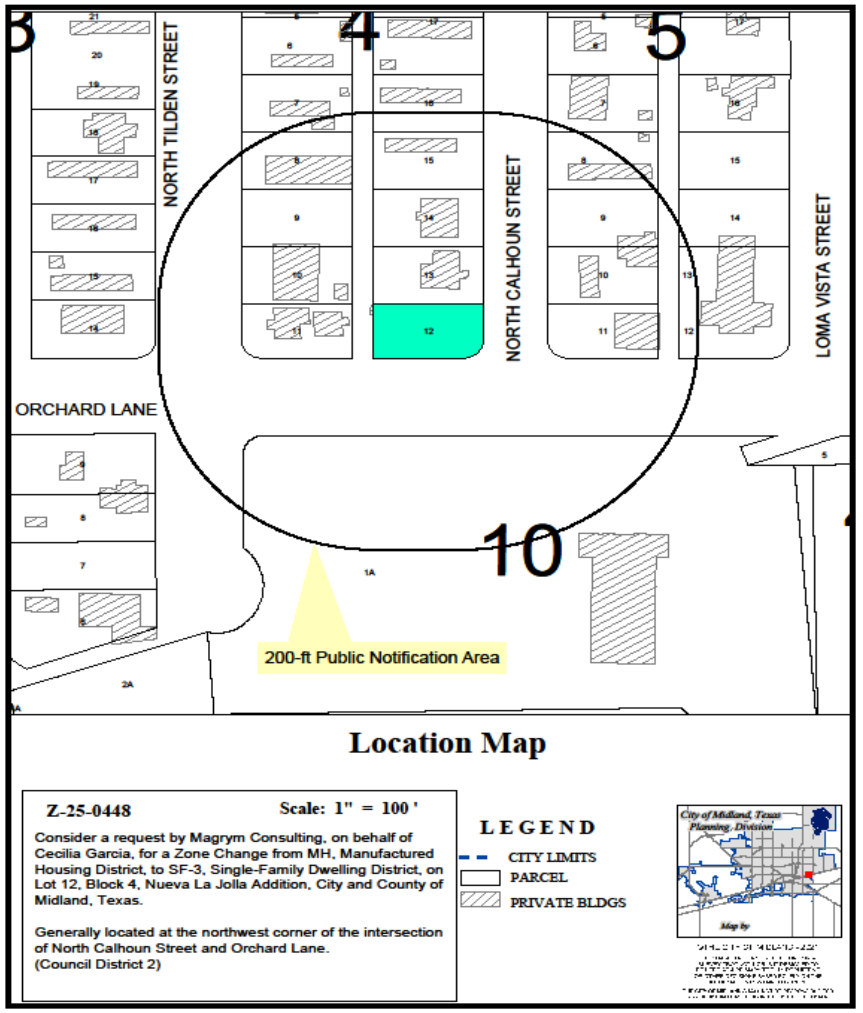
APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

MIDLAND
Be the Energy!
ITEM
ZONE CHANGE
701 NORTH CALHOUN STREET
Visit Our Website
MIDLANDTEXAS.GOV

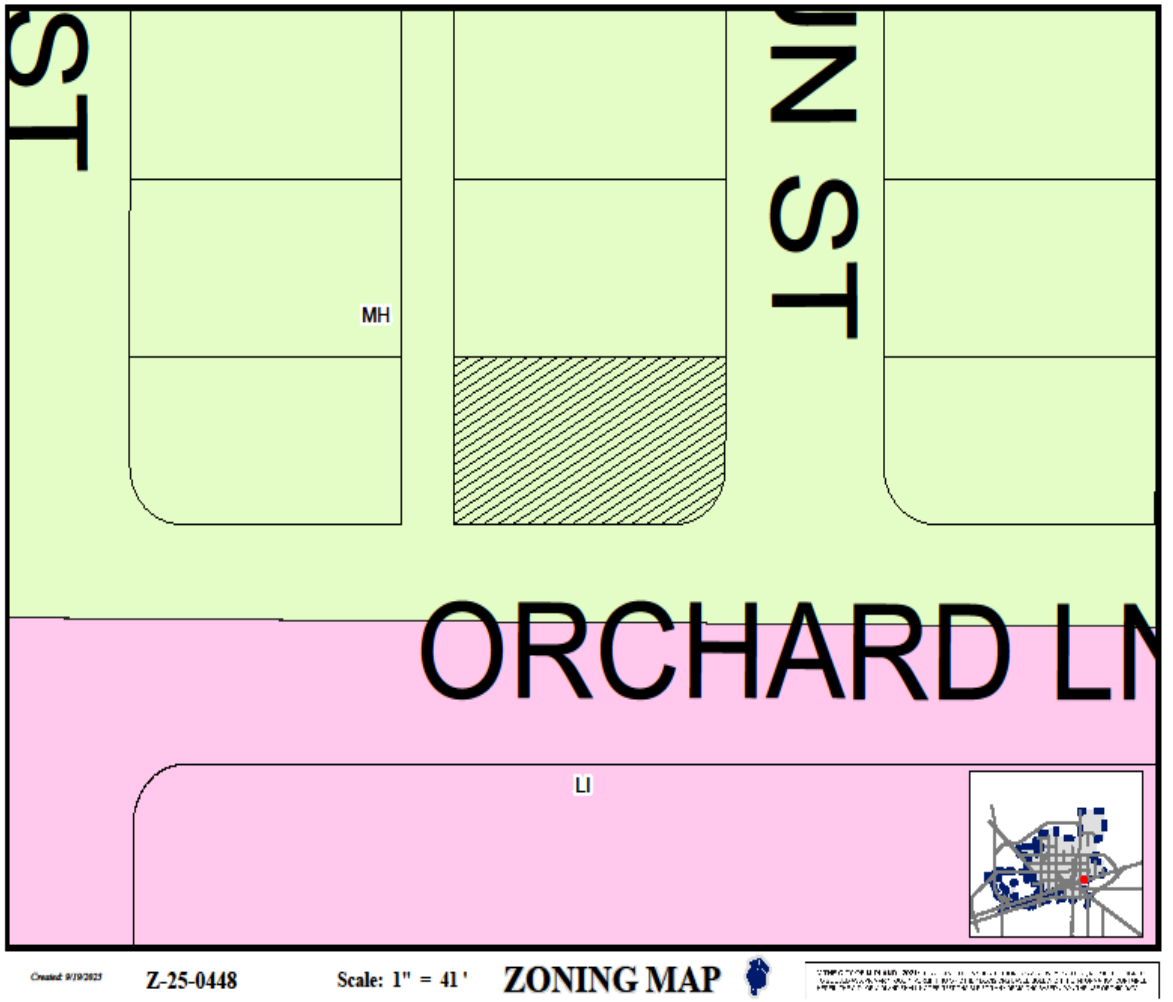
APPLICATION SUMMARY

- **Applicant:** Magrym Consulting
- **Property Owner:** Cecilia Garcia
- **Location:** 701 North Calhoun Street
- **Reason for Request:** To construct a addition to the existing single-family dwelling



ZONING

- **Current Zoning:** MH, Manufactured Housing District
- **Surrounding Zoning:**
  - **North, East, & West:** MH, Manufactured Housing District
  - **South:** LI, Light Industrial District
- **Proposed Zoning:** SF-3, Single-Family Dwelling District



MIDLAND
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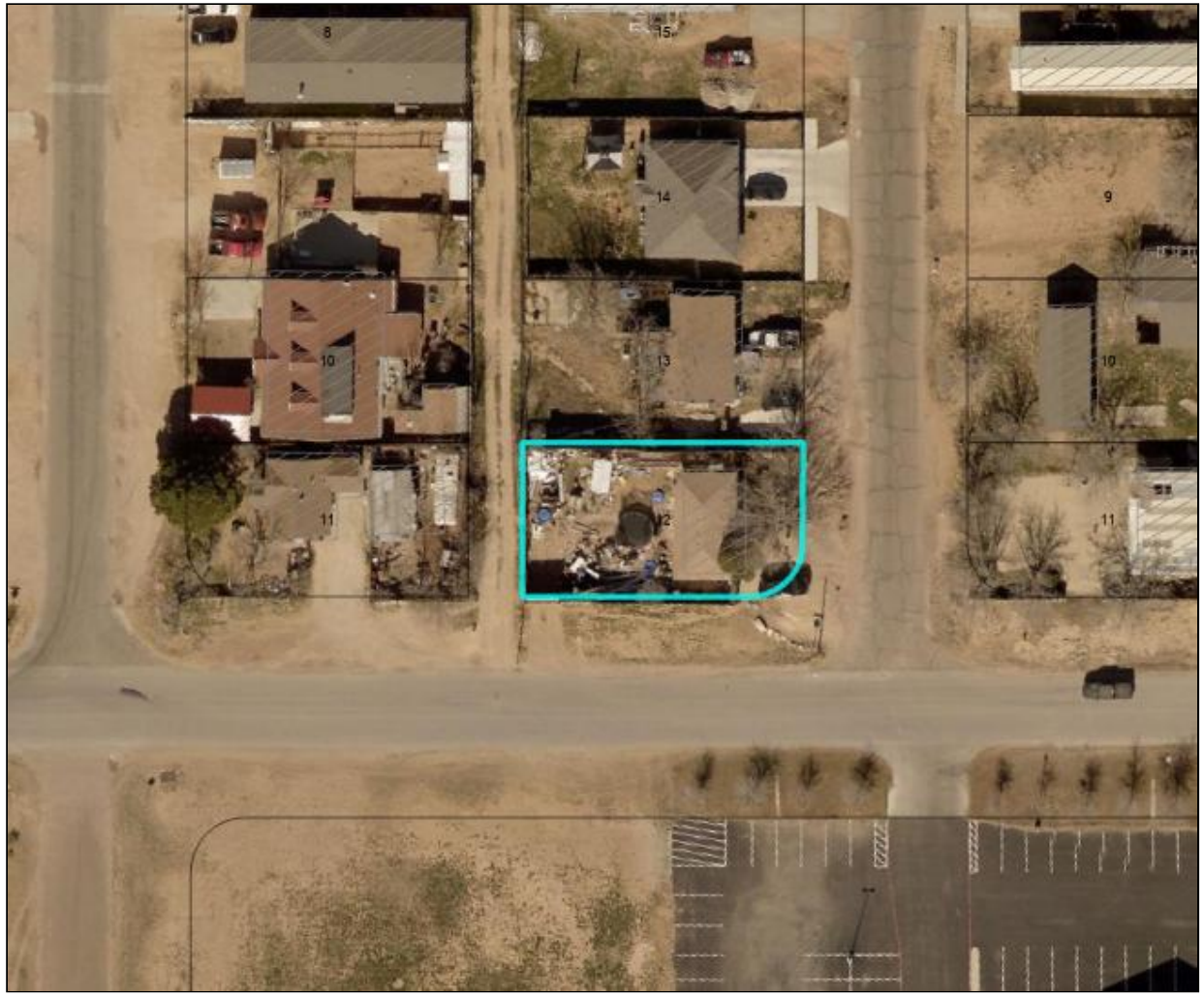
LAND USE

- **Current Use:** Single-Family Dwelling
- **Surrounding Uses**
  - **North/East/West:** Single-Family Housing
  - **South:** Church and Vacant Lots
- **Proposed Use:** Single-Family Dwelling



On Orchard Lane, Looking North

5

MIDLAND
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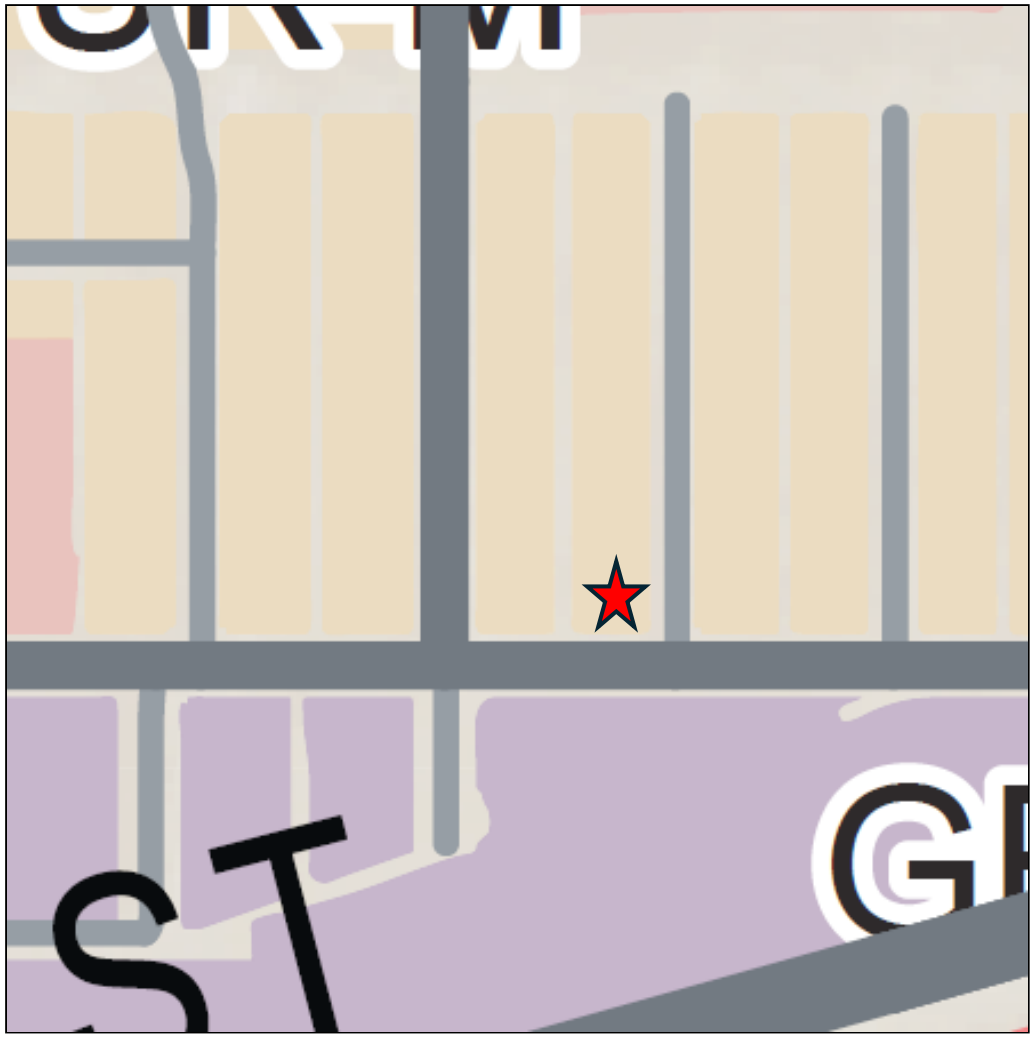
COMPREHENSIVE PLAN

- **Land Use Designation:** Urban Residential Medium (UR-M)
- **Supported Uses:** Supporting uses include residential dwelling districts
- The request is compatible with the *Tall City Tomorrow Comprehensive Plan.*



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STAFF'S RECOMMENDATION

- No objections were received.
- The Planning and Zoning Commission approved this request on October 6, 2025.
- Staff recommends approval of this request.

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.

MIDLAND Planning Division

Zone Change/Planned District Amendment/Site Plan Approval

Project Number: _____

Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: Cecilia Garcia		Phone ( ) Email	
Address 701 N. Calhoun St.	City Midland	State TX	Zip 7974

Property Owner Printed Name: Cecilia H Garcia		Phone ( ) Email	
Address 701 N. Calhoun St.	City Midland	State TX	Zip 79701

Representative *(if different from Applicant or Property Owner)* Firm: MAGRYM Printed Name: RJ DAUM RPLS		Phone (432) 684-5548 Email RJDaum@MagryM.com	
Address 110 W. Louisiana Suite 314	City MIDLAND	State TEXAS	Zip 79701

Street Address: 701 North Calhoun Street

Legal Description
Lot: 12 Block: 4 Subdivision: Nueva La Jolla

Current Zoning: MH

Proposed Zone: SF-3
(List by tracts if more than one district is requested)

Reason for Zone Change Request: ~~Existing~~ Home Addition

Present Use of Property: Residential

Proposed Use of Property: Residential

How would this zone change affect the public health, safety and welfare? No

Describe how conditions affecting the property have changed since present zoning designation: Additional Single Family Homes Built

Submittal and Fees
Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Site Plan
- Digital Copies of Site Plan (PDF/JPEG)

Signature *(by property owner only – authorized agent must sign affidavit below)*	
Applicant (signature):	Date: 9-10-25
Applicant (printed): Cecilia H. Garcia	
Property Owner (signature):	Date: 9-10-25
Property Owner (printed) :	

The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear_____who, being by me duly sworn, upon oath says: That (s)he is the owner of _____or authorized by_____, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

_____
Authorized Agent (*signature*)

Subscribed and sworn to before me, this_____day of_____, 20____, to certify which witness my hand and seal of office.

_____
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☑ Property Owner Authorization	☑ Dimensioned Site Plan
☑ Application Fee	☑ Plans in Digital Format (PDF/JPEG)
Check # 1023	
Received By: Angelina Bettancourt	Date: 9/10/25

RECEIVED
SEP 10 2025
Initial:

****Application will not be considered for scheduling until reviewed by a planner.****

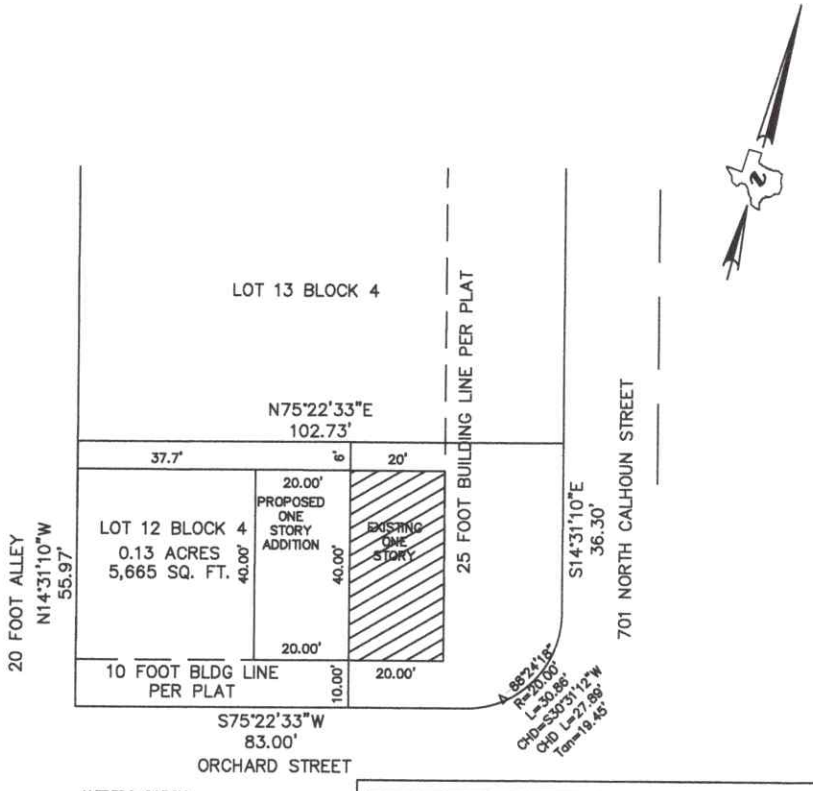
NOTES:

BEARINGS, DISTANCES AND ACREAGE SHOWN ARE GRID BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.

THIS SURVEY SHALL NOT REPRESENT WARRANTY OF TITLE OR GUARANTEE OF OWNERSHIP.

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF TITLE COMMITMENT. NOT ALL EASEMENTS OR MATTERS OF TITLE MAY BE SHOWN.

MONUMENTS ARE A 1/2" REINFORCING BAR SET WITH PLASTIC CAP STAMPED "MAGRYM" UNLESS OTHERWISE NOTED.



TO THE LIENHOLDERS, ALFREDO GARCIA

(OWNER) OF THE PREMISES AND TO THE ISSUING TITLE INSURANCE UNDERWRITER: THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND THAT THERE ARE NO KNOWN DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHTS-OF-WAY, EXCEPT AS SHOWN HEREON.

DATED THIS 10TH DAY OF SEPTEMBER, 2025

RJ DAUM
TEXAS RPLS 4826

STATE OF TEXAS
REGISTERED
RJ DAUM
4826
PROFESSIONAL
LAND SURVEYOR

MAGRYM

110 WEST LOUISIANA STREET
SUITE 314
MIDLAND, TEXAS 79701

TEXAS FIRM
No. 10149500
Office (432) 684-5548

SITE PLAN SURVEY

LOT 12

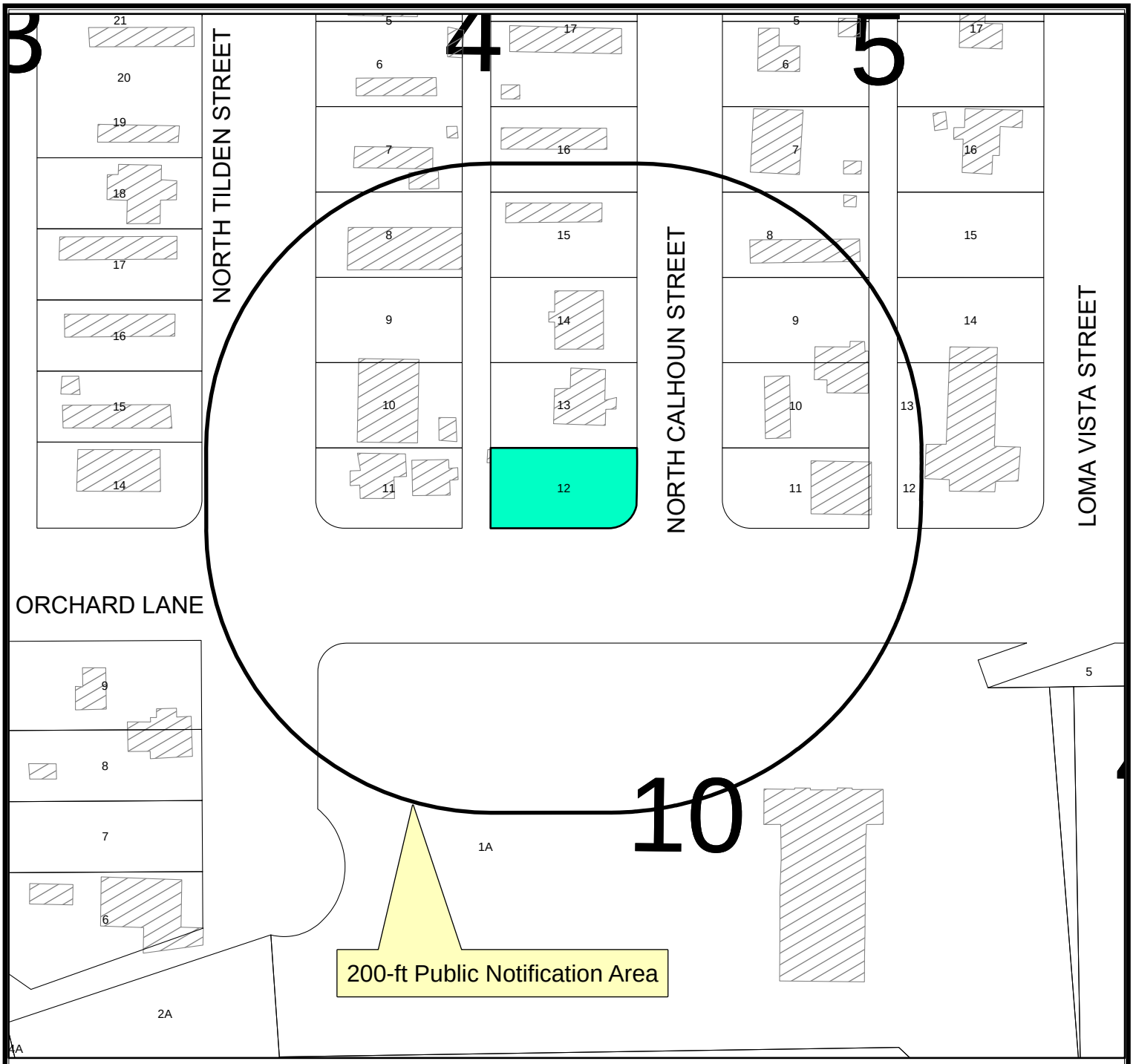
BLOCK 4

NUEVA LA JOLLA ADDITION

AN ADDITION TO THE CITY OF MIDLAND, AS PER PLAT OF RECORD IN CABINET "A", PAGE 59, PLAT RECORDS, MIDLAND COUNTY, TEXAS

SCALE: 1" = 30'

PROJECT: 75759WV
JOB NO.: 75,759



Location Map

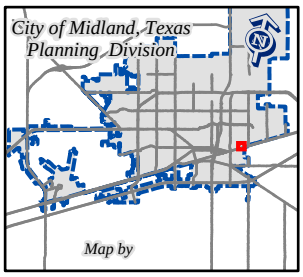
Z-25-0448 **Scale: 1" = 100 '**

Consider a request by Magrym Consulting, on behalf of Cecilia Garcia, for a Zone Change from MH, Manufactured Housing District, to SF-3, Single-Family Dwelling District, on Lot 12, Block 4, Nueva La Jolla Addition, City and County of Midland, Texas.

Generally located at the northwest corner of the intersection of North Calhoun Street and Orchard Lane.
(Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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THIS DATA S NOT A SUBSTITUT ON FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITT NG OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

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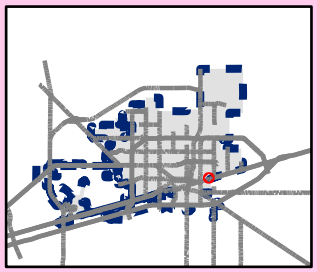

Created: 9/19/2025

Z-25-0448

Scale: 1" = 41 '

ZONING MAP

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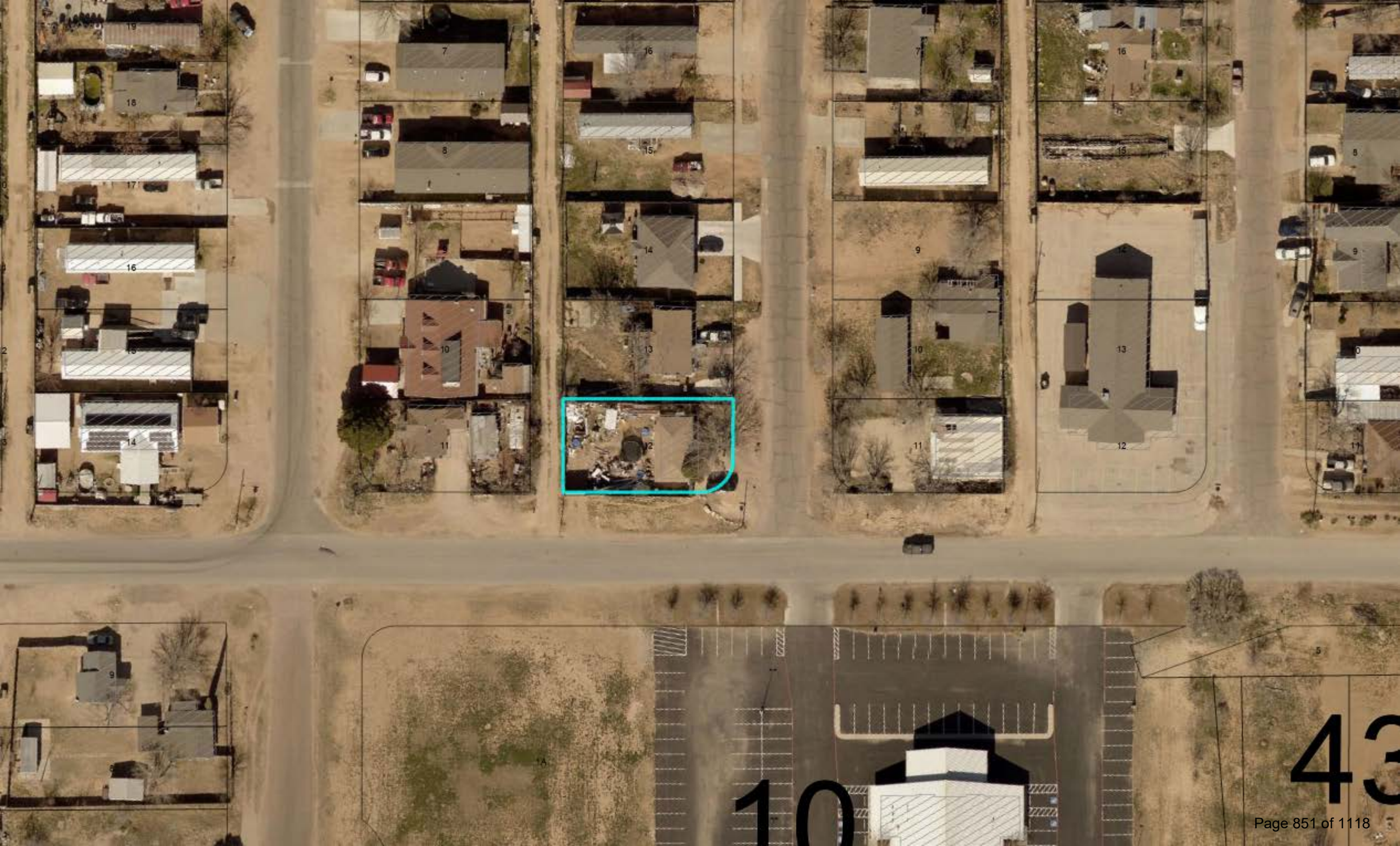
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Orchard
W Calhoun

City Council Meeting

Item Number: 35.
Meeting Date: October 14, 2025
To: City Council
From: Sean Bailey, Code Enforcement Officer I
Subject: RESOLUTION APPROVING THE ISSUANCE OF AN ORDER FINDING THE SINGLE-FAMILY RESIDENCE LOCATED ON THE SOUTH 50 FEET OF THE NORTH 100 FEET OF THE NORTHEAST QUARTER OF BLOCK 8, HOMESTEAD ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT 809 NORTH WEATHERFORD STREET, MIDLAND, TEXAS 79703) TO BE A SUBSTANDARD BUILDING AND ORDERING THE OWNER(S) OF SAID BUILDING AND LIENHOLDER(S) AND MORTGAGEE(S) HAVING AN INTEREST IN SAID BUILDING, IF ANY, TO TAKE ABATEMENT ACTION AS SPECIFIED IN THE ORDER, AND, IF SAID ABATEMENT ACTION IS NOT TAKEN, AUTHORIZING THE CITY OF MIDLAND TO TAKE ABATEMENT ACTION

Purpose:
The purpose of this resolution is to address the substandard condition of the single-family residence located at 809 North Weatherford Street, Midland, Texas (South 50 feet of the North 100 feet of the Northeast Quarter of Block 8, Homestead Addition). The structure has been vacant for several years and has deteriorated significantly due to lack of maintenance, exposure to the elements, and unsecured openings. The City's Building Official has determined that the building violates the Minimum Standards set forth in Section 4-8-1 of the Midland Municipal Code and multiple provisions of the International Residential Code, including requirements for weatherproofing, structural integrity, and roof assembly. This resolution authorizes the issuance of an order requiring the property owner(s), lienholder(s), and mortgagee(s), if any, to repair or demolish the building within 30 days. If corrective action is not taken, the City is authorized to abate the nuisance.

Recommended Action:
APPROVE

Fiscal Impact:
If the City undertakes abatement, demolition is estimated at $10,000. Actual costs will be billed to the property owner after completion.

Strategic Priority:
SET THE STANDARD FOR A SAFE AND SECURE CITY

Discussion:

This resolution advances **Goal 2 of the City of Midland's Strategic Plan: Safe and Secure City** by addressing a dangerous and deteriorated residence that poses a clear risk to public health, safety, and welfare. The single-family structure at 809 North Weatherford Street has been vacant for several years and has deteriorated due to lack of maintenance, exposure to the elements, and unsecured openings.

The City of Midland's Building Official has identified the structure as a **Substandard Building** under Section 4-8-1 of the Midland Municipal Code. Multiple violations of the 2018 International Residential Code (IRC) were documented, including:

1. Exterior walls with holes and lack of weather resistance (Sections R317 and R703.1).

2. Wooden building materials unprotected from the elements (Sections R317.1 and R703.1).

3. Missing roof coverings, leaving the roof assembly unprotected (Sections R903, R904, and R905).

4. Absent or deficient roof framing unable to support imposed loads (Section R801.2).

5. Damaged or incomplete exterior finish work exposing sheathing to the elements (Section R703.9).

6. Structural deficiencies and decayed materials rendering the building unfit for habitation and unsafe for the public.

Based on these conditions, the Building Official has determined that the building constitutes a **public nuisance** and must either be repaired to meet minimum standards or demolished. The order requires the owner(s), lienholder(s), and mortgagee(s), if any, to take corrective action, including repairing structural elements, completing weatherproofing, installing roof coverings, and obtaining permits and inspections to ensure compliance with the IRC. All required actions must be completed within 30 days of Council's approval. If abatement measures are not taken, the City is authorized to proceed with demolition.

Fiscal Impact
If the City undertakes abatement, demolition is estimated at $10,000. Actual costs will be billed to the property owner following completion, with unpaid balances subject to lien placement. By performing demolition in-house using City staff and equipment, the City minimizes costs while ensuring timely action.

Strategic Plan Alignment
Removing substandard and unsafe structures directly supports **Goal 2: Safe and**

Secure City by eliminating threats to neighborhood safety, reducing opportunities for crime, and improving the overall appearance and livability of the community. This property is one of the first among more than 100 substandard buildings identified citywide that present life-safety hazards. Taking decisive action to clear such nuisances protects residents, restores neighborhood stability, and reinforces Midland's vision of being the premier and safest city in West Texas.

Attachments:

A. RESOLUTION W EXH - 809 N Weatherford Reso w Exh
B. 809 N WEATHERFORD INSPECTION
C. 2025.08.12B - 809 N. Weatherford Notice REVISED 2
D. 2025.09.16 - 809 N. WEATHERFORD Order

Sean Bailey, Development Services	Created/Initiated - 10/3/2025
Landon Ochoa, Development Services	Approved - 10/3/2025
Elizabeth Triggs, Development Services	Approved - 10/3/2025
Linda Ochoa, Legal	Approved - 10/6/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Jan Hamilton, City Secretary	Approved - 10/7/2025
Rachel Guentensberger, City Secretary	Final Approval - 10/7/2025

RESOLUTION NO. _____

RESOLUTION APPROVING THE ISSUANCE OF AN ORDER FINDING THE SINGLE-FAMILY RESIDENCE LOCATED ON THE SOUTH 50 FEET OF THE NORTH 100 FEET OF THE NORTHEAST QUARTER OF BLOCK 8, HOMESTEAD ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT 809 NORTH WEATHERFORD STREET, MIDLAND, TEXAS 79703) TO BE A SUBSTANDARD BUILDING AND ORDERING THE OWNER(S) OF SAID BUILDING AND LIENHOLDER(S) AND MORTGAGEE(S) HAVING AN INTEREST IN SAID BUILDING, IF ANY, TO TAKE ABATEMENT ACTION AS SPECIFIED IN THE ORDER, AND, IF SAID ABATEMENT ACTION IS NOT TAKEN, AUTHORIZING THE CITY OF MIDLAND TO TAKE ABATEMENT ACTION

WHEREAS, the City Council finds it to be in the public interest to approve the issuance of an order finding the Building described in the caption hereof to be a Substandard Building and ordering the owner(s) of said building and lienholder(s) and mortgagee(s) having an interest in said building, if any, to take certain abatement action and, if said action is not taken, authorizing the City of Midland to take abatement action;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That all recitals in the order, which is attached hereto as Exhibit A and incorporated herein for all purposes, are hereby adopted and approved for all purposes

SECTION TWO. That the order is hereby approved, and the Mayor is hereby authorized and directed to sign and issue the order on behalf of the City Council.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2025, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

EXHIBIT A

AN ORDER OF THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS, REGARDING THE ABATEMENT OF A SUBSTANDARD BUILDING LOCATED AT 809 NORTH WEATHERFORD STREET, MIDLAND, TEXAS 79701, ON THE SOUTH 50 FEET OF THE NORTH 100 FEET OF THE NORTHEAST QUARTER OF BLOCK 8, HOMESTEAD ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS

WHEREAS, the City Council of the City of Midland, Texas, at a meeting at 10:00 a.m. on October 14, 2025, in the Council Chamber at City Hall located at 300 North Loraine, Midland, Texas 79701, conducted a public hearing concerning the single-family residence located at 809 North Weatherford Street, Midland, Texas 79703, on the south 50 feet of the north 100 feet of the northeast quarter of Block 8, Homestead Addition, City and County of Midland, Texas (the "Building").; and

WHEREAS, the City Council finds that all notices of said public hearing were provided in accordance with Section 4-8-1 of the City Code and applicable state law; and

WHEREAS, the City Council takes notice of and incorporates all evidence presented to the City Council, including the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes; and

WHEREAS, based upon the evidence presented, the City Council finds that the Building is in violation of the Minimum Standards as set out in Section 4-8-1 of the City Code, contains nuisance conditions that render it a hazard to the public health, safety, and welfare and that endanger or are likely to endanger persons or property, and is a Substandard Building as defined as defined in Section 4-8-1 of the City Code;

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

1. That the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) of the Building shall within 30 days complete the following action(s):

    A. Repair the Building as follows:

        (1) Repair or replace exterior walls and finish the weatherproofing system to prevent exposure to the elements in accordance with Sections R317 and R703 of the 2018 International Residential Code (the "IRC");

(2) Weatherproof all wood materials to prevent decay and rot in accordance with Section R317 of the IRC;

(3) Install roof coverings on the roof assembly in accordance with Sections R903, R904, and R905 of the IRC;

(4) Replace the wood roof framing in accordance with Section R801.2 of the IRC so that it is capable of accommodating all loads imposed in accordance with Section R301 of the IRC;

(5) Repair or complete the damaged or incomplete exterior finish work to shield the exterior sheathing from the elements in accordance with Section 703.9 of the IRC;

(6) Make all repairs necessary to remedy all structural deficiencies; and

(7) Make all other repairs and take all other actions necessary for the Building to satisfy the Minimum Standards; or

B. Demolish the Building.

2. That, in taking the action(s) described in 1 above, the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) shall:

A. Vacate all occupants from the Building before any work described herein is performed;

B. Obtain all applicable permits before performing work on the Building in accordance with Section R105 of the IRC;

C. Perform all work described herein in accordance with the IRC; and

D. Complete all required inspections under applicable valid and active permits as required by Section R109 of the IRC.

3. That if the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) fail to complete the required action(s) described above within the allotted time, the Building Official is authorized, on behalf of the City, to take the following action(s): demolish the Building. If the City incurs expenses in taking said action(s), the City may assess the expenses on, and the City may have a lien against, unless it is a homestead as protected by the Texas Constitution, the property on which the Building was located in accordance with applicable law.

4. That the City shall promptly mail by certified mail with return receipt requested, deliver by the United States Postal Service using signature confirmation service, or personally deliver a copy of this Order to the owner(s) of the Building and to any lienholder(s) or mortgagee(s) of the Building, as determined through the use of the City's best efforts.

5. That within 10 days after the date of this Order, the City shall:

A. file a copy of the Order in the City Secretary's Office; and

B. publish in a newspaper of general circulation in the City a notice containing:

(1) the street address or legal description of the property;

(2) the date of the hearing;

(3) a brief statement indicating the results of the Order; and

(4) instructions stating where a complete copy of the Order may be obtained.

6. That this Order is the final decision of the City of Midland, Texas.

ORDERED THIS 14TH DAY OF OCTOBER, 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

THE CITY OF MIDLAND, TEXAS
PLANNING & DEVELOPMENT SERVICES

Substandard Building Inspection Checklist

Property Address: 809 N. WEATHERFORD ST..

Substandard Structure Inspection Checklist (2018 IRC-Based)

General Building Conditions

Item	Inspection Point	IRC Reference	Pass/Fail
1	Structure is not a threat to life, health, property	R102.7, R104.1	FAIL
2	Significant deterioration of walls, floors, roofs, or foundations	R301.1.1, R502-R802	FAIL
3	Evidence of unsafe load-bearing conditions or collapse risk	R301.1.1	FAIL
4	Presence of vermin due to neglect or poor maintenance	R303.1, R306.1	FAIL

Foundation & Structural Framing

Item	Inspection Point	IRC Reference	Pass/Fail
5	Foundation is stable, no major cracks, settling, or undermining	R403-R404	FAIL
6	Floor framing intact, no excessive sagging or rot	R501-R502	FAIL
7	Roof and ceiling structures are sound	R801-R802	FAIL

Electrical & Mechanical Systems

Item	Inspection Point	IRC Reference	Pass/Fail
14	Electrical system is safe, no exposed wiring or overloaded circuits	IRC Chapter 33, NEC	N/A
15	Heating system present and operational	R303.10, M1401.1	N/A
16	Mechanical systems properly vented (furnace, water heater)	M1801	N/A

THE CITY OF MIDLAND, TEXAS
PLANNING & DEVELOPMENT SERVICES

Substandard Building Inspection Checklist

Plumbing & Sanitation

Item	Inspection Point	IRC Reference	Pass/Fail
17	Functioning water supply and waste systems	P2501, P2901	N/A
18	At least one functional toilet, lavatory, and bath/shower	R306.1	N/A
19	No sewage or waste discharge in unapproved locations	P2601.2	N/A

Ventilation, Light & Habitability

Item	Inspection Point	IRC Reference	Pass/Fail
20	Rooms have required minimum natural light and ventilation	R303.1	N/A
21	Bathrooms either have windows or exhaust fans	R303.3	N/A
22	Living space meets minimum square footage and ceiling height	R304, R305	N/A

Hazardous Conditions & Safety

Item	Inspection Point	IRC Reference	Pass/Fail
23	No unpermitted alterations or dangerous conditions	R105.1, R104.10	FAIL
24	Stairways, handrails, and guardrails meet safety standards	R311.7-R312	N/A
25	No accumulation of combustible materials or blocked exits	R302.1	N/A

Final Evaluation

Overall Condition: ☐ Safe ☑ Substandard ☐ Immediate Danger

Inspector Name: SEAN BAILEY

Date: 4/2/2025 **Signature:** _____

September 25, 2025

JACK ROBERT QUAIN
305 OXFORD ST
MIDLAND, TX 79703

JACK ROBERT QUAIN
2302 WEST DENGAR AV
MIDLAND, TX 79705

CITY OF MIDLAND
300 N LORAINE ST
MIDLAND, TX 79701

NOTICE OF VIOLATION AND PUBLIC HEARING

Re: Notice of violation and public hearing regarding the single-family residence located at 809 North Weatherford Street, Midland, Texas 79703, on the south 50 feet of the north 100 feet of the northeast quarter of Block 8, Homestead Addition, City and County of Midland, Texas (the "Building").

Greetings:

According to the records described by Section 214.001(q) of the Texas Local Government Code, each of the following is an owner, a lienholder, or a mortgagee of the above-described Building or property: Jack Robert Quain, 305 Oxford St., Midland, TX 79703; Jack Robert Quain, 2302 West Dengar Av, Midland, TX 79705 and the City of Midland, 300 N. Loraine St., Midland, TX 79701. If you no longer own or have an interest in the Building or the affected property, you must execute an affidavit stating that you no longer own or have an interest in the Building or the property and stating the name and last known address of the person who acquired the interest from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date of this letter. If the City does not receive the affidavit, it will be presumed that you own or have an interest in the Building or the property described in this notice.

This letter is your official notice of a violation and notice of a public hearing. The City of Midland's Building Official has identified the above-described Building as a Substandard Building because it is in violation of the Minimum Standards according to Section 4-8-1 of the Midland Municipal Code. The following conditions of the Building were identified as violations of the Minimum Standards:

1. Exterior walls do not provide weather-resistance and have holes that open to the outside, violating Sections R317 and R703.1 of the 2018 International Residential Code (the "IRC");

2. Wooden building materials are improperly protected from the elements, violating Sections R317.1 and R703.1 of the IRC;

3. Roof coverings are not installed on the roof assembly, thereby compromising the protective function of the roof system, violating Sections R903, R904, and R905 of the IRC;

4. Much of the roof and roof framing is absent or otherwise cannot accommodate all the loads imposed and transmit the resulting loads to the structural elements, violating Section R801.2 of the IRC;

5. Exterior finish work is damaged or incomplete, leaving exterior sheathing exposed to the elements, violating Section R703.9 of the IRC; and

6. The Building is unfit for human habitation and is a hazard to the public health, safety, and welfare because it is structurally deficient due to decayed materials and loss of load-bearing components.

The Building Official has determined that the Building is a hazard to the health, safety, or general welfare of its occupants (if any), the citizens of the City of Midland, Texas, and the public and is a public nuisance. The Building Official has determined that the Building should be vacated and repaired as follows or demolished:

1. Repair or replace exterior walls and finish the weatherproofing system to prevent exposure to the elements in accordance with Sections R317 and R703 of the IRC;

2. Weatherproof all wood materials to prevent decay and rot in accordance with Section R317 of the IRC;

3. Install roof coverings on the roof assembly in accordance with Sections R903, R904, and R905 of the IRC;

4. Replace the wood roof framing in accordance with Section R801.2 of the IRC so that it is capable of accommodating all loads imposed in accordance with Section R301 of the IRC;

5. Repair or complete the damaged or incomplete exterior finish work to shield the exterior sheathing from the elements in accordance with Section 703.9 of the IRC;

6. Make all repairs necessary to remedy all structural deficiencies;

7. Make all other repairs and take all other actions necessary for the Building to satisfy the Minimum Standards;

8. Vacate all occupants from the Building before any work described herein is performed;

9. Obtain all applicable permits before performing work on the Building in accordance with Section R105 of the IRC;

10. Perform all work described herein in accordance with the IRC; and

11. Complete all required inspections under applicable valid and active permits as required by Section R109 of the IRC.

The Building Official has determined that the Building should be demolished if the above-described abatement actions are not taken.

A public hearing before the City Council has been scheduled for October 14, 2025, at 10:00 a.m. in the Council Chamber at City Hall located at 300 North Loraine, Midland, Texas 79701, on the issues of whether the Building is a Substandard Building and whether the abatement action(s) described above or other abatement action(s) should be taken. As an owner, a lienholder, or a mortgagee, you will be required to submit at the public hearing proof of the scope of any work that may be required to comply with the City's ordinances and the time it will take to reasonably perform the work.

IF THE CITY COUNCIL ORDERS THAT ABATEMENT ACTION BE TAKEN, THE FAILURE OF THE OWNER, LIENHOLDER, OR MORTGAGEE TO TAKE THE ORDERED ACTION MAY RESULT IN THE CITY TAKING ABATEMENT ACTION, INCLUDING THE POSSIBLE DEMOLITION OF THE BUILDING. IF THE CITY INCURS EXPENSES WHILE TAKING ABATEMENT ACTION, THE CITY MAY ASSESS THE EXPENSES ON, AND THE CITY WILL HAVE A LIEN AGAINST, UNLESS IT IS A HOMESTEAD AS PROTECTED BY THE TEXAS CONSTITUTION, THE PROPERTY ON WHICH THE BUILDING WAS LOCATED.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Jeff Pinkstaff
Building Official

AN ORDER OF THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS, REGARDING THE ABATEMENT OF A SUBSTANDARD BUILDING LOCATED AT 809 NORTH WEATHERFORD STREET, MIDLAND, TEXAS 79701, ON THE SOUTH 50 FEET OF THE NORTH 100 FEET OF THE NORTHEAST QUARTER OF BLOCK 8, HOMESTEAD ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS

WHEREAS, the City Council of the City of Midland, Texas, at a meeting at 10:00 a.m. on October 14, 2025, in the Council Chamber at City Hall located at 300 North Loraine, Midland, Texas 79701, conducted a public hearing concerning the single-family residence located at 809 North Weatherford Street, Midland, Texas 79703, on the south 50 feet of the north 100 feet of the northeast quarter of Block 8, Homestead Addition, City and County of Midland, Texas (the "Building").; and

WHEREAS, the City Council finds that all notices of said public hearing were provided in accordance with Section 4-8-1 of the City Code and applicable state law; and

WHEREAS, the City Council takes notice of and incorporates all evidence presented to the City Council, including the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes; and

WHEREAS, based upon the evidence presented, the City Council finds that the Building is in violation of the Minimum Standards as set out in Section 4-8-1 of the City Code, contains nuisance conditions that render it a hazard to the public health, safety, and welfare and that endanger or are likely to endanger persons or property, and is a Substandard Building as defined as defined in Section 4-8-1 of the City Code;

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

1. That the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) of the Building shall within 30 days complete the following action(s):

    A. Repair the Building as follows:

        (1) Repair or replace exterior walls and finish the weatherproofing system to prevent exposure to the elements in accordance with Sections R317 and R703 of the 2018 International Residential Code (the "IRC");

(2) Weatherproof all wood materials to prevent decay and rot in accordance with Section R317 of the IRC;

(3) Install roof coverings on the roof assembly in accordance with Sections R903, R904, and R905 of the IRC;

(4) Replace the wood roof framing in accordance with Section R801.2 of the IRC so that it is capable of accommodating all loads imposed in accordance with Section R301 of the IRC;

(5) Repair or complete the damaged or incomplete exterior finish work to shield the exterior sheathing from the elements in accordance with Section 703.9 of the IRC;

(6) Make all repairs necessary to remedy all structural deficiencies; and

(7) Make all other repairs and take all other actions necessary for the Building to satisfy the Minimum Standards; or

B. Demolish the Building.

2. That, in taking the action(s) described in 1 above, the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) shall:

A. Vacate all occupants from the Building before any work described herein is performed;

B. Obtain all applicable permits before performing work on the Building in accordance with Section R105 of the IRC;

C. Perform all work described herein in accordance with the IRC; and

D. Complete all required inspections under applicable valid and active permits as required by Section R109 of the IRC.

3. That if the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) fail to complete the required action(s) described above within the allotted time, the Building Official is authorized, on behalf of the City, to take the following action(s): demolish the Building. If the City incurs expenses in taking said action(s), the City may assess the expenses on, and the City may have a lien against, unless it is a homestead as protected by the Texas Constitution, the property on which the Building was located in accordance with applicable law.

4. That the City shall promptly mail by certified mail with return receipt requested, deliver by the United States Postal Service using signature confirmation service, or personally deliver a copy of this Order to the owner(s) of the Building and to any lienholder(s) or mortgagee(s) of the Building, as determined through the use of the City's best efforts.

5. That within 10 days after the date of this Order, the City shall:

A. file a copy of the Order in the City Secretary's Office; and

B. publish in a newspaper of general circulation in the City a notice containing:

(1) the street address or legal description of the property;

(2) the date of the hearing;

(3) a brief statement indicating the results of the Order; and

(4) instructions stating where a complete copy of the Order may be obtained.

6. That this Order is the final decision of the City of Midland, Texas.

ORDERED THIS 14TH DAY OF OCTOBER, 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

City Council Meeting

Item Number: 36.
Meeting Date: October 14, 2025
To: City Council
From: Sean Bailey, Code Enforcement Officer I
Subject: RESOLUTION APPROVING THE ISSUANCE OF AN ORDER FINDING THE SINGLE-FAMILY RESIDENCE LOCATED ON LOT 2, BLOCK 23, BELMONT ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT 1602 SOUTH LORAINE STREET) TO BE A SUBSTANDARD BUILDING AND ORDERING THE OWNER(S) OF SAID BUILDING AND LIENHOLDER(S) AND MORTGAGEE(S) HAVING AN INTEREST IN SAID BUILDING, IF ANY, TO TAKE ABATEMENT ACTION AS SPECIFIED IN THE ORDER, AND, IF SAID ABATEMENT ACTION IS NOT TAKEN, AUTHORIZING THE CITY OF MIDLAND TO TAKE ABATEMENT ACTION

Purpose:
The purpose of this resolution is to address the substandard condition of the single-family residence located at 1602 South Loraine Street, Midland, Texas. The structure has been vacant for several years and has deteriorated significantly due to lack of maintenance, exposure to the elements, and unsecured openings. The City's Building Official has determined that the building violates the Minimum Standards set forth in Section 4-8-1 of the Midland Municipal Code and multiple provisions of the International Residential Code, including requirements for weatherproofing, structural integrity, and roof assembly. This resolution authorizes the issuance of an order requiring the property owner(s), lienholder(s), and mortgagee(s), if any, to repair or demolish the building within 30 days. If corrective action is not taken, the City is authorized to abate the nuisance.

Recommended Action:
APPROVE

Fiscal Impact:
If the City undertakes abatement, demolition is estimated at $10,000. Actual costs will be billed to the property owner after completion.

Strategic Priority:
SET THE STANDARD FOR A SAFE AND SECURE CITY

Discussion:

This resolution advances **Goal 2 of the City of Midland's Strategic Plan: Safe and Secure City** by addressing a dangerous and deteriorated residence that poses a clear risk to public health, safety, and welfare. The single-family structure at 1602 South Loraine Street has been vacant for several years and has deteriorated due to lack of maintenance, exposure to the elements, and unsecured openings. Midland ISD notified the City of concerns about the property because of the danger it presents to nearby students.

The City of Midland's Building Official has identified the structure as a **Substandard Building** under Section 4-8-1 of the Midland Municipal Code. Multiple violations of the 2018 International Residential Code (IRC) were documented, including:

1. Exterior walls with holes and lack of weather resistance (Sections R317 and R703.1).

2. Wooden building materials unprotected from the elements (Sections R317.1 and R703.1).

3. Missing roof coverings, leaving the roof assembly unprotected (Sections R903, R904, and R905).

4. Absent or deficient roof framing unable to support imposed loads (Section R801.2).

5. Damaged or incomplete exterior finish work exposing sheathing to the elements (Section R703.9).

6. Structural deficiencies and decayed materials rendering the building unfit for habitation and unsafe for the public.

Based on these conditions, the Building Official has determined that the building constitutes a public nuisance and must either be repaired to meet minimum standards or demolished. The order requires the owner(s), lienholder(s), and mortgagee(s), if any, to take corrective action, including repairing structural elements, completing weatherproofing, installing roof coverings, and obtaining permits and inspections to ensure compliance with the IRC. All required actions must be completed within 30 days of Council's approval. If abatement measures are not taken, the City is authorized to proceed with demolition.

Fiscal Impact
If the City undertakes abatement, demolition is estimated at $10,000. Actual costs will be billed to the property owner following completion, with unpaid balances subject to lien placement. By performing demolition in-house using City staff and equipment, the City minimizes costs while ensuring timely action.

Strategic Plan Alignment
Removing substandard and unsafe structures directly supports **Goal 2: Safe and**

Secure City by eliminating threats to neighborhood safety, reducing opportunities for crime, and improving the overall appearance and livability of the community. This property is one of the first among more than 100 substandard buildings identified citywide that present life-safety hazards. Taking decisive action to clear such nuisances protects residents, restores neighborhood stability, and reinforces Midland's vision of being the premier and safest city in West Texas.

Attachments:

A. RESOLUTION W EXH - 1602 S Loraine Reso w Exh
B. 1602 S LORAINE INSPECTION
C. 2025.08.12B - 1602 S LORAINE Notice REVISED 2
D. 2025.09.16 - 1602 S. LORAINE Order

Sean Bailey, Development Services	Created/Initiated - 10/3/2025
Landon Ochoa, Development Services	Approved - 10/3/2025
Elizabeth Triggs, Development Services	Approved - 10/3/2025
Linda Ochoa, Legal	Approved - 10/6/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Jan Hamilton, City Secretary	Approved - 10/7/2025
Rachel Guentensberger, City Secretary	Final Approval - 10/7/2025

RESOLUTION NO. _____

RESOLUTION APPROVING THE ISSUANCE OF AN ORDER FINDING THE SINGLE-FAMILY RESIDENCE LOCATED ON LOT 2, BLOCK 23, BELMONT ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT 1602 SOUTH LORAINE STREET) TO BE A SUBSTANDARD BUILDING AND ORDERING THE OWNER(S) OF SAID BUILDING AND LIENHOLDER(S) AND MORTGAGEE(S) HAVING AN INTEREST IN SAID BUILDING, IF ANY, TO TAKE ABATEMENT ACTION AS SPECIFIED IN THE ORDER, AND, IF SAID ABATEMENT ACTION IS NOT TAKEN, AUTHORIZING THE CITY OF MIDLAND TO TAKE ABATEMENT ACTION

WHEREAS, the City Council finds it to be in the public interest to approve the issuance of an order finding the Building described in the caption hereof to be a Substandard Building and ordering the owner(s) of said building and lienholder(s) and mortgagee(s) having an interest in said building, if any, to take certain abatement action and, if said action is not taken, authorizing the City of Midland to take abatement action;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That all recitals in the order, which is attached hereto as Exhibit A and incorporated herein for all purposes, are hereby adopted and approved for all purposes

SECTION TWO. That the order is hereby approved, and the Mayor is hereby authorized and directed to sign and issue the order on behalf of the City Council.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2025, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

EXHIBIT A

AN ORDER OF THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS, REGARDING THE ABATEMENT OF A SUBSTANDARD BUILDING LOCATED AT 1602 SOUTH LORAINE STREET, MIDLAND, TEXAS 79701, ON LOT 2, BLOCK 23, BELMONT ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS

WHEREAS, the City Council of the City of Midland, Texas, at a meeting at 10:00 a.m. on October 14, 2025, in the Council Chamber at City Hall located at 300 North Loraine, Midland, Texas 79701, conducted a public hearing concerning the single-family residence located at 1602 South Loraine Street, Midland, Texas 79701, on Lot 2, Block 23, Belmont Addition, City and County of Midland, Texas (the "Building").; and

WHEREAS, the City Council finds that all notices of said public hearing were provided in accordance with Section 4-8-1 of the City Code and applicable state law; and

WHEREAS, the City Council takes notice of and incorporates all evidence presented to the City Council, including the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes; and

WHEREAS, based upon the evidence presented, the City Council finds that the Building is in violation of the Minimum Standards as set out in Section 4-8-1 of the City Code, contains nuisance conditions that render it a hazard to the public health, safety, and welfare and that endanger or are likely to endanger persons or property, and is a Substandard Building as defined as defined in Section 4-8-1 of the City Code;

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

1. That the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) of the Building shall within 30 days complete the following action(s):

    A. Repair the Building as follows:

        (1) Repair or replace exterior walls and finish the weatherproofing system to prevent exposure to the elements in accordance with Sections R317 and R703 of the 2018 International Residential Code (the "IRC");

        (2) Weatherproof all wood materials to prevent decay and rot in accordance with Section R317 of the IRC;

(3) Install roof coverings on the roof assembly in accordance with Sections R903, R904, and R905 of the IRC;

(4) Repair or complete the damaged or incomplete exterior finish work to shield the exterior sheathing from the elements in accordance with Section 703.9 of the IRC;

(5) Make all repairs necessary to remedy all structural deficiencies; and

(6) Make all other repairs and take all other actions necessary for the Building to satisfy the Minimum Standards; or

B. Demolish the Building.

2. That, in taking the action(s) described in 1 above, the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) shall:

A. Vacate all occupants from the Building before any work described herein is performed;

B. Obtain all applicable permits before performing work on the Building in accordance with Section R105 of the IRC;

C. Perform all work described herein in accordance with the IRC; and

D. Complete all required inspections under applicable valid and active permits as required by Section R109 of the IRC.

3. That if the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) fail to complete the required action(s) described above within the allotted time, the Building Official is authorized, on behalf of the City, to take the following action(s): demolish the Building. If the City incurs expenses in taking said action(s), the City may assess the expenses on, and the City may have a lien against, unless it is a homestead as protected by the Texas Constitution, the property on which the Building was located in accordance with applicable law.

4. That the City shall promptly mail by certified mail with return receipt requested, deliver by the United States Postal Service using signature confirmation service, or personally deliver a copy of this Order to the owner(s) of the Building and to any lienholder(s) or mortgagee(s) of the Building, as determined through the use of the City's best efforts.

5. That within 10 days after the date of this Order, the City shall:

A. file a copy of the Order in the City Secretary's Office; and

B. publish in a newspaper of general circulation in the City a notice containing:

(1) the street address or legal description of the property;

(2) the date of the hearing;

(3) a brief statement indicating the results of the Order; and

(4) instructions stating where a complete copy of the Order may be obtained.

6. That this Order is the final decision of the City of Midland, Texas.

ORDERED THIS 14TH DAY OF OCTOBER, 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

THE CITY OF MIDLAND, TEXAS
PLANNING & DEVELOPMENT SERVICES

Substandard Building Inspection Checklist

Property Address: 1602 S LORAINE ST.

Substandard Structure Inspection Checklist (2018 IRC-Based)

General Building Conditions

Item	Inspection Point	IRC Reference	Pass/Fail
1	Structure is not a threat to life, health, property	R102.7, R104.1	FAIL
2	Significant deterioration of walls, floors, roofs, or foundations	R301.1.1, R502-R802	FAIL
3	Evidence of unsafe load-bearing conditions or collapse risk	R301.1.1	FAIL
4	Presence of vermin due to neglect or poor maintenance	R303.1, R306.1	FAIL

Foundation & Structural Framing

Item	Inspection Point	IRC Reference	Pass/Fail
5	Foundation is stable, no major cracks, settling, or undermining	R403-R404	FAIL
6	Floor framing intact, no excessive sagging or rot	R501-R502	N/A
7	Roof and ceiling structures are sound	R801-R802	FAIL

Electrical & Mechanical Systems

Item	Inspection Point	IRC Reference	Pass/Fail
14	Electrical system is safe, no exposed wiring or overloaded circuits	IRC Chapter 33, NEC	N/A
15	Heating system present and operational	R303.10, M1401.1	N/A
16	Mechanical systems properly vented (furnace, water heater)	M1801	N/A

THE CITY OF MIDLAND, TEXAS
PLANNING & DEVELOPMENT SERVICES

Substandard Building Inspection Checklist

Plumbing & Sanitation

Item	Inspection Point	IRC Reference	Pass/Fail
17	Functioning water supply and waste systems	P2501, P2901	N/A
18	At least one functional toilet, lavatory, and bath/shower	R306.1	N/A
19	No sewage or waste discharge in unapproved locations	P2601.2	N/A

Ventilation, Light & Habitability

Item	Inspection Point	IRC Reference	Pass/Fail
20	Rooms have required minimum natural light and ventilation	R303.1	N/A
21	Bathrooms either have windows or exhaust fans	R303.3	N/A
22	Living space meets minimum square footage and ceiling height	R304, R305	N/A

Hazardous Conditions & Safety

Item	Inspection Point	IRC Reference	Pass/Fail
23	No unpermitted alterations or dangerous conditions	R105.1, R104.10	N/A
24	Stairways, handrails, and guardrails meet safety standards	R311.7-R312	N/A
25	No accumulation of combustible materials or blocked exits	R302.1	N/A

Final Evaluation

Overall Condition: ☐ Safe ☑ Substandard ☐ Immediate Danger

Inspector Name: SEAN BAILEY

Date: 6/3/2025 **Signature:** _____

September 25, 2025

DOUGLAS C BENNETT
1602 S LORAINE ST
MIDLAND, TX 79701-8133

CITY OF MIDLAND
300 N LORAINE ST
MIDLAND, TX 79701

NOTICE OF VIOLATION AND PUBLIC HEARING

Re: Notice of violation and public hearing regarding the single-family residence located at 1602 South Loraine Street, Midland, Texas 79701, on Lot 2, Block 23, Belmont Addition, City and County of Midland, Texas (the "Building").

Greetings:

According to the records described by Section 214.001(q) of the Texas Local Government Code, each of the following is an owner, a lienholder, or a mortgagee of the above-described Building or property: Jack Douglas C. Bennett, 1602 S. Loraine St., Midland, TX 79701; and the City of Midland, 300 N. Loraine St., Midland, TX 79701. If you no longer own or have an interest in the Building or the affected property, you must execute an affidavit stating that you no longer own or have an interest in the Building or the property and stating the name and last known address of the person who acquired the interest from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date of this letter. If the City does not receive the affidavit, it will be presumed that you own or have an interest in the Building or the property described in this notice.

This letter is your official notice of a violation and notice of a public hearing. The City of Midland's Building Official has identified the above-described Building as a Substandard Building because it is in violation of the Minimum Standards according to Section 4-8-1 of the Midland Municipal Code. The following conditions of the Building were identified as violations of the Minimum Standards:

1. Exterior walls do not provide weather-resistance and have holes that open to the outside, violating Sections R317 and R703.1 of the 2018 International Residential Code (the "IRC");

2. Wooden building materials are improperly protected from the elements, violating Sections R317.1 and R703.1 of the IRC;

3. Roof coverings are not installed on the roof assembly, thereby compromising the protective function of the roof system, violating Sections R903, R904, and R905 of the IRC;

4. Exterior finish work is damaged or incomplete, leaving exterior sheathing exposed to the elements, violating Section R703.9 of the IRC; and

5. The Building is unfit for human habitation and is a hazard to the public health, safety, and welfare because it is structurally deficient due to decayed materials and loss of load-bearing components.

The Building Official has determined that the Building is a hazard to the health, safety, or general welfare of its occupants (if any), the citizens of the City of Midland, Texas, and the public and is a public nuisance. The Building Official has determined that the Building should be vacated and repaired as follows or demolished:

1. Repair or replace exterior walls and finish the weatherproofing system to prevent exposure to the elements in accordance with Sections R317 and R703 of the IRC;

2. Weatherproof all wood materials to prevent decay and rot in accordance with Section R317 of the IRC;

3. Install roof coverings on the roof assembly in accordance with Sections R903, R904, and R905 of the IRC;

4. Repair or complete the damaged or incomplete exterior finish work to shield the exterior sheathing from the elements in accordance with Section 703.9 of the IRC;

5. Make all repairs necessary to remedy all structural deficiencies;

6. Make all other repairs and take all other actions necessary for the Building to satisfy the Minimum Standards;

7. Vacate all occupants from the Building before any work described herein is performed;

8. Obtain all applicable permits before performing work on the Building in accordance with Section R105 of the IRC;

9. Perform all work described herein in accordance with the IRC; and

10. Complete all required inspections under applicable valid and active permits as required by Section R109 of the IRC.

The Building Official has determined that the Building should be demolished if the above-described abatement actions are not taken.

A public hearing before the City Council has been scheduled for October 14, 2025, at 10:00 a.m. in the Council Chamber at City Hall located at 300 North Loraine, Midland, Texas 79701, on the issues of

whether the Building is a Substandard Building and whether the abatement action(s) described above or other abatement action(s) should be taken. As an owner, a lienholder, or a mortgagee, you will be required to submit at the public hearing proof of the scope of any work that may be required to comply with the City's ordinances and the time it will take to reasonably perform the work.

IF THE CITY COUNCIL ORDERS THAT ABATEMENT ACTION BE TAKEN, THE FAILURE OF THE OWNER, LIENHOLDER, OR MORTGAGEE TO TAKE THE ORDERED ACTION MAY RESULT IN THE CITY TAKING ABATEMENT ACTION, INCLUDING THE POSSIBLE DEMOLITION OF THE BUILDING. IF THE CITY INCURS EXPENSES WHILE TAKING ABATEMENT ACTION, THE CITY MAY ASSESS THE EXPENSES ON, AND THE CITY WILL HAVE A LIEN AGAINST, UNLESS IT IS A HOMESTEAD AS PROTECTED BY THE TEXAS CONSTITUTION, THE PROPERTY ON WHICH THE BUILDING WAS LOCATED.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Jeff Pinkstaff
Building Official

AN ORDER OF THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS, REGARDING THE ABATEMENT OF A SUBSTANDARD BUILDING LOCATED AT 1602 SOUTH LORAINE STREET, MIDLAND, TEXAS 79701, ON LOT 2, BLOCK 23, BELMONT ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS

WHEREAS, the City Council of the City of Midland, Texas, at a meeting at 10:00 a.m. on October 14, 2025, in the Council Chamber at City Hall located at 300 North Loraine, Midland, Texas 79701, conducted a public hearing concerning the single-family residence located at 1602 South Loraine Street, Midland, Texas 79701, on Lot 2, Block 23, Belmont Addition, City and County of Midland, Texas (the "Building").; and

WHEREAS, the City Council finds that all notices of said public hearing were provided in accordance with Section 4-8-1 of the City Code and applicable state law; and

WHEREAS, the City Council takes notice of and incorporates all evidence presented to the City Council, including the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes; and

WHEREAS, based upon the evidence presented, the City Council finds that the Building is in violation of the Minimum Standards as set out in Section 4-8-1 of the City Code, contains nuisance conditions that render it a hazard to the public health, safety, and welfare and that endanger or are likely to endanger persons or property, and is a Substandard Building as defined as defined in Section 4-8-1 of the City Code;

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

1. That the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) of the Building shall within 30 days complete the following action(s):

    A. Repair the Building as follows:

        (1) Repair or replace exterior walls and finish the weatherproofing system to prevent exposure to the elements in accordance with Sections R317 and R703 of the 2018 International Residential Code (the "IRC");

        (2) Weatherproof all wood materials to prevent decay and rot in accordance with Section R317 of the IRC;

(3) Install roof coverings on the roof assembly in accordance with Sections R903, R904, and R905 of the IRC;

(4) Repair or complete the damaged or incomplete exterior finish work to shield the exterior sheathing from the elements in accordance with Section 703.9 of the IRC;

(5) Make all repairs necessary to remedy all structural deficiencies; and

(6) Make all other repairs and take all other actions necessary for the Building to satisfy the Minimum Standards; or

B. Demolish the Building.

2. That, in taking the action(s) described in 1 above, the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) shall:

A. Vacate all occupants from the Building before any work described herein is performed;

B. Obtain all applicable permits before performing work on the Building in accordance with Section R105 of the IRC;

C. Perform all work described herein in accordance with the IRC; and

D. Complete all required inspections under applicable valid and active permits as required by Section R109 of the IRC.

3. That if the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) fail to complete the required action(s) described above within the allotted time, the Building Official is authorized, on behalf of the City, to take the following action(s): demolish the Building. If the City incurs expenses in taking said action(s), the City may assess the expenses on, and the City may have a lien against, unless it is a homestead as protected by the Texas Constitution, the property on which the Building was located in accordance with applicable law.

4. That the City shall promptly mail by certified mail with return receipt requested, deliver by the United States Postal Service using signature confirmation service, or personally deliver a copy of this Order to the owner(s) of the Building and to any lienholder(s) or mortgagee(s) of the Building, as determined through the use of the City's best efforts.

5. That within 10 days after the date of this Order, the City shall:

A. file a copy of the Order in the City Secretary's Office; and

B. publish in a newspaper of general circulation in the City a notice containing:

(1) the street address or legal description of the property;

(2) the date of the hearing;

(3) a brief statement indicating the results of the Order; and

(4) instructions stating where a complete copy of the Order may be obtained.

6. That this Order is the final decision of the City of Midland, Texas.

ORDERED THIS 14TH DAY OF OCTOBER, 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

City Council Meeting

Item Number: 37.
Meeting Date: October 14, 2025
To: City Council
From: Sean Bailey, Code Enforcement Officer I
Subject: RESOLUTION APPROVING THE ISSUANCE OF AN ORDER FINDING THE SINGLE-FAMILY RESIDENCE LOCATED ON LOTS 15 AND 16, BLOCK 3, EASTOVER EXTENSION ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT 212 NORTH JACKSON STREET, MIDLAND, TEXAS 79701) TO BE A SUBSTANDARD BUILDING AND ORDERING THE OWNER(S) OF SAID BUILDING AND LIENHOLDER(S) AND MORTGAGEE(S) HAVING AN INTEREST IN SAID BUILDING, IF ANY, TO TAKE ABATEMENT ACTION AS SPECIFIED IN THE ORDER, AND, IF SAID ABATEMENT ACTION IS NOT TAKEN, AUTHORIZING THE CITY OF MIDLAND TO TAKE ABATEMENT ACTION

Purpose:
The purpose of this resolution is to address the substandard condition of the single-family residence located at 212 North Jackson Street, Midland, Texas (Lots 15 and 16, Block 3, Eastover Addition). The structure has been vacant for several years and has deteriorated significantly due to lack of maintenance, exposure to the elements, and unsecured openings. The City's Building Official has determined that the building violates the Minimum Standards set forth in Section 4-8-1 of the Midland Municipal Code and multiple provisions of the International Residential Code, including requirements for weatherproofing, structural integrity, and roof assembly. This resolution authorizes the issuance of an order requiring the property owner(s), lienholder(s), and mortgagee(s), if any, to repair or demolish the building within 30 days. If corrective action is not taken, the City is authorized to abate the nuisance.

Recommended Action:
APPROVE

Fiscal Impact:
If the City undertakes abatement, demolition is estimated at $10,000. Actual costs will be billed to the property owner after completion.

Strategic Priority:
SET THE STANDARD FOR A SAFE AND SECURE CITY

Discussion:

This resolution advances **Goal 2 of the City of Midland's Strategic Plan: Safe and Secure City** by addressing a dangerous and deteriorated residence that poses a clear risk to public health, safety, and welfare. The single-family structure at 212 North Jackson Street has been vacant for several years and has deteriorated due to lack of maintenance, exposure to the elements, and unsecured openings.

The City of Midland's Building Official has identified the structure as a **Substandard Building** under Section 4-8-1 of the Midland Municipal Code. Multiple violations of the 2018 International Residential Code (IRC) were documented, including:

1. Exterior walls with holes and lack of weather resistance (Sections R317 and R703.1).

2. Wooden building materials unprotected from the elements (Sections R317.1 and R703.1).

3. Missing roof coverings, leaving the roof assembly unprotected (Sections R903, R904, and R905).

4. Absent or deficient roof framing unable to support imposed loads (Section R801.2).

5. Damaged or incomplete exterior finish work exposing sheathing to the elements (Section R703.9).

6. Structural deficiencies and decayed materials rendering the building unfit for habitation and unsafe for the public.

Based on these conditions, the Building Official has determined that the building constitutes a **public nuisance** and must either be repaired to meet minimum standards or demolished. The order requires the owner(s), lienholder(s), and mortgagee(s), if any, to take corrective action, including repairing structural elements, completing weatherproofing, installing roof coverings, and obtaining permits and inspections to ensure compliance with the IRC. All required actions must be completed within 30 days of Council's approval. If abatement measures are not taken, the City is authorized to proceed with demolition.

Fiscal Impact
If the City undertakes abatement, demolition is estimated at $10,000. Actual costs will be billed to the property owner following completion, with unpaid balances subject to lien placement. By performing demolition in-house using City staff and equipment, the City minimizes costs while ensuring timely action.

Strategic Plan Alignment
Removing substandard and unsafe structures directly supports **Goal 2: Safe and Secure City** by eliminating threats to neighborhood safety, reducing opportunities for crime, and improving the overall appearance and livability of the community. This

property is one of the first among more than 100 substandard buildings identified citywide that present life-safety hazards. Taking decisive action to clear such nuisances protects residents, restores neighborhood stability, and reinforces Midland's vision of being the premier and safest city in West Texas.

Attachments:

A. RESOLUTION W EXH - 212 N Jackson-Reso w Exh
B. 212 N JACKSON INSPECTION
C. 2025.08.12B - 212 N. JACKSON Notice REVISED 2
D. 2025.09.16 - 212 N. Jackson Order

Sean Bailey, Development Services	Created/Initiated - 10/3/2025
Landon Ochoa, Development Services	Approved - 10/3/2025
Elizabeth Triggs, Development Services	Approved - 10/3/2025
Linda Ochoa, Legal	Approved - 10/6/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Jan Hamilton, City Secretary	Approved - 10/7/2025
Rachel Guentensberger, City Secretary	Final Approval - 10/7/2025

RESOLUTION NO. _____

RESOLUTION APPROVING THE ISSUANCE OF AN ORDER FINDING THE SINGLE-FAMILY RESIDENCE LOCATED ON LOTS 15 AND 16, BLOCK 3, EASTOVER EXTENSION ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT 212 NORTH JACKSON STREET, MIDLAND, TEXAS 79701) TO BE A SUBSTANDARD BUILDING AND ORDERING THE OWNER(S) OF SAID BUILDING AND LIENHOLDER(S) AND MORTGAGEE(S) HAVING AN INTEREST IN SAID BUILDING, IF ANY, TO TAKE ABATEMENT ACTION AS SPECIFIED IN THE ORDER, AND, IF SAID ABATEMENT ACTION IS NOT TAKEN, AUTHORIZING THE CITY OF MIDLAND TO TAKE ABATEMENT ACTION

WHEREAS, the City Council finds it to be in the public interest to approve the issuance of an order finding the Building described in the caption hereof to be a Substandard Building and ordering the owner(s) of said building and lienholder(s) and mortgagee(s) having an interest in said building, if any, to take certain abatement action and, if said action is not taken, authorizing the City of Midland to take abatement action;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That all recitals in the order, which is attached hereto as Exhibit A and incorporated herein for all purposes, are hereby adopted and approved for all purposes

SECTION TWO. That the order is hereby approved, and the Mayor is hereby authorized and directed to sign and issue the order on behalf of the City Council.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2025, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

EXHIBIT A

AN ORDER OF THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS, REGARDING THE ABATEMENT OF A SUBSTANDARD BUILDING LOCATED AT 212 NORTH JACKSON STREET, MIDLAND, TEXAS 79701, ON LOTS 15 AND 16, BLOCK 3, EASTOVER EXTENSION ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS

WHEREAS, the City Council of the City of Midland, Texas, at a meeting at 10:00 a.m. on October 14, 2025, in the Council Chamber at City Hall located at 300 North Loraine, Midland, Texas 79701, conducted a public hearing concerning the single-family residence located at 212 North Jackson Street, Midland, Texas 79701, on Lots 15 and 16, Block 3, Eastover Extension Addition, City and County of Midland, Texas (the "Building"); and

WHEREAS, the City Council finds that all notices of said public hearing were provided in accordance with Section 4-8-1 of the City Code and applicable state law; and

WHEREAS, the City Council takes notice of and incorporates all evidence presented to the City Council, including the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes; and

WHEREAS, based upon the evidence presented, the City Council finds that the Building is in violation of the Minimum Standards as set out in Section 4-8-1 of the City Code, contains nuisance conditions that render it a hazard to the public health, safety, and welfare and that endanger or are likely to endanger persons or property, and is a Substandard Building as defined as defined in Section 4-8-1 of the City Code;

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

1. That the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) of the Building shall within 30 days complete the following action(s):

    A. Repair the Building as follows:

        (1) Repair or replace exterior walls and finish the weatherproofing system to prevent exposure to the elements in accordance with Sections R317 and R703 of the 2018 International Residential Code (the "IRC");

        (2) Weatherproof all wood materials to prevent decay and rot in accordance with Section R317 of the IRC;

(3) Install roof coverings on the roof assembly in accordance with Sections R903, R904, and R905 of the IRC;

(4) Replace the wood roof framing in accordance with Section R801.2 of the IRC so that it is capable of accommodating all loads imposed in accordance with Section R301 of the IRC;

(5) Repair or complete the damaged or incomplete exterior finish work to shield the exterior sheathing from the elements in accordance with Section 703.9 of the IRC;

(6) Make all repairs necessary to remedy all structural deficiencies; and

(7) Make all other repairs and take all other actions necessary for the Building to satisfy the Minimum Standards; or

B. Demolish the Building.

2. That, in taking the action(s) described in 1 above, the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) shall:

A. Vacate all occupants from the Building before any work described herein is performed;

B. Obtain all applicable permits before performing work on the Building in accordance with Section R105 of the IRC;

C. Perform all work described herein in accordance with the IRC; and

D. Complete all required inspections under applicable valid and active permits as required by Section R109 of the IRC.

3. That if the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) fail to complete the required action(s) described above within the allotted time, the Building Official is authorized, on behalf of the City, to take the following action(s): demolish the Building. If the City incurs expenses in taking said action(s), the City may assess the expenses on, and the City may have a lien against, unless it is a homestead as protected by the Texas Constitution, the property on which the Building was located in accordance with applicable law.

4. That the City shall promptly mail by certified mail with return receipt requested, deliver by the United States Postal Service using signature confirmation service, or personally deliver a copy of this Order to the owner(s) of the Building and to any lienholder(s) or mortgagee(s) of the Building, as determined through the use of the City's best efforts.

5. That within 10 days after the date of this Order, the City shall:

A. file a copy of the Order in the City Secretary's Office; and

B. publish in a newspaper of general circulation in the City a notice containing:

(1) the street address or legal description of the property;

(2) the date of the hearing;

(3) a brief statement indicating the results of the Order; and

(4) instructions stating where a complete copy of the Order may be obtained.

6. That this Order is the final decision of the City of Midland, Texas.

ORDERED THIS 14TH DAY OF OCTOBER, 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

THE CITY OF MIDLAND, TEXAS
PLANNING & DEVELOPMENT SERVICES

Substandard Building Inspection Checklist

Property Address: 212 N. JACKSON ST.

Substandard Structure Inspection Checklist (2018 IRC-Based)

General Building Conditions

Item	Inspection Point	IRC Reference	Pass/Fail
1	Structure is not a threat to life, health, property	R102.7, R104.1	FAIL
2	Significant deterioration of walls, floors, roofs, or foundations	R301.1.1, R502-R802	FAIL
3	Evidence of unsafe load-bearing conditions or collapse risk	R301.1.1	FAIL
4	Presence of vermin due to neglect or poor maintenance	R303.1, R306.1	FAIL

Foundation & Structural Framing

Item	Inspection Point	IRC Reference	Pass/Fail
5	Foundation is stable, no major cracks, settling, or undermining	R403-R404	FAIL
6	Floor framing intact, no excessive sagging or rot	R501-R502	FAIL
7	Roof and ceiling structures are sound	R801-R802	FAIL

Electrical & Mechanical Systems

Item	Inspection Point	IRC Reference	Pass/Fail
14	Electrical system is safe, no exposed wiring or overloaded circuits	IRC Chapter 33, NEC	N/A
15	Heating system present and operational	R303.10, M1401.1	N/A
16	Mechanical systems properly vented (furnace, water heater)	M1801	N/A

THE CITY OF MIDLAND, TEXAS
PLANNING & DEVELOPMENT SERVICES

Substandard Building Inspection Checklist

Plumbing & Sanitation

Item	Inspection Point	IRC Reference	Pass/Fail
17	Functioning water supply and waste systems	P2501, P2901	N/A
18	At least one functional toilet, lavatory, and bath/shower	R306.1	N/A
19	No sewage or waste discharge in unapproved locations	P2601.2	N/A

Ventilation, Light & Habitability

Item	Inspection Point	IRC Reference	Pass/Fail
20	Rooms have required minimum natural light and ventilation	R303.1	N/A
21	Bathrooms either have windows or exhaust fans	R303.3	N/A
22	Living space meets minimum square footage and ceiling height	R304, R305	N/A

Hazardous Conditions & Safety

Item	Inspection Point	IRC Reference	Pass/Fail
23	No unpermitted alterations or dangerous conditions	R105.1, R104.10	FAIL
24	Stairways, handrails, and guardrails meet safety standards	R311.7-R312	N/A
25	No accumulation of combustible materials or blocked exits	R302.1	N/A

Final Evaluation

Overall Condition: ☐ Safe ☑ Substandard ☐ Immediate Danger

Inspector Name: SEAN BAILEY

Date: 5/9/2025 **Signature:** _____

September 25, 2025

LEWIS MONTGOMERY
1411 E WALNUT LN
MIDLAND, TX 79701

AL-ZINTANI ACQUISITIONS LLC
5900 BALCONES DR STE 100
AUSTIN, TX 78731

THE OFFICE OF THE ATTORNEY GENERAL
CHILD SUPPORT UNIT 0804E
1031 ANDREWS HWY STE 400
MIDLAND, TX 79701

MRE HOME BUYER
203 W. WALL ST.
MIDLAND, TX 79701

NOTICE OF VIOLATION AND PUBLIC HEARING

Re: Notice of violation and public hearing regarding the single-family residence located at 212 North Jackson Street, Midland, Texas 79701, on Lots 15 and 16, Block 3, Eastover Extension Addition, City and County of Midland, Texas (the "Building").

Greetings:

According to the records described by Section 214.001(q) of the Texas Local Government Code, each of the following is an owner, a lienholder, or a mortgagee of the above-described Building or property: Lewis Montgomery, 1411 E. Walnut Ln., Midland, TX 79701; the Office of the Attorney General, Child Support Unit 0804E, 1031 Andrews Hwy, Ste 400, Midland, TX 79701; Al-Zintani Acquisitions LLC, 5900 Balcones Dr Ste 100, Austin, TX 7873; and MRE Home Buyer, 203 W. Wall St., Midland, TX 79701. If you no longer own or have an interest in the Building or the affected property, you must execute an affidavit stating that you no longer own or have an interest in the Building or the property and stating the name and last known address of the person who acquired the interest from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date of this letter. If the City does not receive the affidavit, it will be presumed that you own or have an interest in the Building or the property described in this notice.

This letter is your official notice of a violation and notice of a public hearing. The City of Midland's Building Official has identified the above-described Building as a Substandard Building because it is in violation of the Minimum Standards according to Section 4-8-1 of the Midland Municipal Code. The following conditions of the Building were identified as violations of the Minimum Standards:

1. Exterior walls do not provide weather-resistance and have holes that open to the outside, violating Sections R317 and R703.1 of the 2018 International Residential Code (the "IRC");

2. Wooden building materials are improperly protected from the elements, violating Sections R317.1 and R703.1 of the IRC;

3. Roof coverings are not installed on the roof assembly, thereby compromising the protective function of the roof system, violating Sections R903, R904, and R905 of the IRC;

4. Much of the roof and roof framing is absent or otherwise cannot accommodate all the loads imposed and transmit the resulting loads to the structural elements, violating Section R801.2 of the IRC;

5. Exterior finish work is damaged or incomplete, leaving exterior sheathing exposed to the elements, violating Section R703.9 of the IRC; and

6. The Building is unfit for human habitation and is a hazard to the public health, safety, and welfare because it is structurally deficient due to decayed materials and loss of load-bearing components.

The Building Official has determined that the Building is a hazard to the health, safety, or general welfare of its occupants (if any), the citizens of the City of Midland, Texas, and the public and is a public nuisance. The Building Official has determined that the Building should be vacated and repaired as follows or demolished:

1. Repair or replace exterior walls and finish the weatherproofing system to prevent exposure to the elements in accordance with Sections R317 and R703 of the IRC;

2. Weatherproof all wood materials to prevent decay and rot in accordance with Section R317 of the IRC;

3. Install roof coverings on the roof assembly in accordance with Sections R903, R904, and R905 of the IRC;

4. Replace the wood roof framing in accordance with Section R801.2 of the IRC so that it is capable of accommodating all loads imposed in accordance with Section R301 of the IRC;

5. Repair or complete the damaged or incomplete exterior finish work to shield the exterior sheathing from the elements in accordance with Section 703.9 of the IRC;

6. Make all repairs necessary to remedy all structural deficiencies;

7. Make all other repairs and take all other actions necessary for the Building to satisfy the Minimum Standards;

8. Vacate all occupants from the Building before any work described herein is performed;

9. Obtain all applicable permits before performing work on the Building in accordance with Section R105 of the IRC;

10. Perform all work described herein in accordance with the IRC; and

11. Complete all required inspections under applicable valid and active permits as required by Section R109 of the IRC.

The Building Official has determined that the Building should be demolished if the above-described abatement actions are not taken.

A public hearing before the City Council has been scheduled for October 14, 2025, at 10:00 a.m. in the Council Chamber at City Hall located at 300 North Loraine, Midland, Texas 79701, on the issues of whether the Building is a Substandard Building and whether the abatement action(s) described above or other abatement action(s) should be taken. As an owner, a lienholder, or a mortgagee, you will be required to submit at the public hearing proof of the scope of any work that may be required to comply with the City's ordinances and the time it will take to reasonably perform the work.

IF THE CITY COUNCIL ORDERS THAT ABATEMENT ACTION BE TAKEN, THE FAILURE OF THE OWNER, LIENHOLDER, OR MORTGAGEE TO TAKE THE ORDERED ACTION MAY RESULT IN THE CITY TAKING ABATEMENT ACTION, INCLUDING THE POSSIBLE DEMOLITION OF THE BUILDING. IF THE CITY INCURS EXPENSES WHILE TAKING ABATEMENT ACTION, THE CITY MAY ASSESS THE EXPENSES ON, AND THE CITY WILL HAVE A LIEN AGAINST, UNLESS IT IS A HOMESTEAD AS PROTECTED BY THE TEXAS CONSTITUTION, THE PROPERTY ON WHICH THE BUILDING WAS LOCATED.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Jeff Pinkstaff
Building Official

Subscribed and sworn before me by _____

the _____ day of _____, 20_____

_____
Notary Public, In and for the State of Texas

AN ORDER OF THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS, REGARDING THE ABATEMENT OF A SUBSTANDARD BUILDING LOCATED AT 212 NORTH JACKSON STREET, MIDLAND, TEXAS 79701, ON LOTS 15 AND 16, BLOCK 3, EASTOVER EXTENSION ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS

WHEREAS, the City Council of the City of Midland, Texas, at a meeting at 10:00 a.m. on October 14, 2025, in the Council Chamber at City Hall located at 300 North Loraine, Midland, Texas 79701, conducted a public hearing concerning the single-family residence located at 212 North Jackson Street, Midland, Texas 79701, on Lots 15 and 16, Block 3, Eastover Extension Addition, City and County of Midland, Texas (the "Building"); and

WHEREAS, the City Council finds that all notices of said public hearing were provided in accordance with Section 4-8-1 of the City Code and applicable state law; and

WHEREAS, the City Council takes notice of and incorporates all evidence presented to the City Council, including the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes; and

WHEREAS, based upon the evidence presented, the City Council finds that the Building is in violation of the Minimum Standards as set out in Section 4-8-1 of the City Code, contains nuisance conditions that render it a hazard to the public health, safety, and welfare and that endanger or are likely to endanger persons or property, and is a Substandard Building as defined as defined in Section 4-8-1 of the City Code;

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

1. That the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) of the Building shall within 30 days complete the following action(s):

    A. Repair the Building as follows:

        (1) Repair or replace exterior walls and finish the weatherproofing system to prevent exposure to the elements in accordance with Sections R317 and R703 of the 2018 International Residential Code (the "IRC");

        (2) Weatherproof all wood materials to prevent decay and rot in accordance with Section R317 of the IRC;

(3) Install roof coverings on the roof assembly in accordance with Sections R903, R904, and R905 of the IRC;

(4) Replace the wood roof framing in accordance with Section R801.2 of the IRC so that it is capable of accommodating all loads imposed in accordance with Section R301 of the IRC;

(5) Repair or complete the damaged or incomplete exterior finish work to shield the exterior sheathing from the elements in accordance with Section 703.9 of the IRC;

(6) Make all repairs necessary to remedy all structural deficiencies; and

(7) Make all other repairs and take all other actions necessary for the Building to satisfy the Minimum Standards; or

B. Demolish the Building.

2. That, in taking the action(s) described in 1 above, the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) shall:

A. Vacate all occupants from the Building before any work described herein is performed;

B. Obtain all applicable permits before performing work on the Building in accordance with Section R105 of the IRC;

C. Perform all work described herein in accordance with the IRC; and

D. Complete all required inspections under applicable valid and active permits as required by Section R109 of the IRC.

3. That if the owner(s), lienholder(s) (if any), or mortgagee(s) (if any) fail to complete the required action(s) described above within the allotted time, the Building Official is authorized, on behalf of the City, to take the following action(s): demolish the Building. If the City incurs expenses in taking said action(s), the City may assess the expenses on, and the City may have a lien against, unless it is a homestead as protected by the Texas Constitution, the property on which the Building was located in accordance with applicable law.

4. That the City shall promptly mail by certified mail with return receipt requested, deliver by the United States Postal Service using signature confirmation service, or personally deliver a copy of this Order to the owner(s) of the Building and to any lienholder(s) or mortgagee(s) of the Building, as determined through the use of the City's best efforts.

5. That within 10 days after the date of this Order, the City shall:

A. file a copy of the Order in the City Secretary's Office; and

B. publish in a newspaper of general circulation in the City a notice containing:

(1) the street address or legal description of the property;

(2) the date of the hearing;

(3) a brief statement indicating the results of the Order; and

(4) instructions stating where a complete copy of the Order may be obtained.

6. That this Order is the final decision of the City of Midland, Texas.

ORDERED THIS 14TH DAY OF OCTOBER, 2025.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

City Council Meeting

Item Number: 38.
Meeting Date: October 14, 2025
To: City Council
From: Christy Weakland, Finance Director
Subject: RECEIVE A PRESENTATION FROM THE MIDLAND FIREMEN'S RELIEF AND RETIREMENT FUND (THE "FUND") REGARDING THE DECEMBER 31, 2024, ACTUARIAL VALUATION FOR THE FUND

Purpose:
In accordance with the Memorandum of Understanding (MOU) between the City of Midland and the Midland Firefighters' Relief and Retirement Fund, the annual actuarial valuation has been completed for the plan year ending December 31, 2024. The actuarial valuation is a required component of the MOU, ensuring that both the City and the Fire Fund Board have transparent and current information regarding the Fund's financial status. The valuation provides an independent professional assessment of the Fund's assets, liabilities, and long-term sustainability.

The valuation results reflect the impact of plan amendments adopted earlier in 2025 and provide updated measures of the Fund's financial condition.

Recommended Action:
Receive and Review

Fiscal Impact:
No additional contribution is required for FY 2025 beyond the City's regular contributions as established by statute and agreement.

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
The Key Results of the Actuary Report:

- Funded Ratio of 69.9%
- Amortization Period: 28.8 years
- Actuarially Determined Contribution (ADC): $0 (no additional City contribution at this time)

Attachments:
A. Midland Fire Actuarial Valuation 12-31-24

B. 2025.09.25-PRB-Board-Meeting-Packet
C. (Final as Amended) Admin and Funding Agreement

Jamie Barton, Finance	Created/Initiated - 10/6/2025
Christy Weakland, Finance	Approved - 10/6/2025
Linda Ochoa, Legal	Approved - 10/7/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Jan Hamilton, City Secretary	Approved - 10/7/2025
Rachel Guentensberger, City Secretary	Final Approval - 10/7/2025

Midland Firemen's Relief and Retirement Fund

Actuarial Valuation as of December 31, 2024

September 4, 2025

W. Lee Bello, A.S.A.
Mitchell L. Bilbe, F.S.A.
Evan L. Dial, F.S.A.
Philip S. Dial, F.S.A.
Charles V. Faerber, F.S.A., A.C.A.S.
Mark R. Fenlaw, F.S.A.
Brandon L. Fuller, F.S.A.
Christopher S. Johnson, F.S.A.
Oliver B. Kiel, F.S.A.
Dustin J. Kim, F.S.A.

Rudd and Wisdom, Inc.
Consulting Actuaries

Xiuyu Li, A.C.A.S.
Edward A. Mire, F.S.A.
Rebecca B. Morris, A.S.A.
Amanda L. Murphy, F.S.A.
Michael J. Muth, F.S.A.
Khiem Ngo, F.S.A., A.C.A.S.
Timothy B. Seifert, F.S.A.
Raymond W. Tilotta
Ronald W. Tobleman, F.S.A.
David G. Wilkes, F.S.A.

September 4, 2025

Board of Trustees
Midland Firemen's Relief and
Retirement Fund
c/o Mr. A. J. Weber, Administrator
Lauterbach & Amen, LLP
668 N. River Road
Naperville, IL 60563

Members of the Board of Trustees:

At your request, we have prepared this report of the results of the actuarial valuation of the fund as of December 31, 2024. This valuation was prepared to determine whether the fund has an adequate contribution arrangement.

In a separate report earlier this year, we provided the necessary disclosures for the fund's compliance with the Governmental Accounting Standards Board (GASB) Statement No. 67 for the plan year ending December 31, 2024. Similarly, we will provide a separate report later this year containing the pension expense, net pension liability, and disclosure information for the city's compliance with GASB 68 for the fiscal year ending September 30, 2025. GASB 68 prescribes the city's accounting for your fund, while this actuarial valuation report reflects the new funding policy.

We certify that we are members of the American Academy of Actuaries who meet Qualification Standards of the American Academy of Actuaries to render the actuarial opinions contained in this report.

Sincerely,

Mark R. Fenlaw

Mark R. Fenlaw, F.S.A.

Rebecca B. Morris

Rebecca B. Morris, A.S.A.

MRF/RBM:nlg

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9500 Arboretum Blvd., Suite 200
Austin, Texas 78759
www.ruddwisdom.com
Phone: (512) 346-1590
Fax: (512) 345-7437

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Section I

Valuation Summary

An actuarial valuation of the assets and liabilities of the Midland Firemen's Relief and Retirement Fund as of December 31, 2024 has been completed. The valuation was based on the Present Plan (plan effective April 1, 2025) and the provisions of the Texas Local Fire Fighters' Retirement Act (TLFFRA). Section II shows the key results of the actuarial valuation as of December 31, 2024 and discusses the changes since the prior valuation as of December 31, 2023.

This is the first actuarial valuation following the February 2025 agreement between the city and the board that includes an actuarially determined contribution (ADC) percentage rate funding policy. The total contribution rate in 2025 is 38.40%, comprised of 14.2% by the firefighters and 24.2% by the city. **The calculated ADC for 2026 based on this December 31, 2024 valuation is also 38.40% of total payroll.** The initial unfunded actuarial accrued liability as of December 31, 2023 is amortized over the closed 30-year period that began January 1, 2024. Subsequent actuarial gains and losses are each amortized over a closed 20-year period. This valuation reflects several minor changes in actuarial assumptions as described below in this section. We have assumed that the change in actuarial liability resulting from the changes in assumptions is also amortized over a closed 20-year period. The calculated ADC rate of 38.40% for 2026 is the sum of the normal cost rate of 24.59% plus 13.81% to amortize the unfunded actuarial accrued liability (UAAL) of $64,255,562. The amortization is with a level percentage of payroll assuming that the total payroll increases at the rate of 3% per year in the future. The equivalent single amortization period is 28.8 years in this December 31, 2024 actuarial valuation.

In order for a retirement plan to have an adequate contribution arrangement, contributions must be made that are sufficient to pay the plan's normal cost and to amortize the plan's UAAL over a reasonable period of time. Based on the Texas State Pension Review Board guidelines for pension funding, our professional judgment, and the actuarial assumptions and methods used in making this valuation, we consider amortization periods of 10 to 20 years to be preferable and 30 years to be the current maximum acceptable amortization period. The total contributions are determined according to the ADC funding policy to be sufficient to pay the fund's normal cost and to amortize the fund's UAAL within the maximum acceptable period. Therefore, we are of the opinion that the fund, based on present levels of benefits and the ADC funding policy, **has an adequate contribution arrangement.**

Actuarially Determined Contribution Rate Funding Policy

The calculated 2026 ADC results based on this December 31, 2024 valuation are summarized below and compared to the 2025 rates. Any contribution rate changes are to be effective on the January 1 following the presentation of the actuarial valuation and ADC to the board and the city council. See Section II for further details of the determination of the ADC.

Contribution Rate Description	Current 2025 Contribution Rate	Calculated 2026 ADC
Normal cost	24.50%	24.59%
UAAL	13.90%	13.81%
Total	38.40%	38.40%
City	24.20%	24.20%
Firefighters	14.20%	14.20%
Total	38.40%	38.40%

The board and the city both approved an administration and funding agreement in February of 2025 that included an actuarially determined contribution (ADC) percentage rate funding policy. The initial unfunded actuarial accrued liability (UAAL) as of December 31, 2023 (reflecting the benefit changes) is to be amortized over a closed 30-year period that began January 1, 2024. Actuarial gains and losses in each subsequent actuarial valuation, which increase or decrease the total UAAL, are to be amortized over a new closed 20-year period. Each actuarial valuation is to include an ADC. Any contribution rate changes are to be shared between the city and the firefighters on a 2 to 1 city to firefighter ratio basis. The cumulative firefighter contribution rate changes from the initial rate of 14.2% may not exceed 3%, for a potential maximum rate of 17.2%.

We recommend that the board and the city amend the administration and funding agreement to avoid small changes in the city and firefighter contribution rates. This could be done by adding a corridor around the ADC so that if a change from the current year to the next year of less than a certain amount, such as 0.1%, was indicated by the calculated ADC, then the final ADC for the next year would be unchanged from the current year ADC. In addition, it could be beneficial if the city and the board would have the option of refusing an indicated reduction in the ADC within the wording of the administration and funding agreement. If exercised, this option could accelerate the amortization of the UAAL or reduce the size of a future increase in the ADC.

Assumptions

As a part of each actuarial valuation, we review the actuarial assumptions used in the prior actuarial valuation. As a result of our review, we have selected actuarial assumptions we consider to be reasonable and appropriate estimates of future experience for the fund for the long-term future. Their selection complies with the applicable actuarial standards of practice. Significant actuarial assumptions used in this valuation are:

1. 7% annual investment return net of investment-related expenses;

2. 3% general annual compensation increase combined with promotion, step, and longevity increases that average 2.89% per year over a 30-year career;

3. 3% aggregate payroll growth (for the purpose of calculating the ADC);

4. Retirement rates which result in an average expected age at retirement of 54.2; and

5. PubS-2016 (public safety) total dataset mortality tables for employees and for retirees, projected for mortality improvement generationally using the projection scale MP-2021.

The following actuarial assumption changes have been made, and the new assumptions are compared to those used in the special study analysis of the April 1, 2025 plan provisions:

1. We updated the mortality assumption from the PubS-2010 total dataset mortality tables, projected generationally using the projection scale MP-2019, to the recently released PubS-2016 total dataset mortality tables, projected for mortality improvement generationally using the projection scale MP-2021.

2. We make an assumption of the amount of unscheduled overtime on average for each participant. Previously we assumed that unscheduled overtime would increase all other compensation by 10%. For this valuation, we recognized a trend of less unscheduled overtime than in the past, and lowered the assumption from 10% to 9%. Although we do not have a long history of information on unscheduled overtime, the 2024 information shows less unscheduled overtime than 2023.

3. We slightly reduced the assumed administrative expenses as a percentage of covered payroll from 1.70% to 1.65%, a small step in anticipation of a reduction in the percentage during and after the transition to new administrators and the new plan of benefits.

A summary of all the assumptions and methods used in the valuation is shown in Exhibits 11 and 12. In our opinion, the assumptions used, both in the aggregate and individually, are reasonably related to the experience of the fund and to reasonable expectations of the fund over the long-term future. In addition, we believe that the combined effect of the actuarial assumptions used is expected to have no significant bias, i.e., not significantly optimistic or pessimistic.

Plan Provisions

A new plan effective April 1, 2025 is reflected in this actuarial valuation as of December 31, 2024. The key changes were:

- The monthly retirement benefit formula was changed from 75% of the final average salary plus $80/year for years above 20 to a percentage of the final average salary, with the percentage based on years of service, equal to 3.3%/year for years 1-20, 2.0%/year for years 21-30, and 1.0%/year for years above 30.
- The averaging period for the final average salary was changed from 60 months to 72 months.
- The DROP provisions were changed to increase the eligibility provisions by two years and to exclude any firefighter contributions and any interest from the DROP lump sum determination.
- The supplemental $500 per month benefit for those retiring with at least 20 years of service at age 50 or above was removed.
- These changes were accompanied by an acceptable transition protecting those eligible for normal retirement or within one year of normal retirement eligibility as of December 31, 2024. For all others, the vested accrued benefit as of March 31, 2025 was protected.
- The City of Midland made a lump sum contribution in February 2025 of over $54 million.

These changes together with the city's lump sum contribution restored an adequate contribution arrangement. The package of changes also included an actuarially determined contribution rate funding policy that will maintain an adequate contribution arrangement.

Participant and Asset Data

We have relied on and based our valuation on the active firefighter data, pensioner data, and asset data provided on behalf of the board of trustees by Lauterbach & Amen, the administrator of the fund. We have not audited the data provided but have reviewed it for reasonableness and consistency relative to the data provided for the December 31, 2023 actuarial valuation. Exhibit 1 is a distribution of the active firefighters by age and service. The assumed 2025 compensation used for projecting future benefits for each active firefighter in the valuation was the actual pay excluding unscheduled overtime pay for calendar year 2024 increased by 1.8% to fully reflect the 2.5% general pay increase effective October 1, 2024. For projecting contributions, we assumed that 2025 compensation including unscheduled overtime pay would be 9% more than the compensation excluding the unscheduled overtime used for projecting benefits. The total of the compensation amounts with the on-average 9% unscheduled overtime pay is our assumed annualized covered payroll for the plan year beginning January 1, 2025 and is used in the valuation to determine the ADC. The averages of the assumed compensation amounts used for contribution purposes, including unscheduled overtime, for the 2025 plan year are shown in Exhibit 1.

Exhibit 2 contains summary information on the pensioners. The monthly benefit payments are generally based on the amounts paid January 31, 2025. Exhibit 3 is a reconciliation of firefighters and pensioners from December 31, 2023 to December 31, 2024. Exhibit 4 shows a breakdown of the dollar amount of the monthly benefits for retirees and surviving spouses. Exhibit 5 shows a historical comparison of the actuarial accrued liability and the actuarial value of assets.

The summary of assets contained in Exhibit 6 is based on the allocation of the December 31, 2024 market value of assets. This exhibit also shows a comparison with the market values and actuarial values of assets as of December 31, 2023 and December 31, 2024. Exhibit 7 contains the statement of changes in assets for 2024 and 2023. Exhibit 8 shows the development of the actuarial value of assets. Exhibit 9 shows a historical comparison between the market value and actuarial value of assets. A comparison of the market value asset allocation by major asset class as of December 31, 2023 and December 31, 2024 is shown in Exhibit 10.

Supporting Exhibits

Exhibit 13 contains definitions of terms used in this actuarial valuation report. Exhibit 14 summarizes the plan provisions of the Present Plan. Appendix A documents our review of the economic assumptions. Appendix B includes other required disclosures. Appendix C contains a history of actuarial information while Appendix D includes historical asset information.

Variability in Future Actuarial Measurement

Future actuarial measurements may differ significantly from the current measurements presented in this report due to such factors as the following:

- Plan experience differing from that anticipated by the current economic or demographic assumptions;

- Increases or decreases expected as part of the natural operation of the methodology used for these measurements;
- Changes in economic or demographic assumptions; and
- Changes in plan provisions.

Analysis of the potential range of such future measurements resulting from the possible sources of measurement variability is outside of the scope of this actuarial valuation. See a summary of different types of risk that could affect the fund's future actuarial condition in Appendix B.

Respectfully submitted,
RUDD AND WISDOM, INC.

Mark R. Fenlaw
Fellow, Society of Actuaries
Member, American Academy of Actuaries

Rebecca B. Morris
Associate, Society of Actuaries
Member, American Academy of Actuaries

Section II

Key Results of the Actuarial Valuations

	December 31, 2023[1]	December 31, 2023[2]	December 31, 2024[2]
1. Actuarial present value of future benefits			
a. Those now receiving benefits or former firefighters entitled to receive benefits	$ 116,767,189	$ 116,767,189	$ 120,907,516
b. Firefighters	165,218,316	150,579,426	158,025,236
c. Total	$ 281,985,505	$ 267,346,615	$ 278,932,752
2. Actuarial present value of future normal cost contributions	$ 69,575,030	$ 62,905,288	$ 67,292,498
3. Actuarial accrued liability (Item 1c – Item 2)	$ 212,410,475	$ 204,441,327	$ 211,640,254
4. Actuarial value of assets	$ 91,467,898	$ 141,935,188[3]	$ 147,384,692[3]
5. Unfunded actuarial accrued liability (UAAL) (Item 3 - Item 4)	$ 120,942,577	$ 62,506,139	$ 64,255,562
6. Contributions (percent of pay)			
a. Firefighters	14.20%	14.20%	14.20%
b. City of Midland	24.20%	24.20%	24.20%
c. Total	38.40%	38.40%	38.40%
7. Normal cost (percent of payroll)	27.28%	24.50%	24.59%
8. Percent of payroll available to amortize the UAAL (Item 6c - Item 7)	11.12%	13.90%	13.81%
9. Annualized covered payroll	$ 25,874,745	$ 25,874,745	$ 27,051,279
10. Years to amortize the UAAL	never	29.3	28.8
11. Funded ratio (Item 4 ÷ Item 3)[4]	43.1%	69.4%	69.6%

[1] All items reflect the plan provisions effective January 1, 2024.
[2] All items reflect the plan provisions effective April 1, 2025.
[3] Determined reflecting the $54,442,231 contribution by the City of Midland in mid-February of 2025, discounted to the actuarial valuation date.
[4] The funded ratio is not appropriate for assessing either the need for or the amount of future contributions or the adequacy of the assumed contribution rates. Using the market value of assets instead of the actuarial value of assets for Item 11 would have resulted in funded ratios of 39.4% as of December 31, 2023 with the plan provisions effective January 1, 2024, 67.4% as of December 31, 2023 with the plan provisions effective April 1, 2025, and 68.6% as of December 31, 2024. **The best indicator of the fund's health is Item 10.**

Changes in the Unfunded Actuarial Accrued Liability

In comparing this actuarial valuation to the prior one, the UAAL increased by $1,749,423 from $62,506,139 in the December 31, 2023 actuarial valuation of the special study analysis of the April 1, 2025 plan provisions to $64,255,562 as of December 31, 2024. The table below summarizes the reasons for the increase.

Reason for Change	Amount
• Expected increase (interest on UAAL more than expected amortization payments, accumulated with interest)	$ 659,220
• Investment loss for the year 2024 (based on the AVA annual return of 4.7%)	2,107,363
• Experience gain (net difference between actual experience and assumed experience for pay increases, retirements, mortality, and terminations)	(1,126,065)
• Changes in assumptions	108,905
Total	$ 1,749,423

Details of the Calculated ADC by UAAL Base

Year Established	Description	Years Remaining	Remaining UAAL Base	Contribution Rate
2024	12/31/2023 special study analysis (2025 changes and cash infusion)	29	$ 63,165,359	13.52%
2025	12/31/2024 valuation (experience and assumption change)	20	1,090,203	0.29
	UAAL Total Contribution Rate	28.8[1]	$64,255,562	13.81%
	Normal Cost Contribution Rate			24.59%
	Calculated ADC for 2026			38.40%

[1] Weighted average years remaining

Changes in the ADC

The table below summarizes the effects of the changes in the ADC from the December 31, 2023 actuarial valuation to the calculated ADC in this December 31, 2024 actuarial valuation reflecting the plan provisions effective April 1, 2025. The component pieces of the ADC are the normal cost contribution rate (NCR) and the UAAL contribution rate (UAALCR).

Reconciliation of Changes	NCR	UAALCR	ADC
12/31/2023 actuarial valuation	24.50%	13.90%	38.40%
Reason for change			
Investment loss	--	0.57	
Experience gain	(0.05)	(0.30)	
Changes in assumptions	0.14	0.16	
Payroll growth	--	(0.52)	
Total changes	0.09	(0.09)	
12/31/2024 actuarial valuation	24.59%	13.81%	38.40%

Exhibit 1

Distribution of Firefighters by Age and Service on December 31, 2024 with Average Annual Compensation

Years of Service	Age									Total	Average Compen-sation
	Under 25	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60 or Over		
0	4	2	1	1	0	0	0	0	0	8	$ 65,400
1	14	7	7	6	0	0	0	0	0	34	76,446
2	10	9	6	1	0	0	0	0	0	26	80,486
3	2	4	4	3	0	1	0	0	0	14	83,121
4	0	10	4	8	0	0	0	0	0	22	93,341
5	0	4	5	5	2	0	0	0	0	16	94,659
6	0	2	2	5	0	0	0	0	0	9	106,519
7	0	2	4	4	3	0	0	0	0	13	103,396
8	0	1	1	2	0	0	0	0	0	4	117,731
9	0	3	3	0	3	0	0	0	0	9	110,125
10	0	1	4	2	0	1	0	0	0	8	119,111
11	0	0	3	2	5	1	0	0	0	11	120,113
12	0	0	0	4	1	1	0	0	0	6	120,416
13	0	0	1	2	2	1	0	0	0	6	125,812
14	0	0	0	0	1	0	0	0	0	1	158,793
15	0	0	0	0	0	2	0	0	0	2	139,213
16	0	0	0	3	1	0	0	0	0	4	137,426
17	0	0	0	0	2	3	2	0	0	7	136,211
18	0	0	0	1	7	4	1	0	0	13	139,120
19	0	0	0	0	3	3	0	0	0	6	147,386
20-24	0	0	0	0	3	11	1	0	0	15	150,285
25-29	0	0	0	0	0	3	9	0	2	14	152,782
30-34	0	0	0	0	0	0	2	1	0	3	158,744
35+	0	0	0	0	0	0	0	0	1	1	85,434
Totals	30	45	45	49	33	31	15	1	3	252	$107,346

Average	$71,380	$97,171	$135,275	$149,563	$120,678	
Compensation	$87,143	$106,426	$133,623	$189,040	$107,346	

Average age	35.5
Average years of service	9.2
Average age at hire	26.3

Exhibit 2

Summary of Pensioner Data

Type of Benefit	Pensioner Data Used in December 31, 2024 Valuation	
	Number of Recipients	Total Monthly Benefit Payments
Service Retirement	161[1]	$ 772,595
Disability Retirement	4	13,107
Vested Terminated (Deferred)	6	17,247
Surviving Spouse	29	72,552
Surviving Child	6	5,290
Total	206	$ 880,791

Type of Benefit	Comparison of Pensioner Count by Type as of The Prior and Current Actuarial Valuations			
	December 31, 2023	New	Ceased	December 31, 2024
Service Retirement	159[2]	+7[3]	-5[4]	161[1]
Disability Retirement	4	0	0	4
Vested Terminated (Deferred)	8	0	-2	6
Surviving Spouse	30	+1	-2	29
Surviving Child	8	0	-2	6
Total	209	+8	-11	206

[1] Includes six alternate payees receiving benefits according to the terms of a Qualified Domestic Relations Order (QDRO).

[2] Includes seven alternate payees receiving benefits according to the terms of a QDRO.

[3] Includes two vested terminated participants whose benefit commenced.

[4] Includes one alternate payee whose benefit terminated with the death of the retiree.

Exhibit 3

Firefighter and Pensioner Reconciliation

	Firefighters	Current Payment Status	Vested Terminated Firefighters	Total
1. As of December 31, 2023	249	201 [1]	8	458
2. Change of status				
a. retirement	(5)	7	(2)	0
b. disability	0	0	0	0
c. death	0	(6)	0	(6)
d. survivor payment begins	0	1	0	1
e. withdrawal	(23)	0	0	(23)
f. vested termination	0	0	0	0
g. QDRO alternate payee	0	(1)	0	(1)
h. child benefit ceases	0	(2)	0	(2)
i. correction	0	0	0	0
j. net changes	(28)	(1)	(2)	(31)
3. New firefighters	31	0	0	31
4. As of December 31, 2024	252	200 [2]	6	458

[1] Includes seven alternate payees receiving benefits according to the terms of a Qualified Domestic Relations Order (QDRO).

[2] Includes six alternate payees receiving benefits according to the terms of a QDRO.

Exhibit 4

Breakdown of Monthly Benefit Payment Amounts as of December 31, 2024

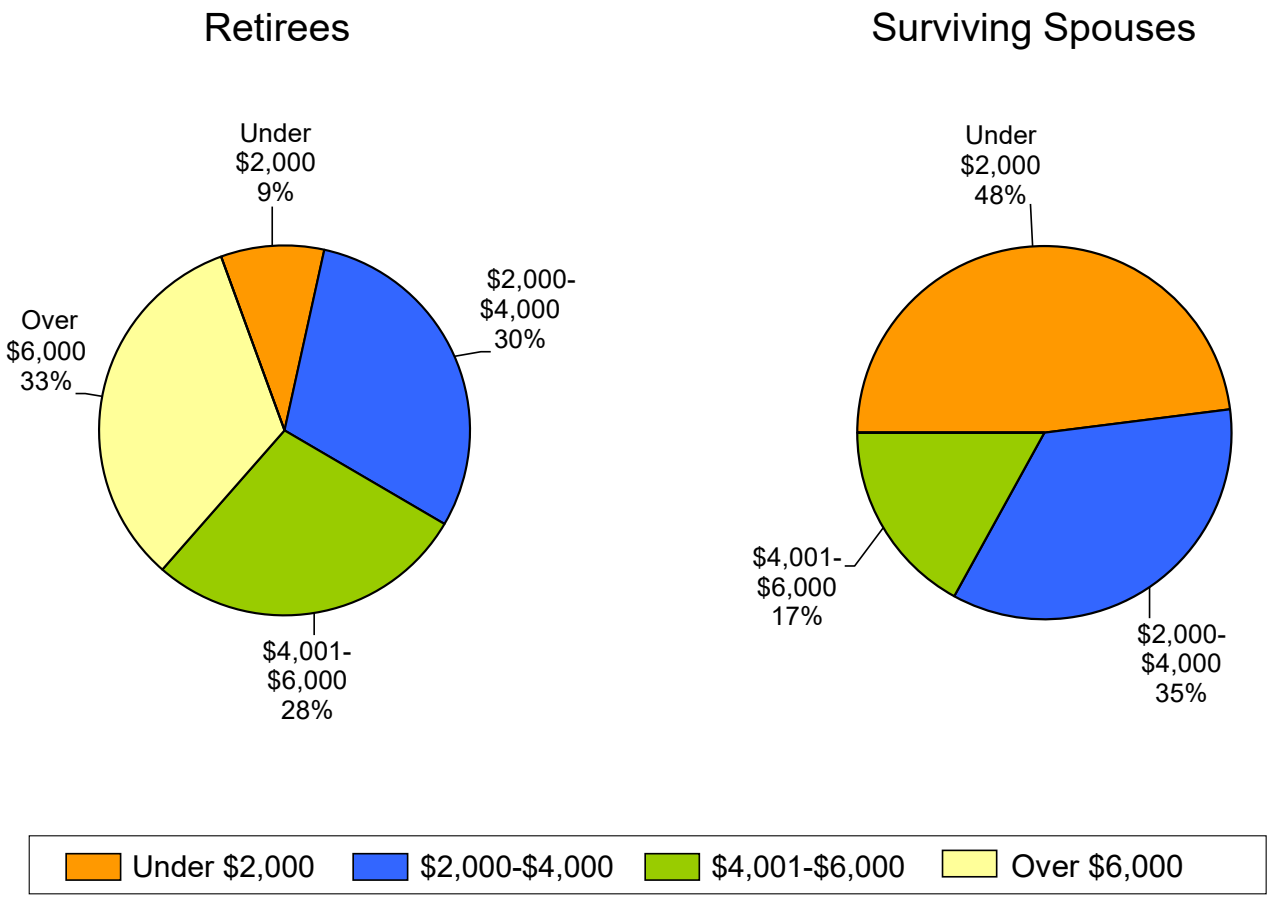


Exhibit 5

Historical Comparison of Actuarial Accrued Liability and Actuarial Value of Assets (Present Plan Valuations as of December 31)

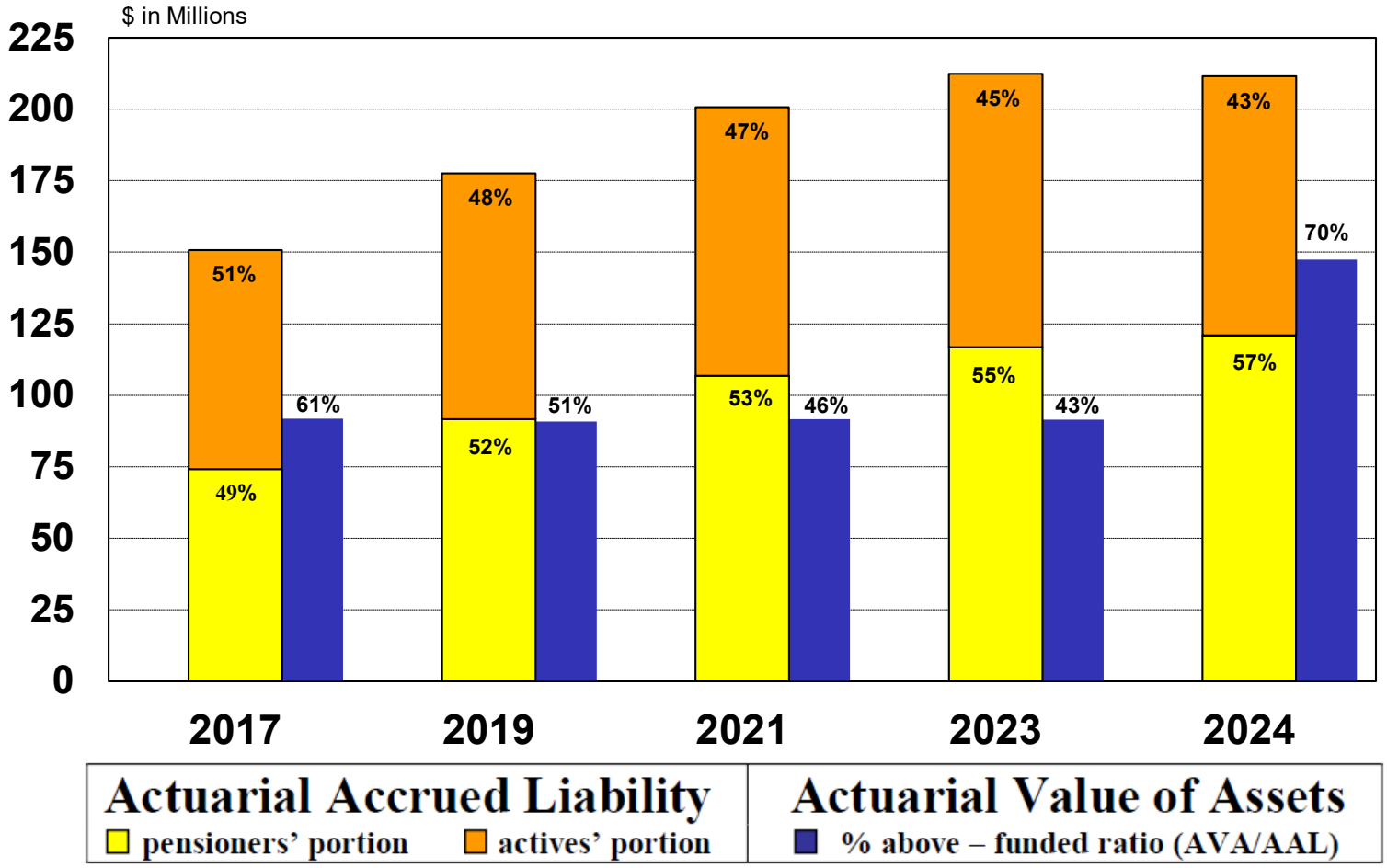


Exhibit 6

Summary of Asset Data

Asset Type	Market Value as of December 31, 2024	Allocation As a Percent of Grand Total
Equities		
U.S. Large Cap	$20,370,949	22.4%
U.S. Small/Mid Cap	5,499,582	6.0
International	10,142,624	11.1
Total	36,013,155	39.5
Alternatives		
Venture Capital/Private Equity	9,748,416	10.7
Real Estate	8,446,474	9.3
Master Limited Partnerships	12,111,027	13.3
Private Credit	3,642,252	4.0
Total	33,948,169	37.3
Fixed Income	19,338,779	21.2
Cash Equivalents, Net of Payables	1,793,363	2.0
Grand Total	$91,093,466 [1]	100.0%

[1] The grand total is the audited amount for the December 31, 2024 financial report. The invested amounts are from the investment consultant's December 31, 2024 report. Cash is the balancing item.

Comparison of Asset Values as of the Prior and Current Actuarial Valuation Dates		
	December 31, 2023	December 31, 2024
Market Value	$83,710,694	$91,093,466
Actuarial Value	$91,467,898	$93,384,692[2]
Actuarial Value as a Percent of Market Value	109.3%	102.5%

[2] Before reflecting the discounted value as of December 31, 2024 of the city's lump sum contribution in February 2025.

Exhibit 7

Statement of Changes in Audited Assets for the Years Ended December 31, 2024 and 2023

	12/31/2024	12/31/2023
Additions		
1. Contributions		
a. Employer	$ 6,616,532	$ 5,580,525
b. Employees	3,906,248	3,569,340
c. Total	$ 10,522,780	$ 9,149,865
2. Investment Income		
a. Interest and dividends	$ 2,316,923	$ 1,666,307
b. Net appreciation in fair value	8,089,147	4,433,325
c. Total	$ 10,406,070	$ 6,099,632
3. Other Additions	0	0
Total Additions	**$ 20,928,850**	**$ 15,249,497**
Deductions		
4. Benefit Payments	$ 12,334,370	$ 11,521,513
5. Expenses		
a. Investment-related	$ 706,107	$ 616,170
b. General administrative	486,570	399,589
c. Total	$ 1,192,677	$ 1,015,759
Total Deductions	**$ 13,527,047**	**$ 12,537,272**
Net Increase in Assets	**$ 7,401,803**	**$ 2,712,225**
Market Value of Assets (Fiduciary Net Position)		
Beginning of Year	$ 83,691,663	$ 80,979,438
End of Year	$ 91,093,466	$ 83,691,663
Rate of Return		
Net of All Expenses	11.13%	6.37%
Net of Investment-Related Expenses	11.75%	6.89%
Gross	12.66%	7.69%
Direct Investment-Related Expenses	0.91%	0.80%

Exhibit 8

Development of Actuarial Value of Assets

Calculation of Actuarial Investment Gain/(Loss) Based on Market Value for Plan Years Ending December 31				
	2024	2023	2022	2021
1. Market Value of Assets as of beginning of year	$83,691,663	$80,979,438	$93,771,847	$86,345,309
2. Firefighter Contributions	3,906,248	3,569,340	3,326,782	3,138,754
3. City Contributions	6,616,532	5,580,525	5,201,025	4,907,065
4. Benefit Payments and Administrative Expenses[1]	(12,820,940)	(11,921,102)	(11,264,121)	(13,075,523)
5. Expected Investment Return[2]	5,777,981	5,571,567	6,468,258	6,287,284
6. Expected Market Value of Assets as of end of year	87,171,484	83,779,768	97,503,791	87,602,889
7. Actual Market Value of Assets as of end of year	91,093,466	83,691,663	80,979,438	93,771,847
8. Actuarial Investment Gain/(Loss)	3,921,982	(88,105)	(16,524,353)	6,168,958
9. Market Value Rate of Return Net of Expenses	11.75%	6.89%	(10.88)%	14.86%
10. Rate of Actuarial Investment Gain/(Loss)	4.75%	(0.11)%	(17.88)%	7.36%

[1] Administrative expenses are included for all years to retroactively make the investment return assumption net of investment-related expenses.
[2] Assuming uniform distribution of contributions and payments during the plan year; annual investment return assumed to be 7.0% for 2022 and 2023 and 7.5% for 2020 and 2021.

Plan Year	Investment Gain/(Loss)	Deferral Percentage	Deferred Gain/(Loss) as of 12/31/2024
2024	$ 3,921,982	80%	$ 3,137,586
2023	(88,105)	60%	(52,863)
2022	(16,524,353)	40%	(6,609,741)
2021	6,168,958	20%	1,233,792
Total			$ (2,291,226)

Actuarial Value of Assets as of December 31, 2024	
11. Market Value of Assets as of December 31, 2024	$ 91,093,466
12. Deferred Gain/(Loss) to be Recognized in Future	(2,291,226)
13. Preliminary Value (Item 11 – Item 12)	$ 93,384,692
14. Corridor for Actuarial Value of Assets	
a. 80% of Market Value as of December 31, 2024 (minimum)	$ 72,874,773
b. 120% of Market Value as of December 31, 2024 (maximum)	$109,312,159
15. Actuarial Value as of December 31, 2024	$ 93,384,692
16. Write Up/(Down) of Assets (Item 15 – Item 11)	$ 2,291,226

Exhibit 9

Historical Comparison of Market and Actuarial Value of Assets
(Valuation as of December 31)

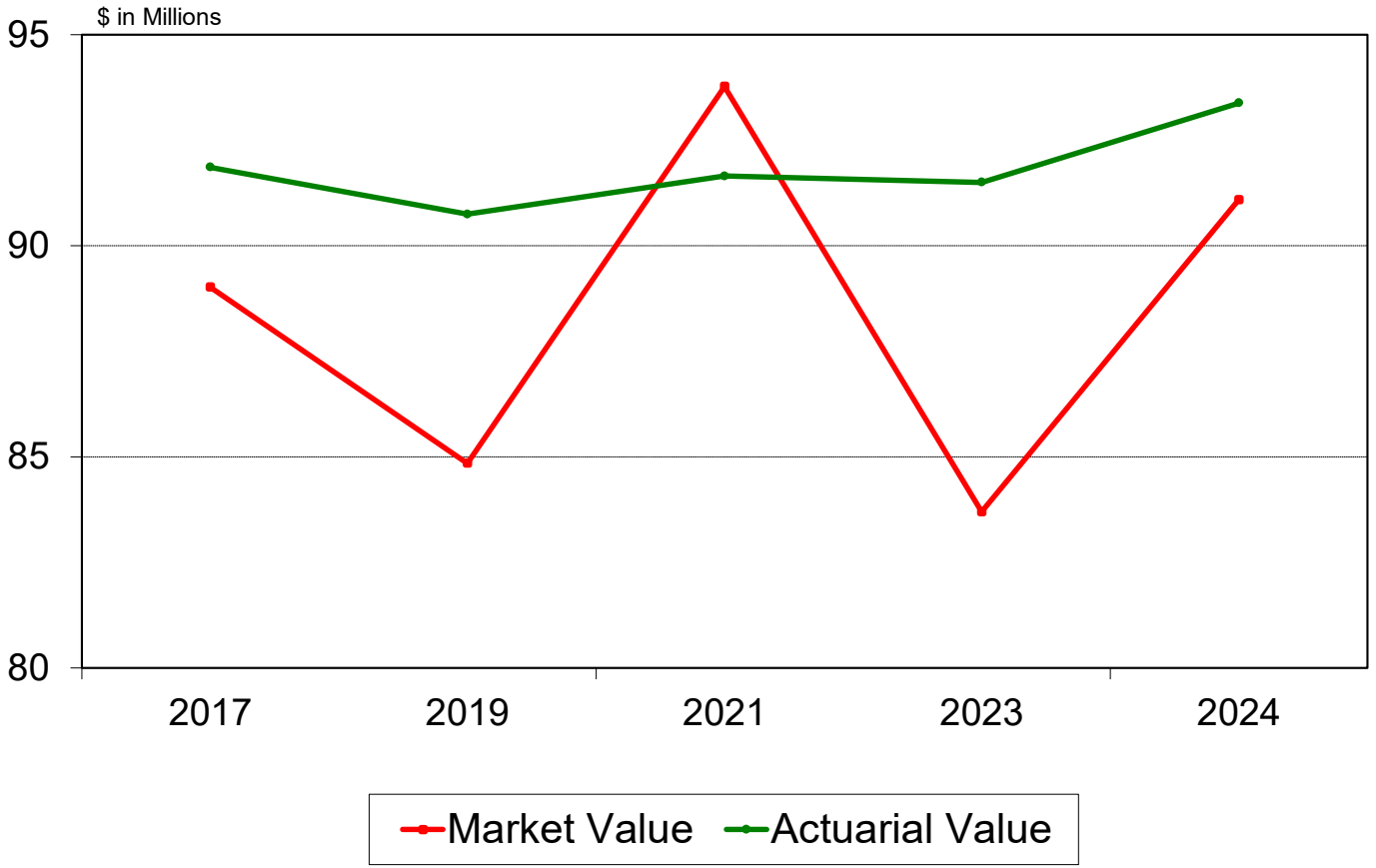
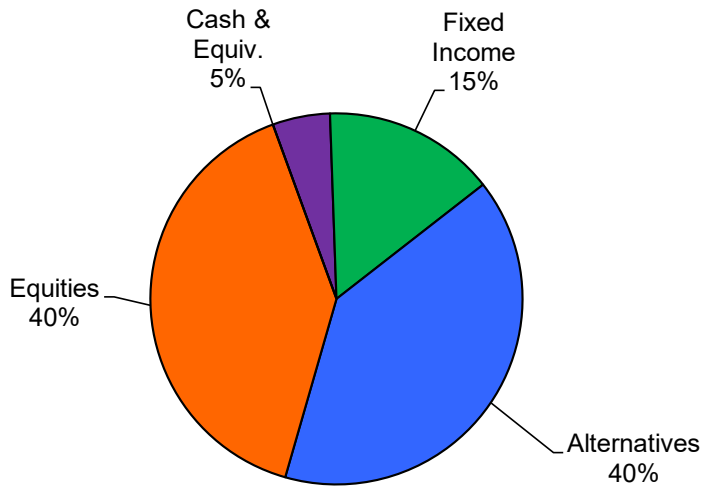


Exhibit 10

Market Value Asset Allocation for Prior and Current Actuarial Valuation Dates

December 31, 2023



December 31, 2024

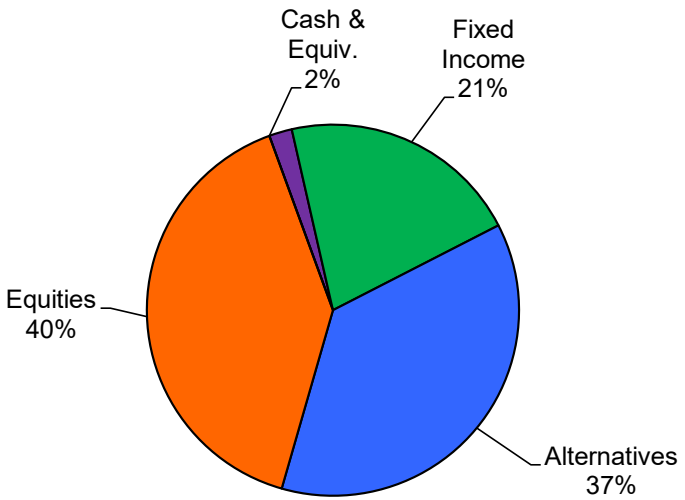


Exhibit 11

Actuarial Methods and Assumptions

A. Actuarial Methods

1. Actuarial Cost Method

The Entry Age Actuarial Cost Method is an actuarial cost method in which the actuarial present value of projected benefits of each active firefighter included in the valuation is allocated as a level percentage of compensation over the period from age at hire to the last age before 100% assumed retirement. Each active firefighter's normal cost is the current annual contribution in a series of annual contributions which, if made throughout the firefighter's total period of employment, would fund his expected benefits. Each firefighter's normal cost is calculated to be a constant percentage of his expected compensation in each year of employment. The normal cost for the fund is the sum of the normal costs for each active firefighter for the year following the valuation date. The normal cost as a percent of payroll reflects that contributions are made biweekly.

The fund's actuarial accrued liability is the excess of the actuarial present value of projected benefits over the actuarial present value of all future remaining normal cost contributions. The unfunded actuarial accrued liability (UAAL) is the amount by which the actuarial accrued liability exceeds the actuarial value of assets. The UAAL is recalculated each time a valuation is performed. Experience gains and losses, which represent deviations of the UAAL from its expected value based on the prior valuation, are determined at each valuation and are amortized over a closed 20-year period. The initial UAAL reflecting the plan effective April 1, 2025 is being amortized over the closed 30-year period beginning January 1, 2024.

2. Amortization Method

The UAAL is assumed to be amortized with level percentage of payroll contributions based on assumed payroll growth of 3% per year. The actuarially determined contribution rate for the UAAL reflects that contributions are made biweekly.

3. Actuarial Value of Assets Method

All assets are valued at market value with an adjustment made to uniformly spread actuarial gains or losses (as measured by actual market value investment return vs. expected market value investment return) over a five-year period. The total adjustment amount shall be limited as necessary such that the actuarial value of assets shall not be less than 80% of market value nor greater than 120% of market value. See Exhibit 8.

B. Actuarial Assumptions

As a part of each actuarial valuation, we review the actuarial assumptions used in the prior actuarial valuation. The investment return assumption is reviewed using the building block approach that includes several asset allocations, assumed real rates of return for each asset class, an assumed rate of investment-related expenses, and an assumed rate

of inflation, with all assumptions for the long-term future. Our economic assumptions are influenced both by long-term historical experience and by future expectations of investment consultants and economists, but we select the economic assumptions and try to discuss them with the board before completing the actuarial valuation. See our review of the economic assumptions in Appendix A.

We review the termination and retirement experience since the prior valuation and periodically look back more than two years. We also periodically review the average salaries by years of service to get insights into the promotion, step, and longevity compensation patterns for the purpose of reviewing our compensation increase assumption. For the mortality assumptions, we use an appropriate published mortality table with projections for improvement beyond the valuation date. We are guided in our review and selection of assumptions by the relevant actuarial standards of practice. As a result of our review, we have selected actuarial assumptions we consider to be reasonable and appropriate estimates of future experience for the fund for the long-term future.

1. Investment Return

   7% per year net of investment-related expenses.

2. Inflation

   2.75% per year included in compensation increases and investment return assumptions.

3. Mortality Rates

   PubS-2016 (public safety) total dataset mortality tables for employees and for retirees (sex distinct), projected for mortality improvement generationally using the projection scale MP-2021.

4. Compensation Increases

   General increases of 3% per year combined with promotion, step, and longevity increases that average 2.89% per year over a 30-year career. See Exhibit 12.

5. Retirement Rates

Age	Rate per Year for Firefighters Eligible to Retire
50	15%
51	5
52	20
53	10
54	25
55-59	50
60	100

   The average expected retirement age for paid firefighters not yet eligible to retire based on these rates is 54.2.

6. DROP Elections

   a. Percent of firefighters eligible electing Retroactive DROP: 100% of service retirements eligible to elect at least a 24-month lump sum.

   b. Months assumed for Retroactive DROP lump sum: Maximum they are eligible for, up to 36 months.

   c. Percent of firefighters electing Reverse DROP: 100% of service retirements not eligible to elect at least a 24-month lump sum Retroactive DROP.

   d. Percent of firefighters electing Forward DROP and Combined DROP: 0%

7. Termination Rates

   See Exhibit 12.

8. Disability Rates

   See Exhibit 12.

9. Reduction in Benefit after 2½ Years of Disability Retirement

   15% weighted average reduction in benefit.

10. Percent Married

    90% of the firefighters are assumed to be married at retirement, disability, or death while employed, with male firefighters having a spouse three years younger and female firefighters having a spouse three years older.

11. Payment Form for Retirement Benefits Due to Service Retirement, Disability Retirement, or Vested Termination

    - Joint and 75% to surviving spouse for the 90% assumed to be married
    - Life annuity for the 10% assumed to be single

12. Surviving Child's Death Benefit

    None are assumed as a result of future deaths.

13. Compensation for First Year Following Valuation Date for Projecting Benefits

    The actual pay for 2024 for each firefighter, excluding compensation for unscheduled overtime, increased by 1.8% to fully reflect the general pay increase of 2.5% effective October 1, 2024. For those hired in 2024 with less than a full year, we assumed $60,000.

14. Compensation for First Year Following Valuation Date for Projecting Contributions

The compensation for each firefighter for projecting benefits (described in item 13 above that excludes unscheduled overtime) increased by 9% to reflect the inclusion of unscheduled overtime for projecting contributions.

15. Administrative Expenses

The expenses paid by fund assets for other than investment-related expenses are assumed to be 1.65% of payroll. The normal cost rate as a percent of payroll is assumed to be 1.65% of payroll higher to reflect these expenses.

16. Conditional 2% Increase in Benefits

The Present Plan's Section F conditional 2% increase in benefits to certain pensions when the fund's investment rate of return averages at least 8.25% over the most recent five consecutive years will never be triggered.

Exhibit 12

Disability and Termination Rates per 1,000 Active Members
Compensation Increases by Years of Service

Disability Rates		Termination Rates		Compensation Increases	
Attained Age	Rate per 1,000	Years of Service	Rate per 1,000	Years of Service	Increase Percent
20	0.14	0	119	1	15.88%
21	0.15	1	107	2	15.88
22	0.16	2	95	3	15.88
23	0.17	3	84	4	6.09
24	0.18	4	73	5	6.09
25	0.19	5	63	6	6.09
26	0.21	6	54	7	6.09
27	0.23	7	48	8	6.09
28	0.25	8	42	9	6.09
29	0.28	9	38	10	6.09
30	0.31	10	33	11	6.09
31	0.35	11	28	12	6.09
32	0.40	12	24	13	6.09
33	0.45	13	21	14	6.09
34	0.49	14	19	15	6.09
35	0.52	15	18	16	6.09
36	0.54	16	18	17	6.09
37	0.57	17	16	18	6.09
38	0.62	18	15	19	6.09
39	0.73	19	15	20	6.09
40	0.92	20 & Over	0	21	3.00
41	1.14			22	3.00
42	1.32			23	3.00
43	1.48			24	3.00
44	1.73			25	3.00
45	2.09			26	3.00
46	2.55			27	3.00
47	2.98			28	3.00
48	3.34			29	3.00
49	3.62			30	3.00
50	3.79			31	3.00
51	3.92			32	3.00
52	4.04			33	3.00
53	4.24			34	3.00
54	4.56			35	3.00
55	0.00			36	3.00
56	0.00			37	3.00
57	0.00			38	3.00
58	0.00			39	3.00
59	0.00			40	3.00

Exhibit 13

Definitions

1. Actuarial Accrued Liability	That portion, as determined by the particular actuarial cost method used, of the Actuarial Present Value of future pension plan benefits as of the Valuation Date that is not provided for by the Actuarial Present Value of future Normal Costs.
2. Actuarial Assumptions	Assumptions as to the occurrence of future events affecting pension costs, such as: mortality, termination, disablement and retirement; changes in compensation; rates of investment earnings and asset appreciation; and other relevant items.
3. Actuarially Equivalent	Of equal Actuarial Present Value, determined as of a given date with each value based on the same set of Actuarial Assumptions.
4. Actuarial Gain (Loss)	A measure of the difference between actual experience and that expected based on the Actuarial Assumptions during the period between two Actuarial Valuation dates, as determined in accordance with the particular actuarial cost method used.
5. Actuarial Present Value	The value of an amount or series of amounts payable or receivable at various times, determined as of a given date (the Valuation Date) by the application of the Actuarial Assumptions.
6. Actuarial Valuation	The determination, as of a Valuation Date, of the Normal Cost, Actuarial Accrued Liability, Actuarial Value of Assets and related Actuarial Present Values for a pension plan.
7. Actuarial Value of Assets	The value of cash, investments and other property belonging to a pension plan, as determined by a method and used by the actuary for the purpose of an Actuarial Valuation.

8. Entry Age Actuarial Cost Method	An actuarial cost method under which the Actuarial Present Value of the Projected Benefits of each individual included in the Actuarial Valuation is allocated as a level percentage of compensation over the period from age at hire to the last age before 100% assumed retirement. The portion of this Actuarial Present Value allocated to a valuation year is called the Normal Cost. The portion of this Actuarial Present Value not provided for at a Valuation Date by the Actuarial Present Value of future Normal Costs is called the Actuarial Accrued Liability. Under this method, Actuarial Gains (Losses), as they occur, reduce (increase) the Unfunded Actuarial Accrued Liability.
9. Plan Year	A 12-month period beginning January 1 and ending December 31.
10. Normal Cost	That portion of the Actuarial Present Value of pension plan benefits that is allocated to a valuation year by the actuarial cost method.
11. Projected Benefits	Those pension plan benefit amounts that are expected to be paid at various future times according to the Actuarial Assumptions, taking into account such items as the effect of advancement in age and past and anticipated future qualified service.
12. Overfunded Actuarial Accrued Liability	The excess, if any, of the Actuarial Value of Assets over the Actuarial Accrued Liability.
13. Unfunded Actuarial Accrued Liability	The excess, if any, of the Actuarial Accrued Liability over the Actuarial Value of Assets.
14. Valuation Date	The date upon which the Normal Cost, Actuarial Accrued Liability and Actuarial Value of Assets are determined. Generally, the Valuation Date will coincide with the end of a Plan Year.
15. Years to Amortize the Unfunded Actuarial Accrued Liability	The period determined in each Actuarial Valuation after December 31, 2023 will be the weighted average number of years, beginning with the Valuation Date, to amortize the Unfunded Actuarial Accrued Liability (UAAL) with a level percent of payroll. The actuarially determined contribution rate for each separate remaining base of the UAAL will be weighted by the remaining number of years in its closed amortization period.

Exhibit 14

Summary of Present Plan

1.	Normal Service or Disability Retirement Monthly Benefit	
	(a) Percentage of Highest 72-Month Average Salary	
	(b) Percentage based on years of service	
	(i) For years 1 to 20	3.3% per year
	(ii) For years above 20 to 30	2.0% per year
	(iii) For years above 30	1.0% per year
	(c) Not less than frozen vested accrued minimum benefit as of December 31, 2023	
	(d) Not less than frozen vested accrued minimum benefit as of March 31, 2025	
2.	Normal Service Retirement Eligibility (Minimum)	Age 50 and 20 Years or 25 Years and Under 50
3.	Actuarially Equivalent Early Service Retirement Eligibility	Age 45 and 20-24 Years
4.	Retroactive Deferred Retirement Option Plan (RETRO DROP)	
	(a) Earliest RETRO DROP benefit calculation date	2 Years Beyond Normal Service Retirement Eligibility
	(b) Maximum RETRO DROP benefit accumulation period	36 Months
	(c) RETRO DROP lump sum is the sum of the monthly benefits that would have been received between RETRO DROP benefit calculation date and termination of employment. There is no return of accumulated contributions made by the firefighter after the RETRO DROP benefit calculation date, and no interest is credited.	
5.	Reverse DROP	
	(a) Eligible after 2 years beyond Normal Service Retirement Eligibility	
	(b) Monthly benefit of 90% of regular benefit	
	(c) Lump sum of 24 times the reduced monthly benefit	
	(d) No return of accumulated contributions and no interest	
6.	Forward DROP	
	(a) Earliest Forward DROP irrevocable election	2 Years Beyond Normal Service Retirement Eligibility
	(b) Maximum Forward DROP accumulation period	36 months
	(c) Forward DROP lump sum is the sum of the monthly benefits that would have been received between the DROP election date and termination of employment. There is no return of accumulated contributions made by the firefighter after the DROP election date, and no interest is credited.	

7. Deferred Vested Terminated Benefit
   (a) Eligible if firefighter has at least 10 years of service but has not reached normal service retirement eligibility at termination of employment
   (b) Benefit is deferred to date person would have satisfied normal service retirement eligibility date

8. Disability Retirement Monthly Benefit for Firefighters Who Become Totally Disabled while Employed
   (a) For initial 30-month period is (i) plus (ii) if not able to perform job in fire department
      (i) Minimum monthly amount based on 20 years
      (ii) Additional amount per year of service over 20 years
   (b) Following initial 30-month period is (i), or (ii), or (iii), depending upon status
      (i) Initial benefit
      (ii) Initial benefit multiplied by one-half
      (iii) Zero
   (c) Upon attaining eligibility for normal retirement, the member's vested retirement benefit becomes payable if the disability benefit has been reduced or terminated

9. Surviving Spouse's Monthly Benefit as a Percentage of Benefit Active Would Have Been Entitled to as a Normal Service Retirement Benefit with a Minimum of 20 Years of Service 75%

10. Surviving Children's Monthly Benefit as a Percentage of Highest 72-Month Average Salary
    (a) Where the spouse is receiving a benefit 9.90%
    (b) Where the spouse is not receiving a benefit or there is no spouse 19.80%

11. Contributions as a Percent of Payroll by:
    (a) Firefighters in 2025 14.20%
    (b) City of Midland in 2025 24.20%
    (c) Actuarially determined contribution rates after 2025, with any changes shared one-third by firefighters and two-thirds by City, with maximum of 17.2% by firefighters

12. The normal form of annuity payment at retirement is a Joint and 75% to Surviving Spouse. In lieu of the normal form, an optional reduced Joint and 100% to Surviving Spouse may be elected. Payment is the last day of each month.

13. Salary before January 1, 2024 used to determine the Highest 72-Month Average Salary includes total pay except any lump sum distributions for unused sick leave or vacation are excluded. Beginning January 1, 2024, the salary used also excludes pay for unscheduled overtime. The average is based on the pay for the consecutive 72 months during which the includable pay was highest.

14. The plan provisions in effect prior to January 1, 2024 are applicable for 'grandfathered' participants. This group of participants were within two years of eligibility for normal retirement as of December 31, 2023. This group includes those at least age 48 and 18 years of service, or 23 years of service at any age, as of December 31, 2023.

15. Refund of firefighters' accumulated contributions without interest will be made to firefighters who terminate employment and either are not eligible for any other benefit from the fund or request a refund from the fund.

16. Pensioners who have received benefits for five full plan years or more will receive a 2% cost-of-living adjustment on August 1 provided the fund's investment performance over the five plan years ending the previous December 31 averages 8.25% or more. DROP participation does not constitute time credited to the five-year requirement. The $500 per month supplemental benefit will not be increased by the 2% cost-of-living adjustments.

17. A lump sum death benefit of $10,000 will be paid to the designated beneficiary of a deceased firefighter, whether active or inactive (retired firefighter or a vested terminated firefighter).

Appendix A

Review of the Actuarial Economic Assumptions for the December 31, 2024 Actuarial Valuation

Theoretical Investment Return Assumption Development

Asset Class	Gross Annual Real Rate of Investment Return (ROR)[1]	Asset Allocation	
		Target[2]	12/31/2024[3]
Domestic Equities			
Large Cap	6.5%	20%	22.4%
Small/Mid Cap	7.0	5	6.0
		25	28.4
International Equities	7.0	15	11.1
Fixed Income	2.0	15	21.2
Alternatives			
Venture Capital/Private Equity	8.5	15	10.7
Real Estate	5.5	10	9.3
Master Limited Partnerships	8.0	10	13.3
Private Credit	5.0	5	4.0
		40	37.3
Cash	0.0	5	2.0
Total		100%	100.0%
Weighted Average Gross Real ROR Assumption		5.88%	5.76%
Weighted Average Net Real ROR Assumption[4]		4.63%	4.51%
Possible Theoretical Annual Investment Return Assumption:			
Net Real ROR Plus Assumed Annual Rate of Inflation			
Assumed 2.75% Inflation		7.38%	7.26%

[1] A gross **real** rate of return is an assumed total annual rate of investment return, before expenses, that is in excess of the assumed annual inflation rate. These are long-term assumptions made by Rudd and Wisdom, Inc.

[2] This allocation is based on the investment consultant's asset allocation target.

[3] Based on the investment consultant's December 31, 2024 report for all the assets except cash. The grand total from the audited financial report was used to determine cash as the balancing item.

[4] A weighted average Net Real ROR is an annual rate equal to the weighted average Gross Real ROR reduced by investment-related expenses, both direct and indirect, of an assumed annual rate of 1.25%. Before the change to the current investment consultant, investment-related expenses had been averaging 1.25% of assets. In the future, these expenses should be somewhat lower, but the large allocation to alternatives suggests the level could still be close to 1.00%.

Appendix A (continued)

Price Inflation in the USA - Average Annual Rates of Increase in the CPI-U

Years (Dec. to Dec.)	Number of Years	Average Annual Increase
1959 – 2024	65	3.72%
1964 – 2024	60	3.93
1969 – 2024	55	3.94
1974 – 2024	50	3.68
1979 – 2024	45	3.19
1984 – 2024	40	2.78
1989 – 2024	35	2.66
1994 – 2024	30	2.52
1999 – 2024	25	2.55
2004 – 2024	20	2.56

Most inflation forecasts are for 10 years or less. For example, the average 10-year forecast in the June 2025 Livingston Survey published by the Federal Reserve Bank of Philadelphia was 2.26%. However, 10 years is too short a forecast period for a public employee defined benefit pension plan. In the 2025 annual report of the OASDI Trust Funds (Social Security), the ultimate inflation assumptions for their 75-year projections are 3.0%, 2.4%, and 1.8% for the low-cost, intermediate, and high-cost assumptions, respectively. Looking at the average annual increase in the CPI-U over historical periods of 30 to 65 years above and considering the Social Security forecasts, we believe that reasonable assumed rates of inflation for the long-term future would range from 2.25% to 3.00%.

Administrative Expenses Paid by the Fund

Plan Year Ending 12/31 (1)	Administrative Expenses Paid by the Fund (2)	Covered Payroll (3)	% of Payroll (2) ÷ (3) (4)
2024	$ 486,570	$27,508,789	1.77%
2023	399,589	25,136,197	1.59
2022	388,777	23,428,042	1.66
2021	406,490	22,103,901	1.84
2020	330,045	20,196,734	1.63
2019	390,407	19,403,712	2.01
2021-2024	$1,681,426	$98,176,929	1.71%

The administrative expenses are not reflected in the investment return assumption but are reflected as a percent of payroll that is added to the normal cost contribution rate. We recommend 1.65%, somewhat less than the average developed above for the last four plan years. (The covered payroll was determined as the contributions by the firefighters or the city for the plan year divided by the appropriate contribution rate during the plan year.) This is slightly less than the 1.70% assumption for the prior valuation. We expect the administrative expenses to be lower in the future after the transition to new administrators and the new plan of benefits. But for now, we recommend only a small reduction.

Appendix A (continued)

Comparison of 12/31/2023 Actuarial Economic Assumptions with 12/31/2024 Actuarial Economic Assumptions

Actuarial Assumption[1]	12/31/2023 Actuarial Economic Assumptions	12/31/2024 Actuarial Economic Assumptions
Inflation (Price)	2.75%	2.75%
Net real rate of return[2]	4.25	4.25
Net total investment return[2]	7.00%	7.00%
Firefighter pay increase[3]	5.89%	5.89%
Aggregate payroll increase	3.00%	3.00%
Administrative expenses	1.70% of payroll	1.65% of payroll

[1] All assumptions are annual rates.
[2] Net of all investment-related expenses.
[3] For both 12/31/2023 and 12/31/2024, a 3% annual general compensation increase combined with annual promotion, step, and longevity pay increases that vary by length of service, which together average 5.89% over a 30-year career.

Appendix B

Other Disclosures as of December 31, 2024

Potential Risks

- Investment risk is the potential that investment returns will be different than assumed. Adverse investment experience would increase the unfunded actuarial accrued liability (UAAL) and the UAAL amortization period. Favorable investment experience would have the opposite effects.

- Compensation risk is the potential that compensation increases for individuals will be different than assumed. Greater-than-assumed increases would increase the UAAL and the UAAL amortization period. Less-than-assumed increases would have the opposite effects.

- Payroll risk is the potential that the total (aggregate) payroll will increase differently than assumed due to general compensation increases and changes in the number of active members. Greater-than-assumed aggregate payroll increases would lower the UAAL amortization period. Less-than-assumed aggregate payroll increases would increase the UAAL amortization period.

- Longevity risk is the potential that retirees and surviving spouses may live longer or shorter than expected.

- Other demographic risks are the potential that active members may terminate, become disabled, die, or retire at times other than assumed.

Plan Maturity Measures

The following measures may help the board and the city better understand some of the potential risks described above. The measures are for the actuarial valuation date or the year ending December 31.

Measure	2024	2023	2021	2019	2017	2015
1. Ratio of retired life actuarial accrued liability to total actuarial accrued liability	57.1%	55.0%	53.2%	51.6%	49.2%	47.1%
Commentary: Mature plans have 50% or more of the total actuarial accrued liability attributable to retirees and surviving spouses. Mature plans are generally more sensitive to investment risk. Increases in the ratio are the result of the actuarial accrued liability of pensioners growing faster than the actuarial accrued liability of active members.						
2. Ratio of net cash flow (contributions less benefit payments less administrative expenses) to assets	-2.5%	-3.3%	-5.4%	-3.9%	-3.2%	-1.1%
Commentary: A negative net cash flow means benefit payments and administrative expenses exceed contributions. A certain amount of negative net cash flow is expected as a plan matures. One reason for the variability of the numbers is the variability of the DROP lump sums paid from year to year. Recent increases in the number of active members increased contributions as well as an increase in the city contribution rate, helping to reduce the absolute numbers.						
3. Ratio of actuarial value of assets to total payroll	5.45	3.54	4.16	4.52	5.64	5.09
Commentary: Maturing plans usually have the ratio generally increasing over time as the assets grow faster than the payroll. However, the ratio may not increase as much or may decrease if the total payroll increases more than assumed over an extended period of years. Investment experience also affects the growth of the actuarial value of assets.						

Negative Amortization

- As of this actuarial valuation, the fund is expected to have negative amortization for about seven more years. At that time, the unfunded actuarial accrued liability is expected to gradually decrease from one actuarial valuation to the next.

Reasonable Actuarially Determined Contribution Rate

- The actuarially determined contribution (ADC) rate in the section on ADC funding policy on page 1 is a reasonable ADC consistent with actuarial standards of practice.

Actuarial Valuation Software

- We have utilized software licensed from Winklevoss Technologies, LLC in the development of the liabilities summarized in the report. We have independently confirmed the model developed by Winklevoss and have sufficiently tested it to ensure the model is an accurate representation of the system's liabilities.

Low-Default-Risk Obligation Measure (LDROM)

- The LDROM is a required disclosure calculated as of the date of the actuarial valuation using a discount rate based on high quality bond yields instead of the expected return on the fund's diversified investment portfolio.

Low-Default-Risk Obligation Measure	$307,590,603
Actuarial Accrued Liability	$211,640,254

- The difference between the LDROM and the actuarial accrued liability determined in this actuarial valuation could be viewed as the expected savings from investing in the fund's diversified portfolio instead investing only in high quality bonds.

- For our calculation of the LDROM, we have used the same actuarial cost method and actuarial assumptions from this actuarial valuation summarized in Exhibits 11 and 12, except for an assumed discount rate of 4.06% instead of the investment return assumption of 7%. To determine the assumed discount rate, we used the Bond Buyer Index of general obligation bonds with 20 years to maturity, which has an average rating roughly equivalent to Moody's Investors Services' Aa2 rating and Standard and Poor's Corporation AA. The weekly index closest to the December 31, 2024 measurement date was 4.06%.

- Because the fund's assets are not invested only in high-quality bonds, the LDROM does not reflect the fund's actuarial condition, nor does it offer insights into the total contribution required for an adequate contribution arrangement or the security of participant benefits.

Appendix C

Historical Actuarial Valuation Information

Actuarial Valuation Date	Unfunded Actuarial Accrued Liability (UAAL)	UAAL Amortization Period in Years	Number of Actives	Assumed Contribution Rates			Contribution Rates		Key Assumptions		Funded Ratio
				Actives	City	Total	Normal Cost	UAAL Amortization	Investment Return	Rate of Inflation	
12/31/2024	$ 64.3 million	28.8	252	14.20%	24.20%	38.40%	24.59%	13.81%	7.00%	2.75%	69.6%
12/31/2023	120.9	never	249	14.20	24.20	38.40	27.28	11.12	7.00	2.75	43.1
12/31/2021	109.1	never	230	14.20	22.20	36.40	31.54	4.86	7.00	2.75	45.6
12/31/2019	86.8	never	227	14.20	22.20	36.40	26.30	10.10	7.50	3.00	51.1
12/31/2017	59.0	never	207	14.20	22.20	36.40	25.98	10.42	7.75	3.25	60.9
12/31/2015	45.3	44.7	193	13.20	22.20	35.40	24.27	11.13	8.00	3.00	65.8
12/31/2013	39.0	59.1	178	13.20	21.70	34.90	24.81	10.09	8.00	3.00	66.8
12/31/2011	28.1	86.3	190	13.20	20.20	33.40	25.80	7.60	8.00	3.00	72.2

Appendix D

Historical Asset Information

Date	Total Contributions	Benefit Payments	Administrative Expenses	Net Cash Flow (2) – (3) – (4)	Market Value of Assets	(5) ÷ (6)	Rate of Return
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
12/31/2024	$10,522,780	$12,334,370	$486,570	$(2,298,160)	$91,093,466	(2.5)%	11.75%
12/31/2023	9,149,865	11,521,513	399,589	(2,771,237)	83,691,663	(3.3)	6.89
12/31/2022	8,527,807	10,875,344	388,777	(2,736,314)	80,979,438	(3.4)	(10.88)
12/31/2021	8,045,819	12,669,033	406,490	(5,029,704)	93,771,847	(5.4)	14.86
12/31/2020	7,351,660	10,356,445	330,045	(3,334,830)	86,345,309	(3.9)	5.81
12/31/2019	7,062,823	9,976,378	390,407	(3,303,962)	84,848,966	(3.9)	10.39
12/31/2018	6,239,847	8,609,277	230,738	(2,600,168)	80,013,420	(3.2)	(8.07)
12/31/2017	5,669,204	8,252,601	279,569	(2,862,966)	89,754,731	(3.2)	12.28
12/31/2016	5,711,927	6,843,836	251,621	(1,383,530)	82,664,948	(1.7)	3.87
12/31/2015	5,988,075	6,684,894	211,422	(908,261)	80,942,385	(1.1)	(0.85)
12/31/2014	5,373,610	6,301,043	222,705	(1,150,138)	82,552,420	(1.4)	3.38

TEXAS PENSION REVIEW BOARD

BOARD MEETING

SEPTEMBER 25, 2025

TEXAS PENSION REVIEW BOARD

P.O. BOX 13498

AUSTIN, TX 78711-3498

(512) 463-1736

WWW.PRB.TEXAS.GOV

TEXAS PENSION REVIEW BOARD
MEETING AGENDA

Thursday, September 25, 2025 – 10:00 AM
William P. Clements Building, Fourth Floor, Room 402
300 W. 15th Street, Austin, TX, 78701

Board members may attend this meeting by videoconference pursuant to Section 551.127, Texas Government Code. One or more board members, including the presiding officer, will be physically present at the physical location of the meeting listed above. The meeting will be accessible to the public at the physical location listed above. The public may access the meeting virtually by joining via the Zoom link: https://us02web.zoom.us/j/89799725628. A livestream of this meeting, agenda materials of the meeting, and a recording of the meeting will be made available at www.prb.texas.gov.

The board may discuss or take action regarding any of the items on this agenda.

1. Meeting called to order
2. Roll call of board members and consideration to excuse absence
3. Consideration and possible action to approve July 10, 2025, board meeting minutes
4. Opening remarks from board members
5. Public comment
6. Actuarial Committee
    a. Actuarial Valuation Report and Funding Soundness Restoration Plan (FSRP) report, including compliance
    b. Public retirement system reporting and compliance, including noncompliant retirement systems under Section 801.209, Texas Government Code
7. Investment Committee
    a. Investment Data Report
    b. Draft updates to the Guidance for Investment Practices and Performance Evaluations, including the evaluation schedule as required by HB 3474 (89R)
8. Executive Director Report
    a. Conference updates
9. Future meetings: agenda items, dates, locations, and other arrangements

10. Adjournment

NOTE: The board may go into closed session concerning any item on this agenda as authorized under the Texas Open Meetings Act, Chapter 551, Texas Government Code. Persons with disabilities who plan to attend this meeting and who may need special assistance are requested to contact Ashley Rendon at (512) 463-1736 as far in advance as possible, but no less than three business days prior to the meeting date so that appropriate arrangements can be made.

How to provide public comment: Members of the public who wish to provide public comment to the board may attend the meeting in person at the address above or using the Zoom link provided above. If you wish to provide comment remotely by Zoom, you must contact Ashley Rendon (ashley.rendon@prb.texas.gov) no later than Tuesday, September 23, 2025. Note that public comments will be limited to no more than three minutes.

Item 3. July 10 meeting minutes

TEXAS PENSION REVIEW BOARD

Board Meeting Minutes
July 10, 2025

1. **Meeting called to order (00:05)**

The Pension Review Board's (PRB) first meeting of 2025 was called to order Thursday, July 10, 2025, at 10:02 a.m. in the Capitol Extension, Committee Room E1.012, 1100 N. Congress Avenue, Austin, Texas, 78701.

2. **Roll call of board members and consideration to excuse absence (00:13)**

A quorum being present, the meeting was called to order by Chair Leibe.

Board members present:

Chair Stephanie Leibe
Keith Brainard
Marcia Dush
Christopher Gonzales, via videoconference
Daniel Harper, via videoconference
Roy Rodriguez
Christopher Zook, via videoconference

3. **Administrative Matters (00:47)**

a. Consideration and possible action to approve December 4, 2024, board meeting minutes (01:00)

Chair Leibe entertained a motion to suspend reading the minutes of the December 4, 2024, board meeting and approve them as circulated.

The motion was made by Ms. Dush and seconded by Mr. Rodriguez.

Motion passed unanimously.

b. Committee Assignments (01:39)

Chair Leibe updated committee assignments, placing Mr. Rodriguez on the Education Committee following his recent appointment to the board. All other committee assignments remained the same.

c. Election of Vice Chair for 2025 (02:03)

Chair Leibe recognized Vice Chair Brainard for his service in the role during the previous year. Ms. Dush nominated Mr. Brainard to continue serving as vice chair. There were no objections, other nominations, or discussion.

Mr. Brainard was elected as Vice Chair for 2025.

4. Public comment (03:20)

Chair Leibe stated representatives from Beaumont had comments that would take place during item 5a.

5. Actuarial Committee (3:55)

a. Actuarial Valuation Report and Funding Soundness Restoration Plan (FSRP) report, including compliance

Senior Actuary David Fee and Actuarial Intern Annika Leong reported that recent actuarial valuation reports showed changes in key assumptions, such as discount rates and payroll growth, which directly affect liability calculations and funding projections. They noted that the timing and frequency of valuations vary, with larger and better-funded systems tending to conduct annual valuations, while smaller or systems with more funding issues often do so biennially. For systems at risk of triggering an FSRP, timely and up-to-date valuations are crucial for compliance, as outdated information can hinder corrective action. The board discussed whether annual valuations should be required for at-risk plans to improve FSRP compliance. Currently, when a system becomes at risk, staff advise them to complete valuations promptly, and communication is maintained to ensure compliance with FSRP requirements.

Luke Skelton, chair of the Beaumont Firemen's Relief Retirement Fund, reported that the system has made progress in negotiations with the city of Beaumont to restore the system's funding, though the process has been slow due to the city operating without a chief financial officer. He explained that the city recently provided a proposal, which the system's actuary determined could achieve the required 30-year funding period with some minor modifications regarding the timing of contributions. Sharae Reed, city attorney for Beaumont, confirmed the city's commitment to funding all applicable vacant positions and including a 2 percent pension increase in the upcoming budget, which is scheduled for council approval in September. She emphasized that the city is prepared to adjust contributions as needed and that the pension issue has been separated from fire contract negotiations, allowing for more direct and efficient discussions.

b. Public retirement system reporting and compliance, including noncompliant retirement systems under Section 801.209, Texas Government Code

Analytical Services Manager Bryan Burnham explained that the PRB sends reporting reminders prior to deadlines and noncompliance notices if deadlines are missed. Several systems recently resolved their noncompliance, while a few remain outstanding but are expected to submit reports soon. He also noted that systems with over $100 million in assets must submit actuarial audits and experience studies every five years; some have not yet met these requirements but have been notified and are working toward compliance. Communication is sent to both the systems and their sponsors.

c. Intensive Study on Chapter 810 plans

Mr. Burnham provided an update on the intensive study of Chapter 810 (supplemental/special district retirement) plans. The study will examine governance structures, actuarial conditions, assumptions, and revenue streams. Surveys were sent to

all 34 Chapter 810 systems in May with responses received from 18 plans. The final report is expected to be presented in fall 2025.

6. Investment Committee (1:00:13)

a. Investment Data Report

Investment Analyst Robert Munter presented an update on the investment data report, which tracks investment returns and expenses for Texas public retirement systems. He reported that 2024 was a strong year, with many systems meeting or nearing their investment return assumptions, and noted a trend of systems lowering assumptions to more achievable levels. Mr. Munter also highlighted that 68 percent of Texas systems have investment expenses at or below the national average, with Texas averaging 0.65 percent compared to the national 0.71 percent.

The board emphasized the importance of using forward-looking risk assessments and realistic investment return assumptions, rather than relying solely on past performance. They also highlighted the need for strong governance practices to ensure assumptions are set in the best interests of plan stability and future retirees. Mario Alvarado, chair of the Harlingen Firemen's Relief and Retirement Fund, and Vice Chair Joey Albritton presented to the board explaining the system's higher-than-average investment return assumption.

During their presentation, Mr. Alvarado and Mr. Albritton emphasized that the selection of their investment return assumption is a careful, collaborative process involving the board, their investment consultant, and their actuary. They described regular reviews of asset allocation and return expectations, and while they do not have a formal policy for reviewing the assumption, it is a frequent topic in their ongoing discussions.

The board took a break from 11:56 a.m. to 12:08 p.m.

7. 89th Regular Session (2:05:55)

a. Pension legislation passed

Policy and Communications Manager Mariah Miller reported that the agency tracked 118 pension bills during the legislative session, with 17 passing and 55 actuarial impact statements completed. She highlighted key legislation affecting retirement systems, including expanded eligibility, funding reforms, and new investment and reporting requirements.

b. General government legislation passed

Deputy Director Ashley Rendon summarized that the agency tracked 263 general government bills, with 27 becoming law. Key legislation included new efficiency audit requirements before sunset review, open government and rulemaking reforms, new AI and cybersecurity regulations, and mandates for digital modernization of agency websites and portals.

c. PRB budget appropriation for Fiscal Years 2026 and 2027 under General Appropriations Act, 89th Legislature (SB 1) and supplemental appropriations (HB 500)

Ms. Rendon noted that the PRB received full funding for all requested items for fiscal years 2026 and 2027. Senate Bill 1, the General Appropriations Act, provides ongoing support for staff salary increases, IT maintenance, and the executive director's salary.

House Bill 500, the supplemental appropriations bill, supplies one-time funds for IT enhancements to be used over two years.

8. 2025-2027 IT projects updates (2:22:36)

Ms. Rendon reported that the agency will prioritize upgrades to its internal database, online reporting portal, and education website, focusing on improving the education module and system integration. Planning is underway, and the agency anticipates project work to continue through mid-2027.

9. Executive Director Report (2:25:30)

a. Updated Fiscal Year 2025 Operating Budget

Executive Director Amy Cardona presented an update on the fiscal year 2025 operating budget. She reported that the agency is expected to have a modest surplus by year-end.

b. Approval of Fiscal Year 2026 Operating Budget

This item was addressed following item 10. Ms. Cardona presented the fiscal year 2026 operating budget, explaining that it reflects the agency's appropriations and internal planning.

Chair Leibe entertained a motion to approve the fiscal year 2026 operating budget, which reflects the updated executive director salary.

The motion was made by Mr. Harper and seconded by Ms. Dush.

Motion passed unanimously.

10. Executive Session – In accordance with Section 551.074, Texas Government Code, the board will meet in executive session to discuss personnel matters, including the evaluation, compensation, and performance of the Executive Director. The board may also meet thereafter in open session to discuss and consider appropriate action. (2:26:30)

The board went into closed session at 12:29 pm and resumed open session at 12:47 pm. There were no actions taken during the closed session.

Chair Leibe entertained a motion to increase the salary of the executive director to $156,240 effective September 1, 2025, and to $164,240 effective September 1, 2026.

The motion was made by Ms. Dush and seconded by Mr. Rodriguez.

Motion passed unanimously.

11. Future meetings: agenda items, dates, locations, and other arrangements (2:49:33)

Ms. Leibe noted that there would be an Education Committee meeting following the board meeting at 2 pm located in the same room. She noted the remaining board meetings will occur in September and December 2025, with locations to be determined.

12. Adjournment (2:50:15)

The meeting was adjourned at 12:51 p.m.

PRB staff in attendance:

Amy Cardona	David Fee	Bryan Burnham
Ashley Rendon	Robert Munter	Mariah Miller
Austin Pace	Jasmin Loomis, via videoconference	Annika Leong

Members of the public in attendance:

Luke Skelton – Beaumont Fireman's Relief and Retirement Fund

Art Alfaro – TEXPERS

Tyler Grossman – El Paso Fire and Police Pension

Pattie Featherston – Austin Police Retirement System

Pat Haggerty

Sharae Reed – City of Beaumont

Michael Villanueva – Texas Emergency Services Retirement System

Erik Brown – Odessa Fire

Joe Gimenez – TEXPERS

Eddie Solis

Lisa Hughes

Jay Dyer - TCDRS

_____

Stephanie Leibe, Chair

Item 6a: AV Report and FSRP Report

David Fee

Summary

- AV report
  - Changes since July board meeting
    - System news
    - Major assumption changes
  - Funding progress
  - System overview
  - Lists of systems with outlier statistics
- FSRP Report
  - FSRP status changes since December board meeting
  - FSRP status by category

Actuarial Valuation Report

Texas Public Pension System News

- Austin Firefighters Retirement System
  - Completed Voluntary FSRP
- Anson General Hospital
  - Terminating pension and purchasing annuities
- Beaumont Fire
  - Completed FSRP
  - City increasing contributions including vacant positions
  - Members will not change contributions or benefits other than restoring Tier 1 benefits to Tier 2 members
    - Resulting funding date cannot be later than 2050

Texas Public Pension System News

- Laredo Fire
  - Lowered expected return, increased city contribution rate
  - City contributions increased gradually from 21.1 percent in 2023 FSRP to 22.6 percent in October 2025
- Midland Fire
  - Completed FSRP
- Sweetwater Fire
  - Completed FSRP
  - Increased final average earnings period to 6 years
  - Removed overtime from pensionable earnings

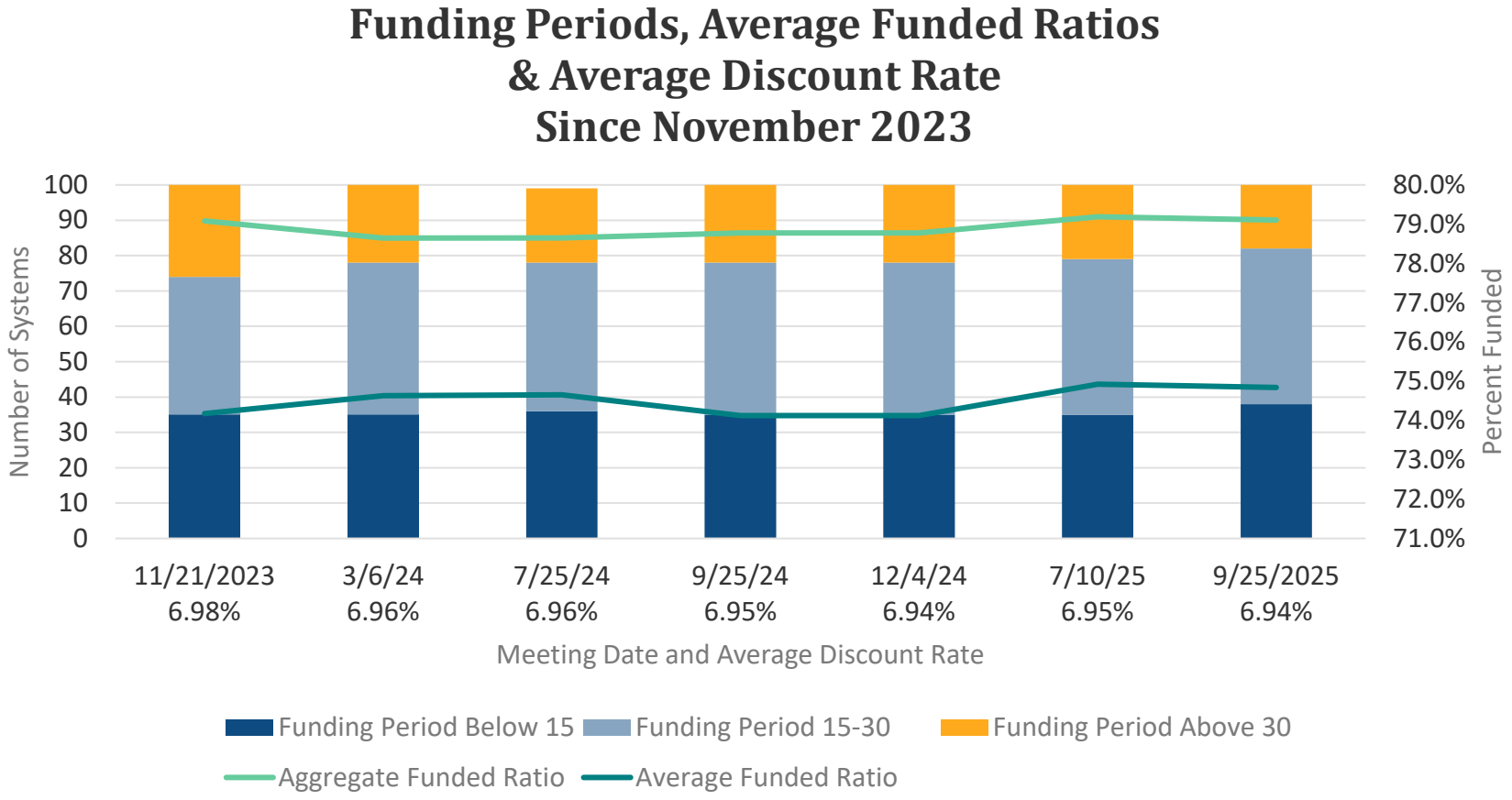
Texas Public Pension System News

- Nacogdoches Memorial Hospital
  - Completed FSRP
  - Increasing contributions to $925,000 in FY 2027, increasing in each year thereafter
  - PRB established requirements for maintaining funding period
- Wichita Falls Fire
  - Completed FSRP
  - City increasing contribution rate from 17.5 percent by 0.5 percent per year until reaches 20 percent

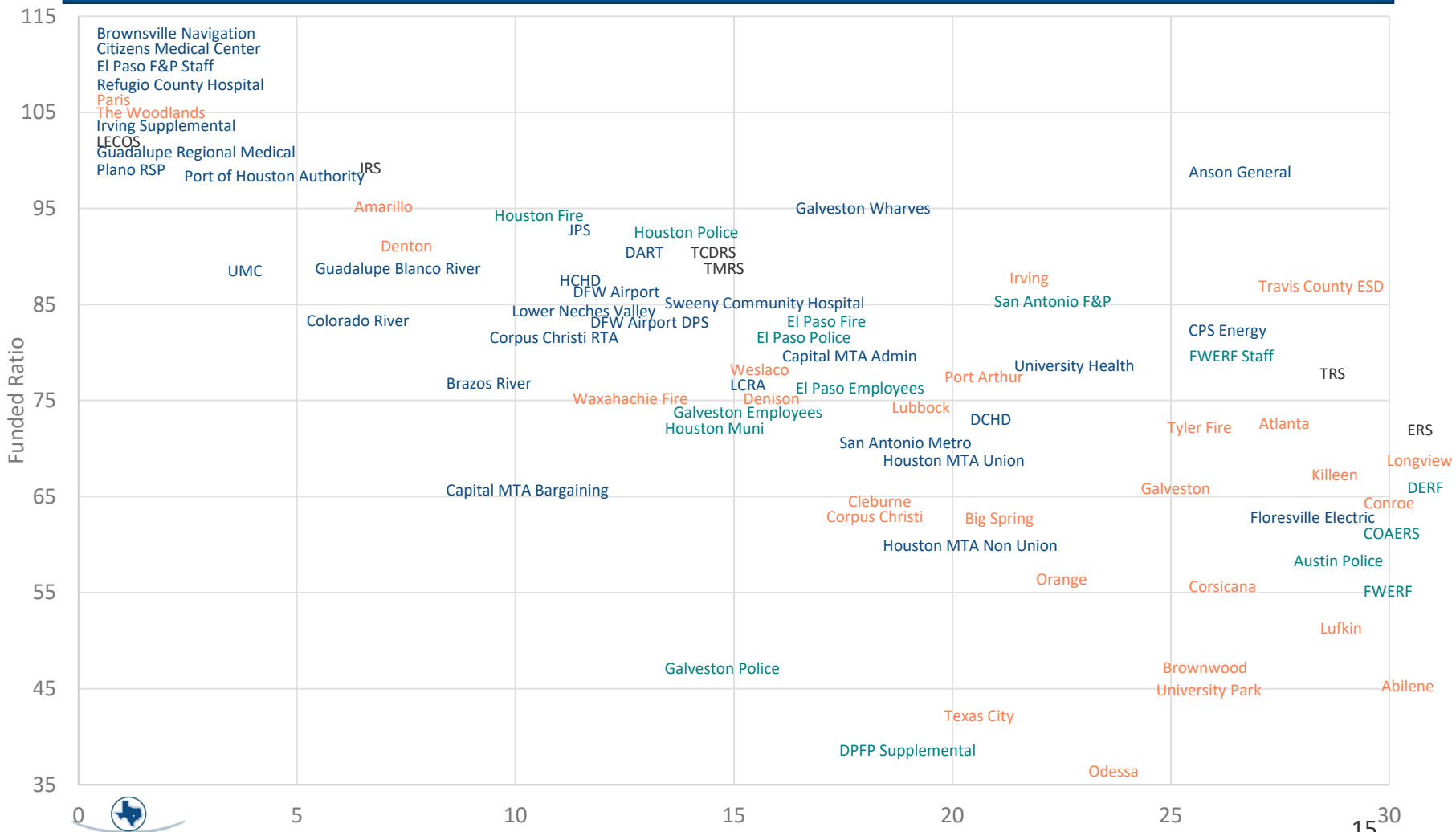
Significant Economic Assumption Changes

	Changed Discount Rate 7/10/25 → 9/25/25		Changed Payroll Growth Rate 7/10/25 → 9/25/25	
System	Prior Rate	Current Rate	Prior Rate	Current Rate
Beaumont Fire	7.50%	7.25%		
Laredo Fire	7.40%	7.10%	2.75%	3.00%

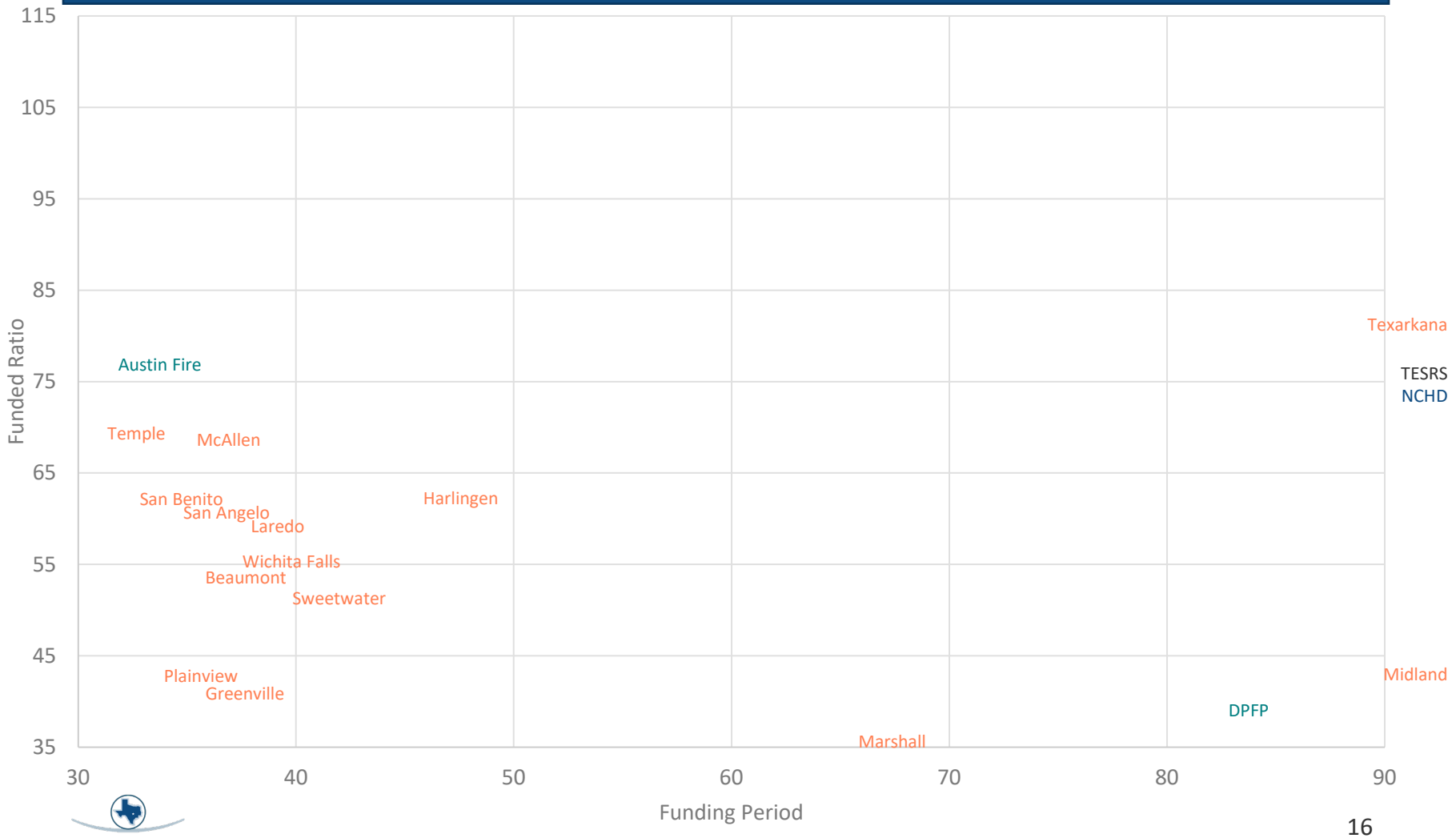
Funding Progress 2023-2025



Funding Progress By System
Funding Periods 30 Years and Below



Funding Progress By System
Funding Periods Over 30 Years



Expected Funding Pattern

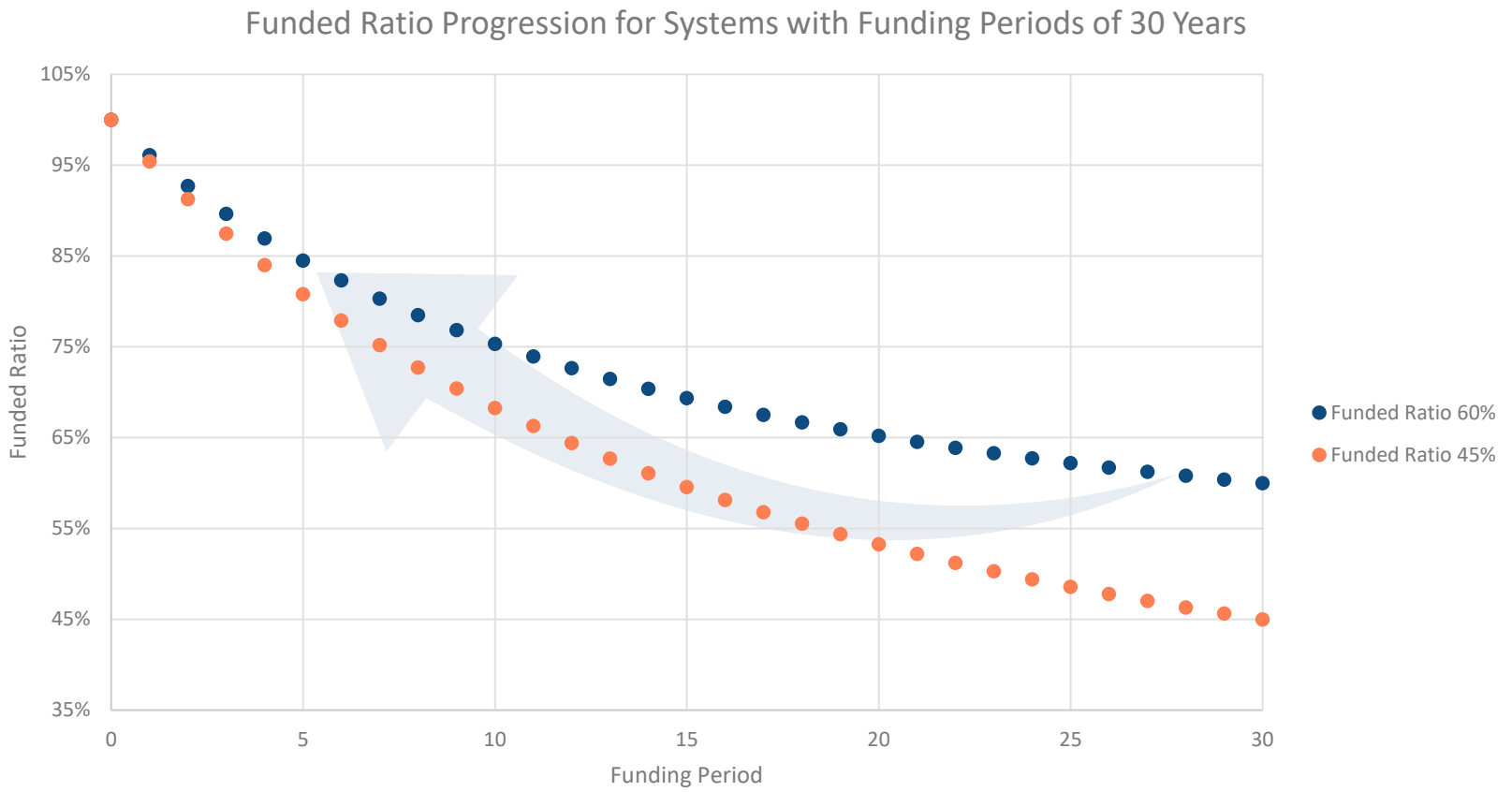


Illustration of 30-Year Amortization Period

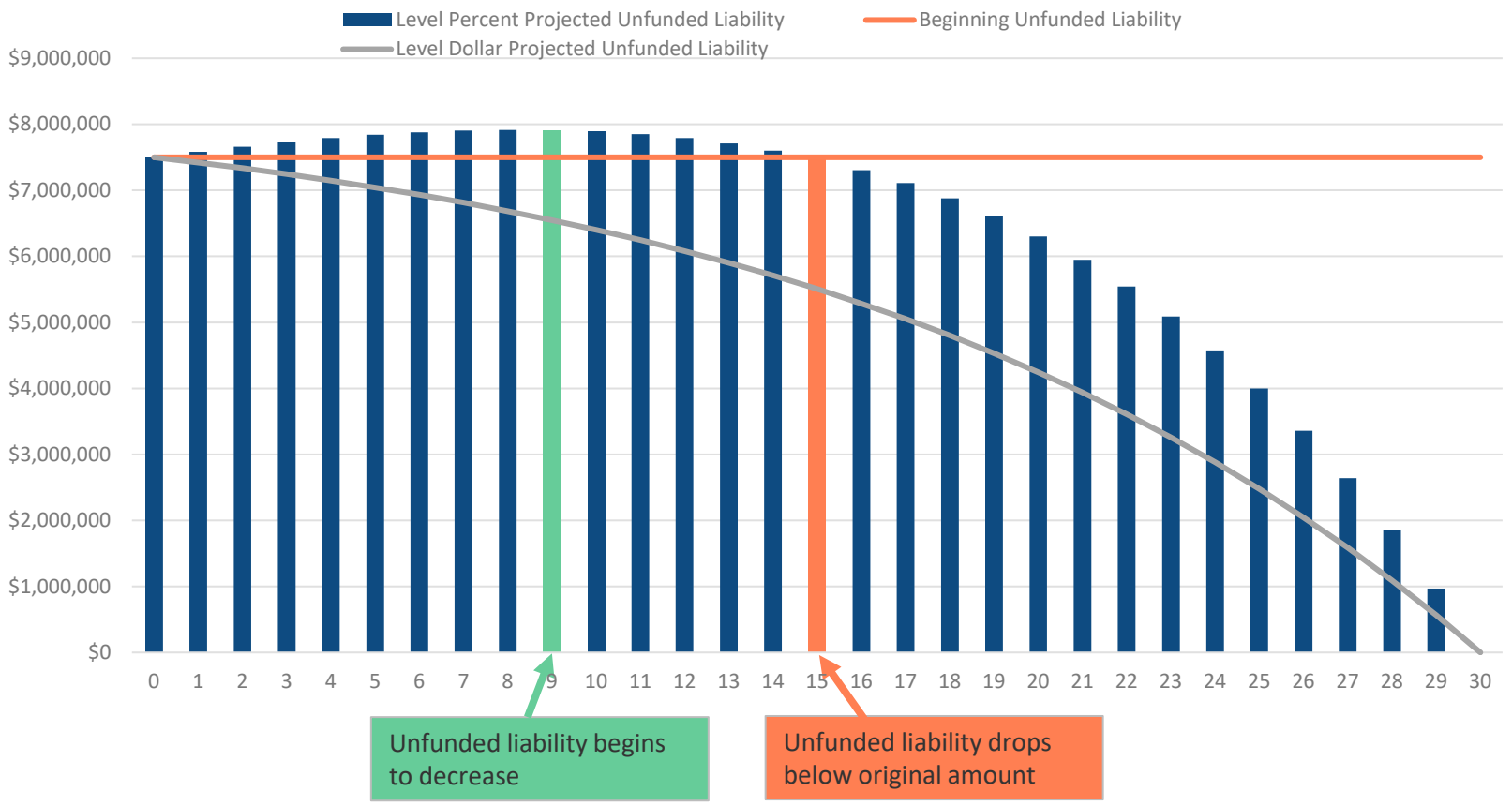


Chart illustrates amortization of $7.5 million unfunded liability using 7 percent expected returns and 3 percent payroll growth

Funding Period To Avoid Negative Amortization

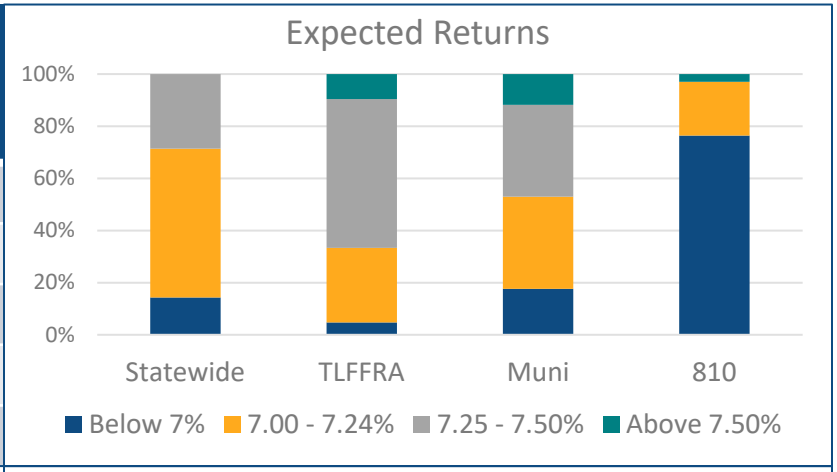
Expected Return

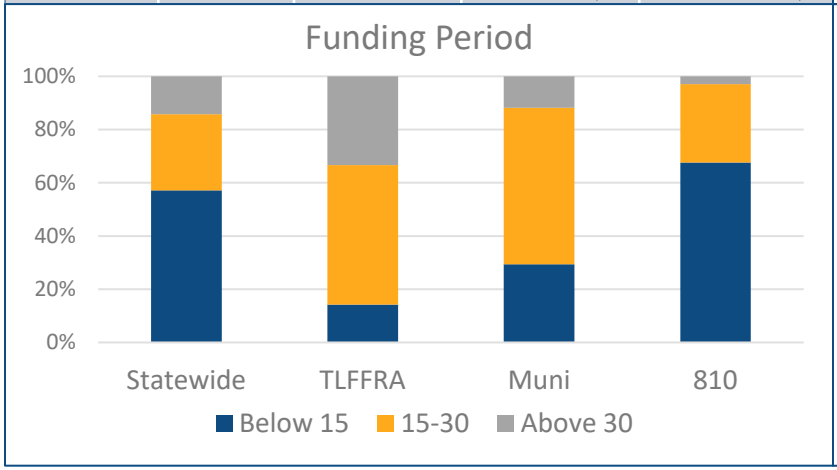
Expected Payroll Growth	6.75%	7.00%	7.25%	7.50%	7.75%
4.25% 4.50%	18	18	(18) Temple Fire	18	(18) Big Spring Fire
4.00%	20	(19) Waxahachie Fire	(19) Greenville Fire, Conroe Fire	18	18
3.75%	20	20	19	19	19
3.50%	(21) Citizens Medical Ctr	(20) DFW Airport, Galveston Police	(20) Paris Fire	20	(19) Harlingen Fire, San Angelo Fire
3.25%	21	(21) San Antonio Metro, University Health	(21) Beaumont Fire, Marshall Fire, Weslaco Fire	(20) Lubbock Fire, Plainview Fire	20
3.00%	(22) Denton Fire	(22) FWERF, Houston Fire, Laredo Fire, Midland Fire, Odessa Fire	(21) Austin Police, San Antonio F&P, Texas City Fire	(21) Abilene Fire, Cleburne Fire, Longview Fire, San Benito Fire, Sweetwater Fire, TCDRS, Wichita Falls Fire	21
2.75%	(23) Irving Supplemental, Plano, TMRS	(23) Atlanta Fire, Brownwood Fire, Houston Muni, Houston Police, Irving Fire, Tyler Fire	(22) Galveston Employees, Killeen Fire, Lufkin Fire, Port Arthur Fire, Texarkana Fire	(22) Amarillo Fire, Galveston Fire	(21) El Paso Fire, El Paso Police, El Paso Staff

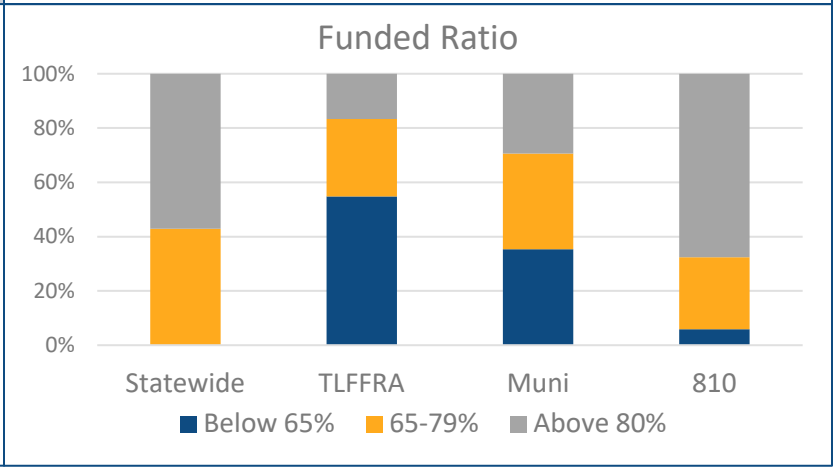
Beaumont Fire changed from 20 years to 21 years

System Overview by Type - Current

Type	Count	Median Return	Median Funding Period	Median Funded Ratio
Statewide	7	7.00%	14	89%
TLFFRA	42	7.25%	26	63%
Muni	17	7.00%	17	73%
810	34	6.50%	11	86%
Total	**100**	**7.00%**	**18** ↓	**76%** ↓

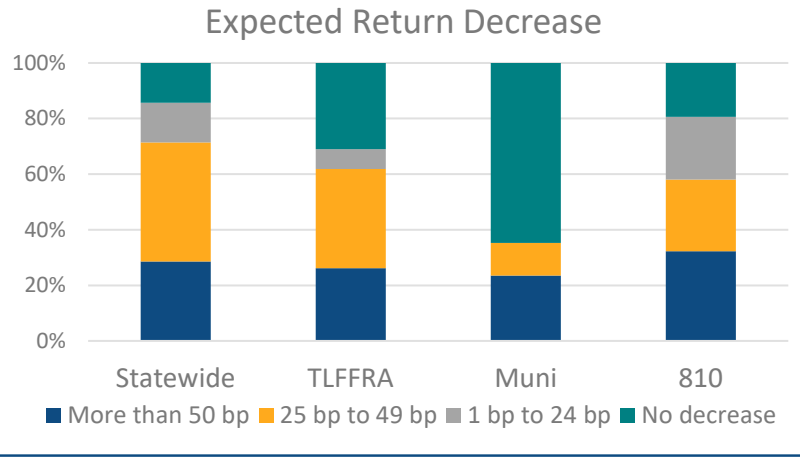


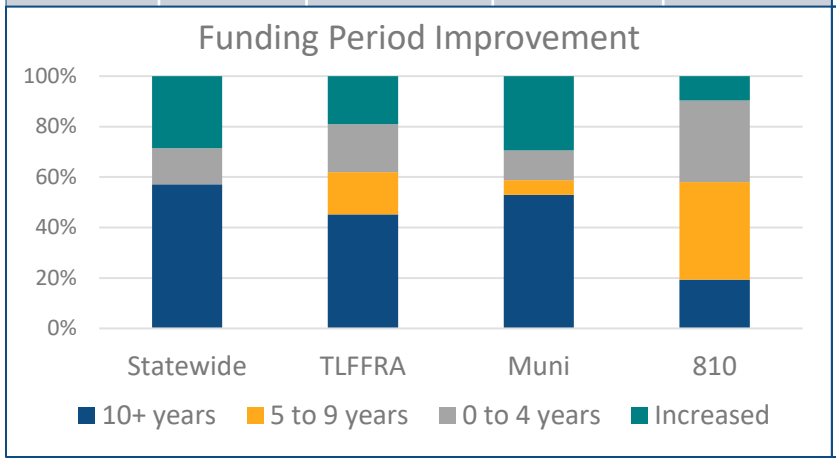


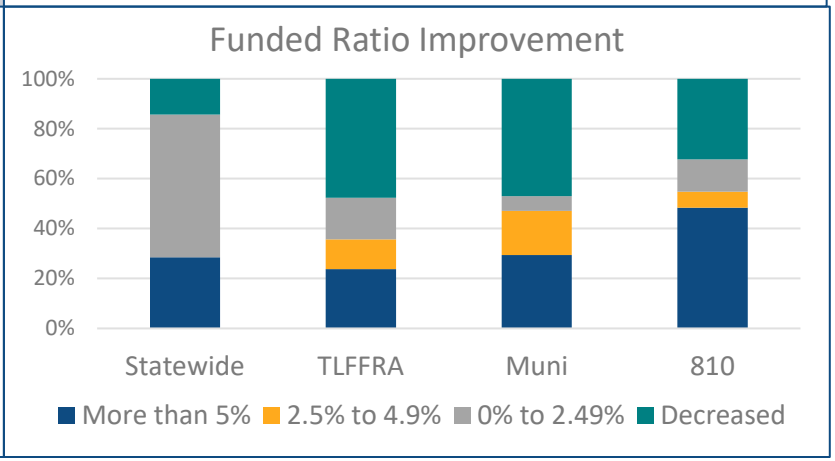


System Overview by Type – Six Year Trend

Type	Count	Average Expected Return	Average Funding Period	Average Funded Ratio
Statewide	7	(0.39%)	(24.2)	6.1%
TLFFRA	42	(0.28%)	(9.3)	2.7%
Muni	17	(0.20%)	(5.6)	(0.6%)
810	34	(0.44%)	(4.4)	5.3%
Total	**100**	**(0.32%)**	**(8.2)**	**3.4%**







System Spotlight – Galveston Police

Employer Normal Cost	
Employee Contribution Rate	12%
Normal Cost Rate	10%

Year	Funding Period	Funded Ratio	Retiree Funded Ratio
2019	30	34%	51%
2020	28	36%	57%
2021	27	38%	61%
2022	16	43%	69%
2023	16	43%	71%
2024	15	44%	77%
2025	13	47%	80%

Competing Goals

- Reach 100% retiree funded ratio
- Align employee contribution rate with benefit level
- Maintain funding period below 15 years
- Ultimately reach 100% funded ratio

Systems With Funding Periods > 40 Years

System Name	Funding Period	System Type	Notes
Texas Emergency Services Retirement System	**Infinite**	Statewide	30-yr funding plan established
Nacogdoches County Hospital District	**Infinite**	810	Completed FSRP
Midland Firemen's Relief & Retirement Fund	**Infinite**	TLFFRA	Completed FSRP
Texarkana Firemen's Relief & Retirement Fund	**Infinite**	TLFFRA	Could trigger FSRP with 2025 AV
Dallas Police & Fire Pension System-Combined Plan	82.0	Muni	Proposed 30-yr funding in budget
Marshall Firemen's Relief & Retirement Fund	65.0	TLFFRA	Working on FSRP
Harlingen Firemen's Relief & Retirement Fund	45.0	TLFFRA	Could trigger FSRP with 2025 AV

Austin Fire, Dallas Employees, and Sweetwater Fire were removed from the list since the previous report

Systems With Funded Ratios Below 65 Percent and Funding Periods Above 30 Years

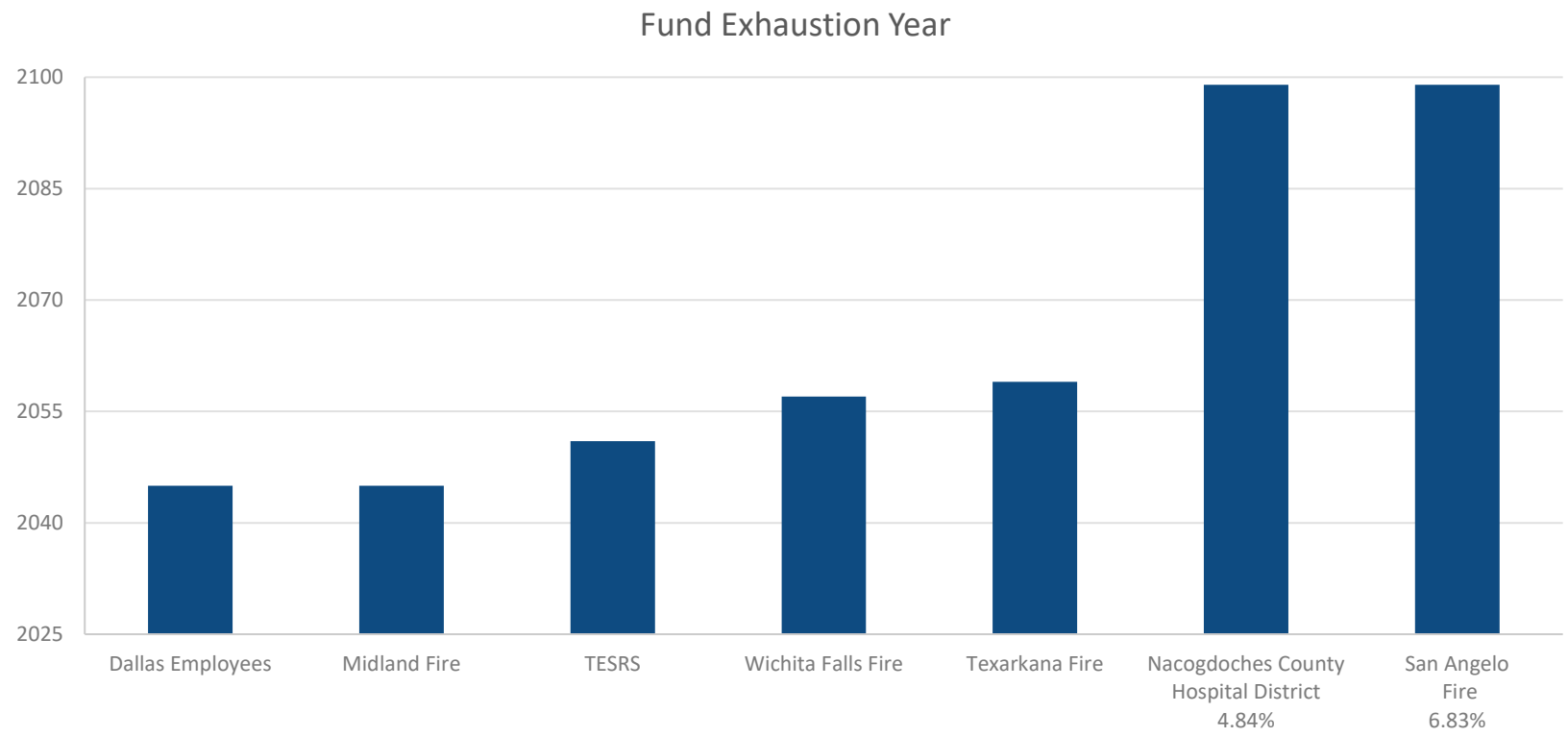
System Name	Funded Ratio	Funding Period	System Type	Notes
Midland Firemen's Relief & Retirement Fund	43.1%	Infinite	TLFFRA	Completed FSRP
Dallas Police & Fire Pension System-Combined Plan	39.1%	82.0	Muni	
Marshall Firemen's Relief & Retirement Fund	35.7%	65.0	TLFFRA	Plan expected 2025
Harlingen Firemen's Relief & Retirement Fund	62.3%	45.0	TLFFRA	No plan expected
Sweetwater Firemen's Relief & Retirement Fund	51.3%	39.0	TLFFRA	Completed FSRP
Laredo Firefighters Retirement System	59.3%	37.1	TLFFRA	Under 30 using MVA
Wichita Falls Firemen's Relief & Retirement Fund	54.9%	36.7	TLFFRA	Completed FSRP
Beaumont Firemen's Relief & Retirement Fund	54.1%	35.0	TLFFRA	Completed FSRP
Greenville Firemen's Relief & Retirement Fund	41.0%	35.0	TLFFRA	No plan expected
San Angelo Firemen's Relief & Retirement Fund	60.7%	34.0	TLFFRA	No plan expected
Plainview Firemen's Relief & Retirement Fund	42.9%	33.1	TLFFRA	Legacy FSRP in place
San Benito Firemen's Relief & Retirement Fund	62.2%	32.0	TLFFRA	No plan expected

Green indicates a plan has been put into action

Gold indicates a plan of action is expected by 2025

Orange indicates no plan expected soon (not yet subject to FSRP)

Systems With Fund Exhaustion Year



Austin Fire, Longview Fire, and Sweetwater Fire were removed since the previous report

2099 is a placeholder for Nacogdoches County Hospital and San Angelo Fire.
Lower blended discount rates signify a potentially earlier fund exhaustion year.

Systems with Funded Ratios < 50 Percent

System Name	Total Funded Ratio	Retiree Funded Ratio	System Type
Marshall Firemen's Relief & Retirement Fund	35.7	60.3	TLFFRA
Odessa Firemen's Relief & Retirement Fund*	36.4	51.2	TLFFRA
Dallas Police & Fire Pension System-Supplemental*	38.7	51.4	Muni
Dallas Police & Fire Pension System-Combined Plan	39.1	57.6	Muni
Greenville Firemen's Relief & Retirement Fund	41.0	77.1	TLFFRA
Texas City Firemen's Relief & Retirement Fund*	42.2	59.1	TLFFRA
Plainview Firemen's Relief & Retirement Fund	42.9	70.4	TLFFRA
Midland Firemen's Relief & Retirement Fund	43.1	78.3	TLFFRA
University Park Firemen's Relief & Retirement Fund*	44.9	77.4	TLFFRA
Abilene Firemen's Relief & Retirement Fund*	45.3	66.5	TLFFRA
Galveston Employees' Retirement Plan for Police*	47.1	79.7	Muni
Brownwood Firemen's Relief & Retirement Fund*	47.2	87.6	TLFFRA

*Amortization period is under 30

Green indicates system is operating under legacy FSRP

Gold indicates system is at risk of triggering FSRP

Orange indicates system is subject to FSRP

Additional Systems with Retiree Funded Ratios < 100 Percent

System Name	Total Funded Ratio	Retiree Funded Ratio	System Type
Sweetwater Firemen's Relief & Retirement Fund	51.3	75.6	TLFFRA
Beaumont Firemen's Relief & Retirement Fund	54.1	92.2	TLFFRA
Wichita Falls Firemen's Relief & Retirement Fund	54.9	96.2	TLFFRA
Fort Worth Employees' Retirement Fund*	55.1	94.0	Muni
Orange Firemen's Relief & Retirement Fund*	56.4	96.8	TLFFRA
Austin Police Retirement System*	58.3	96.3	Muni
Floresville Electric Light and Power System Pension Plan*	62.9	95.8	810
Capital MTA Bargaining*	65.7	79.4	810
Dallas Employees' Retirement Fund*	66.9	97.0	Muni
Houston MTA Workers Union Pension Plan*	69.8	99.5	810

*Amortization period is under 30

Green indicates system is operating under legacy FSRP

Gold indicates system is at risk of triggering FSRP

Orange indicates system is subject to FSRP

Systems With Most Recent Valuation on or Before January 1, 2023

System Name	Valuation Date	Funding Period	Funded Ratio	System Type
Atlanta Firemen's Relief & Retirement Fund	12/31/2022	26.6	72.6	TLFFRA
Big Spring Firemen's Relief & Retirement Fund	01/01/2023	19.1	62.8	TLFFRA
Corpus Christi Fire Fighters' Retirement System	12/31/2022	17.2	63.0	TLFFRA
Corsicana Firemen's Relief & Retirement Fund	12/31/2022	25.0	55.6	TLFFRA
Greenville Firemen's Relief & Retirement Fund	12/31/2022	35.0	41.0	TLFFRA
Lufkin Firemen's Relief & Retirement Fund	12/31/2022	28.0	51.3	TLFFRA
McAllen Firemen's Relief & Retirement Fund	09/30/2022	34.6	68.7	TLFFRA
Texas City Firemen's Relief & Retirement Fund	12/31/2022	19.4	42.2	TLFFRA
University Park Firemen's Relief & Retirement Fund	12/31/2022	24.8	44.9	TLFFRA
Weslaco Firemen's Relief & Retirement Fund	09/30/2022	14.5	77.3	TLFFRA

Teal indicates system is at risk of triggering FSRP requirement

FSRP Updates

September 25, 2025

FSRP Status Changes

Status	Added	Removed
Systems Immediately Subject to 30-Year FSRP Formulation Requirement		Beaumont Fire Midland Fire Nacogdoches CHD Sweetwater Fire Wichita Falls Fire
Systems at Risk of 30-Year FSRP Formulation Requirement		Austin Fire
Systems with Amortization Periods between 30-40 Years (not yet at risk)		Laredo Fire Longview Fire

Systems Immediately Subject to 30-Year FSRP Formulation Requirement

These systems had amortization periods above the applicable threshold (40 years prior to September 1, 2021 and 30 years thereafter) for three consecutive annual actuarial valuations (AVs), or two consecutive non-annual AVs. An FSRP must now be developed under the new law, **targeting 30 years by Sept. 1, 2025,** and must be developed by the public retirement system and the associated governmental entity in accordance with the system's governing statute.

Systems Immediately Subject to an FSRP Formulation Requirement							
Retirement System	Am Period	Date of AV	Am Period	Date of AV	Am Period	Date of most recent AV	FSRP Due Date
Dallas Police & Fire Pension System (Combined Plan)	63.0	1/1/2021	**68.0**	**1/1/2022**	**82.0**	**1/1/2023**	9/1/2025
Marshall Firemen's Relief & Retirement Fund[1,2]	41.0	12/31/2020	**72.0**	**12/31/2022**	65.0	12/31/2024	9/1/2025

[1] Previously submitted an FSRP or Revised FSRP under previous law.

[2] Previously adhering to Legacy FSRP

Systems at Risk of 30-Year FSRP Formulation Requirement

These at-risk systems' most recent actuarial valuation shows an amortization period that exceeds the applicable threshold but does not yet trigger the FSRP requirement.

Systems at Risk of an FSRP - Not Yet Subject to FSRP Requirement							
Retirement System	Am Period	Date of AV	Am Period	Date of AV	Am Period	Date of AV	Funded Ratio
Greenville Firemen's Relief & Retirement Fund	40.7	12/31/2018	36.6	12/31/2020	35.0	12/31/2022	41.0%
Harlingen Firemen's Relief & Retirement Fund	38.0	9/30/2019	23.0	9/30/2021	45.0	9/30/2023	62.3%
McAllen Firemen's Relief & Retirement Fund	Infinite	9/30/2018	27.7	9/30/2020	34.6	9/30/2022	68.7%
San Angelo Firemen's Relief & Retirement Fund	37.6	12/31/2019	29.7	12/31/2021	34.0	12/31/2023	60.7%
San Benito Firemen Relief & Retirement Fund	26.1	9/30/2019	16.9	9/30/2021	32.0	9/30/2023	62.2%
Texarkana Firemen's Relief & Retirement Fund	58.3	12/31/2019	27.5	12/31/2021	Infinite	12/31/2023	81.3%

Orange font indicates the amortization period above the applicable threshold.
Teal font indicates funded ratio less than 65%

Progress Report on Previously Submitted FSRPs – Legacy FSRPs

The following systems formulated and submitted an FSRP before Sept. 1, 2021. The table below outlines their progress towards the FSRP requirement.

Systems Still Working Towards Meeting the Target Amortization Period Requirement						
Retirement System	FSRP Trigger		Current Progress[1]			
	Am Period	Date	Am Period	Date	Target Date[2]	Next AV Expected
Plainview Firemen's Relief & Retirement Fund	79.7	12/31/2019	33.1	12/31/2023	2031	2026

[1] Based on the most recent actuarial valuation or FSRP.

[2] The year in which a system must reach an amortization period target.

Systems That Previously Completed FSRP Requirement – Prior Statute

The following systems have submitted an FSRP or subsequent actuarial valuation that has demonstrated projected full funding prior to September 1, 2055. They could trigger a 30-year FSRP for the first time if they cross certain funding period and/or funded ratio thresholds.

Systems that Have Submitted Post-FSRP Actuarial Valuations Showing Amortization Period at or Below 30 Years				
	FSRP Trigger		Completed Progress[1]	
Retirement System	Am Period	Date	Am Period	Date
Fort Worth Employees' Retirement Fund	72.5	12/31/2015	29	12/31/2024
Galveston Employees' Retirement Plan for Police	55.1	1/1/2014	27	1/1/2021
Irving Firemen's Relief & Retirement Fund - Revised FSRP	63.4	1/1/2014	27.3[2]	12/31/2021
Orange Firemen's Relief & Retirement Fund – Second Revised FSRP	Infinite	1/1/2019	20.7	1/1/2021
University Park Firemen's Relief & Retirement Fund – Revised FSRP	81.3	12/31/2012	26.8	12/31/2020

[1] Based on the valuation in which the system completed its FSRP requirement.

[2] Based on the market value of assets

Systems That Previously Completed FSRP Requirement By 9/1/2025– Current Statute

The following systems have submitted a 30-year FSRP that has demonstrated projected full funding prior to September 1, 2055. They are protected from Revised 25-year FSRPs as long as they remain within established compliance corridors.

Systems that Have Submitted Post-FSRP Actuarial Valuations Showing Amortization Period at or Below 30 Years

Retirement System	FSRP Trigger		Completed Progress[1]	
	Am Period	Date	Am Period	Date
Atlanta Firemen's Relief & Retirement Fund	Infinite	12/31/2020	26.6	12/31/2022
Austin Firefighters Retirement System[3]	N/A	N/A	17.9[2]	12/31/2024
Beaumont Firemen's Relief & Retirement Fund	52.8	12/31/2018	26[2]	12/31/2024
Brownwood Firemen's Relief & Retirement Fund	52.8	12/31/2021	31[2]	12/31/2021
Dallas Employees' Retirement Fund	65.0	12/31/2019	31[2]	12/31/2023
Galveston Firefighter's Relief & Retirement Fund	51.6	12/31/2021	30[2]	12/31/2021
Laredo Firefighters Retirement System	56.8	9/30/2020	26[2]	9/30/2020
Longview Firefighter's Relief & Retirement Fund	Infinite	12/31/2018	27.5[2]	12/31/2021
Midland Firemen's Relief & Retirement Fund	Infinite	12/31/2017	29[2]	12/31/2023
Nacogdoches County Hospital District	Infinite	07/01/2023	30[2]	07/01/2024
Sweetwater Firemen's Relief & Retirement Fund	68.9	12/31/2020	29[2]	12/31/2024
Wichita Falls Firemen's Relief & Retirement Fund	56.7	01/01/2024	29.6[2]	01/01/2025

[1] Based on the valuation in which the system completed its FSRP requirement.
[2] Based on the additional analysis provided with the FSRP submission
[3] Voluntary FSRP

Appendix

Valuation Averages

	Age	Service	Discount Rate	Payroll Growth Rate – Fastest Growing Cities	Payroll Growth Rate – Others
Average – Active	38.6	10.2	7.1%	3.6%	2.9%
Average – Frozen/Closed	53.1	21.1	6.4%	0.0%	0.0%

- Members in frozen plans are no longer accruing benefits
- Members in closed plans still accrue benefits
  - But the plan does not allow any new members
- Members in both frozen and closed plans are closer to retirement on average
  - Results in more conservative investments and lower expected returns
- Most frozen/closed plans are 810 plans

Valuation Timing

Frequency	System Count	Average Time To Reach PRB	Longest Span Since Last Valuation	Average Span Since Last Valuation
Annual	60	7 months	1.75 years	1.00 years
Biennial	40	9 months	3.00 years	1.75 years

Asset Size	Annual	Biennial
Under $100M	43%	57%
Over $100M	85%	15%

Funded %	Annual	Biennial
Under 65%	35%	65%
Over 65%	71%	29%

Valuation Date	System Count
December 31 / January 1	72
September 30 / October 1	12
June 30 / July 1	6
August 31 / September 1	6
Other	4

Systems With Employer Normal Costs < 1 Percent

System Name	Employer Normal Cost	Normalized Employer Normal Cost	Social Security	Second Tier	System Type
El Paso Police	-3.3%	-1.1%	N	Y	Muni
Texas City Fire	-1.9%	-1.1%	N	Y	TLFFRA
Galveston Police	-0.8%	-0.8%	Y	Y	Muni
Orange Fire	-0.9%	1.1%	Y	N	TLFFRA
Abilene Fire	-0.5%	1.0%	N	Y	TLFFRA
Longview Fire	-0.6%	0.9%	N	Y	TLFFRA
El Paso Fire	-0.1%	2.7%	N	Y	Muni
Wichita Falls Fire	0.0%	1.2%	Y	Y	TLFFRA
Odessa Fire	0.3%	0.3%	Y	Y	TLFFRA
Corsicana Fire	0.3%	0.3%	Y	N	TLFFRA
Plainview Fire	0.8%	2.4%	N	Y	TLFFRA

Normalized employer normal cost is based on an estimated normal cost if the system had assumed 7% expected returns

Systems with Expected Return Over 7.5 Percent

System Name	Discount Rate	System Type
San Angelo Firemen's Relief & Retirement Fund	7.80%	TLFFRA
Big Spring Firemen's Relief & Retirement Fund	7.75%	TLFFRA
El Paso Firemen & Policemen's Pension Staff Plan	7.75%	810
El Paso Firemen's Pension Fund	7.75%	Muni
El Paso Police Pension Fund	7.75%	Muni
Harlingen Firemen's Relief & Retirement Fund	7.75%	TLFFRA
Orange Firemen's Relief & Retirement Fund	7.75%	TLFFRA

This list is unchanged since the previous report

Systems With Actual 10-Year Payroll Growth Missing Expectations by More Than 75 bp

System Name	Expected Payroll Growth Rate	Actual Payroll Growth Rate	City Population Growth Rate[1]	Expected Inflation[2]	System Type
Arlington Employees	3.00%	2.02%	0.76%	2.50%	810
Austin Police	2.50%	1.52%	2.33%	2.50%	Muni
Big Spring Fire	4.50%	3.57%	-0.43%	3.00%	TLFFRA
Harlingen Fire	3.50%	2.58%	1.03%	2.50%	TLFFRA
Houston Fire	3.00%	0.46%	0.94%	2.50%	Muni
Marshall Fire	3.25%	2.47%	-0.06%	2.50%	TLFFRA
San Benito Fire	3.00%	2.09%	1.51%	2.50%	TLFFRA

San Antonio Fire & Police was removed from the list since the previous report

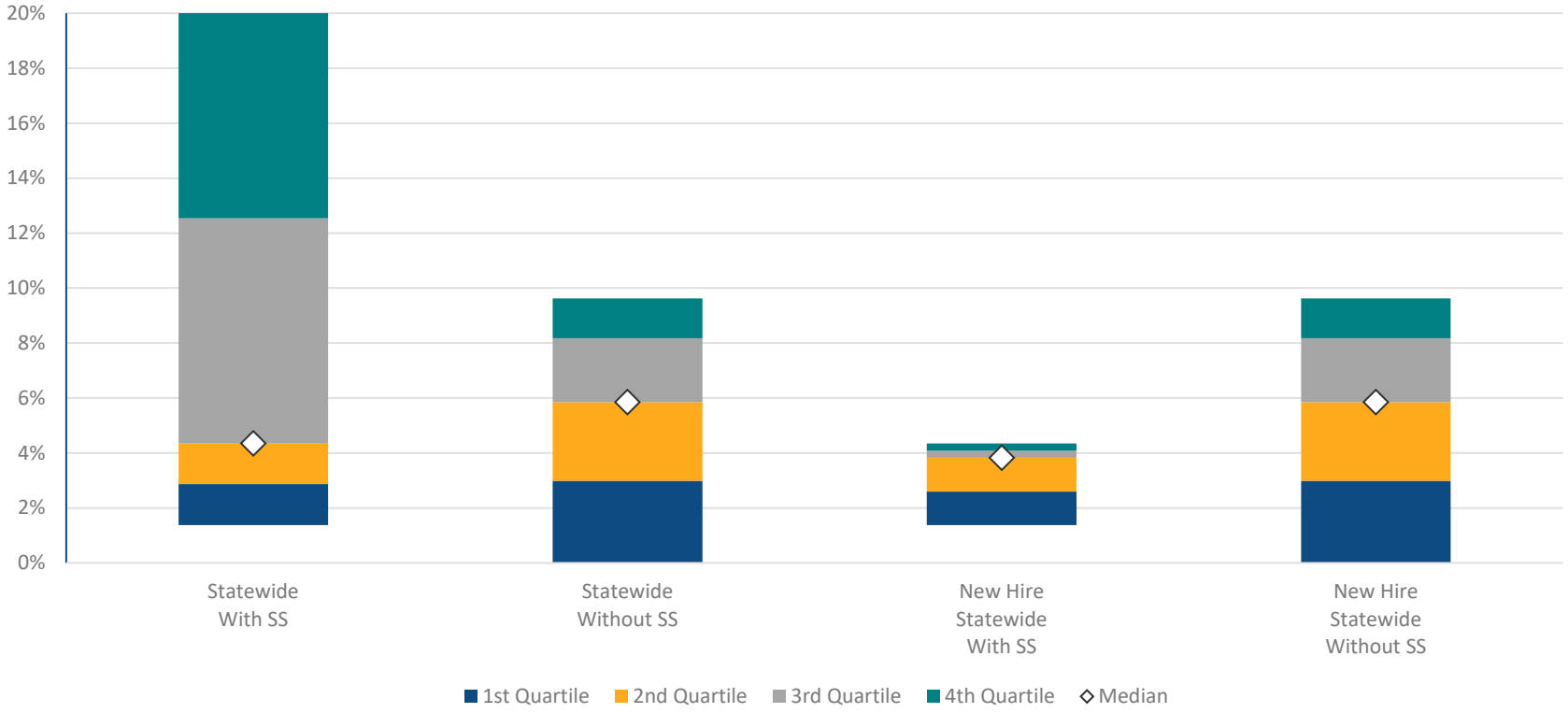
[1] A growing city supports a higher payroll growth assumption

[2] A payroll growth assumption equal to expected inflation may not be considered aggressive

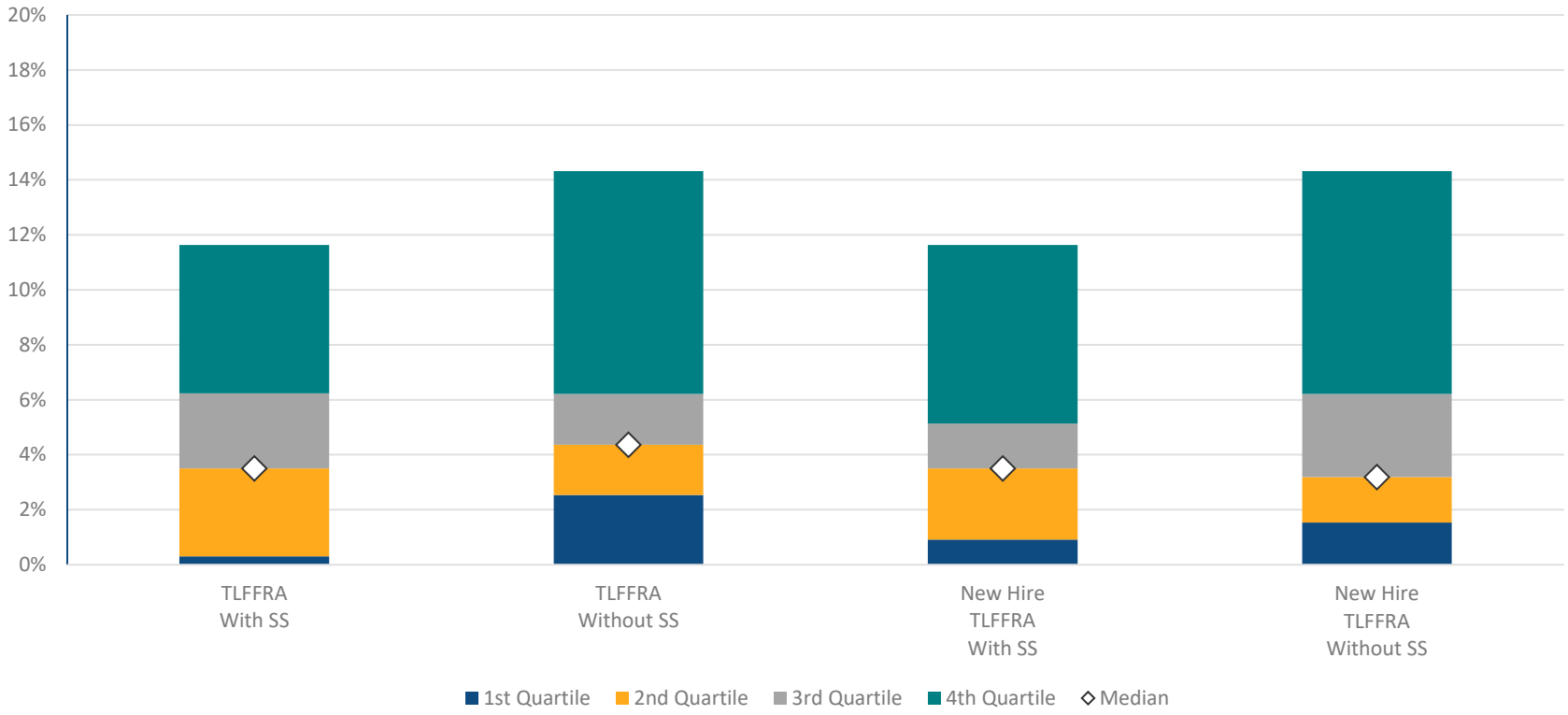
Systems With UAAL as Percent of Pay > 300 Percent and Funding Period >30

System Name	UAAL % of Pay	Funding Period	System Type
Midland Firemen's Relief & Retirement Fund	467%	Infinite	TLFFRA
Dallas Police & Fire Pension System-Combined Plan	690%	82.0	Muni
Marshall Firemen's Relief & Retirement Fund	509%	65.0	TLFFRA
Sweetwater Firemen's Relief & Retirement Fund	385%	39.0	TLFFRA
Laredo Firefighters Retirement System	319%	37.1	TLFFRA
Wichita Falls Firemen's Relief & Retirement Fund	343%	36.7	TLFFRA
Beaumont Firemen's Relief & Retirement Fund	399%	35.0	TLFFRA
Greenville Firemen's Relief & Retirement Fund	380%	35.0	TLFFRA
San Angelo Firemen's Relief & Retirement Fund	342%	34.0	TLFFRA
Plainview Firemen's Relief & Retirement Fund	435%	33.1	TLFFRA

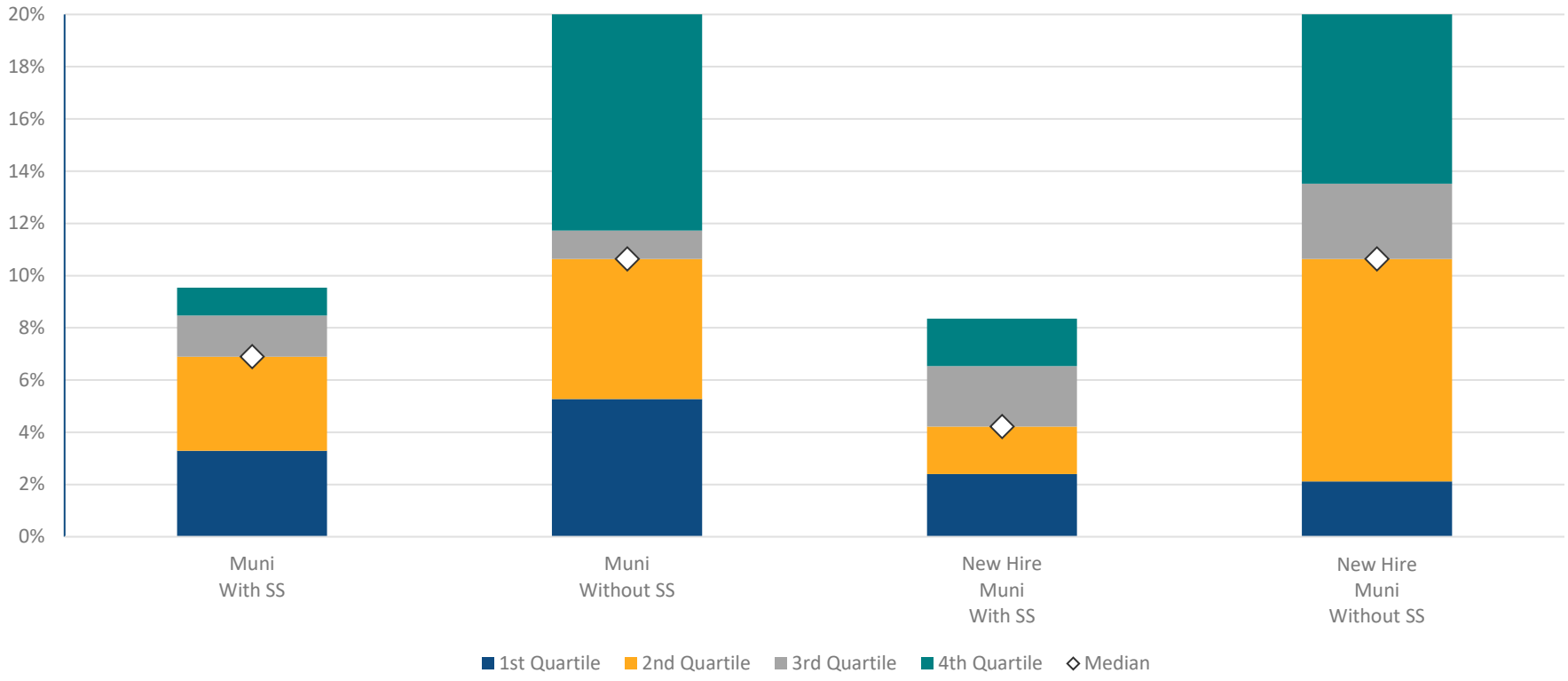
Employer Normal Cost – Statewide Systems



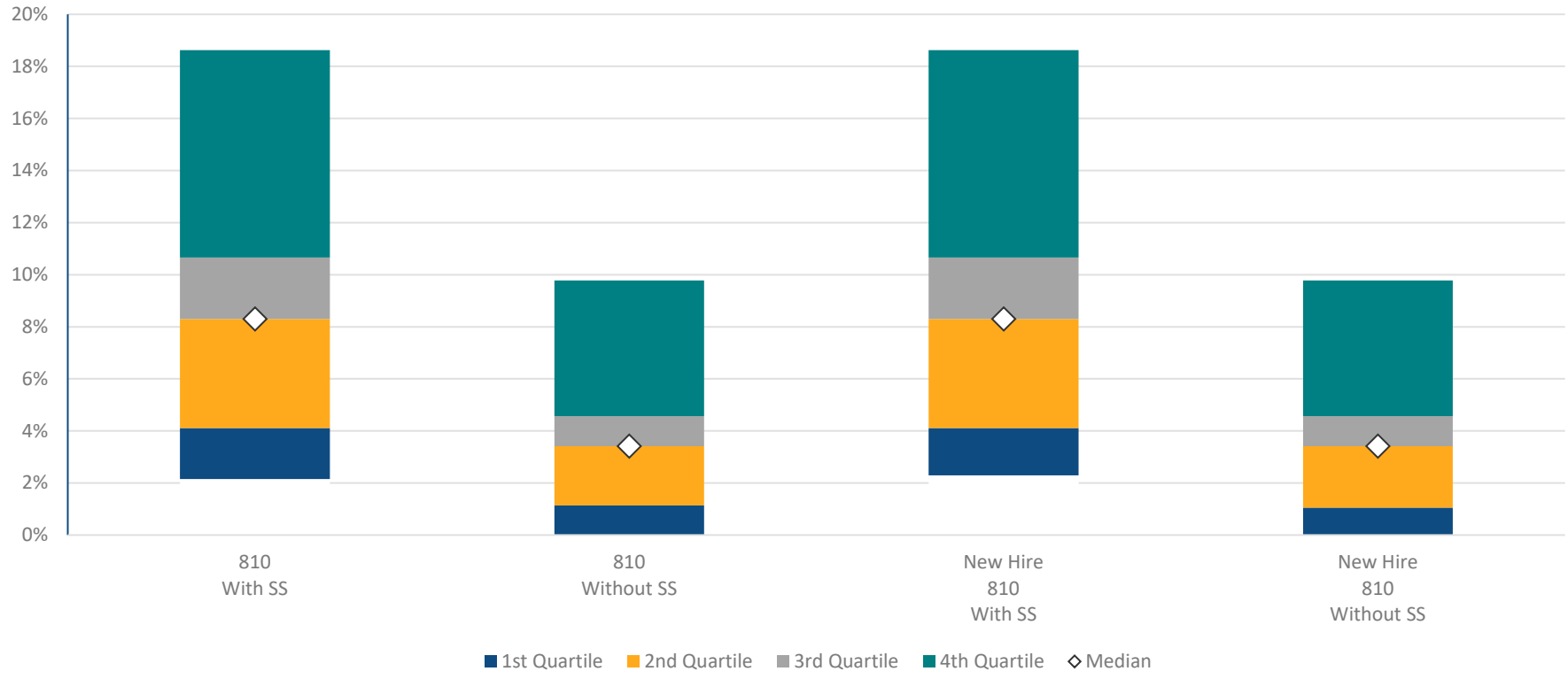
Employer Normal Cost – TLFFRA Systems



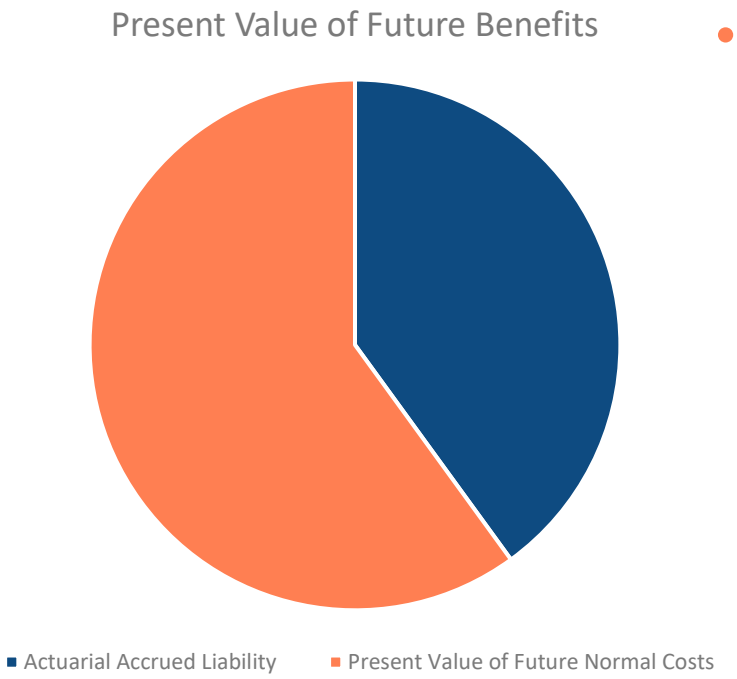
Employer Normal Cost – Municipal Systems



Employer Normal Cost – 810 Systems



Actuarial Terminology



- Example: Member with 10 years of service
  - Expected to retire with 25 years of service
  - Present value of future benefits (PVFB) is the whole pie (25 years)
  - Actuarial accrued liability is the blue section of pie only (10 years)
  - The remainder of the PVFB will be recognized over 15 future years through normal cost

What if payroll growth is less than expected?

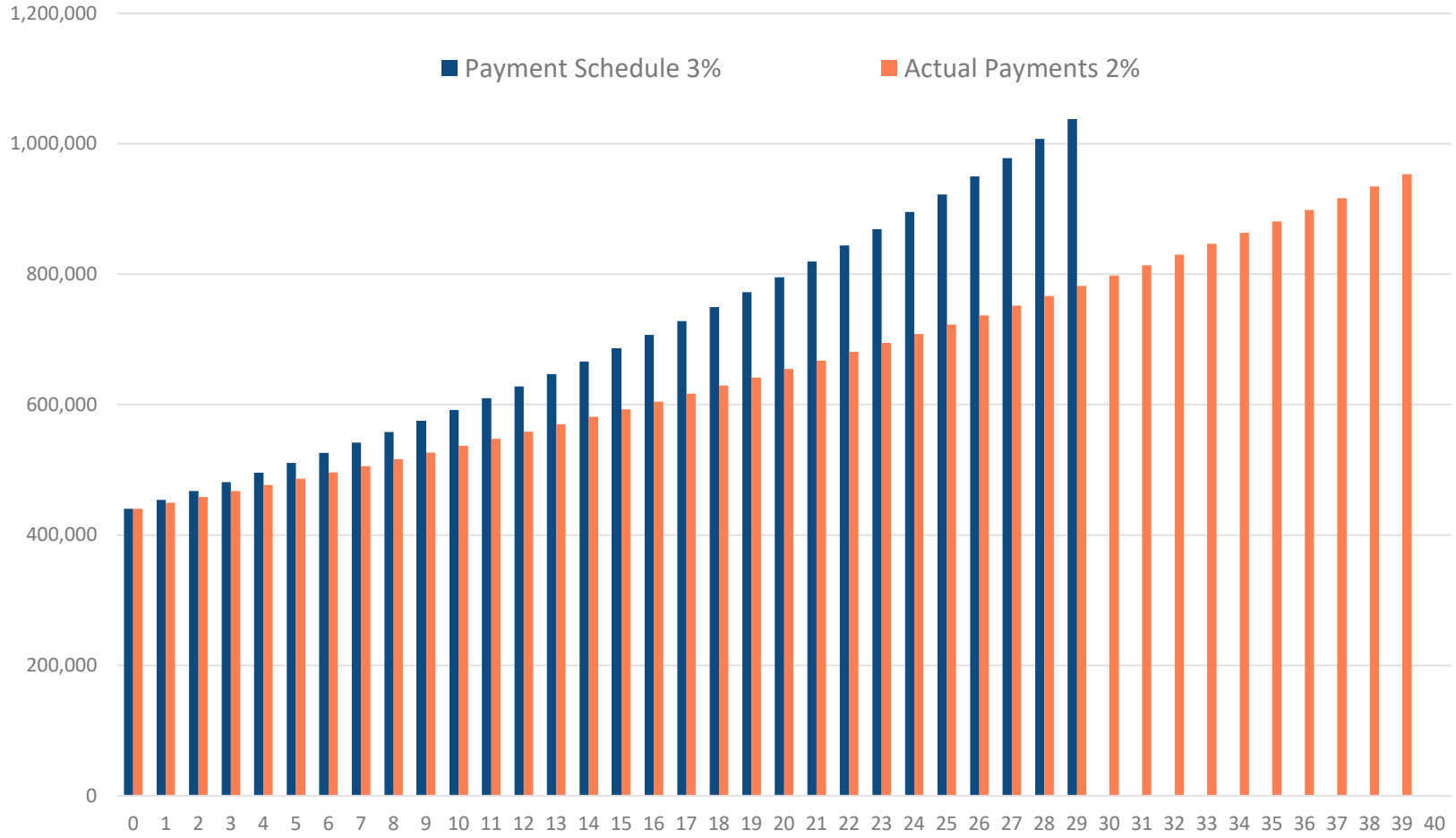


Chart illustrates amortization of $7.5 million unfunded liability using 7 percent expected returns and 3 percent payroll growth

Avoiding Negative Amortization

- Unfunded liability growth over next year
  - The unfunded liability will grow with:
    - Interest
    - Normal cost
  - The unfunded liability will decrease with:
    - Contributions
- To avoid an expected increase in unfunded liability
  - Expected contributions must cover
    - Interest on the unfunded liability
      - To avoid growth in the existing unfunded liability
    - Normal cost
      - To avoid creating new unfunded liability

Actuarial Valuation Report
September 25, 2025

Summary of Key Statistics

Assets and Liabilities

	Current Actuarial Valuation		
	9/25/2025	7/10/2025	Prior Actuarial Valuation
Market Value of Assets (MVA)	$ 396,215,506,817	$ 390,826,530,045	$ 358,319,432,219
Actuarial Value of Assets (AVA)	$ 392,009,037,895	$ 388,584,644,707	$ 369,369,640,821
Actuarial Accrued Liability (AAL)	$ 495,561,702,851	$ 491,590,170,936	$ 495,561,358,982
Unfunded Actuarial Accrued Liability (UAAL = AAL - AVA)	$ 103,552,664,956	$ 103,005,526,229	$ 126,191,718,161

Funded Ratios

	Current Actuarial Valuation		
	9/25/2025	7/10/2025	Prior Actuarial Valuation
Aggregate	79.1%	79.0%	74.5%
Low	35.7%	35.7%	33.7%
High	124.9%	124.9%	129.3%
Average	74.8%	74.8%	74.8%
National Average[1]	76.4%	74.4%	76.6%

Amortization Periods

	Current Actuarial Valuation		
	9/25/2025	7/10/2025	Prior Actuarial Valuation
Infinite	4	5	4
>= 40 years, but not infinite	3	5	7
> 30 years, < 40 years	11	11	12
> 25 years, <= 30 years	14	13	16
>= 10 years, <= 25 years	46	45	37
> 0 years, < 10 years	11	10	12
0 years	11	11	12
Total Plans Registered	100	100	100

System Discount Rates

	Current Actuarial Valuation		
	9/25/2025	7/10/2025	Prior Actuarial Valuation
>=8%	0	0	0
> 7.50%, < 8.00%	7	7	8
7.50%	9	10	16
> 7.00%, < 7.50%	25	24	18
7.00%	27	27	26
> 6.50%, < 7.00%	11	11	11
<= 6.50%	21	21	21
Total Plans Registered	100	100	100

	Current Actuarial Valuation		
	9/25/2025	7/10/2025	Prior Actuarial Valuation
Average	6.94%	6.95%	6.96%
Standard Deviation	0.55%	0.55%	0.61%
Median	7.00%	7.00%	7.00%
National Average[1]	6.91%	6.92%	6.93%

[1] Source: https://publicplansdata.org/

Actuarial Valuation Report
September 25, 2025

		Current Actuarial Valuation								Prior Actuarial Valuation		
Plan Name	Plan Status (1)	Effective Date	Discount Rate	Effective Amort Period (2)	Funded Ratio %	Market Value of Assets (MVA)	Actuarial Value of Assets (AVA)	Unfunded Actuarial Accrued Liability (UAAL = AAL - AVA)	UAAL as % of Payroll	Effective Date	Prior Effective Amort Period (2)	Funded Ratio %
Texas Emergency Services Retirement System	Active	8/31/2024	7.25%	Infinite	76.0	$ 138,468,453	$ 144,234,911	$ 45,575,948	0.00%	8/31/2022	21.0	84.3
Midland Firemen's Relief & Retirement Fund	Active	12/31/2023	7.00%	Infinite	43.1	$ 83,710,694	$ 91,467,898	$ 120,942,577	467.42%	12/31/2021	Infinite	45.7
Texarkana Firemen's Relief & Retirement Fund	Active	12/31/2023	7.25%	Infinite	81.3	$ 40,323,969	$ 43,013,953	$ 9,885,168	194.65%	12/31/2021	27.5	84.6
Nacogdoches County Hospital District (5)	Frozen	7/1/2024	6.75%	Infinite	73.5	$ 33,199,861	$ 32,620,556	$ 11,768,937	0.00%	7/1/2023	Infinite	77.3
Dallas Police & Fire Pension System-Combined Plan	Active	1/1/2023	6.50%	82.0	39.1	$ 1,806,567,341	$ 2,053,388,085	$ 3,195,626,728	690.47%	1/1/2022	68.0	41.1
Marshall Firemen's Relief & Retirement Fund	Active	12/31/2024	7.25%	65.0	35.7	$ 9,244,997	$ 9,244,997	$ 16,021,866	509.27%	12/31/2022	72.0	33.7
Harlingen Firemen's Relief & Retirement Fund	Active	9/30/2023	7.75%	45.0	62.3	$ 36,952,555	$ 36,952,555	$ 22,395,656	293.75%	9/30/2021	23.0	71.7
Sweetwater Firemen's Relief & Retirement Fund	Active	12/31/2024	7.50%	39.0	51.3	$ 9,133,855	$ 10,041,404	$ 9,515,678	385.21%	12/31/2022	Infinite	55.1
Laredo Firefighters Retirement System (6)	Active	9/30/2024	7.10%	37.1	59.3	$ 247,851,777	$ 227,287,139	$ 156,189,849	319.27%	9/30/2022	31.1	59.1
Wichita Falls Firemen's Relief & Retirement Fund	Active	1/1/2025	7.50%	36.7	54.9	$ 59,630,776	$ 59,630,776	$ 49,060,665	343.33%	1/1/2024	56.7	52.5
Beaumont Firemen's Relief & Retirement Fund	Active	12/31/2024	7.25%	35.0	54.1	$ 119,242,053	$ 122,396,622	$ 103,827,020	398.99%	12/31/2023	33.0	56.4
Greenville Firemen's Relief & Retirement Fund	Active	12/31/2022	7.25%	35.0	41.0	$ 13,876,059	$ 15,263,665	$ 21,999,653	380.00%	12/31/2020	36.6	42.6
McAllen Firemen's Relief & Retirement Fund	Active	9/30/2022	7.25%	34.6	68.7	$ 53,418,206	$ 63,703,117	$ 29,032,232	200.37%	9/30/2020	27.7	69.5
San Angelo Firemen's Relief & Retirement Fund	Active	12/31/2023	7.80%	34.0	60.7	$ 75,929,194	$ 83,522,113	$ 54,125,673	342.09%	12/31/2021	29.7	65.0
Plainview Firemen's Relief & Retirement Fund	Active	12/31/2023	7.50%	33.1	42.9	$ 7,281,773	$ 8,009,950	$ 10,670,165	435.15%	12/31/2021	33.0	43.6
San Benito Firemen Relief & Retirement Fund	Active	9/30/2023	7.50%	32.0	62.2	$ 4,595,445	$ 4,595,445	$ 2,793,916	186.18%	9/30/2021	16.9	70.7
Austin Firefighters Retirement Fund (4)	Active	12/31/2024	7.30%	31.0	76.9	$ 1,165,347,238	$ 1,165,347,238	$ 349,466,268	293.51%	12/31/2023	48.6	85.6
Temple Firemen's Relief & Retirement Fund (6)	Active	9/30/2024	7.30%	30.5	69.4	$ 63,199,144	$ 59,374,207	$ 26,213,564	211.29%	9/30/2022	25.6	71.0
Employees Retirement System of Texas	Active	8/31/2024	7.00%	30.0	72.0	$ 37,479,050,549	$ 35,838,357,056	$ 13,929,655,371	145.57%	8/31/2023	31.0	70.8
Dallas Employees' Retirement Fund	Active	12/31/2024	7.25%	30.0	66.9	$ 3,757,482,000	$ 3,757,482,000	$ 1,856,999,000	333.65%	12/31/2023	51.0	70.1
Longview Firemen's Relief & Retirement Fund (7)	Active	12/31/2024	7.50%	29.6	68.8	$ 99,796,649	$ 96,308,739	$ 43,697,370	228.14%	12/31/2023	31.6	70.6
Abilene Firemen's Relief & Retirement Fund	Active	10/1/2023	7.50%	29.4	45.3	$ 54,237,586	$ 59,539,480	$ 71,966,773	393.70%	10/1/2021	29.4	49.4
Austin Employees' Retirement System	Active	12/31/2024	6.75%	29.0	61.2	$ 3,570,725,498	$ 3,645,166,359	$ 2,312,212,564	222.07%	12/31/2023	30.0	62.1
Fort Worth Employees' Retirement Fund	Active	12/31/2024	7.00%	29.0	55.1	$ 2,934,686,860	$ 2,958,130,759	$ 2,406,860,745	370.69%	12/31/2023	32.0	55.1
Conroe Fire Fighters' Retirement Fund	Active	12/31/2023	7.25%	29.0	63.4	$ 45,909,009	$ 46,380,642	$ 26,760,936	168.80%	12/31/2021	34.3	58.7
Killeen Firemen's Relief & Retirement Fund	Active	9/30/2024	7.25%	28.8	66.3	$ 74,651,683	$ 71,885,198	$ 36,566,402	168.13%	9/30/2022	21.0	70.6
Teacher Retirement System of Texas	Active	8/31/2024	7.00%	28.0	77.8	$ 210,543,258,495	$ 212,520,440,440	$ 60,574,619,611	98.67%	8/31/2023	29.0	77.5
Lufkin Firemen's Relief & Retirement Fund	Active	12/31/2022	7.25%	28.0	51.3	$ 20,511,287	$ 23,602,777	$ 22,371,091	363.72%	12/31/2020	31.9	50.7
Austin Police Retirement System	Active	12/31/2024	7.25%	27.4	58.3	$ 1,082,777,584	$ 1,095,007,001	$ 782,628,571	447.09%	12/31/2023	28.2	58.9

This report is a compilation of pension data reported by retirement systems in their most recent AVs, sorted by amortization period.

Actuarial Valuation Report
September 25, 2025

		Current Actuarial Valuation								Prior Actuarial Valuation		
Plan Name	Plan Status (1)	Effective Date	Discount Rate	Effective Amort Period (2)	Funded Ratio %	Market Value of Assets (MVA)	Actuarial Value of Assets (AVA)	Unfunded Actuarial Accrued Liability (UAAL = AAL - AVA)	UAAL as % of Payroll	Effective Date	Prior Effective Amort Period (2)	Funded Ratio %
Travis County ESD #6 FRRF	Active	12/31/2023	6.50%	26.6	86.9	$ 48,884,210	$ 50,697,322	$ 7,620,753	82.43%	12/31/2021	5.9	91.0
Atlanta Firemen's Relief & Retirement Fund	Active	12/31/2022	7.00%	26.6	72.6	$ 4,161,658	$ 4,577,824	$ 1,726,808	203.32%	12/31/2020	Infinite	77.4
Floresville Electric Light and Power System Pension Plan	Active	1/1/2025	6.50%	26.4	62.9	$ 13,195,271	$ 13,325,745	$ 7,850,205	212.80%	1/1/2024	25.6	57.9
CPS Energy Pension Plan	Active	1/1/2024	7.00%	25.0	82.4	$ 2,136,985,511	$ 2,166,875,786	$ 464,349,918	130.18%	1/1/2023	24.0	82.5
Corsicana Firemen's Relief & Retirement Fund	Active	12/31/2022	7.00%	25.0	55.6	$ 10,935,219	$ 11,870,828	$ 9,463,300	206.72%	12/31/2020	52.2	54.7
Fort Worth Employees' Retirement Fund Staff Plan (5)	Active	12/31/2024	7.00%	25.0	79.7	$ 10,477,056	$ 10,521,853	$ 2,681,913	115.84%	12/31/2023	26.0	79.5
Anson General Hospital	Frozen	7/1/2024	5.75%	25.0	98.8	$ 1,454,134	$ 1,507,750	$ 17,885	27.56%	7/1/2023	0.0	102.5
University Park Firemen's Relief & Retirement Fund	Closed	12/31/2022	7.00%	24.8	44.9	$ 11,122,437	$ 12,843,585	$ 15,784,371	445.56%	12/31/2020	26.8	42.3
Tyler Firefighters' Relief & Retirement Fund	Active	12/31/2023	7.00%	24.5	72.3	$ 83,352,048	$ 88,322,414	$ 33,889,848	222.14%	12/31/2021	26.8	73.0
Brownwood Firemen's Relief & Retirement Fund	Active	12/31/2023	7.00%	24.4	47.2	$ 5,411,905	$ 5,851,411	$ 6,545,658	278.92%	12/31/2021	52.8	46.2
Galveston Firefighter's Relief & Retirement Fund	Active	12/31/2024	7.50%	23.9	65.9	$ 59,276,709	$ 60,878,829	$ 31,494,073	283.55%	12/31/2023	31.6	65.3
Odessa Firemen's Relief & Retirement Fund	Active	1/1/2024	7.00%	22.7	36.4	$ 47,634,466	$ 52,101,721	$ 90,958,873	415.62%	1/1/2023	29.0	36.2
Orange Firemen's Relief & Retirement Fund	Active	1/1/2025	7.75%	21.5	56.4	$ 10,253,215	$ 10,253,215	$ 7,927,827	257.05%	1/1/2023	34.5	47.8
University Health System Pension Plan	Active	1/1/2024	7.00%	21.0	78.2	$ 595,586,123	$ 617,574,929	$ 172,616,238	32.60%	1/1/2023	22.0	77.5
Irving Firemen's Relief & Retirement Fund (5)	Active	12/31/2024	7.00%	20.9	87.8	$ 279,119,788	$ 282,886,705	$ 39,481,926	73.73%	12/31/2023	21.7	88.9
San Antonio Fire & Police Pension Fund	Active	1/1/2025	7.25%	20.6	85.4	$ 4,124,762,616	$ 4,229,071,957	$ 724,928,187	180.97%	1/1/2024	21.0	85.4
Dallas Co. Hospital Dist. Retirement Income Plan	Active	1/1/2024	6.00%	20.0	73.6	$ 1,665,130,960	$ 1,736,311,606	$ 623,778,351	67.98%	1/1/2023	21.0	72.9
Port Arthur Firemen's Relief & Retirement Fund	Active	12/31/2023	7.25%	19.4	77.5	$ 54,623,751	$ 58,951,245	$ 17,087,962	156.89%	12/31/2021	19.7	77.8
Texas City Firemen's Relief & Retirement Fund	Active	12/31/2022	7.25%	19.4	42.2	$ 14,756,200	$ 16,231,820	$ 22,239,202	272.69%	12/31/2020	28.2	45.4
Big Spring Firemen's Relief & Retirement Fund	Active	1/1/2023	7.75%	19.1	62.8	$ 14,214,795	$ 15,636,275	$ 9,256,219	205.39%	1/1/2021	33.7	54.7
Lubbock Fire Pension Fund	Active	12/31/2024	7.50%	18.2	74.3	$ 277,774,223	$ 277,952,529	$ 96,264,563	202.29%	12/31/2022	24.8	70.8
Houston MTA Workers Union Pension Plan	Closed	1/1/2025	6.25%	18.0	69.8	$ 304,440,635	$ 321,863,901	$ 139,214,731	228.93%	1/1/2024	19.0	71.1
Houston MTA Non-Union Pension Plan	Closed	1/1/2025	6.25%	18.0	59.9	$ 198,492,018	$ 206,962,822	$ 138,294,863	420.39%	1/1/2024	19.0	62.1
Corpus Christi Fire Fighters' Retirement System	Active	12/31/2022	7.15%	17.2	63.0	$ 166,298,921	$ 190,524,854	$ 112,051,853	283.32%	12/31/2020	21.5	60.9
Cleburne Firemen's Relief & Retirement Fund	Active	12/31/2024	7.35%	17.2	64.0	$ 29,708,406	$ 29,939,461	$ 16,816,428	234.70%	12/31/2022	25.6	60.7
San Antonio Metropolitan Transit Retirement Plan	Closed	10/1/2024	7.00%	17.0	70.2	$ 385,561,413	$ 370,870,697	$ 157,769,896	337.27%	10/1/2023	18.0	70.1
Dallas Police & Fire Pension System-Supplemental	Active	1/1/2023	6.50%	17.0	38.7	$ 16,640,402	$ 16,640,402	$ 26,409,288	1380.42%	1/1/2022	18.0	45.7
City of El Paso Employees Retirement Trust	Active	9/1/2024	7.25%	16.0	76.3	$ 995,722,888	$ 1,010,441,422	$ 313,510,766	134.84%	9/1/2023	17.0	79.4
Galveston Wharves Pension Plan	Closed	1/1/2025	7.00%	16.0	95.1	$ 15,529,921	$ 15,529,921	$ 808,639	78.05%	1/1/2024	17.0	85.1

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Actuarial Valuation Report
September 25, 2025

		Current Actuarial Valuation								Prior Actuarial Valuation		
Plan Name	**Plan Status (1)**	**Effective Date**	**Discount Rate**	**Effective Amort Period (2)**	**Funded Ratio %**	**Market Value of Assets (MVA)**	**Actuarial Value of Assets (AVA)**	**Unfunded Actuarial Accrued Liability (UAAL = AAL - AVA)**	**UAAL as % of Payroll**	**Effective Date**	**Prior Effective Amort Period (2)**	**Funded Ratio %**
El Paso Firemen's Pension Fund	Active	1/1/2024	7.75%	15.8	82.8	$ 740,283,478	$ 781,397,952	$ 162,892,676	209.80%	1/1/2022	16.6	82.6
Capital MTA Admin Employees	Active	1/1/2024	6.75%	15.7	78.7	$ 57,495,752	$ 59,522,711	$ 16,119,191	30.22%	1/1/2023	20.0	84.3
Denison Firemen's Relief & Retirement Fund	Active	12/31/2023	7.25%	15.3	76.7	$ 21,246,289	$ 23,822,890	$ 7,228,298	132.81%	12/31/2021	11.0	81.1
El Paso Police Pension Fund	Active	1/1/2024	7.75%	15.1	81.6	$ 1,054,931,421	$ 1,112,054,469	$ 250,217,688	232.83%	1/1/2022	16.4	81.8
Lower Colorado River Authority Retirement Plan	Closed	1/1/2025	7.00%	15.0	77.1	$ 491,332,033	$ 496,461,531	$ 147,285,690	161.21%	1/1/2024	16.0	75.4
Weslaco Firemen's Relief & Retirement Fund	Active	9/30/2022	7.25%	14.5	77.3	$ 14,565,196	$ 16,021,716	$ 4,719,234	92.90%	9/30/2020	16.3	73.3
Texas Municipal Retirement System (3)	Active	12/31/2024	6.75%	13.9	89.4	$ 43,406,528,187	$ 42,827,322,507	$ 5,073,348,387	53.71%	12/31/2023	14.4	89.7
Texas County & District Retirement System (3)	Active	12/31/2024	7.50%	13.6	89.9	$ 50,530,203,472	$ 46,657,979,453	$ 5,229,856,661	50.59%	12/31/2023	14.2	89.1
Galveston Employees' Retirement Fund	Active	12/31/2024	7.25%	13.2	73.3	$ 78,034,049	$ 78,058,707	$ 28,428,209	79.15%	12/31/2023	8.9	76.8
Houston Municipal Employees Pension System	Active	7/1/2024	7.00%	13.0	72.7	$ 4,360,172,000	$ 4,130,052,000	$ 1,554,763,000	202.15%	7/1/2023	24.1	69.0
Galveston Employees' Retirement Plan for Police	Active	1/1/2025	7.00%	13.0	47.1	$ 30,559,219	$ 30,371,721	$ 34,054,420	220.57%	1/1/2024	15.0	44.3
Sweeny Community Hospital	Closed	1/1/2025	5.75%	13.0	85.7	$ 2,918,333	$ 2,805,160	$ 469,866	826.81%	1/1/2024	14.0	90.1
DART Employees (5)	Closed	10/1/2024	6.25%	12.6	90.5	$ 229,737,909	$ 225,325,060	$ 23,752,147	632.63%	10/1/2023	12.3	87.3
Houston Police Officers' Pension System	Active	7/1/2024	7.00%	12.3	92.1	$ 7,779,525,000	$ 7,355,104,000	$ 635,491,000	122.47%	7/1/2023	24.0	89.3
DFW Airport Board DPS (5)	Active	1/1/2025	7.00%	11.3	83.2	$ 294,840,788	$ 295,940,822	$ 59,890,245	144.95%	1/1/2024	11.5	85.8
DFW Airport Board (5)	Active	1/1/2025	7.00%	10.9	85.8	$ 657,667,902	$ 660,934,860	$ 109,194,663	361.53%	1/1/2024	11.9	84.3
Waxahachie Firemen's Relief & Retirement Fund	Active	10/1/2024	7.00%	10.9	75.2	$ 27,880,838	$ 27,880,838	$ 9,184,263	99.27%	10/1/2022	27.1	63.0
JPS - Tarrant County Hospital District	Active	10/1/2024	6.75%	10.8	92.8	$ 550,152,976	$ 495,274,305	$ 38,586,241	13.77%	10/1/2023	8.8	90.4
Harris County Hospital District Pension Plan (5)	Closed	1/1/2025	5.75%	10.6	86.0	$ 1,043,567,505	$ 1,043,947,084	$ 169,883,009	138.08%	1/1/2024	11.8	81.4
Lower Neches Valley	Frozen	1/1/2025	6.50%	10.0	85.4	$ 18,120,216	$ 18,120,216	$ 3,103,709	86.25%	1/1/2024	10.0	75.8
Houston Firefighters' Relief & Retirement Fund	Active	7/1/2024	7.00%	9.1	93.3	$ 5,378,729,000	$ 5,306,284,000	$ 380,025,000	124.72%	7/1/2023	6.2	96.0
Corpus Christi Regional Transportation Authority	Active	1/1/2025	6.75%	9.0	82.6	$ 51,467,874	$ 52,660,014	$ 11,121,969	75.83%	1/1/2024	10.0	85.7
Capital MTA Bargaining	Frozen	1/1/2024	6.50%	8.0	65.7	$ 37,765,708	$ 40,180,082	$ 20,960,441	0.00%	1/1/2023	11.0	63.4
Brazos River Authority Retirement Plan	Frozen	3/1/2024	6.50%	8.0	76.8	$ 23,772,998	$ 23,384,129	$ 7,065,434	0.00%	3/1/2023	9.0	73.5
Denton Firemen's Relief & Retirement Fund	Active	12/31/2023	6.75%	6.5	91.2	$ 152,072,995	$ 152,516,894	$ 14,816,720	51.17%	12/31/2021	9.1	88.8
Judicial Retirement System of Texas Plan Two	Active	8/31/2024	7.00%	6.0	99.3	$ 755,639,765	$ 719,189,544	$ 5,335,774	5.44%	8/31/2023	0.0	101.2
Amarillo Firemen's Relief & Retirement Fund	Active	12/31/2023	7.35%	5.9	95.2	$ 234,343,561	$ 248,693,082	$ 12,594,032	48.92%	12/31/2021	6.0	94.8
Guadalupe-Blanco River Authority	Frozen	1/1/2024	6.25%	5.0	88.8	$ 33,351,946	$ 36,333,641	$ 4,600,206	0.00%	1/1/2023	6.0	88.8
Colorado River Municipal Water Dist. (5)	Active	1/1/2025	6.00%	4.8	83.3	$ 9,019,053	$ 9,019,053	$ 1,803,385	36.53%	1/1/2024	4.9	82.1

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Actuarial Valuation Report
September 25, 2025

		Current Actuarial Valuation								Prior Actuarial Valuation		
Plan Name	**Plan Status (1)**	**Effective Date**	**Discount Rate**	**Effective Amort Period (2)**	**Funded Ratio %**	**Market Value of Assets (MVA)**	**Actuarial Value of Assets (AVA)**	**Unfunded Actuarial Accrued Liability (UAAL = AAL - AVA)**	**UAAL as % of Payroll**	**Effective Date**	**Prior Effective Amort Period (2)**	**Funded Ratio %**
Supplemental Retirement Plan of University Medical Center	Active	1/1/2025	5.00%	3.0	88.5	$ 5,764,840	$ 5,764,840	$ 749,574	0.00%	1/1/2024	4.0	75.7
Port of Houston Authority Retirement Plan	Closed	8/1/2024	6.00%	2.0	98.4	$ 222,161,151	$ 222,161,151	$ 3,657,318	13.36%	8/1/2023	5.0	91.4
Law Enforcement & Custodial Off Sup. Ret. Fund	Active	8/31/2024	7.00%	0.0	101.5	$ 1,985,990,736	$ 1,898,238,611	$ (27,835,869)	-1.42%	8/31/2023	0.0	100.0
Plano Retirement Security Plan	Active	12/31/2023	6.75%	0.0	101.5	$ 211,401,023	$ 219,976,423	$ (3,258,486)	-1.69%	12/31/2022	0.0	103.0
Citizens Medical Center	Active	3/1/2024	6.75%	0.0	112.4	$ 162,079,461	$ 158,546,219	$ (17,504,785)	-22.40%	3/1/2023	0.0	115.6
Guadalupe Regional Medical Center	Active	1/1/2025	6.75%	0.0	101.6	$ 124,987,835	$ 121,302,150	$ (1,902,393)	-4.38%	1/1/2024	0.0	101.9
Irving Supplemental Benefit Plan	Active	1/1/2025	6.75%	0.0	102.2	$ 119,740,434	$ 120,800,496	$ (2,649,909)	-1.71%	1/1/2024	0.0	103.0
The Woodlands Firefighters' Retirement System	Active	12/31/2023	7.00%	0.0	103.8	$ 68,565,239	$ 70,746,412	$ (2,581,351)	-16.33%	1/1/2022	0.0	129.3
Paris Firefighters' Relief & Retirement Fund	Frozen	12/31/2024	7.25%	0.0	105.1	$ 16,785,850	$ 16,066,366	$ (774,649)	-22.74%	12/31/2022	0.0	108.4
Employees of Brownsville Navigation District (5)	Active	1/1/2025	6.00%	0.0	112.5	$ 13,420,409	$ 13,184,877	$ (1,469,101)	-22.64%	1/1/2024	0.0	103.3
Arlington Employees Deferred Income Plan	Active	6/30/2024	5.00%	0.0	124.9	$ 3,361,702	$ 3,361,702	$ (670,808)	-19.27%	6/30/2022	0.0	103.5
El Paso Firemen & Policemen's Pension Staff Plan	Active	1/1/2024	7.75%	0.0	107.8	$ 1,371,883	$ 1,432,994	$ (103,934)	-9.42%	1/1/2022	0.0	121.1
Refugio County Memorial Hospital (5)	Frozen	11/1/2024	6.00%	0.0	105.6	$ 1,383,302	$ 1,383,302	$ (72,750)	0.00%	11/1/2023	7.0	91.0
Grand Totals:					**79.1%**	**$ 396,215,506,817**	**$ 392,009,037,895**	**$ 103,552,664,956**				**74.5%**

Notes

(1) Plan status indicates whether a plan is active (admitting new hires), closed to new hires (but still accruing benefits), or frozen (not accruing benefits).

(2) The effective amortization period is the time it would take to theoretically eliminate the UAAL assuming no future gains or losses and taking into account both the plan's stated and historical contribution policy.

(3) Amortization period is calculated using system-wide aggregate UAAL and payroll amounts.

(4) Amortization period is below 30 using actuarial value of assets

(5) Amortization period is calculated by the PRB.

(6) Amortization period is below 30 using market value of assets

(7) On track to satisfy FSRP requirements and be fully funded by September 1, 2055

This report is a compilation of pension data reported by retirement systems in their most recent AVs, sorted by amortization period.

AV Supplemental Report
September 25, 2025
(Dollars in Millions)

Plan Name	Fiscal Year End	Discount Rate	(a) Total Pension Liability (TPL) (1)	(b) Fiduciary Net Position (2)	(a) - (b) Net Pension Liability (NPL) (3)	(b) / (a) NPL Funded Ratio %	NPL at Disc. Rate -1% (4)	NPL -1% Funded Ratio %	10 Year Net Return (5)	Expected Depletion Date (6)
Dallas Employees' Retirement Fund	12/31/2023	5.54%	$ 6,647.26	$ 3,649.10	$ 2,998.16	54.9	$ 3,875.55	48.5	6.01%	2045
Midland Firemen's Relief & Retirement Fund	12/31/2024	4.63%	$ 298.14	$ 91.09	$ 207.05	30.6	$ 252.45	26.5	3.51%	2045
Texas Emergency Services Retirement System	8/31/2024	5.38%	$ 245.84	$ 138.47	$ 107.37	56.3	$ 148.19	48.3	5.59%	2051
Wichita Falls Firemen's Relief & Retirement Fund	12/31/2024	6.38%	$ 121.05	$ 59.65	$ 61.40	49.3	$ 75.94	44.0	7.09%	2057
Texarkana Firemen's Relief & Retirement Fund	12/31/2024	5.68%	$ 64.67	$ 42.30	$ 22.37	65.4	$ 30.66	58.0	6.05%	2059
Nacogdoches County Hospital District (8)	6/30/2023	4.84%	$ 54.50	$ 34.83	$ 19.66	63.9	$ 23.41	59.8	6.61%	2099
San Angelo Firemen's Relief & Retirement Fund (8)	12/31/2023	6.83%	$ 152.75	$ 75.84	$ 76.91	49.7	$ 95.48	44.3	5.18%	2099
Abilene Firemen's Relief & Retirement Fund	9/30/2024	7.50%	$ 136.10	$ 63.82	$ 72.29	46.9	$ 87.77	42.1	5.87%	N/A
Amarillo Firemen's Relief & Retirement Fund	12/31/2024	7.35%	$ 274.71	$ 254.32	$ 20.39	92.6	$ 55.01	82.2	8.58%	N/A
Anson General Hospital	6/30/2024	5.75%	$ 1.50	$ 1.45	$ 0.05	96.9	$ 0.17	89.3	3.02%	N/A
Arlington Employees Deferred Income Plan	6/30/2024	5.00%	$ 2.69	$ 3.36	$ (0.67)	124.9	$ (0.45)	115.5	1.64%	N/A
Atlanta Firemen's Relief & Retirement Fund	12/31/2024	7.00%	$ 6.63	$ 4.74	$ 1.89	71.5	$ 2.69	63.8	4.99%	N/A
Austin Employees' Retirement System	12/31/2024	6.75%	$ 5,957.38	$ 3,570.73	$ 2,386.6534	59.9	$ 3,150.54	53.1	6.21%	N/A
Austin Firefighters Retirement Fund	12/31/2024	7.30%	$ 1,514.81	$ 1,165.35	$ 349.47	76.9	$ 497.68	70.1	6.81%	N/A
Austin Police Retirement System	12/31/2024	7.25%	$ 1,878.46	$ 1,082.78	$ 795.68	57.6	$ 1,026.08	51.3	6.65%	N/A
Beaumont Firemen's Relief & Retirement Fund	12/31/2024	7.25%	$ 221.83	$ 119.24	$ 102.59	53.8	$ 126.15	48.6	7.63%	N/A
Big Spring Firemen's Relief & Retirement Fund	12/31/2023	7.75%	$ 25.73	$ 16.20	$ 9.53	63.0	$ 12.84	55.8	5.74%	N/A
Brazos River Authority Retirement Plan	2/29/2024	6.50%	$ 30.39	$ 23.77	$ 6.61	78.2	$ 9.50	71.5	5.80%	N/A
Brownwood Firemen's Relief & Retirement Fund	12/31/2023	7.00%	$ 12.52	$ 5.41	$ 7.11	43.2	$ 8.70	38.4	4.33%	N/A
CPS Energy Pension Plan	12/31/2024	7.00%	$ 2,727.20	$ 2,406.77	$ 320.43	88.3	$ 654.69	78.6	7.65%	N/A
Capital MTA Admin Employees	12/31/2023	6.75%	$ 75.64	$ 57.50	$ 18.15	76.0	$ 29.07	66.4	6.87%	N/A
Capital MTA Bargaining	12/31/2023	6.50%	$ 61.14	$ 37.77	$ 23.37	61.8	$ 28.96	56.6	6.11%	N/A
Citizens Medical Center	2/29/2024	6.75%	$ 136.38	$ 162.07	$ (25.68)	118.8	$ (8.14)	105.3	7.50%	N/A
City of El Paso Employees Retirement Trust	8/31/2024	7.25%	$ 1,244.29	$ 990.94	$ 253.35	79.6	$ 392.57	71.6	6.58%	N/A
Cleburne Firemen's Relief & Retirement Fund	12/31/2023	7.35%	$ 44.38	$ 26.45	$ 17.93	59.6	$ 23.12	53.4	6.45%	N/A
Colorado River Municipal Water Dist.	12/31/2024	6.00%	$ 10.36	$ 9.02	$ 1.34	87.1	$ 2.24	80.1	5.00%	N/A
Conroe Fire Fighters' Retirement Fund	12/31/2024	7.25%	$ 78.82	$ 53.78	$ 25.04	68.2	$ 35.50	60.2	6.37%	N/A
Corpus Christi Fire Fighters' Retirement System	12/31/2024	7.15%	$ 323.78	$ 194.66	$ 129.11	60.1	$ 164.51	54.2	5.30%	N/A
Corpus Christi Regional Transportation Authority	12/31/2024	6.75%	$ 63.78	$ 51.47	$ 12.31	80.7	$ 20.19	71.8	6.51%	N/A
Corsicana Firemen's Relief & Retirement Fund	12/31/2024	7.00%	$ 23.66	$ 13.46	$ 10.21	56.9	$ 13.38	50.1	5.71%	N/A
DART Employees	9/30/2024	6.25%	$ 249.08	$ 229.74	$ 19.34	92.2	$ 42.20	84.5	6.63%	N/A
DFW Airport Board	12/31/2024	7.00%	$ 770.13	$ 657.67	$ 112.46	85.4	$ 205.16	76.2	6.70%	N/A
DFW Airport Board DPS	12/31/2024	7.00%	$ 355.83	$ 294.84	$ 60.99	82.9	$ 112.26	72.4	6.70%	N/A
Dallas Co. Hospital Dist. Retirement Income Plan	12/31/2023	6.00%	$ 2,360.09	$ 1,665.13	$ 694.96	70.6	$ 1,040.42	61.5	5.97%	N/A
Dallas Police & Fire Pension System-Combined Plan	12/31/2023	6.50%	$ 5,724.59	$ 1,934.82	$ 3,789.77	33.8	$ 4,533.89	29.9	2.24%	N/A
Dallas Police & Fire Pension System-Supplemental	12/31/2023	6.50%	$ 48.55	$ 19.81	$ 28.75	40.8	$ 34.04	36.8	2.24%	N/A
Denison Firemen's Relief & Retirement Fund	12/31/2024	7.25%	$ 32.43	$ 24.13	$ 8.31	74.4	$ 12.72	65.5	6.61%	N/A
Denton Firemen's Relief & Retirement Fund	12/31/2023	6.75%	$ 162.22	$ 152.07	$ 10.15	93.8	$ 30.87	83.1	7.14%	N/A
El Paso Firemen & Policemen's Pension Staff Plan	12/31/2024	7.75%	$ 1.54	$ 1.60	$ (0.07)	104.4	$ 0.13	92.5	6.84%	N/A

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AV Supplemental Report
September 25, 2025
(Dollars in Millions)

Plan Name	Fiscal Year End	Discount Rate	(a) Total Pension Liability (TPL) (1)	(b) Fiduciary Net Position (2)	(a) - (b) Net Pension Liability (NPL) (3)	(b) / (a) NPL Funded Ratio %	NPL at Disc. Rate -1% (4)	NPL -1% Funded Ratio %	10 Year Net Return (5)	Expected Depletion Date (6)
El Paso Firemen's Pension Fund	12/31/2024	7.75%	$ 975.15	$ 768.18	$ 206.97	78.8	$ 335.91	69.6	7.12%	N/A
El Paso Police Pension Fund	12/31/2024	7.75%	$ 1,400.69	$ 1,092.40	$ 308.30	78.0	$ 491.23	69.0	7.12%	N/A
Employees Retirement System of Texas	8/31/2024	7.00%	$ 49,768.01	$ 37,479.05	$ 12,288.96	75.3	$ 18,407.42	67.1	7.79%	N/A
Employees of Brownsville Navigation District	12/31/2024	6.00%	$ 11.32	$ 13.42	$ (2.11)	118.6	$ (0.62)	104.9	6.53%	N/A
Floresville Electric Light and Power System Pension Plan	12/31/2023	6.50%	$ 22.24	$ 12.30	$ 9.94	55.3	$ 12.60	49.4	5.37%	N/A
Fort Worth Employees' Retirement Fund	9/30/2024	7.00%	$ 5,289.02	$ 2,988.37	$ 2,300.65	56.5	$ 2,931.15	50.5	6.90%	N/A
Fort Worth Employees' Retirement Fund Staff Plan	9/30/2024	7.00%	$ 12.83	$ 10.48	$ 2.36	81.6	$ 4.22	71.3	6.90%	N/A
Galveston Employees' Retirement Fund	12/31/2024	7.25%	$ 106.49	$ 78.03	$ 28.45	73.3	$ 40.83	65.6	6.37%	N/A
Galveston Employees' Retirement Plan for Police	12/31/2024	7.00%	$ 64.43	$ 30.56	$ 33.87	47.4	$ 41.83	42.2	5.12%	N/A
Galveston Firefighter's Relief & Retirement Fund	12/31/2024	7.50%	$ 92.37	$ 59.28	$ 33.10	64.2	$ 44.21	57.3	5.81%	N/A
Galveston Wharves Pension Plan	12/31/2024	7.00%	$ 16.78	$ 15.64	$ 1.14	93.2	$ 2.60	85.7	8.51%	N/A
Greenville Firemen's Relief & Retirement Fund	12/31/2023	7.25%	$ 39.00	$ 16.26	$ 22.73	41.7	$ 27.50	37.2	5.15%	N/A
Guadalupe Regional Medical Center	12/31/2024	6.75%	$ 117.90	$ 124.99	$ (7.09)	106.0	$ 10.01	92.6	7.87%	N/A
Guadalupe-Blanco River Authority	12/31/2024	6.25%	$ 40.27	$ 33.96	$ 6.31	84.3	$ 10.31	76.7	5.60%	N/A
Harlingen Firemen's Relief & Retirement Fund	9/30/2024	7.75%	$ 62.55	$ 44.47	$ 18.08	71.1	$ 25.03	64.0	6.87%	N/A
Harris County Hospital District Pension Plan	12/31/2024	5.75%	$ 1,213.09	$ 1,043.57	$ 169.52	86.0	$ 308.06	77.2	6.96%	N/A
Houston Firefighters' Relief & Retirement Fund	6/30/2024	7.00%	$ 5,378.31	$ 5,378.73	$ (0.42)	100.0	$ 545.98	90.8	7.10%	N/A
Houston MTA Non-Union Pension Plan	12/31/2024	6.25%	$ 321.84	$ 198.49	$ 123.35	61.7	$ 152.94	56.5	5.20%	N/A
Houston MTA Workers Union Pension Plan	12/31/2024	6.25%	$ 457.51	$ 304.44	$ 153.07	66.5	$ 199.60	60.4	5.30%	N/A
Houston Municipal Employees Pension System	6/30/2024	7.00%	$ 5,812.83	$ 4,360.17	$ 1,452.66	75.0	$ 2,032.44	68.2	8.73%	N/A
Houston Police Officers' Pension System	6/30/2024	7.00%	$ 8,153.81	$ 7,779.53	$ 374.29	95.4	$ 1,198.38	86.7	7.75%	N/A
Irving Firemen's Relief & Retirement Fund	12/31/2024	7.00%	$ 322.37	$ 279.12	$ 43.25	86.6	$ 85.77	76.5	6.20%	N/A
Irving Supplemental Benefit Plan	12/31/2024	6.75%	$ 118.15	$ 119.74	$ (1.59)	101.4	$ 14.02	89.5	6.16%	N/A
JPS - Tarrant County Hospital District	9/30/2024	6.75%	$ 526.69	$ 550.27	$ (23.58)	104.5	$ 45.36	92.4	8.05%	N/A
Judicial Retirement System of Texas Plan Two	8/31/2024	7.00%	$ 724.53	$ 755.64	$ (31.11)	104.3	$ 40.31	94.9	7.79%	N/A
Killeen Firemen's Relief & Retirement Fund	9/30/2024	7.25%	$ 98.49	$ 74.65	$ 23.84	75.8	$ 38.80	65.8	6.69%	N/A
Laredo Firefighters Retirement System	9/30/2024	7.40%	$ 362.76	$ 247.85	$ 114.91	68.3	$ 162.57	60.4	6.77%	N/A
Law Enforcement & Custodial Off Sup. Ret. Fund	8/31/2024	7.00%	$ 1,870.40	$ 1,985.99	$ (115.59)	106.2	$ 125.81	94.0	7.79%	N/A
Longview Firemen's Relief & Retirement Fund	12/31/2024	7.50%	$ 138.17	$ 99.80	$ 38.38	72.2	$ 54.91	64.5	6.00%	N/A
Lower Colorado River Authority Retirement Plan	12/31/2024	7.00%	$ 643.75	$ 491.33	$ 152.42	76.3	$ 211.33	69.9	6.00%	N/A
Lower Neches Valley (7)	12/31/2024	6.50%	$ 21.22	$ 18.12	$ 3.10	85.4	$ 5.37	77.2	0.00%	N/A
Lubbock Fire Pension Fund	12/31/2024	7.50%	$ 374.22	$ 277.85	$ 96.37	74.3	$ 142.81	66.1	6.94%	N/A
Lufkin Firemen's Relief & Retirement Fund	12/31/2024	7.25%	$ 47.60	$ 24.63	$ 22.97	51.8	$ 28.07	46.7	5.75%	N/A
Marshall Firemen's Relief & Retirement Fund	12/31/2024	7.25%	$ 24.92	$ 9.24	$ 15.68	37.1	$ 18.81	33.0	5.23%	N/A
McAllen Firemen's Relief & Retirement Fund	9/30/2024	7.25%	$ 101.30	$ 66.04	$ 35.25	65.2	$ 48.04	57.9	5.57%	N/A
Odessa Firemen's Relief & Retirement Fund	12/31/2024	7.00%	$ 148.29	$ 52.69	$ 95.60	35.5	$ 115.18	31.4	6.74%	N/A
Orange Firemen's Relief & Retirement Fund	12/31/2024	7.75%	$ 17.94	$ 10.24	$ 7.70	57.1	$ 9.81	51.1	6.07%	N/A
Paris Firefighters' Relief & Retirement Fund	12/31/2024	7.25%	$ 15.29	$ 16.79	$ (1.49)	109.8	$ 0.20	98.8	5.27%	N/A
Plainview Firemen's Relief & Retirement Fund	12/31/2024	7.50%	$ 19.06	$ 7.50	$ 11.56	39.4	$ 13.71	35.4	4.39%	N/A

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AV Supplemental Report
September 25, 2025
(Dollars in Millions)

Plan Name	Fiscal Year End	Discount Rate	(a) Total Pension Liability (TPL) (1)	(b) Fiduciary Net Position (2)	(a) - (b) Net Pension Liability (NPL) (3)	(b) / (a) NPL Funded Ratio %	NPL at Disc. Rate -1% (4)	NPL -1% Funded Ratio %	10 Year Net Return (5)	Expected Depletion Date (6)
Plano Retirement Security Plan	12/31/2024	6.75%	$ 224.73	$ 236.47	$ (11.74)	105.2	$ 19.49	92.4	7.44%	N/A
Port Arthur Firemen's Relief & Retirement Fund	12/31/2024	7.25%	$ 78.94	$ 59.65	$ 19.29	75.6	$ 28.22	67.9	6.02%	N/A
Port of Houston Authority Retirement Plan	7/31/2024	6.00%	$ 224.60	$ 222.16	$ 2.44	98.9	$ 27.54	89.0	5.90%	N/A
Refugio County Memorial Hospital	10/31/2024	6.00%	$ 1.31	$ 1.38	$ (0.07)	105.6	$ 0.12	92.2	5.70%	N/A
San Antonio Fire & Police Pension Fund	12/31/2024	7.25%	$ 4,961.29	$ 4,124.76	$ 836.52	83.1	$ 1,515.50	73.1	6.50%	N/A
San Antonio Metropolitan Transit Retirement Plan	9/30/2024	7.00%	$ 519.33	$ 385.56	$ 133.77	74.2	$ 186.86	67.4	8.30%	N/A
San Benito Firemen Relief & Retirement Fund	9/30/2024	7.50%	$ 7.74	$ 5.76	$ 1.98	74.4	$ 2.94	66.2	6.24%	N/A
Supplemental Retirement Plan of University Medical Center (9)	8/31/2024	4.00%	$ 6.85	$ 5.24	$ 1.62	76.4	$ 2.03	72.1	2.84%	N/A
Sweeny Community Hospital	12/31/2024	5.75%	$ 3.33	$ 2.92	$ 0.41	87.7	$ 0.70	80.6	5.53%	N/A
Sweetwater Firemen's Relief & Retirement Fund	12/31/2024	7.50%	$ 19.56	$ 9.13	$ 10.42	46.7	$ 12.88	41.5	5.04%	N/A
Teacher Retirement System of Texas	8/31/2024	7.00%	$ 271,627.43	$ 210,543.26	$ 61,084.18	77.5	$ 97,566.91	68.3	7.24%	N/A
Temple Firemen's Relief & Retirement Fund	9/30/2024	7.30%	$ 85.59	$ 63.20	$ 22.39	73.8	$ 33.06	65.7	6.66%	N/A
Texas City Firemen's Relief & Retirement Fund	12/31/2023	7.25%	$ 38.91	$ 16.08	$ 22.83	41.3	$ 27.51	36.9	4.54%	N/A
Texas County & District Retirement System (10)	12/31/2024	N/A	N/A	N/A	N/A	N/A	N/A	N/A	8.10%	N/A
Texas Municipal Retirement System (10)	12/31/2024	N/A	N/A	N/A	N/A	N/A	N/A	N/A	6.57%	N/A
The Woodlands Firefighters' Retirement System	12/31/2024	7.00%	$ 75.67	$ 80.16	$ (4.49)	105.9	$ 6.39	92.6	5.86%	N/A
Travis County ESD #6 FRRF	12/31/2024	6.50%	$ 64.72	$ 57.16	$ 7.56	88.3	$ 16.83	77.3	6.81%	N/A
Tyler Firefighters' Relief & Retirement Fund	12/31/2023	7.00%	$ 121.50	$ 83.35	$ 38.15	68.6	$ 52.59	61.3	5.48%	N/A
University Health System Pension Plan	12/31/2024	7.00%	$ 840.33	$ 651.92	$ 188.41	77.6	$ 275.40	70.3	7.58%	N/A
University Park Firemen's Relief & Retirement Fund	12/31/2023	7.00%	$ 29.59	$ 13.10	$ 16.49	44.3	$ 20.16	39.4	4.95%	N/A
Waxahachie Firemen's Relief & Retirement Fund	9/30/2024	7.00%	$ 37.07	$ 27.88	$ 9.18	75.2	$ 14.27	66.2	5.84%	N/A
Weslaco Firemen's Relief & Retirement Fund	9/30/2024	7.25%	$ 22.33	$ 22.21	$ 0.12	99.5	$ 3.48	86.5	7.48%	N/A
Grand Totals:			$ 396,063.23	$ 302,917.29	$ 93,145.94	76.5%	$ 144,641.50	67.7%		

Notes
(1) Total Pension Liability is the actuarial accrued liability calculated in accordance with GASB 67, as reported in the system's Annual Financial Report.
(2) Fiduciary Net Position is the market value of assets as of the Fiscal Year End, as reported in the system's Annual Financial Report.
(3) Net Pension Liability is measured as the Total Pension Liability less the amount of the pension plan's Fiduciary Net Position.
(4) Net Pension Liability measured using a discount rate 1% lower than the stated discount rate.
(5) 10 Year Net Return (gross return net of investment expenses) as reported for the Fiscal Year on the PRB-1000 Investment Returns and Assumptions Report.
(6) Expected Depletion date is reported in GASB 67 when applicable.
(7) Recent 10-year returns are unavailable
(8) Expected depletion date not provided. 2099 used as placeholder.
(9) The plan is less than 10 years old; return is calculated since date of inception.
(10) Plan is an Agent Multiple Employer Defined Benefit Plan and is not subject to the majority of GASB 67 reporting requirements.

Contribution Report
September 25, 2025

Plan Name	Plan Status (1)	Fiscal Year End	Covered Payroll	(a) Total NC (% of Pay) (2), (3)	(b) EE Cont (% of Pay) (3)	(c) = (a) - (b) ER Normal Cost (% of Pay) (3)	(d) Amort Pmt (% of Pay) (3)	(e) = (c) + (d) ER Rec Cont (% of Pay) (3), (4)	(f) Actual ER Cont (% of Pay) (5)	Actual ER Cont Type	(f) / (e) Percent of Rec Cont Paid
Midland Firemen's Relief & Retirement Fund	Active	12/31/2024	$ 27,508,789	27.28%	14.20%	13.08%	28.82%	41.90%	24.05%	Fixed	57%
Dallas Employees' Retirement Fund	Active	12/31/2023	$ 530,702,000	20.89%	13.32%	7.57%	14.51%	22.08%	13.93%	Other	63%
Sweetwater Firemen's Relief & Retirement Fund	Active	12/31/2024	$ 2,275,771	21.18%	17.00%	4.18%	25.29%	29.47%	18.95%	Fixed	64%
Dallas Police & Fire Pension System-Combined Plan	Active	12/31/2023	$ 462,820,000	19.54%	13.50%	6.04%	48.32%	54.36%	37.16%	Other	68%
Austin Firefighters Retirement Fund	Active	12/31/2024	$ 118,027,041	31.21%	18.70%	12.51%	14.19%	26.70%	18.70%	Fixed	70%
Marshall Firemen's Relief & Retirement Fund	Active	12/31/2024	$ 3,526,019	18.06%	16.00%	2.06%	27.80%	29.86%	21.80%	Fixed	73%
El Paso Firemen & Policemen's Pension Staff Plan	Active	12/31/2024	$ 1,130,940	10.67%	5.00%	5.67%	4.40%	10.07%	7.50%	Actuarial	74%
Capital MTA Admin Employees	Active	12/31/2023	$ 53,346,593	8.71%	0.00%	8.71%	1.88%	10.59%	8.34%	Actuarial	79%
Beaumont Firemen's Relief & Retirement Fund	Active	12/31/2024	$ 27,001,455	20.60%	18.00%	2.60%	22.35%	24.95%	20.00%	Fixed	80%
Texarkana Firemen's Relief & Retirement Fund	Active	12/31/2024	$ 5,445,015	24.84%	13.50%	11.34%	12.66%	24.00%	19.50%	Fixed	81%
Brownwood Firemen's Relief & Retirement Fund	Active	12/31/2023	$ 2,211,355	15.81%	10.00%	5.81%	18.45%	24.26%	20.00%	Fixed	82%
Colorado River Municipal Water Dist.	Active	12/31/2024	$ 5,062,874	9.47%	0.00%	9.47%	11.28%	20.75%	17.20%	Actuarial	83%
CPS Energy Pension Plan	Active	12/31/2024	$ 354,677,000	16.01%	5.00%	11.01%	12.61%	23.62%	20.15%	Actuarial	85%
Harlingen Firemen's Relief & Retirement Fund	Active	9/30/2024	$ 7,720,253	18.53%	15.00%	3.53%	16.26%	19.79%	17.00%	Fixed	86%
Fort Worth Employees' Retirement Fund	Active	9/30/2024	$ 610,889,017	17.28%	12.70%	4.58%	26.42%	31.00%	27.37%	Actuarial	88%
Greenville Firemen's Relief & Retirement Fund	Active	12/31/2023	$ 6,159,160	19.49%	16.30%	3.19%	20.65%	23.84%	21.31%	Fixed	89%
Floresville Electric Light and Power System Pension Plan	Active	12/31/2023	$ 3,759,192	14.04%	6.00%	8.04%	21.10%	29.14%	26.20%	Actuarial	90%
University Health System Pension Plan	Active	12/31/2024	$ 550,780,713	4.89%	2.62%	2.27%	2.45%	4.72%	4.25%	Actuarial	90%
Austin Employees' Retirement System	Active	12/31/2024	$ 971,978,921	17.56%	10.00%	7.56%	13.00%	20.56%	18.84%	Actuarial	92%
Corpus Christi Regional Transportation Authority	Active	12/31/2024	$ 14,667,300	8.91%	0.00%	8.91%	8.22%	17.13%	15.80%	Actuarial	92%
McAllen Firemen's Relief & Retirement Fund	Active	9/30/2024	$ 15,153,500	17.86%	14.00%	3.86%	12.34%	16.20%	15.04%	Fixed	93%
San Antonio Metropolitan Transit Retirement Plan	Closed	9/30/2024	$ 47,316,299	12.87%	6.41%	6.46%	24.68%	31.14%	29.11%	Actuarial	93%
Laredo Firefighters Retirement System	Active	9/30/2024	$ 47,087,156	19.55%	16.00%	3.55%	20.05%	23.60%	22.08%	Fixed	94%
Houston MTA Workers Union Pension Plan	Closed	12/31/2024	$ 70,099,061	3.41%	0.20%	3.21%	18.63%	21.84%	20.49%	Actuarial	94%
Houston MTA Non-Union Pension Plan	Closed	12/31/2024	$ 35,530,948	10.02%	0.00%	10.02%	35.18%	45.20%	42.65%	Actuarial	94%
Orange Firemen's Relief & Retirement Fund	Active	12/31/2024	$ 2,988,106	12.90%	13.80%	0.00%	20.83%	19.93%	18.88%	Fixed	95%
Houston Municipal Employees Pension System	Active	6/30/2024	$ 748,521,180	11.26%	3.00%	8.26%	21.39%	29.65%	28.45%	Actuarial	96%
El Paso Firemen's Pension Fund	Active	12/31/2024	$ 85,323,439	17.94%	18.00%	0.00%	18.76%	18.70%	18.19%	Fixed	97%
San Benito Firemen Relief & Retirement Fund	Active	9/30/2024	$ 1,747,108	13.09%	12.00%	1.09%	11.21%	12.30%	12.00%	Fixed	98%
Tyler Firefighters' Relief & Retirement Fund	Active	12/31/2023	$ 14,610,830	22.19%	13.50%	8.69%	13.80%	22.49%	21.99%	Fixed	98%

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Contribution Report
September 25, 2025

Plan Name	Plan Status (1)	Fiscal Year End	Covered Payroll	(a) Total NC (% of Pay) (2), (3)	(b) EE Cont (% of Pay) (3)	(c) = (a) - (b) ER Normal Cost (% of Pay) (3)	(d) Amort Pmt (% of Pay) (3)	(e) = (c) + (d) ER Rec Cont (% of Pay) (3), (4)	(f) Actual ER Cont (% of Pay) (5)	Actual ER Cont Type	(f) / (e) Percent of Rec Cont Paid
San Antonio Fire & Police Pension Fund	Active	12/31/2024	$ 386,538,000	23.05%	12.32%	10.73%	14.31%	25.04%	24.64%	Fixed	98%
Plainview Firemen's Relief & Retirement Fund	Active	12/31/2024	$ 2,374,353	15.78%	15.00%	0.78%	25.42%	26.20%	25.90%	Fixed	99%
Dallas Police & Fire Pension System-Supplemental	Active	12/31/2023	$ 1,923,000	69.31%	13.50%	55.81%	135.80%	191.61%	190.63%	Actuarial	99%
Austin Police Retirement System	Active	12/31/2024	$ 158,839,487	24.78%	15.00%	9.78%	26.95%	36.73%	36.56%	Actuarial	100%
Travis County ESD #6 FRRF	Active	12/31/2024	$ 9,905,555	34.32%	20.00%	14.32%	4.95%	19.27%	19.20%	Fixed	100%
University Park Firemen's Relief & Retirement Fund	Closed	12/31/2023	$ 3,482,460	16.33%	10.00%	6.33%	37.16%	43.49%	43.39%	Actuarial	100%
El Paso Police Pension Fund	Active	12/31/2024	$ 117,737,450	14.69%	18.00%	0.00%	21.51%	18.20%	18.19%	Fixed	100%
Houston Firefighters' Relief & Retirement Fund	Active	6/30/2024	$ 284,065,000	25.25%	10.50%	14.75%	12.14%	26.89%	26.88%	Actuarial	100%
Denison Firemen's Relief & Retirement Fund	Active	12/31/2024	$ 5,710,417	19.08%	13.25%	5.83%	12.17%	18.00%	18.00%	Fixed	100%
JPS - Tarrant County Hospital District	Active	9/30/2024	$ 303,606,811	5.70%	1.92%	3.78%	2.47%	6.25%	6.25%	Other	100%
The Woodlands Firefighters' Retirement System	Active	12/31/2024	$ 15,906,050	23.63%	12.00%	11.63%	2.37%	14.00%	14.00%	Actuarial	100%
Sweeny Community Hospital	Closed	12/31/2024	$ 113,501	67.12%	0.00%	67.12%	34.94%	102.06%	102.06%	Actuarial	100%
Citizens Medical Center	Active	2/29/2024	$ 69,803,876	8.15%	3.97%	4.18%	-1.56%	2.62%	2.62%	Other	100%
Irving Supplemental Benefit Plan	Active	12/31/2024	$ 147,066,120	3.24%	2.50%	0.74%	0.00%	0.74%	0.74%	Actuarial	100%
Lufkin Firemen's Relief & Retirement Fund	Active	12/31/2024	$ 6,400,028	16.16%	14.20%	1.96%	22.64%	24.60%	24.71%	Fixed	100%
San Angelo Firemen's Relief & Retirement Fund	Active	12/31/2023	$ 14,888,329	21.23%	18.50%	2.73%	17.37%	20.10%	20.20%	Fixed	100%
Waxahachie Firemen's Relief & Retirement Fund	Active	9/30/2024	$ 8,612,692	18.93%	12.00%	6.93%	9.82%	16.75%	16.83%	Other	101%
Abilene Firemen's Relief & Retirement Fund	Active	9/30/2024	$ 19,878,388	14.74%	15.20%	0.00%	21.45%	20.99%	21.25%	Fixed	101%
Conroe Fire Fighters' Retirement Fund	Active	12/31/2024	$ 15,843,232	22.81%	15.50%	7.31%	8.79%	16.10%	16.30%	Fixed	101%
Longview Firemen's Relief & Retirement Fund	Active	12/31/2024	$ 17,942,926	16.10%	16.27%	0.00%	13.66%	13.49%	13.73%	Fixed	102%
Galveston Wharves Pension Plan	Closed	12/31/2024	$ 1,527,483	11.33%	0.00%	11.33%	20.98%	32.31%	33.06%	Actuarial	102%
Atlanta Firemen's Relief & Retirement Fund	Active	12/31/2024	$ 831,038	19.33%	13.00%	6.33%	12.04%	18.37%	18.82%	Fixed	102%
Port of Houston Authority Retirement Plan	Closed	7/31/2024	$ 27,385,358	13.22%	0.00%	13.22%	16.77%	29.99%	30.84%	Actuarial	103%
Texas Municipal Retirement System	Active	12/31/2024	$ 9,445,052,641	15.63%	6.71%	8.92%	4.92%	13.84%	14.28%	Actuarial	103%
Galveston Firefighter's Relief & Retirement Fund	Active	12/31/2024	$ 10,695,804	21.50%	19.50%	2.00%	18.12%	20.12%	20.85%	Fixed	104%
Guadalupe Regional Medical Center	Active	12/31/2024	$ 39,405,889	11.17%	4.00%	7.17%	0.16%	7.33%	7.61%	Other	104%
Arlington Employees Deferred Income Plan	Active	6/30/2024	$ 3,380,200	6.62%	3.00%	3.62%	0.03%	3.65%	3.82%	Actuarial	105%
Lubbock Fire Pension Fund	Active	12/31/2024	$ 44,666,402	21.41%	14.98%	6.43%	14.32%	20.75%	21.75%	Other	105%
Temple Firemen's Relief & Retirement Fund	Active	9/30/2024	$ 11,997,919	19.68%	16.00%	3.68%	11.48%	15.16%	16.24%	Fixed	107%
DFW Airport Board DPS	Active	12/31/2024	$ 41,318,000	24.22%	7.00%	17.22%	13.82%	31.04%	33.27%	Actuarial	107%

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Contribution Report
September 25, 2025

Plan Name	Plan Status (1)	Fiscal Year End	Covered Payroll	(a) Total NC (% of Pay) (2), (3)	(b) EE Cont (% of Pay) (3)	(c) = (a) - (b) ER Normal Cost (% of Pay) (3)	(d) Amort Pmt (% of Pay) (3)	(e) = (c) + (d) ER Rec Cont (% of Pay) (3), (4)	(f) Actual ER Cont (% of Pay) (5)	Actual ER Cont Type	(f) / (e) Percent of Rec Cont Paid
Dallas Co. Hospital Dist. Retirement Income Plan	Active	12/31/2023	$ 917,566,000	10.34%	6.20%	4.14%	4.29%	8.43%	9.12%	ADC	108%
Irving Firemen's Relief & Retirement Fund	Active	12/31/2024	$ 50,038,170	20.39%	12.76%	7.63%	4.45%	12.08%	13.09%	Actuarial	108%
Fort Worth Employees' Retirement Fund Staff Plan	Active	9/30/2024	$ 2,064,708	21.60%	10.50%	11.10%	9.62%	20.72%	22.59%	Actuarial	109%
Wichita Falls Firemen's Relief & Retirement Fund	Active	12/31/2024	$ 14,023,008	13.49%	13.00%	0.49%	20.99%	21.48%	23.63%	Fixed	110%
Plano Retirement Security Plan	Active	12/31/2024	$ 192,019,667	3.53%	0.00%	3.53%	0.00%	3.53%	3.90%	Actuarial	110%
Employees Retirement System of Texas	Active	8/31/2024	$ 8,744,408,000	13.52%	9.08%	4.44%	11.53%	15.97%	17.69%	Actuarial	111%
Texas County & District Retirement System	Active	12/31/2024	$ 10,337,500,000	14.43%	6.78%	7.65%	4.41%	12.06%	13.39%	Actuarial	111%
Killeen Firemen's Relief & Retirement Fund	Active	9/30/2024	$ 20,735,375	17.14%	12.00%	5.14%	8.38%	13.52%	15.06%	Fixed	111%
Cleburne Firemen's Relief & Retirement Fund	Active	12/31/2023	$ 6,167,151	19.75%	15.00%	4.75%	17.36%	22.11%	24.75%	Other	112%
Odessa Firemen's Relief & Retirement Fund	Active	12/31/2024	$ 22,268,465	16.29%	16.00%	0.29%	23.51%	23.80%	28.04%	Fixed	118%
DFW Airport Board	Active	12/31/2024	$ 30,203,000	18.47%	0.00%	18.47%	47.41%	65.88%	82.94%	Actuarial	126%
Texas City Firemen's Relief & Retirement Fund	Active	12/31/2023	$ 6,742,712	15.14%	17.00%	0.00%	16.72%	14.86%	19.00%	Fixed	128%
Lower Neches Valley	Frozen	12/31/2024	$ 3,476,633	6.41%	0.00%	6.41%	17.84%	24.25%	31.06%	Actuarial	128%
Weslaco Firemen's Relief & Retirement Fund	Active	9/30/2024	$ 5,668,575	15.50%	12.00%	3.50%	5.85%	9.35%	12.00%	Fixed	128%
Anson General Hospital	Frozen	6/30/2024	$ 62,743	96.01%	4.00%	92.01%	-32.61%	59.40%	76.50%	Actuarial	129%
Houston Police Officers' Pension System	Active	6/30/2024	$ 508,569,000	24.91%	10.50%	14.41%	10.44%	24.85%	32.05%	Actuarial	129%
Denton Firemen's Relief & Retirement Fund	Active	12/31/2023	$ 26,423,921	22.23%	12.60%	9.63%	4.65%	14.28%	18.50%	Actuarial	130%
Corpus Christi Fire Fighters' Retirement System	Active	12/31/2024	$ 43,577,972	17.22%	14.10%	3.12%	17.10%	20.22%	26.22%	Fixed	130%
Lower Colorado River Authority Retirement Plan	Closed	12/31/2024	$ 92,523,000	6.07%	0.00%	6.07%	17.49%	23.56%	30.80%	Actuarial	131%
Port Arthur Firemen's Relief & Retirement Fund	Active	12/31/2024	$ 11,361,561	16.12%	15.00%	1.12%	10.16%	11.28%	15.12%	Other	134%
Corsicana Firemen's Relief & Retirement Fund	Active	12/31/2024	$ 4,522,221	14.31%	14.00%	0.31%	12.87%	13.18%	18.28%	Fixed	139%
Big Spring Firemen's Relief & Retirement Fund	Active	12/31/2023	$ 4,506,666	17.53%	13.00%	4.53%	11.77%	16.30%	23.40%	Fixed	144%
Amarillo Firemen's Relief & Retirement Fund	Active	12/31/2024	$ 27,724,929	24.72%	14.00%	10.72%	3.20%	13.92%	20.68%	Fixed	149%
Galveston Employees' Retirement Fund	Active	12/31/2024	$ 35,995,033	10.62%	6.00%	4.62%	4.11%	8.73%	13.30%	Fixed	152%
City of El Paso Employees Retirement Trust	Active	8/31/2024	$ 192,447,073	11.42%	8.95%	2.47%	8.55%	11.02%	17.76%	Fixed	161%
Galveston Employees' Retirement Plan for Police	Active	12/31/2024	$ 16,640,492	10.97%	12.00%	0.00%	12.83%	11.80%	19.67%	Actuarial	167%
Harris County Hospital District Pension Plan	Closed	12/31/2024	$ 130,224,396	7.52%	0.00%	7.52%	20.84%	28.36%	52.99%	Actuarial	187%
Teacher Retirement System of Texas	Active	8/31/2024	$ 59,658,161,321	12.24%	8.25%	3.99%	5.41%	9.40%	17.97%	Fixed	191%
DART Employees	Closed	9/30/2024	$ 4,081,000	8.36%	0.00%	8.36%	105.59%	113.95%	294.05%	Actuarial	258%
Judicial Retirement System of Texas Plan Two	Active	8/31/2024	$ 98,163,000	28.24%	9.36%	18.88%	0.37%	19.25%	119.57%	Fixed	621%

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Contribution Report
September 25, 2025

Plan Name	Plan Status (1)	Fiscal Year End	Covered Payroll	(a) Total NC (% of Pay) (2), (3)	(b) EE Cont (% of Pay) (3)	(c) = (a) - (b) ER Normal Cost (% of Pay) (3)	(d) Amort Pmt (% of Pay) (3)	(e) = (c) + (d) ER Rec Cont (% of Pay) (3), (4)	(f) Actual ER Cont (% of Pay) (5)	Actual ER Cont Type	(f) / (e) Percent of Rec Cont Paid
Employees of Brownsville Navigation District	Active	12/31/2024	$ 6,194,812	6.16%	4.00%	2.16%	0.48%	2.64%	23.54%	Actuarial	892%
Law Enforcement & Custodial Off Sup. Ret. Fund (7)	Active	8/31/2024	$ 1,845,546,000	2.11%	0.68%	1.43%	1.15%	2.58%	44.15%	Other	1711%
Brazos River Authority Retirement Plan (6)	Frozen	2/29/2024	$ 6,202,658	0.00%	0.00%	0.00%	0.00%	0.00%	19.30%	Actuarial	N/A
Capital MTA Bargaining (6)	Frozen	12/31/2023	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Actuarial	N/A
Guadalupe-Blanco River Authority (6)	Frozen	12/31/2024	$ 3,588,911	0.00%	0.00%	0.00%	0.00%	0.00%	31.61%	Actuarial	N/A
Nacogdoches County Hospital District (6)	Frozen	6/30/2023	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Actuarial	N/A
Paris Firefighters' Relief & Retirement Fund	Frozen	12/31/2024	$ 3,420,309	0.50%	0.00%	0.50%	-0.50%	0.00%	0.00%	Fixed	N/A
Refugio County Memorial Hospital (6)	Frozen	10/31/2024	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Actuarial	N/A
Supplemental Retirement Plan of University Medical Center	Active	8/31/2024	$ 1,701,246	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	Actuarial	N/A
Texas Emergency Services Retirement System (6)	Active	8/31/2024	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Other	N/A

Notes

(1) Plan status indicates whether a plan is active (admitting new hires), closed to new hires (but still accruing benefits), or frozen (not accruing benefits).

(2) Normal Cost includes any explicit provisions for administrative expenses.

(3) Value may differ from that reported by the system due to differences in timing, rounding and/or supporting reports not yet provided to the PRB.

(4) Recommended Contribution needed for the system to achieve and maintain an amortization period that does not exceed 30 years, in accordance with Texas Code §802.101(a), Texas Government Code.

(5) Actual contribution rate is determined as the fiscal year contributions divided by the payroll shown. The plan's stated contribution rate may differ due to differences between actual and assumed covered payroll.

(6) Covered payroll is not reported for this plan.

(7) Additional contribution was made to reach 100 percent funding.

This report is a compilation of pension data reported by retirement systems to the PRB in their most recently published Annual Financial Report and Actuarial Valuations.

Item 6b. Reporting Compliance

Bryan Burnham

Overview

- Total net assets
  - Current: $396,857,316,089
  - 7/10/2025: $391,419,276,037
- System membership
  - Active: 1,546,955
  - Annuitants: 921,819
  - Inactive: 1,057,295
  - Total: 3,526,009

PRB Noncompliance Policy

- Reminders sent to system 60 and 15 days before reporting deadline.
- Noncompliance notice sent to system 15 and 45 days after deadline.
- Staff contacts system and sponsor when reports are 60 days past due.
- System name published to the List of Plans Noncompliant Over 60 Days on PRB website.
- System may be asked to appear before the board to discuss noncompliance.
- The PRB may subpoena records or other documents (Sec. 801.205, Texas Government Code).

Systems Noncompliant Over 60 Days

This list includes all systems that have not submitted one or more of the following reports to the PRB by the 60th day after the date the reports are due: annual financial report (AFR), membership report (PRB-200), or Investment Returns and Assumptions Report (PRB-1000).[1]

System	Missing Report	FY	Due Date
Nacogdoches County Hospital District Retirement Plan	AFR	2024	1/26/2025
Floresville Electric Light and Power System Pension Plan	AFR	2023	7/28/2024

Since the previous report:

- No change

[1] Sec. 801.209(b), Texas Government Code

Systems Noncompliant With Other Reporting

Systems with at least $100 million in total assets must complete **actuarial audits** and **experience studies** at least once every five years. The sponsoring entity of the retirement system is responsible for hiring an independent actuary to perform the actuarial audit and the retirement system is responsible for the experience study, performed by the system's contracted actuary.

System	Missing Report	Years above $100M	Due Date
Beaumont Firemen's Relief & Retirement Fund	Actuarial Audit	10+	2024
Dallas County Hospital District Retirement Income Plan	Actuarial Audit	10+	N/A[1]
Dallas Employees' Retirement Fund	Experience Study	10+	N/A[1]
Laredo Firefighters Retirement System	Actuarial Audit	10+	N/A[1]

[1]No copy of a previous report on file

Upcoming Deadlines and Noncompliance Dates

Fiscal Year End	Due Date	Number of Systems	60-Day Noncompliance
December 31, 2024	July 29, 2025	69	**October 1, 2025**
February 28, 2025	**September 26, 2025**	2	December 1, 2025
June 30, 2025	January 26, 2026	5	April 1, 2026
July 31, 2025	February 26, 2026	1	May 1, 2026
August 31, 2025	March 29, 2026	7	June 1, 2026
September 30, 2025	April 28, 2026	14	July 1, 2026
October 31, 2025	May 29, 2026	1	August 1, 2026
December 31, 2025	July 29, 2026	69	October 1, 2026

Item 7a: Investment Data Report

Robert Munter

Summary

- Investment Data Report Update
  - Since July the agency has received and processed approximately 40 audits and investment return reports.
  - Approximately 20 systems left to report and update for FY 2024 reporting
  - 10-year net returns averaging around 7 percent

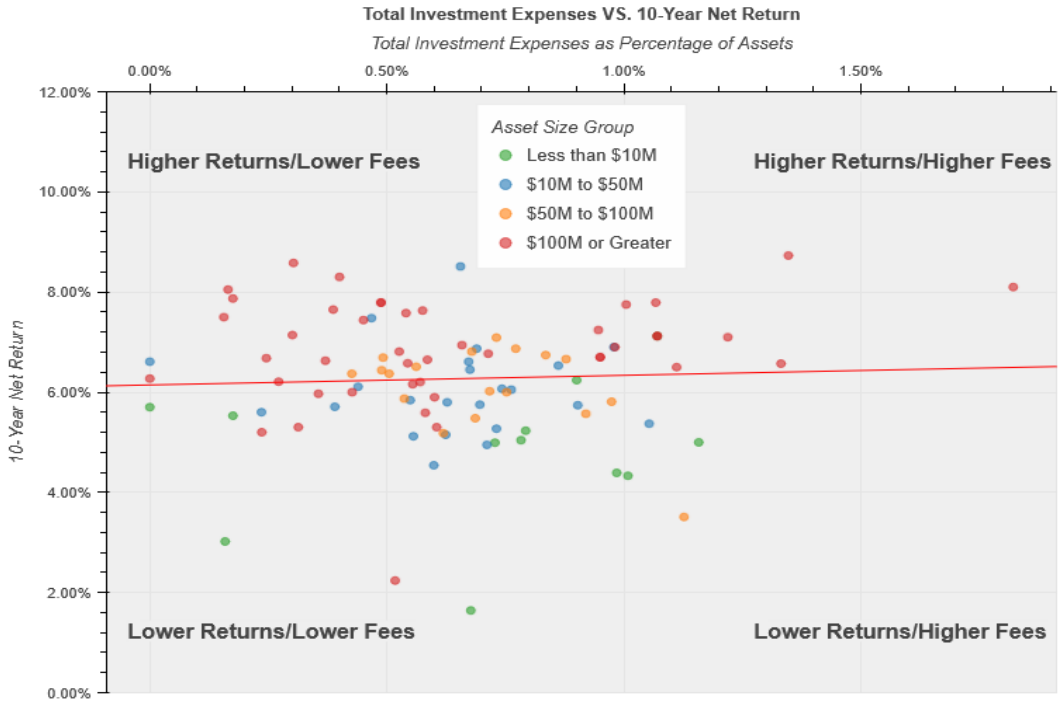
- Investment Data Report Future Additions
  - Quarterly Information

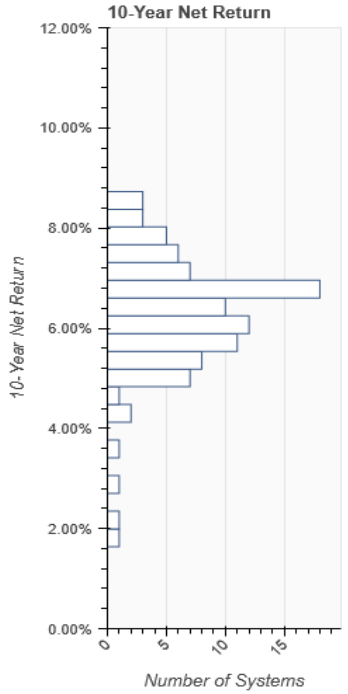
Investment Data Report Update

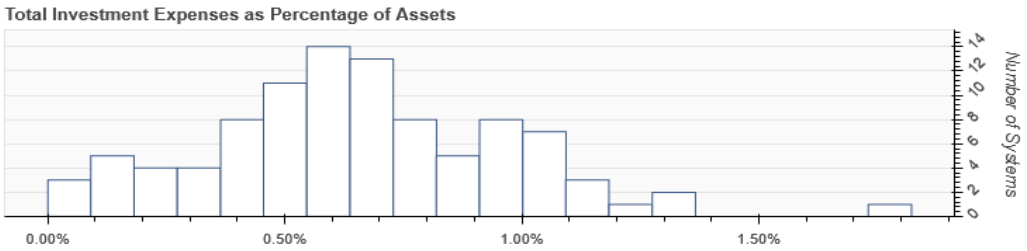
59 plans' 10-year net returns are within 1 percent of their investment return assumption

	Number of Plans		
10-year Net Return Vs. Return Assumption	**7/2025**	**9/2025**	**Change**
>2%	0	0	0
>1%, <2%	2	6	↑ 4
>0%, <1%	21	19	↓ 2
<0%, >-1%	28	40	↑ 12
<-1%, >-2%	22	18	↓ 4
<-2%	23	15	↓ 8
N/A	4	2	↓ 2
Total Plans Registered	100	100	N/A

Investment Returns Vs. Expenses







PENSION REVIEW BOARD

Investment Return Assumptions

System	Investment Return Assumption	2024 10-yr Net Return
Harlingen Fire	7.75%	6.87%
Big Spring Fire	7.75%	6.33%
Orange Fire	7.75%	6.07%
San Angelo Fire	7.80%	5.56%

Investment Data Future Additions

- Staff will include additional details based on available system quarterly reports for the December meeting.

Summary Investment Returns and Expenses Report
September 25, 2025

Summary of Key Statistics

10YR Return Vs Assumption

	Current Report	
	9/25/2025	Cumulative
>2%	0	0
>1%, <2%	6	6
>0%, <1%	19	25
<0%, >-1%	40	65
<-1%, >-2%	18	83
<-2%	15	98
N/A	0	98
Total Plans Registered	100	100

Investment Return Assumption Rates

	Current Report	
	9/25/2025	Cumulative
> 7.50%, < 8.00%	7	7
7.50%	9	16
> 7.00%, < 7.50%	25	41
7.00%	27	68
> 6.50%, < 7.00%	11	79
<= 6.50%	21	100
Total Plans Registered	100	100

SB 322 Total Investment Expense

	Current Report	
	9/25/2025	Cumulative
>2%	0	0
>1.25%, <2%	3	3
>1%, <1.25%	11	14
>0.75%, <1%	18	32
>0.5%, <0.75%	36	68
<0.5%	32	100
Total Plans Registered	100	100

Investment Data Returns and Expenses Report
September 25, 2025
(Dollars in Millions) (Fees as Percent of Net Total Assets)

System	Fiscal Year End	Net Total Assets	Funded Ratio	Investment Return Assumption	1-Year Net Return	3-Year Net Return	10-Year Net Return	SB 322 Total Direct & Indirect Expenses	SB 322 Total Investment Expense	Annual Audit Investment Expense	10YR Return Vs Assumption
Houston Municipal Employees Pension System	6/30/2024	$4,360	75.01%	7.00%	10.36%	7.09%	8.73%	1.32%	1.35%	0.23%	1.73%
Galveston Wharves Pension Plan	12/31/2024	$16	93.22%	7.00%	14.03%	3.67%	8.51%	0.66%	0.66%	0.45%	1.51%
San Antonio Metropolitan Transit Retirement Plan	9/30/2024	$386	74.24%	7.00%	19.30%	3.80%	8.30%	0.37%	0.40%	0.40%	1.30%
JPS - Tarrant County Hospital District	9/30/2024	$550	104.48%	6.75%	24.67%	6.07%	8.05%	0.14%	0.17%	0.08%	1.30%
Amarillo Firemen's Relief & Retirement Fund	12/31/2024	$254	92.60%	7.35%	10.54%	1.29%	8.58%	0.27%	0.30%	0.29%	1.23%
Guadalupe Regional Medical Center	12/31/2024	$125	106.01%	6.75%	12.32%	3.77%	7.87%	0.15%	0.18%	0.07%	1.12%
Harris County Hospital District Pension Plan	12/31/2023	$948	80.11%	5.75%	13.99%	2.26%	6.68%	0.19%	0.25%	0.00%	0.93%
Employees Retirement System of Texas	8/31/2024	$37,479	75.31%	7.00%	12.51%	5.70%	7.79%	1.06%	1.07%	0.14%	0.79%
Judicial Retirement System of Texas Plan Two	8/31/2024	$756	104.29%	7.00%	12.51%	5.70%	7.79%	0.48%	0.49%	0.12%	0.79%
Law Enforcement & Custodial Off Sup. Ret. Fund	8/31/2024	$1,986	106.18%	7.00%	12.51%	5.70%	7.79%	0.48%	0.49%	0.10%	0.79%
Houston Police Officers' Pension System	6/30/2024	$7,780	95.41%	7.00%	11.00%	5.67%	7.75%	0.99%	1.00%	0.09%	0.75%
Citizens Medical Center	2/29/2024	$162	118.83%	6.75%	16.21%	5.16%	7.50%	0.13%	0.16%	0.05%	0.75%
Plano Retirement Security Plan	12/31/2024	$236	105.22%	6.75%	12.64%	3.06%	7.44%	0.40%	0.45%	0.20%	0.69%
CPS Energy Pension Plan	12/31/2024	$2,407	88.25%	7.00%	15.06%	5.61%	7.65%	0.36%	0.39%	0.27%	0.65%
Texas County & District Retirement System	12/31/2024	$50,530	N/A	7.50%	10.26%	4.88%	8.10%	1.80%	1.82%	0.08%	0.60%
University Health System Pension Plan	12/31/2024	$652	77.58%	7.00%	8.47%	2.45%	7.58%	0.50%	0.54%	0.28%	0.58%
Employees of Brownsville Navigation District	12/31/2024	$13	118.61%	6.00%	11.30%	3.23%	6.53%	0.86%	0.86%	0.86%	0.53%
Denton Firemen's Relief & Retirement Fund	12/31/2023	$152	93.75%	6.75%	9.24%	7.08%	7.14%	0.13%	0.30%	0.25%	0.39%
Beaumont Firemen's Relief & Retirement Fund	12/31/2024	$119	53.75%	7.25%	11.23%	2.79%	7.63%	0.45%	0.58%	0.47%	0.38%
DART Employees	9/30/2024	$230	92.24%	6.25%	15.45%	3.89%	6.63%	0.26%	0.37%	0.27%	0.38%
Travis County ESD #6 FRRF	12/31/2024	$57	88.32%	6.50%	9.85%	2.28%	6.81%	0.48%	0.68%	0.30%	0.31%
Teacher Retirement System of Texas	8/31/2024	$210,543	78.00%	7.00%	12.83%	3.01%	7.24%	0.92%	0.95%	0.56%	0.24%
Weslaco Firemen's Relief & Retirement Fund	9/30/2024	$22	99.45%	7.25%	28.08%	9.25%	7.48%	0.05%	0.47%	0.47%	0.23%
Capital MTA Admin Employees	12/31/2023	$57	76.01%	6.75%	15.39%	3.43%	6.87%	0.48%	0.77%	0.08%	0.12%
Houston Firefighters' Relief & Retirement Fund	6/30/2024	$5,379	100.00%	7.00%	9.50%	4.47%	7.10%	1.15%	1.22%	0.13%	0.10%
Dallas Co. Hospital Dist. Retirement Income Plan	12/31/2023	$1,665	70.55%	6.00%	12.06%	2.68%	5.97%	0.33%	0.36%	0.21%	-0.03%
Fort Worth Employees' Retirement Fund	9/30/2024	$2,988	57.00%	7.00%	16.00%	4.70%	6.90%	0.92%	0.98%	0.13%	-0.10%
Port of Houston Authority Retirement Plan	7/31/2024	$222	98.91%	6.00%	12.41%	3.22%	5.90%	0.45%	0.60%	0.21%	-0.10%
Fort Worth Employees' Retirement Fund Staff Plan	9/30/2024	$10	81.63%	7.00%	16.00%	4.70%	6.90%	0.92%	0.98%	0.13%	-0.10%
Nacogdoches County Hospital District	6/30/2023	$35	63.92%	6.75%	7.08%	5.00%	6.61%	0.67%	0.67%	0.00%	-0.14%
Texas Municipal Retirement System	12/31/2024	$43,407	N/A	6.75%	10.41%	4.53%	6.57%	1.31%	1.33%	0.08%	-0.18%
Sweeny Community Hospital	12/31/2024	$3	87.74%	5.75%	3.85%	-1.17%	5.53%	0.15%	0.18%	0.05%	-0.22%
Corpus Christi Regional Transportation Authority	12/31/2024	$51	80.69%	6.75%	9.56%	2.73%	6.51%	0.56%	0.56%	0.00%	-0.24%
Odessa Firemen's Relief & Retirement Fund	12/31/2024	$53	36.00%	7.00%	8.83%	1.70%	6.74%	0.71%	0.84%	0.53%	-0.26%
Refugio County Memorial Hospital	10/31/2024	$1	105.55%	6.00%	20.63%	2.44%	5.70%	0.00%	0.00%	0.00%	-0.30%
DFW Airport Board DPS	12/31/2024	$295	82.86%	7.00%	8.00%	3.90%	6.70%	0.95%	0.95%	0.96%	-0.30%

System	Fiscal Year End	Net Total Assets	Funded Ratio	Investment Return Assumption	1-Year Net Return	3-Year Net Return	10-Year Net Return	SB 322 Total Direct & Indirect Expenses	SB 322 Total Investment Expense	Annual Audit Investment Expense	10YR Return Vs Assumption
DFW Airport Board	12/31/2024	$658	85.40%	7.00%	7.90%	3.80%	6.70%	0.95%	0.95%	0.95%	-0.30%
Capital MTA Bargaining	12/31/2023	$38	61.77%	6.50%	15.79%	2.14%	6.11%	0.21%	0.44%	0.30%	-0.39%
Wichita Falls Firemen's Relief & Retirement Fund	12/31/2024	$60	49.28%	7.50%	10.87%	2.65%	7.09%	0.19%	0.73%	0.73%	-0.41%
Austin Firefighters Retirement Fund	12/31/2024	$1,165	76.93%	7.30%	4.58%	0.39%	6.81%	0.49%	0.53%	0.24%	-0.49%
Austin Employees' Retirement System	12/31/2024	$3,571	59.94%	6.75%	9.85%	1.36%	6.21%	0.22%	0.27%	0.16%	-0.54%
Killeen Firemen's Relief & Retirement Fund	9/30/2024	$75	75.80%	7.25%	18.86%	3.78%	6.69%	0.36%	0.49%	0.19%	-0.56%
Lubbock Fire Pension Fund	12/31/2024	$278	74.25%	7.50%	9.14%	4.70%	6.94%	0.60%	0.66%	0.06%	-0.56%
The Woodlands Firefighters' Retirement System	12/31/2024	$80	105.93%	7.00%	11.79%	2.83%	6.44%	0.39%	0.49%	0.26%	-0.56%
Irving Supplemental Benefit Plan	12/31/2024	$120	101.35%	6.75%	9.20%	2.31%	6.16%	0.47%	0.55%	0.33%	-0.59%
Austin Police Retirement System	12/31/2024	$1,083	57.64%	7.25%	8.59%	2.31%	6.65%	0.55%	0.59%	0.12%	-0.60%
El Paso Firemen's Pension Fund	12/31/2024	$768	78.78%	7.75%	7.04%	2.14%	7.12%	1.03%	1.07%	0.25%	-0.63%
El Paso Police Pension Fund	12/31/2024	$1,092	77.99%	7.75%	7.04%	2.14%	7.12%	1.03%	1.07%	0.23%	-0.63%
El Paso Firemen & Policemen's Pension Staff Plan	12/31/2024	$2	104.38%	7.75%	7.04%	2.14%	7.12%	1.03%	1.07%	0.17%	-0.63%
Laredo Firefighters Retirement System	9/30/2024	$248	68.32%	7.40%	25.83%	5.66%	6.77%	0.66%	0.71%	0.14%	-0.63%
Denison Firemen's Relief & Retirement Fund	12/31/2024	$24	74.39%	7.25%	13.75%	0.12%	6.61%	0.00%	0.00%	0.41%	-0.64%
Temple Firemen's Relief & Retirement Fund	9/30/2024	$63	73.84%	7.30%	13.90%	2.97%	6.66%	0.73%	0.88%	0.17%	-0.64%
Guadalupe-Blanco River Authority	12/31/2024	$34	84.33%	6.25%	8.12%	0.18%	5.60%	0.13%	0.24%	0.24%	-0.65%
City of El Paso Employees Retirement Trust	8/31/2024	$991	79.64%	7.25%	12.33%	3.16%	6.58%	0.49%	0.54%	0.20%	-0.67%
Brazos River Authority Retirement Plan	2/29/2024	$24	78.23%	6.50%	14.75%	4.88%	5.80%	0.48%	0.63%	0.00%	-0.70%
San Antonio Fire & Police Pension Fund	12/31/2024	$4,125	83.14%	7.25%	8.50%	2.80%	6.50%	1.09%	1.11%	0.27%	-0.75%
Irving Firemen's Relief & Retirement Fund	12/31/2024	$279	86.58%	7.00%	9.61%	3.07%	6.20%	0.50%	0.57%	0.16%	-0.80%
Conroe Fire Fighters' Retirement Fund	12/31/2024	$54	68.23%	7.25%	13.97%	4.80%	6.37%	0.50%	0.50%	0.50%	-0.88%
Galveston Employees' Retirement Fund	12/31/2024	$78	73.28%	7.25%	12.63%	2.46%	6.37%	0.38%	0.43%	0.16%	-0.88%
Harlingen Firemen's Relief & Retirement Fund	9/30/2024	$44	71.00%	7.75%	21.79%	4.91%	6.87%	0.47%	0.69%	0.40%	-0.88%
Cleburne Firemen's Relief & Retirement Fund	12/31/2023	$26	60.00%	7.35%	12.44%	4.94%	6.45%	0.12%	0.68%	0.53%	-0.90%
Houston MTA Workers Union Pension Plan	12/31/2024	$304	66.54%	6.25%	7.50%	0.20%	5.30%	0.20%	0.31%	0.22%	-0.95%
Dallas Employees' Retirement Fund	12/31/2024	$3,757	66.92%	7.25%	9.14%	3.25%	6.27%	0.00%	0.00%	0.53%	-0.98%
Colorado River Municipal Water Dist.	12/31/2024	$9	87.08%	6.00%	7.08%	-0.46%	5.00%	1.16%	1.16%	0.00%	-1.00%
Lower Colorado River Authority Retirement Plan	12/31/2024	$491	76.32%	7.00%	11.40%	2.90%	6.00%	0.41%	0.43%	0.43%	-1.00%
Houston MTA Non-Union Pension Plan	12/31/2024	$198	61.67%	6.25%	8.30%	0.60%	5.20%	0.21%	0.24%	0.24%	-1.05%
Floresville Electric Light and Power System Pension Plan	12/31/2023	$12	55.32%	6.50%	13.05%	3.27%	5.37%	0.53%	1.05%	0.47%	-1.13%
Waxahachie Firemen's Relief & Retirement Fund	9/30/2024	$28	75.22%	7.00%	24.07%	2.01%	5.84%	0.41%	0.55%	0.20%	-1.16%
Texarkana Firemen's Relief & Retirement Fund	12/31/2024	$42	65.41%	7.25%	9.22%	2.13%	6.05%	0.71%	0.76%	0.76%	-1.20%
Port Arthur Firemen's Relief & Retirement Fund	12/31/2024	$60	75.57%	7.25%	10.67%	1.83%	6.02%	0.55%	0.72%	0.72%	-1.23%
San Benito Firemen Relief & Retirement Fund	9/30/2024	$6	74.42%	7.50%	25.01%	7.44%	6.24%	0.54%	0.90%	0.72%	-1.26%
Corsicana Firemen's Relief & Retirement Fund	12/31/2024	$13	56.87%	7.00%	8.33%	-0.20%	5.71%	0.39%	0.39%	0.39%	-1.29%
Lufkin Firemen's Relief & Retirement Fund	12/31/2024	$25	51.75%	7.25%	11.19%	2.98%	5.75%	0.47%	0.70%	0.20%	-1.50%
Longview Firemen's Relief & Retirement Fund	12/31/2024	$100	72.23%	7.50%	10.34%	3.50%	6.00%	0.60%	0.75%	0.75%	-1.50%
Tyler Firefighters' Relief & Retirement Fund	12/31/2023	$83	68.60%	7.00%	13.02%	2.89%	5.48%	0.48%	0.69%	0.69%	-1.52%

System	Fiscal Year End	Net Total Assets	Funded Ratio	Investment Return Assumption	1-Year Net Return	3-Year Net Return	10-Year Net Return	SB 322 Total Direct & Indirect Expenses	SB 322 Total Investment Expense	Annual Audit Investment Expense	10YR Return Vs Assumption
Abilene Firemen's Relief & Retirement Fund	9/30/2024	$64	47.00%	7.50%	20.49%	3.59%	5.87%	0.42%	0.54%	0.36%	-1.63%
Texas Emergency Services Retirement System	8/31/2024	$138	56.32%	7.25%	12.90%	1.23%	5.59%	0.50%	0.58%	0.29%	-1.66%
McAllen Firemen's Relief & Retirement Fund	9/30/2024	$66	65.00%	7.25%	16.11%	1.28%	5.57%	0.57%	0.92%	0.59%	-1.68%
Orange Firemen's Relief & Retirement Fund	12/31/2024	$10	57.08%	7.75%	11.57%	1.29%	6.07%	0.44%	0.74%	0.00%	-1.68%
Galveston Firefighter's Relief & Retirement Fund	12/31/2024	$59	64.17%	7.50%	10.34%	1.95%	5.81%	0.82%	0.97%	0.36%	-1.69%
Corpus Christi Fire Fighters' Retirement System	12/31/2024	$195	60.12%	7.15%	7.29%	0.42%	5.30%	0.51%	0.61%	0.30%	-1.85%
Galveston Employees' Retirement Plan for Police	12/31/2024	$31	47.43%	7.00%	10.06%	2.29%	5.12%	0.56%	0.56%	0.24%	-1.88%
Paris Firefighters' Relief & Retirement Fund	12/31/2024	$17	109.77%	7.25%	7.66%	1.33%	5.27%	0.42%	0.73%	0.73%	-1.98%
Atlanta Firemen's Relief & Retirement Fund	12/31/2024	$5	71.52%	7.00%	7.00%	1.34%	4.99%	0.38%	0.73%	0.61%	-2.01%
Big Spring Firemen's Relief & Retirement Fund	12/31/2023	$16	62.96%	7.75%	13.89%	2.63%	5.74%	0.66%	0.90%	0.19%	-2.01%
Marshall Firemen's Relief & Retirement Fund	12/31/2024	$9	37.00%	7.25%	6.94%	1.19%	5.23%	0.49%	0.79%	0.79%	-2.02%
University Park Firemen's Relief & Retirement Fund	12/31/2023	$13	44.28%	7.00%	14.83%	2.34%	4.95%	0.41%	0.71%	0.71%	-2.05%
Greenville Firemen's Relief & Retirement Fund	12/31/2023	$16	41.70%	7.25%	14.90%	2.71%	5.15%	0.33%	0.62%	0.36%	-2.10%
Sweetwater Firemen's Relief & Retirement Fund	12/31/2024	$9	46.70%	7.50%	7.36%	1.11%	5.04%	0.47%	0.78%	0.63%	-2.46%
San Angelo Firemen's Relief & Retirement Fund	12/31/2023	$76	49.65%	7.80%	11.33%	1.66%	5.18%	0.43%	0.62%	0.24%	-2.62%
Brownwood Firemen's Relief & Retirement Fund	12/31/2023	$5	43.24%	7.00%	13.50%	0.59%	4.33%	1.01%	1.01%	0.74%	-2.67%
Texas City Firemen's Relief & Retirement Fund	12/31/2023	$16	41.32%	7.25%	15.25%	2.64%	4.54%	0.31%	0.60%	0.37%	-2.71%
Anson General Hospital	6/30/2024	$1	96.86%	5.75%	4.58%	-3.33%	3.02%	0.14%	0.16%	0.04%	-2.73%
Plainview Firemen's Relief & Retirement Fund	12/31/2024	$8	39.35%	7.50%	8.29%	1.30%	4.39%	0.43%	0.98%	0.84%	-3.11%
Arlington Employees Deferred Income Plan	6/30/2024	$3	125.00%	5.00%	4.18%	-2.31%	1.64%	0.68%	0.68%	0.00%	-3.36%
Midland Firemen's Relief & Retirement Fund	12/31/2024	$91	30.55%	7.00%	11.48%	1.69%	3.51%	0.96%	1.13%	0.78%	-3.49%
Dallas Police & Fire Pension System-Combined Plan	12/31/2023	$1,935	33.80%	6.50%	10.27%	4.27%	2.24%	0.45%	0.52%	0.33%	-4.26%
Dallas Police & Fire Pension System-Supplemental	12/31/2023	$20	40.80%	6.50%	10.27%	4.27%	2.24%	0.35%	0.41%	0.33%	-4.26%
Lower Neches Valley	12/31/2024	$18	85.38%	6.50%	17.25%	7.75%	N/A[1]	0.47%	0.47%	0.25%	N/A[1]
Supplemental Retirement Plan of University Medical Center	8/31/2024	$5	76.42%	4.00%	7.28%	2.84%	N/A[1]	0.03%	0.28%	0.24%	N/A[1]

[1] System not older than 10 years and does not have a 10-Year Net Return.

Investment Data Services Report
September 25, 2025
(Dollars in Millions) (Fees as Percent of Net Total Assets)

System	Fiscal Year End	Net Total Assets	Investment Consultant	Custodial	Legal	Research	Other	Total
Abilene Firemen's Relief & Retirement Fund	9/30/2024	$64	0.07%	0.03%	0.02%	0.00%	0.00%	0.11%
Amarillo Firemen's Relief & Retirement Fund	12/31/2024	$254	0.01%	0.02%	0.00%	0.00%	0.00%	0.03%
Arlington Employees Deferred Income Plan	6/30/2024	$3	0.00%					
Atlanta Firemen's Relief & Retirement Fund	12/31/2024	$5	0.25%	0.10%	0.00%	0.00%	0.00%	0.35%
Austin Employees' Retirement System	12/31/2024	$3,571	0.01%	0.01%	0.00%	0.00%	0.00%	0.02%
Austin Firefighters Retirement Fund	12/31/2024	$1,165	0.02%	0.01%	0.01%	0.00%	0.00%	0.03%
Austin Police Retirement System	12/31/2024	$1,083	0.02%	0.02%	0.00%	0.00%	0.00%	0.04%
Beaumont Firemen's Relief & Retirement Fund	12/31/2024	$119	0.07%	0.02%	0.03%	0.00%	0.00%	0.12%
Big Spring Firemen's Relief & Retirement Fund	12/31/2023	$16	0.21%	0.03%	0.00%	0.00%	0.00%	0.24%
Brazos River Authority Retirement Plan	2/29/2024	$24	0.15%	0.00%	0.00%	0.00%	0.00%	0.15%
Brownwood Firemen's Relief & Retirement Fund	12/31/2023	$5	0.00%					
Capital MTA Admin Employees	12/31/2023	$57	0.09%	0.20%	0.00%	0.00%	0.00%	0.29%
Capital MTA Bargaining	12/31/2023	$38	0.23%	0.00%	0.00%	0.00%	0.00%	0.23%
City of El Paso Employees Retirement Trust	8/31/2024	$991	0.03%	0.02%	0.00%	0.00%	0.00%	0.05%
Cleburne Firemen's Relief & Retirement Fund	12/31/2024	$30	0.69%	0.00%	0.00%	0.00%	0.00%	0.69%
Colorado River Municipal Water Dist.	12/31/2024	$9	0.00%					
Conroe Fire Fighters' Retirement Fund	12/31/2024	$54	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Corpus Christi Fire Fighters' Retirement System	12/31/2024	$195	0.05%	0.04%	0.00%	0.00%	0.00%	0.09%
Corpus Christi Regional Transportation Authority	12/31/2024	$51	0.00%					
Corsicana Firemen's Relief & Retirement Fund	12/31/2024	$13	0.00%					
CPS Energy Pension Plan	12/31/2024	$2,407	0.01%	0.01%	0.00%	0.00%	0.01%	0.03%
Dallas Co. Hospital Dist. Retirement Income Plan	12/31/2023	$1,665	0.01%	0.02%	0.00%	0.00%	0.00%	0.03%
Dallas Employees' Retirement Fund	12/31/2023	$3,649	0.02%	0.00%	0.00%	0.00%	0.00%	0.02%
Dallas Police & Fire Pension System-Combined Plan	12/31/2023	$1,935	0.02%	0.01%	0.00%	0.00%	0.03%	0.07%
Dallas Police & Fire Pension System-Supplemental	12/31/2023	$20	0.02%	0.01%	0.00%	0.00%	0.03%	0.06%
DFW Airport Board DPS	12/31/2024	$295	0.00%					
DFW Airport Board	12/31/2024	$658	0.00%					
DART Employees	9/30/2024	$230	0.04%	0.07%	0.00%	0.00%	0.00%	0.11%
Denison Firemen's Relief & Retirement Fund	12/31/2024	$24	0.38%	0.00%	0.00%	0.00%	0.00%	0.38%
Denton Firemen's Relief & Retirement Fund	12/31/2023	$152	0.14%	0.03%	0.00%	0.00%	0.00%	0.17%
El Paso Firemen & Policemen's Pension Staff Plan	12/31/2024	$2	0.03%	0.01%	0.00%	0.00%	0.00%	0.04%
El Paso Firemen's Pension Fund	12/31/2024	$768	0.03%	0.01%	0.00%	0.00%	0.00%	0.04%
El Paso Police Pension Fund	12/31/2024	$1,092	0.03%	0.01%	0.00%	0.00%	0.00%	0.04%
Employees Retirement System of Texas	8/31/2024	$37,479	0.01%	0.00%	0.00%	0.00%	0.00%	0.01%
Floresville Electric Light and Power System Pension Plan	12/31/2023	$12	0.43%	0.09%	0.00%	0.00%	0.00%	0.53%
Fort Worth Employees' Retirement Fund	9/30/2024	$2,988	0.04%	0.02%	0.00%	0.00%	0.00%	0.06%
Fort Worth Employees' Retirement Fund Staff Plan	9/30/2024	$10	0.04%	0.02%	0.00%	0.00%	0.00%	0.06%
Galveston Employees' Retirement Fund	12/31/2024	$78	0.00%	0.05%	0.00%	0.00%	0.00%	0.05%
Galveston Employees' Retirement Plan for Police	12/31/2024	$31	0.00%					
Galveston Firefighter's Relief & Retirement Fund	12/31/2024	$59	0.14%	0.01%	0.00%	0.00%	0.00%	0.15%
Galveston Wharves Pension Plan	12/31/2024	$16	0.00%					
Greenville Firemen's Relief & Retirement Fund	12/31/2023	$16	0.24%	0.06%	0.00%	0.00%	0.00%	0.29%
Guadalupe-Blanco River Authority	12/31/2024	$34	0.10%	0.00%	0.00%	0.00%	0.00%	0.10%
Harlingen Firemen's Relief & Retirement Fund	9/30/2024	$44	0.11%	0.00%	0.11%	0.00%	0.00%	0.22%
Harris County Hospital District Pension Plan	12/31/2024	$1,044	0.01%	0.03%	0.00%	0.00%	0.00%	0.05%
Houston Firefighters' Relief & Retirement Fund	6/30/2024	$5,379	0.02%	0.00%	0.00%	0.00%	0.00%	0.03%
Houston MTA Non-Union Pension Plan	12/31/2024	$198	0.03%	0.00%	0.00%	0.00%	0.00%	0.03%
Houston MTA Workers Union Pension Plan	12/31/2024	$304	0.03%	0.09%	0.00%	0.00%	0.00%	0.12%
Houston Municipal Employees Pension System	6/30/2024	$4,360	0.02%	0.01%	0.00%	0.00%	0.00%	0.03%
Houston Police Officers' Pension System	6/30/2024	$7,780	0.01%	0.00%	0.00%	0.00%	0.00%	0.01%
Irving Firemen's Relief & Retirement Fund	12/31/2024	$279	0.05%	0.02%	0.00%	0.00%	0.00%	0.07%
Irving Supplemental Benefit Plan	12/31/2024	$120	0.07%	0.02%	0.00%	0.00%	0.00%	0.09%
JPS - Tarrant County Hospital District	9/30/2024	$550	0.02%	0.01%	0.00%	0.00%	0.00%	0.02%
Judicial Retirement System of Texas Plan Two	8/31/2024	$756	0.01%	0.00%	0.00%	0.00%	0.00%	0.01%

System	Fiscal Year End	Net Total Assets	Investment Consultant	Custodial	Legal	Research	Other	Total
Killeen Firemen's Relief & Retirement Fund	9/30/2024	$75	0.08%	0.01%	0.04%	0.00%	0.00%	0.13%
Laredo Firefighters Retirement System	9/30/2024	$248	0.04%	0.02%	0.00%	0.00%	0.00%	0.06%
Law Enforcement & Custodial Off Sup. Ret. Fund	8/31/2024	$1,986	0.01%	0.00%	0.00%	0.00%	0.00%	0.01%
Longview Firemen's Relief & Retirement Fund	12/31/2024	$100	0.13%	0.03%	0.00%	0.00%	0.00%	0.15%
Lower Colorado River Authority Retirement Plan	12/31/2024	$491	0.00%	0.02%	0.00%	0.00%	0.00%	0.02%
Lower Neches Valley	12/31/2024	$18	0.00%					
Lubbock Fire Pension Fund	12/31/2024	$278	0.03%	0.02%	0.01%	0.00%	0.00%	0.06%
Lufkin Firemen's Relief & Retirement Fund	12/31/2024	$25	0.20%	0.03%	0.00%	0.00%	0.00%	0.23%
Marshall Firemen's Relief & Retirement Fund	12/31/2024	$9	0.21%	0.10%	0.00%	0.00%	0.00%	0.31%
McAllen Firemen's Relief & Retirement Fund	9/30/2024	$66	0.12%	0.08%	0.04%	0.01%	0.09%	0.35%
Midland Firemen's Relief & Retirement Fund	12/31/2024	$91	0.10%	0.03%	0.03%	0.02%	0.00%	0.17%
Nacogdoches County Hospital District	6/30/2023	$35	0.00%					
Odessa Firemen's Relief & Retirement Fund	12/31/2024	$53	0.10%	0.03%	0.00%	0.00%	0.00%	0.12%
Orange Firemen's Relief & Retirement Fund	12/31/2024	$10	0.24%	0.06%	0.00%	0.00%	0.00%	0.31%
Paris Firefighters' Relief & Retirement Fund	12/31/2024	$17	0.21%	0.10%	0.00%	0.00%	0.00%	0.31%
Plainview Firemen's Relief & Retirement Fund	12/31/2024	$8	0.56%	0.00%	0.00%	0.00%	0.00%	0.56%
Plano Retirement Security Plan	12/31/2024	$236	0.03%	0.02%	0.00%	0.00%	0.00%	0.05%
Port Arthur Firemen's Relief & Retirement Fund	12/31/2024	$60	0.14%	0.03%	0.00%	0.00%	0.00%	0.17%
Port of Houston Authority Retirement Plan	7/31/2024	$222	0.04%	0.05%	0.00%	0.00%	0.06%	0.15%
Refugio County Memorial Hospital	10/31/2024	$1	0.49%	0.00%	0.00%	0.00%	0.00%	0.49%
Anson General Hospital	6/30/2024	$1	0.01%	0.01%	0.00%	0.00%	0.00%	0.02%
Citizens Medical Center	2/29/2024	$162	0.01%	0.01%	0.00%	0.00%	0.00%	0.02%
Employees of Brownsville Navigation District	12/31/2024	$13	0.00%					
Guadalupe Regional Medical Center	12/31/2024	$125	0.02%	0.01%	0.00%	0.00%	0.00%	0.03%
Sweeny Community Hospital	12/31/2024	$3	0.02%	0.01%	0.00%	0.00%	0.00%	0.03%
Supplemental Retirement Plan of University Medical Center	12/31/2023	$76	0.04%	0.07%	0.00%	0.04%	0.04%	0.19%
San Antonio Fire & Police Pension Fund	12/31/2024	$4,125	0.02%	0.01%	0.00%	0.00%	0.00%	0.03%
San Antonio Metropolitan Transit Retirement Plan	9/30/2024	$386	0.02%	0.01%	0.00%	0.00%	0.00%	0.03%
San Benito Firemen Relief & Retirement Fund	9/30/2024	$6	0.36%	0.00%	0.00%	0.00%	0.00%	0.36%
Supplemental Retirement Plan of University Medical Center	8/31/2024	$5	0.00%	0.24%	0.00%	0.00%	0.00%	0.24%
Sweetwater Firemen's Relief & Retirement Fund	12/31/2024	$9	0.21%	0.10%	0.00%	0.00%	0.00%	0.31%
Teacher Retirement System of Texas	8/31/2024	$210,543	0.00%	0.01%	0.00%	0.00%	0.02%	0.03%
Temple Firemen's Relief & Retirement Fund	9/30/2024	$63	0.10%	0.04%	0.01%	0.00%	0.00%	0.15%
Texarkana Firemen's Relief & Retirement Fund	12/31/2024	$42	0.03%	0.02%	0.00%	0.00%	0.00%	0.05%
Texas City Firemen's Relief & Retirement Fund	12/31/2023	$16	0.23%	0.06%	0.00%	0.00%	0.00%	0.29%
Texas County & District Retirement System	12/31/2024	$50,530	0.01%	0.00%	0.00%	0.00%	0.00%	0.01%
Texas Emergency Services Retirement System	8/31/2024	$138	0.06%	0.03%	0.00%	0.00%	0.00%	0.08%
Texas Municipal Retirement System	12/31/2024	$43,407	0.00%	0.00%	0.00%	0.00%	0.01%	0.02%
The Woodlands Firefighters' Retirement System	12/31/2024	$80	0.07%	0.03%	0.00%	0.00%	0.00%	0.10%
Travis County ESD #6 FRRF	12/31/2024	$57	0.14%	0.05%	0.02%	0.00%	0.00%	0.20%
Tyler Firefighters' Relief & Retirement Fund	12/31/2023	$83	0.13%	0.08%	0.00%	0.00%	0.00%	0.21%
University Health System Pension Plan	12/31/2024	$652	0.03%	0.01%	0.00%	0.00%	0.00%	0.04%

Investment Data Asset Class and Expenses Report
September 25, 2025
(Dollars in Millions) (Fees as Percent of Net Total Assets)

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
Abilene Firemen's Relief & Retirement Fund	9/30/2024	Real Assets	$64	6.99%	0.00%	0.12%	0.00%	0.00%	0.12%
		Fixed Income	$64	18.21%	0.00%	0.07%	0.00%	0.00%	0.07%
		Equities	$64	69.12%	0.06%	0.12%	0.00%	0.00%	0.18%
		Alternative Investments	$64	5.25%	0.00%	0.05%	0.00%	0.00%	0.05%
Amarillo Firemen's Relief & Retirement Fund	12/31/2024	Fixed Income	$254	29.61%	0.04%	0.00%	0.00%	0.00%	0.04%
		Equities	$254	66.74%	0.20%	0.00%	0.01%	0.00%	0.21%
		Cash	$254	3.45%	0.02%	0.00%	0.00%	0.00%	0.02%
Arlington Employees Deferred Income Plan	6/30/2024	Fixed Income	$3	77.02%	0.39%	0.12%	0.00%	0.00%	0.50%
		Equities	$3	20.08%	0.10%	0.07%	0.00%	0.00%	0.17%
		Cash	$3	2.88%	0.00%	0.00%	0.00%	0.00%	0.00%
Atlanta Firemen's Relief & Retirement Fund	12/31/2024	Fixed Income	$5	33.81%	0.09%	0.05%	0.00%	0.00%	0.14%
		Equities	$5	61.59%	0.08%	0.10%	0.00%	0.00%	0.17%
		Cash	$5	4.05%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$5	2.03%	0.06%	0.01%	0.00%	0.00%	0.07%
Austin Employees' Retirement System	12/31/2024	Real Assets	$3,571	13.03%	0.00%	0.06%	0.00%	0.00%	0.06%
		Fixed Income	$3,571	16.79%	0.01%	0.03%	0.00%	0.00%	0.04%
		Equities	$3,571	56.10%	0.09%	0.02%	0.01%	0.00%	0.12%
		Cash	$3,571	8.63%	0.01%	0.00%	0.00%	0.00%	0.01%
		Alternative Investments	$3,571	4.24%	0.00%	0.00%	0.00%	0.00%	0.00%

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
Austin Firefighters Retirement Fund	12/31/2024	Real Assets	$1,165	9.95%	0.00%	0.08%	0.00%	0.00%	0.08%
		Fixed Income	$1,165	29.43%	0.04%	0.01%	0.00%	0.00%	0.06%
		Equities	$1,165	44.84%	0.11%	0.09%	0.03%	0.00%	0.23%
		Alternative Investments	$1,165	14.92%	0.00%	0.13%	0.00%	0.00%	0.13%
Austin Police Retirement System	12/31/2024	Real Assets	$1,083	12.64%	0.00%	0.16%	0.00%	0.01%	0.18%
		Fixed Income	$1,083	17.51%	0.01%	0.08%	0.00%	0.00%	0.09%
		Equities	$1,083	68.68%	0.07%	0.17%	0.01%	0.00%	0.25%
		Cash	$1,083	0.97%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$1,083	0.07%	0.00%	0.00%	0.00%	0.03%	0.03%
Beaumont Firemen's Relief & Retirement Fund	12/31/2024	Real Assets	$119	7.23%	0.07%	0.00%	0.00%	0.00%	0.07%
		Fixed Income	$119	19.20%	0.02%	0.07%	0.00%	0.00%	0.09%
		Equities	$119	65.86%	0.15%	0.13%	0.00%	0.00%	0.28%
		Cash	$119	0.99%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$119	6.05%	0.00%	0.00%	0.00%	0.00%	0.00%
Big Spring Firemen's Relief & Retirement Fund	12/31/2023	Real Assets	$16	3.56%	0.00%	0.03%	0.00%	0.00%	0.04%
		Fixed Income	$16	22.78%	0.00%	0.13%	0.00%	0.00%	0.13%
		Equities	$16	50.15%	0.13%	0.31%	0.00%	0.00%	0.45%
		Cash	$16	4.06%	0.00%	0.01%	0.00%	0.00%	0.01%
		Alternative Investments	$16	18.95%	0.00%	0.04%	0.00%	0.00%	0.04%
Brazos River Authority Retirement Plan	2/29/2024	Real Assets	$24	4.54%	0.00%	0.11%	0.00%	0.00%	0.11%
		Fixed Income	$24	21.35%	0.00%	0.19%	0.00%	0.00%	0.19%
		Equities	$24	56.22%	0.00%	0.12%	0.00%	0.00%	0.12%
		Cash	$24	0.86%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$24	16.96%	0.00%	0.05%	0.00%	0.00%	0.05%

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
Brownwood Firemen's Relief & Retirement Fund	12/31/2023	Real Assets	$5	4.73%	0.03%	0.06%	0.00%	0.00%	0.09%
		Fixed Income	$5	7.04%	0.17%	0.05%	0.00%	0.00%	0.22%
		Equities	$5	79.57%	0.50%	0.11%	0.00%	0.00%	0.61%
		Cash	$5	4.09%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$5	4.84%	0.03%	0.07%	0.00%	0.00%	0.10%
Capital MTA Retirement Plan for Bargaining Unit Employees	12/31/2023	Real Assets	$38		0.00%	0.00%	0.00%	0.00%	0.00%
		Fixed Income	$38	22.42%	0.06%	0.00%	0.00%	0.00%	0.06%
		Equities	$38	76.27%	0.00%	0.15%	0.00%	0.00%	0.15%
		Cash	$38	1.32%	0.00%	0.00%	0.00%	0.00%	0.00%
Capital MTA Retirement Plan for Administrative Employees	12/31/2023	Real Assets	$57		0.00%	0.04%	0.00%	0.00%	0.04%
		Fixed Income	$57	31.44%	0.00%	0.09%	0.00%	0.00%	0.09%
		Equities	$57	66.25%	0.00%	0.33%	0.00%	0.00%	0.33%
		Cash	$57	3.27%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$57		0.00%	0.03%	0.00%	0.00%	0.03%
CPS Energy Pension Plan	12/31/2024	Real Assets	$2,407	5.36%	0.02%	0.03%	0.00%	0.00%	0.05%
		Fixed Income	$2,407	22.60%	0.04%	0.03%	0.00%	0.00%	0.07%
		Equities	$2,407	55.47%	0.03%	0.07%	0.00%	0.00%	0.10%
		Cash	$2,407	1.03%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$2,407	15.50%	0.00%	0.12%	0.00%	0.02%	0.14%
Cleburne Firemen's Relief & Retirement Fund	12/31/2024	Equities	$30	61.37%	0.00%	0.06%	0.00%	0.00%	0.06%
Colorado River Municipal Water District Defined Benefit Retirement Plan & Trust	12/31/2024	Real Assets	$9	8.79%	0.00%	0.00%	0.00%	0.00%	0.00%
		Fixed Income	$9	49.99%	0.30%	0.00%	0.00%	0.38%	0.67%
		Equities	$9	41.22%	0.21%	0.00%	0.00%	0.27%	0.48%
Conroe Fire Fighters' Retirement Fund	12/31/2024	Real Assets	$54	0.86%	0.09%	0.00%	0.00%	0.00%	0.09%
		Fixed Income	$54	23.77%	0.08%	0.00%	0.00%	0.00%	0.08%
		Equities	$54	71.57%	0.34%	0.00%	0.00%	0.00%	0.34%
		Cash	$54	3.48%	0.00%	0.00%	0.00%	0.00%	0.00%

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
Corpus Christi Fire Fighters' Retirement System	12/31/2024	Real Assets	$195	7.61%	0.00%	0.00%	0.00%	0.00%	0.00%
		Fixed Income	$195	33.67%	0.10%	0.00%	0.00%	0.00%	0.10%
		Equities	$195	57.04%	0.42%	0.00%	0.00%	0.00%	0.42%
		Cash	$195	1.14%	0.00%	0.00%	0.00%	0.00%	0.00%
Corpus Christi Regional Transportation Authority	12/31/2024	Real Assets	$51	3.95%	0.01%	0.04%	0.00%	0.00%	0.06%
		Fixed Income	$51	38.41%	0.11%	0.08%	0.00%	0.00%	0.19%
		Equities	$51	53.73%	0.16%	0.15%	0.00%	0.00%	0.30%
		Cash	$51	2.32%	0.01%	0.00%	0.00%	0.00%	0.01%
Corsicana Firemen's Relief & Retirement Fund	12/31/2024	Fixed Income	$13	25.66%	0.10%	0.00%	0.00%	0.00%	0.10%
		Equities	$13	71.12%	0.29%	0.00%	0.00%	0.00%	0.29%
		Cash	$13	2.74%	0.01%	0.00%	0.00%	0.00%	0.01%
Dallas County Hospital District Retirement Income Plan	12/31/2023	Real Assets	$1,665	9.29%	0.09%	0.00%	0.00%	0.00%	0.09%
		Fixed Income	$1,665	29.86%	0.03%	0.02%	0.00%	0.00%	0.05%
		Equities	$1,665	60.03%	0.08%	0.11%	0.00%	0.00%	0.18%
		Cash	$1,665	0.83%	0.00%	0.00%	0.00%	0.00%	0.00%
Dallas Employees' Retirement Fund	12/31/2023	Real Assets	$3,649	9.32%	0.00%	0.11%	0.00%	0.00%	0.11%
		Fixed Income	$3,649	28.73%	0.00%	0.10%	0.00%	0.00%	0.10%
		Equities	$3,649	49.37%	0.00%	0.17%	0.00%	0.00%	0.17%
		Cash	$3,649	2.61%	0.01%	0.00%	0.01%	0.00%	0.02%
		Alternative Investments	$3,649	10.18%	0.00%	0.15%	0.00%	0.00%	0.15%

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
Dallas Police & Fire Pension System-Combined Plan	12/31/2023	Real Assets	$1,935	14.25%	0.10%	0.03%	0.04%	0.00%	0.18%
		Fixed Income	$1,935	19.58%	0.03%	0.02%	0.00%	0.00%	0.05%
		Equities	$1,935	50.94%	0.13%	0.06%	0.03%	0.00%	0.22%
		Cash	$1,935	3.19%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$1,935	11.20%	0.00%	0.00%	0.00%	0.00%	0.00%
Dallas Police & Fire Pension System-Supplemental	12/31/2023	Real Assets	$20	14.29%	0.09%	0.03%	0.04%	0.00%	0.16%
		Fixed Income	$20	19.64%	0.03%	0.02%	0.00%	0.00%	0.05%
		Equities	$20	51.08%	0.12%	0.06%	0.02%	0.00%	0.20%
		Alternative Investments	$20	11.23%	0.00%	0.00%	0.00%	0.00%	0.00%
Dallas/Fort Worth Airport Board DPS Retirement Plan	12/31/2024	Real Assets	$295	18.05%	0.24%	0.00%	0.00%	0.05%	0.29%
		Fixed Income	$295	26.11%	0.14%	0.00%	0.00%	0.04%	0.17%
		Equities	$295	38.97%	0.09%	0.00%	0.00%	0.00%	0.09%
		Cash	$295	4.03%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$295	12.90%	0.29%	0.00%	0.00%	0.10%	0.39%
Dallas/Fort Worth Airport Board Retirement Plan	12/31/2024	Real Assets	$658	18.05%	0.24%	0.00%	0.00%	0.05%	0.29%
		Fixed Income	$658	26.11%	0.14%	0.00%	0.00%	0.04%	0.17%
		Equities	$658	38.97%	0.09%	0.00%	0.00%	0.00%	0.09%
		Cash	$658	4.03%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$658	12.90%	0.29%	0.00%	0.00%	0.10%	0.39%
DART Employees' Defined Benefit Retirement Plan & Trust	9/30/2024	Real Estate	$230		0.00%	0.03%	0.00%	0.00%	0.03%
		Fixed Income	$230	36.85%	0.00%	0.05%	0.00%	0.00%	0.05%
		Equities	$230	51.18%	0.08%	0.10%	0.00%	0.00%	0.18%
		Cash	$230	3.65%	0.00%	0.00%	0.00%	0.00%	0.00%

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
Denison Firemen's Relief & Retirement Fund	12/31/2023	Real Assets	$21	1.84%	0.00%	0.00%	0.00%	0.00%	0.00%
		Fixed Income	$21	17.95%	0.00%	0.28%	0.00%	0.00%	0.28%
		Equities	$21	70.51%	0.00%	0.00%	0.00%	0.00%	0.00%
		Cash	$21	2.82%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$21	6.75%	0.00%	0.00%	0.00%	0.00%	0.00%
Denton Firemen's Relief & Retirement Fund	12/31/2023	Real Assets	$152	10.40%	0.03%	0.00%	0.00%	0.00%	0.03%
		Fixed Income	$152	16.76%	0.03%	0.02%	0.00%	0.00%	0.05%
		Equities	$152	55.97%	0.05%	0.00%	0.00%	0.00%	0.06%
		Cash	$152	13.69%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$152	2.92%	0.00%	0.00%	0.00%	0.00%	0.00%
City of El Paso Employees Retirement Trust	8/31/2024	Real Assets	$991	8.41%	0.02%	0.05%	0.00%	0.00%	0.08%
		Fixed Income	$991	15.64%	0.02%	0.00%	0.00%	0.00%	0.02%
		Equities	$991	60.20%	0.12%	0.08%	0.00%	0.00%	0.20%
		Cash	$991	0.91%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$991	14.61%	0.11%	0.05%	0.00%	0.04%	0.19%
El Paso Firemen's Pension Fund	12/31/2024	Real Assets	$768	8.90%	0.00%	0.10%	0.00%	0.00%	0.10%
		Fixed Income	$768	19.36%	0.03%	0.05%	0.00%	0.00%	0.08%
		Equities	$768	55.64%	0.17%	0.05%	0.01%	0.00%	0.23%
		Alternative Investments	$768	17.94%	0.22%	0.08%	0.00%	0.33%	0.63%
El Paso Police Pension Fund	12/31/2024	Real Assets	$1,092	9.06%	0.00%	0.10%	0.00%	0.00%	0.10%
		Fixed Income	$1,092	19.71%	0.03%	0.05%	0.00%	0.00%	0.08%
		Equities	$1,092	56.64%	0.17%	0.05%	0.01%	0.00%	0.23%
		Alternative Investments	$1,092	18.26%	0.22%	0.08%	0.00%	0.33%	0.63%

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
Employees Retirement System of Texas	8/31/2024	Real Assets	$37,479		0.63%	0.00%	0.00%	0.03%	0.66%
		Fixed Income	$37,479	15.71%	0.01%	0.00%	0.00%	0.00%	0.01%
		Equities	$37,479	35.28%	0.00%	0.00%	0.01%	0.00%	0.02%
		Alternative Investments	$37,479	43.72%	0.25%	0.00%	0.00%	0.12%	0.37%
Fort Worth Employees' Retirement Fund	9/30/2024	Real Assets	$2,988	11.67%	0.03%	0.14%	0.00%	0.02%	0.19%
		Fixed Income	$2,988	26.83%	0.03%	0.00%	0.00%	0.00%	0.03%
		Equities	$2,988	46.45%	0.05%	0.00%	0.01%	0.00%	0.06%
		Alternative Investments	$2,988	21.83%	0.00%	0.31%	0.00%	0.33%	0.63%
Galveston Employees' Retirement Plan for Police	12/31/2024	Fixed Income	$31	23.00%	0.03%	0.09%	0.00%	0.00%	0.11%
		Equities	$31	69.75%	0.04%	0.21%	0.00%	0.00%	0.26%
		Cash	$31	0.49%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$31	3.77%	0.09%	0.10%	0.00%	0.00%	0.19%
Galveston Employees' Retirement Fund	12/31/2024	Fixed Income	$78	19.91%	0.12%	0.03%	0.00%	0.00%	0.15%
		Equities	$78	68.86%	0.12%	0.10%	0.00%	0.00%	0.22%
		Cash	$78	1.11%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$78	10.13%	0.01%	0.00%	0.00%	0.00%	0.01%
Galveston Firefighter's Relief & Retirement Fund	12/31/2024	Fixed Income	$59	11.98%	0.07%	0.00%	0.00%	0.00%	0.07%
		Equities	$59	78.76%	0.42%	0.00%	0.00%	0.00%	0.42%
		Alternative Investments	$59	6.82%	0.33%	0.00%	0.00%	0.00%	0.33%
Galveston Wharves Pension Plan	12/31/2024	Fixed Income	$16	16.16%	0.36%	0.00%	0.00%	0.00%	0.36%
		Equities	$16	74.72%	0.07%	0.20%	0.01%	0.00%	0.27%
		Cash	$16	2.70%	0.02%	0.00%	0.00%	0.00%	0.02%
Greenville Firemen's Relief & Retirement Fund	12/31/2023	Fixed Income	$16	29.62%	0.01%	0.05%	0.00%	0.00%	0.07%
		Equities	$16	55.00%	0.02%	0.18%	0.00%	0.00%	0.19%
		Cash	$16	1.73%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$16	13.14%	0.05%	0.02%	0.00%	0.00%	0.07%

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
Guadalupe-Blanco River Authority	12/31/2024	Fixed Income	$34	24.06%	0.04%	0.00%	0.00%	0.00%	0.04%
		Equities	$34	49.36%	0.10%	0.00%	0.00%	0.00%	0.10%
		Cash	$34	4.72%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$34	21.84%	0.00%	0.00%	0.00%	0.00%	0.00%
Harlingen Firemen's Relief & Retirement Fund	9/30/2024	Real Assets	$44	8.09%	0.10%	0.00%	0.00%	0.00%	0.10%
		Fixed Income	$44	20.46%	0.00%	0.11%	0.00%	0.00%	0.11%
		Equities	$44	68.06%	0.15%	0.12%	0.00%	0.00%	0.26%
Harris County Hospital District Pension Plan	12/31/2023	Real Assets	$948	4.03%	0.02%	0.00%	0.00%	0.00%	0.02%
		Fixed Income	$948	28.53%	0.03%	0.00%	0.00%	0.00%	0.03%
		Equities	$948	62.57%	0.14%	0.00%	0.00%	0.00%	0.14%
		Cash	$948	3.05%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$948	4.34%	0.00%	0.00%	0.00%	0.00%	0.00%
Houston Firefighters' Relief & Retirement Fund	6/30/2024	Real Assets	$5,379	7.87%	0.00%	0.13%	0.00%	0.02%	0.15%
		Other	$5,379	0.01%	0.00%	0.67%	0.00%	0.23%	0.90%
		Fixed Income	$5,379	13.60%	0.03%	0.02%	0.00%	0.02%	0.07%
		Equities	$5,379	28.22%	0.02%	0.00%	0.00%	0.00%	0.02%
		Cash	$5,379	0.81%	0.00%	0.00%	0.00%	0.00%	0.00%

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
Houston MTA Non-Union Pension Plan	12/31/2024	Real Assets	$198	10.35%	0.00%	0.09%	0.00%	0.00%	0.09%
		Fixed Income	$198	25.61%	0.00%	0.04%	0.00%	0.00%	0.04%
		Equities	$198	62.22%	0.00%	0.08%	0.00%	0.00%	0.08%
		Cash	$198	1.19%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$198	0.71%	0.00%	0.00%	0.00%	0.00%	0.00%
Houston MTA Workers Union Pension Plan	12/31/2024	Real Estate	$304		0.00%	0.09%	0.00%	0.00%	0.09%
		Fixed Income	$304	26.12%	0.00%	0.04%	0.00%	0.00%	0.04%
		Equities	$304	61.21%	0.00%	0.06%	0.00%	0.00%	0.06%
		Cash	$304	1.55%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$304	0.46%	0.00%	0.00%	0.00%	0.00%	0.00%
Houston Municipal Employees Pension System	6/30/2024	Real Assets	$4,360	9.62%	0.00%	0.12%	0.00%	-0.02%	0.10%
		Fixed Income	$4,360	31.46%	0.09%	0.21%	0.00%	0.24%	0.54%
		Equities	$4,360	31.17%	0.09%	0.00%	0.01%	0.00%	0.10%
		Cash	$4,360	0.80%	0.00%	0.01%	0.00%	0.00%	0.01%
		Alternative Investments	$4,360	26.72%	0.00%	0.28%	0.00%	0.29%	0.58%
Houston Police Officers' Pension System	6/30/2024	Real Assets	$7,780	9.91%	0.00%	0.16%	0.00%	-0.08%	0.08%
		Fixed Income	$7,780	24.29%	0.02%	0.01%	0.00%	0.00%	0.03%
		Equities	$7,780	32.11%	0.02%	0.00%	0.01%	0.00%	0.03%
		Cash	$7,780	0.01%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$7,780	33.39%	0.00%	0.44%	0.00%	0.41%	0.85%
Irving Firemen's Relief & Retirement Fund	12/31/2024	Real Assets	$279	6.54%	0.01%	0.05%	0.00%	0.00%	0.06%
		Fixed Income	$279	30.40%	0.05%	0.05%	0.00%	0.00%	0.10%
		Equities	$279	54.23%	0.15%	0.04%	0.01%	0.00%	0.20%
		Alternative Investments	$279	5.06%	0.00%	0.14%	0.00%	0.00%	0.14%

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
Irving Supplemental Benefit Plan	12/31/2024	Real Assets	$120	8.66%	0.00%	0.00%	0.00%	0.00%	0.00%
		Fixed Income	$120	26.31%	0.06%	0.04%	0.00%	0.00%	0.09%
		Equities	$120	53.98%	0.20%	0.06%	0.00%	0.00%	0.26%
		Cash	$120	3.55%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$120	7.34%	0.00%	0.12%	0.00%	0.00%	0.12%
Judicial Retirement System of Texas Plan Two	8/31/2024	Real Assets	$756		0.13%	0.00%	0.00%	0.03%	0.15%
		Fixed Income	$756	15.74%	0.00%	0.00%	0.00%	0.00%	0.00%
		Equities	$756	35.36%	0.00%	0.02%	0.01%	0.00%	0.04%
		Alternative Investments	$756	43.81%	0.16%	0.00%	0.00%	0.12%	0.28%
Killeen Firemen's Relief & Retirement Fund	9/30/2024	Real Assets	$75		0.00%	0.06%	0.00%	0.00%	0.06%
		Fixed Income	$75	25.73%	0.00%	0.11%	0.00%	0.00%	0.11%
		Equities	$75	53.82%	0.00%	0.12%	0.00%	0.00%	0.12%
		Alternative Investments	$75	9.60%	0.00%	0.07%	0.00%	0.00%	0.07%
Laredo Firefighters Retirement System	9/30/2024	Real Assets	$248		0.00%	0.05%	0.00%	0.00%	0.05%
		Fixed Income	$248	14.21%	0.00%	0.06%	0.00%	0.00%	0.06%
		Equities	$248	69.31%	0.08%	0.11%	0.01%	0.00%	0.20%
		Alternative Investments	$248	16.38%	0.00%	0.26%	0.00%	0.09%	0.35%
Law Enforcement & Custodial Officer Supplemental Retirement Fund	8/31/2024	Real Assets	$1,986		0.13%	0.00%	0.00%	0.03%	0.15%
		Fixed Income	$1,986	15.76%	0.00%	0.00%	0.00%	0.00%	0.00%
		Equities	$1,986	35.40%	0.00%	0.02%	0.01%	0.00%	0.04%
		Alternative Investments	$1,986	43.87%	0.16%	0.00%	0.00%	0.12%	0.28%
Longview Firemen's Relief & Retirement Fund	12/31/2024	Fixed Income	$100	29.24%	0.00%	0.16%	0.00%	0.00%	0.16%
		Equities	$100	64.61%	0.00%	0.37%	0.00%	0.00%	0.37%
		Cash	$100	0.02%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$100	6.07%	0.07%	0.00%	0.00%	0.00%	0.07%

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
Lower Colorado River Authority Retirement Plan	12/31/2023	Real Assets	$457	6.40%	0.00%	0.00%	0.00%	0.00%	0.00%
		Fixed Income	$457	26.67%	0.04%	0.00%	0.00%	0.00%	0.04%
		Equities	$457	60.79%	0.09%	0.00%	0.00%	0.00%	0.09%
		Cash	$457	2.43%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$457	6.14%	0.00%	0.26%	0.00%	0.00%	0.26%
Lubbock Fire Pension Fund	12/31/2024	Real Assets	$278	11.29%	0.00%	0.12%	0.00%	0.00%	0.12%
		Fixed Income	$278	22.81%	0.00%	0.11%	0.00%	0.00%	0.11%
		Equities	$278	50.64%	0.00%	0.26%	0.00%	0.00%	0.26%
		Cash	$278	0.85%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$278	14.43%	0.00%	0.10%	0.00%	0.00%	0.10%
Lufkin Firemen's Relief & Retirement Fund	12/31/2024	Fixed Income	$25	24.94%	0.00%	0.12%	0.00%	0.00%	0.12%
		Equities	$25	63.82%	0.00%	0.30%	0.00%	0.00%	0.30%
		Cash	$25	2.62%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$25	8.61%	0.00%	0.04%	0.00%	0.00%	0.04%
Marshall Firemen's Relief & Retirement Fund	12/31/2024	Fixed Income	$9	28.80%	0.12%	0.06%	0.00%	0.00%	0.17%
		Equities	$9	54.26%	0.10%	0.12%	0.00%	0.00%	0.22%
		Cash	$9	2.27%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$9	14.82%	0.08%	0.01%	0.00%	0.00%	0.09%
McAllen Firemen's Relief & Retirement Fund	9/30/2024	Fixed Income	$66	17.93%	0.13%	0.00%	0.00%	0.00%	0.13%
		Equities	$66	52.80%	0.11%	0.00%	0.00%	0.00%	0.11%
		Cash	$66	1.94%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$66	24.16%	0.00%	0.29%	0.00%	0.04%	0.33%

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
Midland Firemen's Relief & Retirement Fund	12/31/2024	Real Assets	$91	9.84%	0.13%	0.00%	0.00%	0.00%	0.13%
		Fixed Income	$91	15.40%	0.15%	0.10%	0.00%	0.00%	0.25%
		Equities	$91	52.78%	0.09%	0.12%	0.02%	0.00%	0.23%
		Alternative Investments	$91	20.41%	0.32%	0.01%	0.00%	0.02%	0.34%
Nacogdoches County Hospital District Retirement Plan	6/30/2023	Fixed Income	$35	39.68%	0.67%	0.00%	0.00%	0.00%	0.67%
Odessa Firemen's Relief & Retirement Fund	12/31/2024	Real Assets	$53	19.06%	0.00%	0.41%	0.00%	0.00%	0.41%
		Fixed Income	$53	8.59%	0.00%	0.05%	0.00%	0.00%	0.05%
		Equities	$53	62.05%	0.00%	0.25%	0.00%	0.00%	0.25%
		Cash	$53	2.64%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$53	5.44%	0.00%	0.00%	0.00%	0.00%	0.00%
Orange Firemen's Relief & Retirement Fund	12/31/2024	Real Assets	$10	9.37%	0.00%	0.10%	0.00%	0.00%	0.10%
		Fixed Income	$10	17.17%	0.00%	0.05%	0.00%	0.00%	0.05%
		Equities	$10	73.47%	0.00%	0.27%	0.00%	0.00%	0.27%
		Alternative Investments	$10		0.00%	0.01%	0.00%	0.00%	0.01%
Paris Firefighters' Relief & Retirement Fund	12/31/2024	Fixed Income	$17	33.14%	0.10%	0.05%	0.00%	0.00%	0.15%
		Equities	$17	63.61%	0.08%	0.12%	0.00%	0.00%	0.20%
		Cash	$17	0.60%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$17	2.65%	0.06%	0.01%	0.00%	0.00%	0.07%
Plainview Firemen's Relief & Retirement Fund	12/31/2024	Fixed Income	$8	25.56%	0.04%	0.07%	0.00%	0.00%	0.11%
		Equities	$8	70.34%	0.20%	0.12%	0.00%	0.00%	0.32%
		Cash	$8	4.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$8	0.02%	0.00%	0.00%	0.00%	0.00%	0.00%

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
Plano Retirement Security Plan	12/31/2024	Real Assets	$236	7.67%	0.00%	0.08%	0.00%	0.00%	0.08%
		Fixed Income	$236	24.91%	0.00%	0.03%	0.00%	0.00%	0.03%
		Equities	$236	61.94%	0.00%	0.12%	0.00%	0.00%	0.12%
		Cash	$236	1.20%	0.02%	0.00%	0.00%	0.00%	0.02%
		Alternative Investments	$236	4.29%	0.00%	0.15%	0.00%	0.00%	0.15%
Port Arthur Firemen's Relief & Retirement Fund	12/31/2024	Fixed Income	$60	34.56%	0.05%	0.14%	0.00%	0.00%	0.18%
		Equities	$60	60.28%	0.08%	0.25%	0.00%	0.00%	0.33%
		Cash	$60	1.48%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$60	3.69%	0.01%	0.02%	0.00%	0.00%	0.03%
Port of Houston Authority Retirement Plan	7/31/2024	Fixed Income	$222	38.67%	0.03%	0.13%	0.00%	0.00%	0.17%
		Equities	$222	60.24%	0.16%	0.11%	0.01%	0.00%	0.28%
		Cash	$222	0.95%	0.00%	0.00%	0.00%	0.00%	0.00%
Refugio County Memorial Hospital District Retirement Plan	10/31/2024	Fixed Income	$1	46.73%	0.00%	0.25%	0.00%	0.00%	0.25%
		Equities	$1	50.48%	0.00%	0.23%	0.00%	0.00%	0.23%
		Cash	$1	2.61%	0.00%	0.01%	0.00%	0.00%	0.01%
San Angelo Firemen's Relief & Retirement Fund	12/31/2023	Real Assets	$76	5.80%	0.00%	0.00%	0.00%	0.00%	0.00%
		Fixed Income	$76	30.48%	0.00%	0.06%	0.00%	0.00%	0.06%
		Equities	$76		0.12%	0.23%	0.00%	0.00%	0.35%
		Cash	$76	4.73%	0.00%	0.01%	0.00%	0.00%	0.01%

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
San Antonio Fire & Police Pension Fund	12/31/2024	Real Estate	$4,125		0.00%	0.11%	0.00%	0.07%	0.18%
		Fixed Income	$4,125	30.04%	0.00%	0.07%	0.00%	0.02%	0.08%
		Equities	$4,125	44.95%	0.00%	0.17%	0.01%	0.00%	0.18%
		Cash	$4,125	1.50%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$4,125	10.18%	0.00%	0.29%	0.00%	0.36%	0.65%
San Antonio Metropolitan Transit Retirement Plan	9/30/2024	Real Assets	$386	8.86%	0.07%	0.00%	0.00%	0.00%	0.07%
		Fixed Income	$386	27.45%	0.08%	0.00%	0.00%	0.00%	0.08%
		Equities	$386	63.50%	0.22%	0.00%	0.01%	0.00%	0.22%
		Cash	$386	1.02%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$386		0.00%	0.00%	0.00%	0.00%	0.00%
San Benito Firemen Relief & Retirement Fund	9/30/2024	Cash	$6	1.85%	0.54%	0.00%	0.00%	0.00%	0.54%
Sweetwater Firemen's Relief & Retirement Fund	12/31/2024	Fixed Income	$9	35.27%	0.12%	0.05%	0.00%	0.00%	0.17%
		Equities	$9	61.09%	0.10%	0.12%	0.00%	0.00%	0.22%
		Cash	$9	2.74%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$9	2.13%	0.08%	0.01%	0.00%	0.00%	0.09%
Teacher Retirement System of Texas	8/31/2024	Real Assets	$210,543		0.00%	0.15%	0.00%	0.07%	0.23%
		Fixed Income	$210,543	20.04%	0.00%	0.00%	0.00%	0.00%	0.00%
		Equities	$210,543	35.27%	0.01%	0.07%	0.02%	0.18%	0.29%
		Cash	$210,543	0.28%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$210,543	52.77%	0.00%	0.20%	0.00%	0.19%	0.40%
Temple Firemen's Relief & Retirement Fund	9/30/2024	Real Assets	$63	3.97%	0.02%	0.00%	0.00%	0.00%	0.02%
		Fixed Income	$63	19.23%	0.00%	0.29%	0.00%	0.00%	0.29%
		Equities	$63	67.16%	0.00%	0.33%	0.00%	0.00%	0.33%
		Cash	$63	1.13%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$63	8.29%	0.00%	0.09%	0.00%	0.00%	0.09%

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
Texarkana Firemen's Relief & Retirement Fund	12/31/2024	Fixed Income	$42	35.07%	0.06%	0.00%	0.00%	0.00%	0.06%
		Equities	$42	19.74%	0.21%	0.14%	0.00%	0.00%	0.35%
		Cash	$42	0.04%	0.02%	0.00%	0.00%	0.00%	0.02%
		Alternative Investments	$42	41.32%	0.17%	0.00%	0.00%	0.11%	0.28%
Texas City Firemen's Relief & Retirement Fund	12/31/2023	Fixed Income	$16	31.94%	0.02%	0.05%	0.00%	0.00%	0.07%
		Equities	$16	55.65%	0.02%	0.17%	0.00%	0.00%	0.18%
		Cash	$16	1.16%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$16	11.34%	0.05%	0.01%	0.00%	0.00%	0.06%
Texas County & District Retirement System	12/31/2024	Real Assets	$50,530	2.85%	0.01%	0.00%	0.00%	0.00%	0.01%
		Fixed Income	$50,530	1.96%	0.00%	0.00%	0.00%	0.00%	0.00%
		Equities	$50,530	24.11%	0.02%	0.00%	0.00%	0.00%	0.02%
		Alternative Investments	$50,530	65.77%	0.03%	0.80%	0.00%	0.94%	1.77%
Texas Emergency Services Retirement System	8/31/2024	Fixed Income	$138	20.48%	0.05%	0.00%	0.00%	0.00%	0.05%
		Equities	$138	57.71%	0.11%	0.28%	0.00%	0.00%	0.40%
		Cash	$138	2.43%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$138	8.98%	0.05%	0.00%	0.00%	0.00%	0.05%
Texas Municipal Retirement System	12/31/2024	Real Assets	$43,407	17.01%	0.00%	0.10%	0.00%	-0.01%	0.10%
		Fixed Income	$43,407	13.06%	0.01%	0.11%	0.00%	0.11%	0.24%
		Equities	$43,407	34.70%	0.04%	0.00%	0.00%	0.00%	0.05%
		Cash	$43,407	0.01%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$43,407	34.85%	0.00%	0.39%	0.00%	0.54%	0.93%

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
Travis County ESD #6 Firefighter's Relief & Retirement Fund	12/31/2024	Real Assets	$57	0.01%	0.00%	0.03%	0.00%	0.00%	0.03%
		Fixed Income	$57	22.38%	0.07%	0.09%	0.00%	0.00%	0.16%
		Equities	$57	77.84%	0.03%	0.26%	0.00%	0.00%	0.29%
Tyler Firefighters' Relief & Retirement Fund	12/31/2023	Real Assets	$83	5.43%	0.00%	0.03%	0.00%	0.00%	0.03%
		Fixed Income	$83	31.88%	0.00%	0.15%	0.00%	0.00%	0.15%
		Equities	$83	61.28%	0.00%	0.29%	0.00%	0.00%	0.29%
		Cash	$83	1.09%	0.00%	0.01%	0.00%	0.00%	0.01%
University Health System Pension Plan	12/31/2024	Real Assets	$652	5.52%	0.09%	0.01%	0.00%	0.00%	0.10%
		Fixed Income	$652	20.33%	0.03%	0.04%	0.00%	0.00%	0.07%
		Equities	$652	47.18%	0.14%	0.14%	0.00%	0.00%	0.28%
		Cash	$652	0.74%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$652	26.30%	0.00%	0.04%	0.00%	0.00%	0.04%
University Park Firemen's Relief & Retirement Fund	12/31/2023	Fixed Income	$13	31.52%	0.04%	0.05%	0.00%	0.00%	0.09%
		Equities	$13	54.92%	0.04%	0.17%	0.00%	0.00%	0.20%
		Cash	$13	2.56%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$13	11.19%	0.11%	0.01%	0.00%	0.00%	0.12%
Waxahachie Firemen's Relief & Retirement Fund	9/30/2024	Real Assets	$28	8.25%	0.00%	0.04%	0.00%	0.00%	0.04%
		Fixed Income	$28	25.25%	0.00%	0.11%	0.00%	0.00%	0.11%
		Equities	$28	54.91%	0.06%	0.18%	0.00%	0.00%	0.23%
		Alternative Investments	$28	9.53%	0.00%	0.03%	0.00%	0.00%	0.03%
Weslaco Firemen's Relief & Retirement Fund	9/30/2024	Equities	$22	69.00%	0.03%	0.00%	0.00%	0.00%	0.03%
		Cash	$22	2.14%	0.02%	0.00%	0.00%	0.00%	0.02%

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
Wichita Falls Firemen's Relief & Retirement Fund	12/31/2024	Real Assets	$60	10.93%	0.00%	0.05%	0.00%	0.00%	0.05%
		Fixed Income	$60	20.79%	0.00%	0.02%	0.00%	0.00%	0.02%
		Equities	$60	63.16%	0.06%	0.07%	0.00%	0.00%	0.13%
		Cash	$60	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$60	5.09%	0.00%	0.00%	0.00%	0.00%	0.00%
The Woodlands Firefighters' Retirement System	12/31/2024	Real Assets	$80	7.62%	0.00%	0.00%	0.00%	0.00%	0.00%
		Fixed Income	$80	13.85%	0.01%	0.06%	0.00%	0.00%	0.07%
		Equities	$80	72.39%	0.00%	0.17%	0.00%	0.00%	0.17%
		Cash	$80	0.85%	0.00%	0.00%	0.00%	0.00%	0.00%
		Alternative Investments	$80	5.13%	0.14%	0.00%	0.00%	0.00%	0.14%
El Paso Firemen & Policemen's Pension Staff Plan and Trust	12/31/2024	Real Assets	$2	8.59%	0.00%	0.10%	0.00%	0.00%	0.10%
		Fixed Income	$2	18.69%	0.03%	0.05%	0.00%	0.00%	0.08%
		Equities	$2	53.69%	0.17%	0.05%	0.01%	0.00%	0.23%
		Alternative Investments	$2	17.31%	0.22%	0.08%	0.00%	0.33%	0.63%
Fort Worth Employees' Retirement Fund Staff Plan	9/30/2024	Real Assets	$10	12.33%	0.03%	0.14%	0.00%	0.02%	0.19%
		Fixed Income	$10	26.80%	0.03%	0.00%	0.00%	0.00%	0.03%
		Equities	$10	45.72%	0.05%	0.00%	0.01%	0.00%	0.06%
		Alternative Investments	$10	21.81%	0.00%	0.31%	0.00%	0.32%	0.63%
JPS Pension Plan - Tarrant County Hospital District	9/30/2024	Fixed Income	$550	24.86%	0.00%	0.04%	0.00%	0.00%	0.04%
		Equities	$550	74.37%	0.06%	0.05%	0.00%	0.00%	0.10%
		Cash	$550	2.05%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement Plan for Sweeny Community Hospital	12/31/2024	Fixed Income	$3	24.43%	0.00%	0.05%	0.00%	0.00%	0.05%
		Equities	$3	74.80%	0.05%	0.05%	0.00%	0.00%	0.09%

System	Fiscal Year End Date	Asset Class	Net Total Assets	Asset Allocation	Managment Fees Paid From Trust	Management Fees Netted From Returns	Brokerage Fees and Commissions	Profit Share Carried Interest	Total Asset Class Expenses
Retirement Plan for Guadalupe Regional Medical Center	12/31/2024	Fixed Income	$125	24.43%	0.00%	0.01%	0.00%	0.00%	0.02%
		Equities	$125	74.80%	0.05%	0.08%	0.00%	0.00%	0.13%
Retirement Plan for Citizens Medical Center	2/29/2024	Fixed Income	$162	24.46%	0.00%	0.00%	0.00%	0.00%	0.00%
		Equities	$162	74.91%	0.04%	0.09%	0.00%	0.00%	0.13%
		Cash	$162	0.62%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement Plan for Anson General Hospital	6/30/2024	Fixed Income	$1	58.47%	0.00%	0.01%	0.00%	0.00%	0.01%
		Equities	$1	41.05%	0.05%	0.08%	0.00%	0.00%	0.12%
		Cash	$1	0.42%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement Plan for Employees of Brownsville Navigation District	12/31/2024	Fixed Income	$13	22.23%	0.17%	0.00%	0.00%	0.00%	0.17%
		Equities	$13	66.88%	0.64%	0.00%	0.00%	0.00%	0.64%
		Cash	$13	10.90%	0.05%	0.00%	0.00%	0.00%	0.05%
Lower Neches Valley Authority Employees Benefit Plan	12/31/2024	Fixed Income	$18	25.89%	0.11%	0.03%	0.00%	0.00%	0.14%
		Equities	$18	73.99%	0.25%	0.08%	0.00%	0.00%	0.33%
		Cash	$18	0.12%	0.00%	0.00%	0.00%	0.00%	0.00%
Floresville Electric Light and Power System Pension Plan	12/31/2023	Fixed Income	$12	22.90%	0.00%	0.14%	0.00%	0.00%	0.14%
		Equities	$12	74.23%	0.00%	0.39%	0.00%	0.00%	0.39%
		Cash	$12	1.38%	0.00%	0.00%	0.00%	0.00%	0.00%
Supplemental Retirement Plan of University Medical Center	8/31/2024	Fixed Income	$5	99.70%	0.00%	0.00%	0.00%	0.00%	0.00%
		Equities	$5		0.00%	0.03%	0.00%	0.00%	0.03%
		Cash	$5	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

Item 7b: Investment Practices and Performance Evaluation (IPPE) Guidance Update

Robert Munter

Overview of IPPE Requirement

Section 802.109, Texas Government Code requires Texas public retirement systems with at least $30 million in assets to complete an Investment Practices and Performance Evaluation.

- Systems with assets of at least $100 million must complete an evaluation once every 3 years.
- Systems with assets of at least $30 million but less than $100 million must complete an evaluation once every 6 years.
- Systems with assets less than $30 million are not required, but are encouraged, to conduct an evaluation.

Legislative Recommendations

At the September 25th, 2024, PRB meeting the board adopted two recommendations that clarified and simplified the statutory requirements related to retirement system applicability and timeline of the IPPE reports.

Recommendation One

Goal: Clarify how often IPPE reports should be completed by retirement systems. Simplify duplicative report due dates to one.

Recommendation Two

Goal: Clarify the criteria for retirement system applicability by adjusting the language that references the total assets of the preceding fiscal year. Assets would continue to determine applicability first, but total pension liabilities (TPL) would be used to determine if the system continues to be subject to a more frequent IPPE requirement.

HB 3474 (Lambert)

- Requires the PRB to adopt a reporting schedule by January 1, 2026, consistent with current statutory requirements
  - Schedule updates the reporting timeline to be a cycle with a 3-year or 6-year frequency based on applicability
  - Clarifies timing for applicability changes between reports
- Modifies the applicability of IPPE reporting thresholds
  - Adds total pension liabilities (TPL) criteria for maintaining reporting frequency after a system is subject to the report

Guidance for Investment Practices and Performance Evaluations

- Previously updated October 6, 2022
- Changes made:
  1. Added the required PRB reporting schedule
  2. Added explanations to clarify schedule and applicability changes
  3. Specified applicability based on reports submitted by December 31 of the year prior to schedule due date
  4. Updated tables, examples, and reference links
  5. Removed previous statute due date sections that are no longer current

Guidance for Investment Practices and Performance Evaluations

PRB Report Schedule

June 1, 2027	June 1, 2030	June 1, 2033	June 1, 2036
Group 1 & 2	Group 2	Group 1 & 2	Group 2

PRB initial report schedule

System Size	Reporting Cycle	Group
Assets at least $30 million but less than $100 million	Every six years	Group 1
Assets at least $100 million	Every three years	Group 2

Systems that previously completed an evaluation

Systems Subject	Reporting Cycle	Group
Assets or net pension liability at least $30 million and assets have not exceeded $100 million in a fiscal year	Every six years	Group 1
Assets or net pension liability at least $100 million	Every three years	Group 2

Next Steps

- Staff will notify systems of updated statute and proposed PRB reporting schedule with the updated guidance draft.
- Systems can provide feedback on reporting schedule until October 31, 2025.
- Staff will bring finalized PRB reporting schedule and guidance document at December meeting for possible adoption.

TEXAS PENSION REVIEW BOARD

Guidance for Investment Practices and Performance Evaluations

~~(~~§(Section 802.109, Texas Government Code)

Section 802.109, Texas Government Code requires Texas public retirement systems with at least $30 million in assets to complete an Investment Practices and Performance Evaluation. The Pension Review Board (PRB) is providing this informal guidance to assist systems in defining the scope and content of the evaluation.

The following provides guidance on the different areas required by statute to be reviewed by the independent firm performing the evaluation~~.~~ and the schedule for completing evaluations. The PRB recognizes that evaluations should and will vary significantly based on the specific characteristics of each system's size, governance structure, and investment program. Therefore, this guidance is intended to inform systems and their stakeholders on the basic aspects of the evaluations and associated reports and is not an exhaustive list of all items that should be reviewed.

A thorough evaluation would include the following elements:

1) Identify and review existing investment policies, procedures, and practices. This should include any formally established policies (e.g. Investment Policy Statement) as well any informal procedures and practices used to carry out the investment activities of the system. It is not necessary to review past policies, procedures, and practices that are no longer applicable unless they are deemed helpful to understand current policy or practice.
2) Compare the existing policies and procedures to industry best practices.
3) Generally, assess whether the board, internal staff, and external consultants are adhering to the established policies.
4) Identify the strengths and weaknesses of the current policies, procedures, and practices and make recommendations for improvement.
5) Include a detailed description of the criteria considered and methodology used to perform the evaluation, including an explanation of any metrics used and associated calculations.

Applicability

Systems with assets of **at least $100 million** must complete an evaluation **once every ~~3 years.~~[i] ~~Systems~~ three years.**[1] Systems with assets of **at least $30 million but less than $100 million** must complete an

[1] Section 802.109(k), Texas Government Code. The Houston Firefighters Relief & Retirement Fund, the Houston Municipal Employees Pension System, and the Houston Police Officers' Pension System may submit the investment evaluation reports in their enabling statutes to satisfy the Section 802.109, Texas Government Code requirements.

evaluation **once every ~~6~~six years**. Systems with assets **less than $30 million** are **not required**, but are encouraged, to conduct an evaluation. Systems that have not voluntarily completed an evaluation and have assets less than $30 million will be required to complete an evaluation if, as of the last day of their preceding fiscal year, their assets exceed $30 million. Systems completing their first evaluations must conduct a comprehensive review of all invested asset classes while systems conducting subsequent evaluations may select specific asset classes to focus on.

Subsequent Report Applicability

Once a system's assets exceed the specified thresholds in a fiscal year and the system has completed its first IPPE, a subsequent report will be due once every three or six years, according to the PRB schedule and the reporting requirement will continue based on both total assets and **total pension liability.**[2] A system will remain subject to the reporting requirement and specified reporting frequency unless both the total assets and the total pension liability decrease below the minimum amount of the applicable reporting requirement ($100 million or $30 million).

Deadlines

PRB Reporting Schedule

June 1, 2027	June 1, 2030	June 1, 2033	June 1, 2036
Group 1 & 2	Group 2	Group 1 & 2	Group 2

For the purposes of determining applicability, only reports submitted by December 31 of the year prior to the PRB Reporting Schedule due dates will be considered. See below for additional detail and examples on applicability of the reporting schedule and requirements for systems subject to an initial or subsequent evaluation.

Systems that have not completed an evaluation

A report of the first evaluation must be filed with the PRB by the governing body of the system not later than ~~May 1 the following year~~the next scheduled due date, per the PRB Reporting Schedule above, in which the system is either required to ~~be~~perform or ~~voluntarily evaluated.~~ conducts a voluntary evaluation. Note that the initial evaluation must include a comprehensive review of all asset classes.~~**Example timeline and deadlines for a system with assets that first exceed $30 million in 2022 or a system that decides to voluntarily complete an evaluation in 2023.**~~

PRB initial report schedule

System Size[3]	Reporting Cycle	Group

[2] Section 802.109(j)(2). "'Total pension liability' means the portion of the present value of projected retirement benefit payments to be provided through the retirement system to active and inactive members that is attributable to those members' past periods of service, in compliance with Statement No. 68 of the Governmental Accounting Standards Board."

[3] System size based on any report submitted by December 31, of the year prior to the PRB scheduled due date.

Assets at least $30 million but less than $100 million	Every six years	Group 1
Assets at least $100 million	Every three years	Group 2

~~**Systems that completed an evaluation**~~

~~Reports of subsequent evaluations must be filed with the governing body of the system not later than May 1 the following year in which the system is evaluated.~~

Example timeline and deadlines for ~~subsequent evaluations after an evaluation was~~ a system with assets that first ~~completed in 2020~~exceed $30 million during calendar years 2024-2026 or a system that decides to voluntarily complete an evaluation in 2027:

Fiscal Year Assets Exceed $30 Million	Preparation Recommended Start Date	Evaluation Completed to Start Review-and-Comment Process	Final Report to a System's Governing Body	Report Due to the PRB
2024-2026	October 2026	March 2, 2027	May 1, 2027	June 1, 2027

~~Deadline for submission before June 1, 2024~~

~~If a substantially completed report is submitted to a retirement system's governing body in accordance with the formal review-and-comment process before March 2, 2024, a final report is **due to the PRB not later than 91 days after the governing body first receives the substantially completed report**.~~[4]

Systems that previously completed an evaluation

Subsequent evaluations must be submitted to the PRB every three or six years depending on applicability as summarized by the schedule group and due by the day specified in the PRB reporting schedule above.

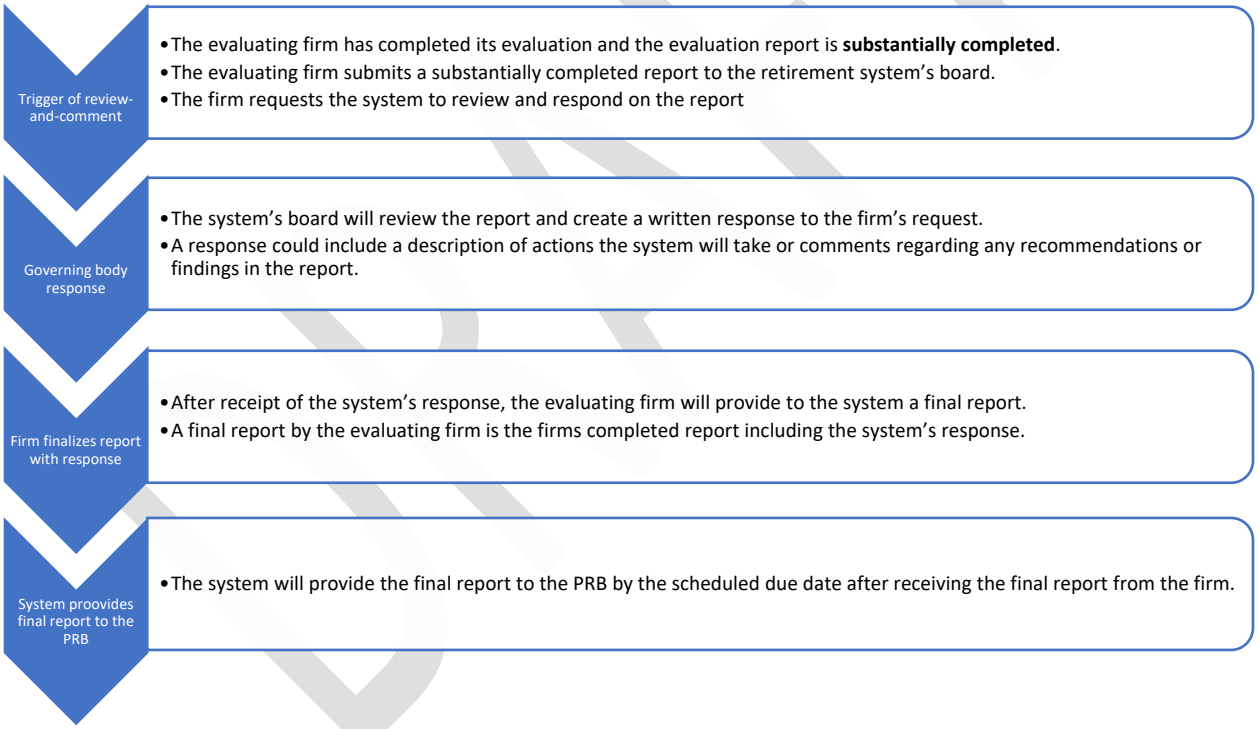
Systems Subject[5]	Reporting Cycle	Group
Assets or net pension liability at least $30 million and assets have not exceeded $100 million in a fiscal year	Every six years	Group 1
Assets or net pension liability at least $100 million	Every three years	Group 2

[4] ~~§802.109 (e-1), Texas Government Code~~

[5] Systems subject based on any report submitted by December 31, of the year prior to the PRB scheduled due date.

DRAFT

Formal review-and-comment process



Independent firm

*(a) … A public retirement system shall select an **independent firm** with substantial experience in evaluating institutional investment practices and performance…*

*(c) Provides that a public retirement system, in selecting an **independent firm** to conduct the evaluation described by Subsection (a):*

(1) subject to Subdivision (2), is authorized to select a firm regardless of whether the firm has an existing relationship with the retirement system; and

*(2) is **prohibited** from selecting a firm that **directly or indirectly manages investments** of the retirement system.*

Directly or Indirectly Managing Investments

A firm is considered to be directly or indirectly managing investments if the firm, a subsidiary, or its parent company, has assets of the system under management, or is solely responsible for selecting or terminating investment managers.

Restriction on Performing the Evaluation

If a firm is identified as directly or indirectly managing investments of the system, the firm is not considered an independent firm and is not eligible to perform the evaluation.

Required Disclosure by Independent Firm

The evaluation must include the following disclosures by the independent firm:

1) a summary outlining the qualifications of the firm in evaluating institutional investment practices and performance;
2) a statement that the firm meets the experience requirements;
3) a statement indicating the nature of any existing relationship between the firm and the system being evaluated;
4) a statement acknowledging that the firm, or its related entities, is not involved in directly or indirectly managing investments of the system;
5) a statement identifying any potential conflict of interest or any appearance of a conflict of interest that could impact the analysis between the independent firm and the system or any current/former member of the system's governing body;
6) a list of the types of remuneration received by the firm from sources other than the retirement system for services provided to the system; and
7) an explanation of the firm's determination regarding whether to include a recommendation for each of the evaluated matters in the report or a lack thereof.

Governmental Entity's Ability to Cover Evaluation Costs

A public retirement system's associated governmental entity may pay for all ~~of~~or part of the costs ~~resulting from~~of the evaluation. Any remaining cost not covered by the governmental entity shall be paid by the system.

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Components of Evaluation

This section provides suggested questions and topics for consideration under each of the five areas required to be covered in each evaluation.[6] The questions below are intended to help systems identify the types of information an evaluation may include. Additionally, these questions may be helpful to systems that will use a request for proposal (RFP) to select a firm to perform the evaluation.

Each evaluation must include:
*(1) an analysis of any **investment policy or strategic investment plan** adopted by the retirement system and the retirement system 's compliance with that policy or plan;*

- Does the system have a written investment policy statement (IPS)?
- Are the roles and responsibilities of those involved in governance, investing, consulting, monitoring and custody clearly outlined?
- Is the policy carefully designed to meet the real needs and objectives of the retirement plan? Is it integrated with any existing funding or benefit policies? (i.e. does the policy take into account the current funded status of the plan, the specific liquidity needs associated with the difference between expected short-term inflows and outflows, the underlying nature of the liabilities being supported [e.g. pay-based vs. flat $ benefit, automatic COLAs, DROP, etc.])
- Is the policy written so clearly and explicitly that anyone could manage a portfolio and conform to the desired intentions?
- Does the policy follow industry best practices? If not, what are the differences?
- Does the IPS contain measurable outcomes for managers? Does the IPS outline over what time periods performance is to be considered?
- Is there evidence that the system is following its IPS? Is there evidence that the system is not following its IPS?
- What practices are being followed that are not in, or are counter to, written investment policies and procedures?
- Are stated investment objectives being met?
- Will the retirement fund be able to sustain a commitment to the policies under stress test scenarios, including those based on the capital markets that have actually been experienced over the past ten, twenty, or thirty years?
- Will the investment managers be able to maintain fidelity to the policy under the same scenarios?
- Will the policy achieve the stated investment objectives under the same scenarios?
- How often is the policy reviewed and/or updated? When was the most recent substantial change to the policy and why was this change made?

Resources
PRB - Investment Policies

[6] Section 802.109(b), Texas Government Code. The first evaluation "must be a comprehensive analysis of the retirement system's investment program that covers all asset classes" while subsequent evaluations "may select particular asset classes on which to focus."

DRAFT

GFOA - Investment Policies for Defined Benefit Plans

*(2) a detailed review of the retirement system's **investment asset allocation**, including:*
(A) the process for determining target allocations;

- Does the system have a formal and/or written policy for determining and evaluating its asset allocation? Is the system following this policy?
- If no formal policy exists, what is occurring in practice?
- Who is responsible for making the decisions regarding strategic asset allocation?
- How is the system's overall risk tolerance expressed and measured? What methodology is used to determine and evaluate the strategic asset allocation?
- How often is the strategic asset allocation reviewed?
- Do the system's investment consultants and actuaries communicate regarding their respective future expectations?
- How does the current assumed rate of return used for discounting plan liabilities factor into the discussion and decision-making associated with setting the asset allocation? Is the actuarial expected return on assets a function of the asset allocation or has the asset allocation been chosen to meet the desired actuarial expected return on assets?
- Is the asset allocation approach used by the system based on a specific methodology? Is this methodology prudent, recognized as best practice, and consistently applied?
- Does the system implement a tactical asset allocation? If so, what methodology is used to determine the tactical asset allocation? Who is responsible for making decisions regarding the tactical asset allocation?
- How does the asset allocation compare to peer systems?

(B) the expected risk and expected rate of return, categorized by asset class;

- What are the strategic and tactical allocations?
- What is the expected risk and expected rate of return of each asset class?
- How is this risk measured and how are the expected rates of return determined? What is the time horizon?
- What mix of assets is necessary to achieve the plan's investment return and risk objectives?
- What consideration is given to active vs. passive management?
- Is the approach used by the system to formulate asset allocation strategies sound, consistent with best practices, and does it result in a well-diversified portfolio?
- How often are the strategic and tactical allocations reviewed?

(C) the appropriateness of selection and valuation methodologies of alternative and illiquid assets; and

- How are alternative and illiquid assets selected, measured and evaluated?

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- Are the system's alternative investments appropriate given its size and level of investment expertise? Does the IPS outline the specific types of alternative and illiquid investments allowed, as well as the maximum allocation allowable?
- What valuation methodologies are used to measure alternative and illiquid assets? What alternative valuation methodologies exist and what makes the chosen method most appropriate?

(D) future cash flow and liquidity needs;

- What are the plan's anticipated future cash flow and liquidity needs? Is this based on an open or closed group projection?
- When was the last time an asset-liability study was performed?
- How are system-specific issues incorporated in the asset allocation process? What is the current funded status of the plan and what impact does it have? What changes should be considered when the plan is severely underfunded, approaching full funding, or in a surplus? How does the difference between expected short-term inflows (contributions, dividends, interest, etc.) and outflows (distributions and expenses) impact the allocation? How does the underlying nature of the liabilities impact the allocation (e.g. pay-based vs. flat $ benefit, automatic COLAs, DROP, etc.)?
- What types of stress testing are incorporated in the process?

Resources

GFOA – Asset Allocation for Defined Benefit Plans

*(3) a review of the **appropriateness of investment fees and commissions paid** by the retirement system;*

- Do the system's policies describe the management and monitoring of direct and indirect compensation paid to investment managers and other service providers? What direct and indirect investment fees and commissions are paid by the system?
- Who is responsible for monitoring and reporting fees to the board? Is this responsibility clearly defined in the system's investment policies?
- Are all forms of manager compensation included in reported fees?
- How do these fees compare to peer group and industry averages for similar services? How are the fee benchmarks determined?
- Does the system have appropriate policies and procedures in place to account for and control investment expenses and other asset management fees?
- What other fees are incurred by the system that are not directly related to the management of the portfolio?
- How often are the fees reviewed for reasonableness?
- Is an attorney reviewing any investment fee arrangements for alternative investments?

Resources

GFOA - Investment Fee Guidelines for External Management of Defined Benefit Plans

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*(4) a review of the retirement system's **governance processes related to investment activities**, including investment decision-making processes, delegation of investment authority, and board investment expertise and education;*

Transparency

- Does the system have a written governance policy statement outlining the governance structure? Is it a stand-alone document or part of the IPS?
- Are all investment-related policy statements easily accessible by the plan members and the public (e.g. posted to system website)?
- How often are board meetings? What are the primary topics of discussion? How much time, detail, and discussion are devoted to investment issues?
- Are meeting agendas and minutes available to the public? How detailed are the minutes?

Investment Knowledge/Expertise

- What are the backgrounds of the board members? Are there any investment-related educational requirements for board members?
- What training is provided and/or required of new board members? How frequently are board members provided investment-related education?
- What are the minimum ethics, governance, and investment education requirements? Have all board members satisfied these minimum requirements?
- Does the system apply adequate policies and/or procedures to help ensure that all board members understand their fiduciary responsibilities?
- What is the investment management model (i.e. internal vs. external investment managers)?
- Does the board receive impartial investment advice and guidance?
- How frequently is an RFP issued for investment consultant services?

Accountability

- How is the leadership of the board and committee(s), if any, selected?
- Who is responsible for making decisions regarding investments, including manager selection and asset allocation? How is authority allocated between the full board, a portion of the board (e.g. an investment committee), and internal staff members and/or outside consultants? Does the IPS clearly outline this information? Is the board consistent in its use of this structure/delegation of authority?
- Does the system have policies in place to review the effectiveness of its investment program, including the roles of the board, internal staff and outside consultants?
- Is the current governance structure striking a good balance between risk and efficiency?
- What controls are in place to ensure policies are being followed?
- How is overall portfolio performance monitored by the board?
- How often are the investment governance processes reviewed for continued appropriateness?

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Resources

NASRA - Public Pension Governance

PEW - Making State Pension Investments More Transparent

(5) a review of the retirement system's ***investment manager selection and monitoring process****.*

- Who is responsible for selecting investment managers?
- How are the managers identified as potential candidates?
- What are the selection criteria for including potential candidates?
- What are the selection criteria when deciding between multiple candidates?
- How does the selection process address ethical considerations and potential conflicts of interest for both investment managers and board members?
- Who is responsible for developing and/or reviewing investment consultant and/or manager contracts?
- What is the process for monitoring individual and overall fund performance?
- Who is responsible for measuring the performance?
- What benchmarks are used to evaluate performance?
- What types of performance evaluation reports are provided to the board? Are they provided in a digestible format accessible to trustees with differing levels of investment knowledge/expertise?
- How frequently is net-of-fee and gross-of-fee investment manager performance reviewed? Is net-of-fee and gross-of-fee manager performance compared against benchmarks and/or peers?
- What is the process for determining when an investment manager should be replaced?
- How is individual performance evaluation integrated with other investment decisions such as asset allocation and investment risk decisions?

Resources

GFOA - Investment Fee Guidelines for External Management of Defined Benefit Plans

GFOA - Selecting Third-Party Investment Professionals for Pension Fund Assets

[i] ~~The Houston Firefighters Relief & Retirement Fund, the Houston Municipal Employees Pension System, and the Houston Police Officers' Pension System may submit the investment evaluation reports in Vernon's Civil Statutes to satisfy the requirements of §802.109.~~

Item 8. Executive Director Report

Amy Cardona

8a: Conference Updates

- TLFFRA Annual Conference in Abilene (October 5-7, 2025)
  - Actuarial panel to be moderated by PRB Chief Actuary, David Fee
  - Will feature four other actuaries who work with TLFFRA systems
  - Panel discussion agenda to include:
    - Benefit changes as part of FSRPs
    - Trends in sponsor contribution methodologies
    - Expected return assumptions
    - Impact of certain 2024 changes to PRB Funding Guidelines
    - New immediate FSRP triggers

ADMINISTRATION & FUNDING AGREEMENT
between
MIDLAND FIREMEN'S
RELIEF AND RETIREMENT FUND
and
THE CITY OF MIDLAND, TEXAS

This Administration & Funding Agreement ("*Agreement*") is made effective as of the date of the last signature below (the "*Effective Date*"), by and between the MIDLAND FIREMEN'S RELIEF AND RETIREMENT FUND, a municipal retirement plan (the "*FUND*"), acting through its Board of Trustees (the "*Board*"), and the CITY OF MIDLAND, TEXAS (the "*CITY*"), acting through its City Council (the "*City Council*"). The FUND and the CITY may each be referred to as a "*Party*" and may collectively be referred to as "*Parties*" in this Agreement.

W I T N E S S E T H

WHEREAS, the CITY is a home-rule municipal corporation and a governmental entity of the state of Texas; and

WHEREAS, the FUND is a governmental entity established by the Texas Local Fire Fighters Retirement Act (the "*Act*"), and codified as Article 6243e, Vernon's Texas Civil Statutes, for the purpose of providing retirement, disability, and death benefits to its members and beneficiaries and holding or causing to be held in trust assets appropriated or dedicated to the FUND for the exclusive benefit of its members and retirees and their beneficiaries; and

WHEREAS, all of CITY's firefighting personnel are members of the FUND as a condition of employment; and

WHEREAS, based on the FUND's most recent actuarial valuation report performed by Rudd & Wisdom, Inc., as of December 31, 2023, the FUND has a total unfunded liability of One Hundred Twenty Million Nine Hundred Forty-Two Thousand Five Hundred Seventy-Seven and No/100 Dollars ($120,942,577.00), and the Parties desire to reduce such unfunded liability to preserve and protect the FUND for current and future CITY firefighters and to provide for future retirement, disability, and death benefits; and

WHEREAS, to ensure the future financial stability of the FUND, the Parties desire to make certain changes to the benefits and eligibility requirements under the FUND to enhance the CITY's long-term recruitment efforts for firefighting personnel, said changes becoming effective as of April 1, 2025, and resulting in a reduction in benefits and/or

increased employee contribution of five percent (5%) of annual pensionable payroll as determined under a 30-year amortization approach under the December 31, 2023 actuarial valuation (the "*Proposed Revisions*"); and

WHEREAS, pursuant to Section 7 of the Act, and subject to Texas Constitution Art. 16, Sec. 66, the Board may change benefits or eligibility requirements for the FUND if the proposed change(s) is approved by (i) the FUND's actuary, and (ii) a vote of the majority of the FUND members voting at an election by secret ballot at which at least fifty percent (50%) of all participating FUND members vote; and

WHEREAS, the FUND's actuary is reviewing the Proposed Revisions as required by the Act; and

WHEREAS, the Board intends to submit the Proposed Revisions to the membership of the FUND for an election following the review and approval of the Proposed Revisions by the FUND's consulting actuary; and

WHEREAS, the Board has discretion, subject to the provisions of the Act and its fiduciary duties and responsibilities to the FUND, to determine all other matters pertaining to the FUND; and

WHEREAS, the Parties have determined that it is in their best interests for the CITY to provide a cash infusion to the FUND in the amount of Fifty-Four Million Four Hundred Forty-Two Thousand Two Hundred Thirty-One and No/100 Dollars ($54,442,231.00) (the "*Cash Infusion*") to be applied towards the 12/31/23 Unfunded Liability and thereby bring the amortization period to thirty (30) years as calculated under the December 31, 2023 actuarial valuation; and

WHEREAS, the Parties have determined that it is in their mutual best interests to enter into this Agreement to provide for changes to the operation of the FUND that will help ensure the future financial stability of the FUND and to prevent the accumulation of a large unfunded liability in the future; and

WHEREAS, the Parties have determined that the approval of this Agreement together with the Proposed Revisions and the Cash Infusion shall operate to ensure the future financial stability of the FUND; and

WHEREAS, the Board and the City Council find and determine that it is in the public interest to enter into this Agreement, which sets forth the terms and conditions for the passage and implementation of the Proposed Revisions to the FUND and the CITY's payment of the Cash Infusion, and the same serves a public purpose;

NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

THAT in consideration of the mutual covenants, agreements and benefits to both Parties, it is agreed as follows:

Section 1. Findings and Definitions. The findings and determinations set forth in the above recitals are hereby incorporated by reference for all purposes. For all purposes of this Agreement, except as otherwise provided or unless context otherwise requires, the following defined terms shall have the meanings assigned in the above recitals or in this Section 1:

A. "*Actuarial Assumptions and Methods*" means, but is not limited to, all demographic assumptions and the Investment Return/Discount Rate and Payroll Growth assumptions as defined by the Actuarial Standard of Practice No. 27 for Selection of Assumptions for Measuring Pension Obligations, as amended.

B. "*ADC*" means the Actuarially Determined Contribution, expressed as a percentage rate of the assumed 2024 compensation as referenced and determined in the December 31, 2023, actuarial valuation report issued on May 30, 2024, by the FUND's consulting actuary.

Section 2. Certifications and Acknowledgments.

A. The City Council and the Board acknowledge and agree that:

1. the FUND has an unfunded liability in the amount of One Hundred Twenty Million Nine Hundred Forty-Two Thousand Five Hundred Seventy-Seven and No/100 Dollars ($120,942,577.00) as of December 31, 2023, as estimated in the actuarial valuation dated May 30, 2024, performed by the FUND's consulting actuary (the "*12/31/23 Unfunded Liability*").

2. the 12/31/23 Unfunded Liability was calculated and provided by the FUND's consulting actuary, Rudd & Wisdom, Inc.;

3. the full actuarial valuation report dated May 30, 2024, is attached hereto as **Exhibit B** and incorporated herein for all purposes;

4. the Cash Infusion shall pay a portion of the 12/31/2023 Unfunded Liability in an approximate amount of $54,442,231.00.

B. The Board acknowledges and agrees that:

1. it has a fiduciary responsibility for the FUND's assets;
2. it has a fiduciary duty to oversee the investment and expenditure of the FUND's assets; and
3. the Cash Infusion, when made by the CITY, shall be applied to reduce the 12/31/2023 Unfunded Liability, which shall be reflected in the next actuarial valuation performed by the Board's consulting actuary.

Section 3. Obligations in the Administration of the FUND.

A. Funding Gap Closure. In conjunction with the Cash Infusion, which the Parties expect to reduce the FUND's amortization period to 30 years as calculated under the December 31, 2023 actuarial valuation, the Board agrees to submit the Proposed Revisions to the FUND's membership for a vote at an election held in accordance with the Act. The Proposed Revisions are more particularly described in **Exhibit C**, which is attached hereto and incorporated herein for all purposes. The Proposed Revisions shall result a reduction in benefits and/or increased employee contribution of five percent (5%) of annual pensionable payroll as determined under a closed 30-year amortization approach under the December 31, 2023 actuarial valuation. Upon the approval of the Proposed Revisions, the Board shall cause the same to be implemented in a manner that, in conjunction with any applicable contributions from the CITY, reduces the FUND's closed amortization period to thirty (30) years. For the avoidance of doubt, all amortization periods referenced in this Agreement shall be closed amortization periods.

B. Contribution Sharing. Subject to certain exceptions referenced herein, contribution increases or decreases in the ADC shall be shared between the CITY and the FUND's membership based on a 2:1 ratio. For example, if a total contribution increase of three percent (3%) is required, the CITY shall contribute two percent (2%) and the FUND's membership shall contribute one percent (1%). Notwithstanding the foregoing or any contrary provision contained herein, any cumulative increase or decrease in the FUND's membership contribution rate shall not exceed a total of three hundred (300) basis points during the term of this Agreement. The Parties shall retain the right to exercise their respective discretion in determining how to fund or provide for any contribution increase in the ADC. Contribution rates shall be determined as follows:

1. Each year during the term of this Agreement, the ADC shall be reviewed and determined in connection with the Actuarial Analysis (as defined in **Exhibit A**) performed by the FUND's consulting actuary. **Exhibit A** is attached hereto and incorporated herein for all purposes.

2. Any change to the ADC shall become effective on January 1st of the

year following the presentation of the Actuarial Analysis and ADC to the Board and the City Council. For example, the December 31, 2023, actuarial valuation shall develop funding requirements for the CITY and the FUND's membership that begin on January 1, 2025; the December 31, 2024, actuarial valuation shall develop funding requirements for the CITY and the FUND's membership that begin on January 1, 2026.

C. Unanimous Vote Requirement. If a third-party actuary is ultimately utilized in the Actuarial Analysis process described in **Exhibit A**, any changes in Actuarial Assumptions and Methods that are contrary to the third-party actuary's findings with respect to how to reconcile the difference between the hypothetical ADCs determined by the FUND's actuary and the CITY's actuary under Section D of **Exhibit A** must be approved by a unanimous vote of the full membership of the Board.

If a third-party actuary is ultimately utilized in the process described in **Exhibit A**, the Parties shall share equally in the cost of the third-party actuary's services.

D. Actuarial Assumptions and Methods; Third-Party Actuaries. Any changes in Actuarial Assumptions and Methods shall utilize and comport with the process outlined in **Exhibit A**. The actuaries provided by the Board for selection by the CITY under the process outlined in **Exhibit A** may only be recommended, selected, or engaged as an independent third-party actuary if the person:

1. is not already engaged by the CITY or the FUND to provide actuarial services to the CITY or the FUND;
2. is a member of the American Academy of Actuaries; and
3. has at least five (5) years' experience as an actuary working with one or more public retirement funds with assets exceeding Two Hundred Million Dollars ($200,000,000.00).

E. Actuarial Valuations and ADC Determinations. Each year during the term of this Agreement, the FUND shall cause its consulting actuary to conduct an actuarial valuation that shall determine the ADC requirement for the following calendar year. The valuation as of December 31, 2023, shall set the ADC for the calendar year ending December 31, 2025; the Unfunded Liability developed as of December 31, 2023 (after the benefit changes) shall be amortized over a closed 30-year period beginning January 1, 2024. Subsequent actuarial gains/losses shall be amortized over a closed 20-year period.

F. The Parties agree to cooperate in good faith with each other in any effort that

either Party may undertake in the State Legislature to authorize the Parties to enter into this Agreement and similar agreements to the extent such cooperation is not inconsistent with a fiduciary duty of either Party.

G. The Parties agree to defend the validity of this Agreement to the extent consistent with their respective duties and as is permissible under applicable law.

Section 4. Contingencies; Termination.

A. Cash Infusion; Payment. Following the approval of the Proposed Revisions by the FUND's membership (which shall comply with the Act in all respects), the CITY shall proceed to cause the Cash Infusion to be paid to the FUND in a timely manner that preserves the fiscal health of the CITY while faithfully observes its obligations prescribed herein. The CITY's obligation to make the Cash Infusion to the FUND is further contingent upon the FUND's compliance with all terms and conditions set forth in this Agreement and the CITY's receipt of satisfactory assurances that the FUND will meet its future obligations under this Agreement.

B. Termination. Upon the occurrence of any of the following events, this Agreement, the Parties' respective continuing obligations under this Agreement, and the benefit and contribution changes approved by the FUND's members in connection with the Proposed Revisions, shall terminate and become null and void:

1. the Board's failure to submit the Proposed Revisions to the FUND's membership for a vote at an election held in accordance with the Act;

2. the FUND's membership's failure to approve the Proposed Revisions at an election held in accordance with the Act;

3. the failure of the CITY to make the Cash Infusion to the FUND; and

4. a Party's material breach of this Agreement and failure to cure said material breach in accordance with Section 16 below.

Section 5. Governing Law & Venue. This Agreement shall be governed by, interpreted, enforced, and construed under the laws of the State of Texas. All performance and payment made pursuant to this Agreement shall be deemed to have occurred in Midland County, Texas. The obligations and undertakings of the Parties hereunder shall be deemed to have occurred in Midland County, Texas. Exclusive venue for any claims, suits or any other action arising from or connected in any way to this Agreement shall be in Midland County, Texas.

Section 6. Saving & Severability Clause. In case any one of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any of the other provisions thereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained in the Agreement.

Section 7. Amendments. This Agreement may only be amended or modified by the mutual written agreement of the Parties.

Section 8. Complete Agreement. This Agreement embodies the complete agreement of the Parties hereto superseding all written previous and contemporary agreements between the Parties and relating to matters in this Agreement, and, except as otherwise provided herein, cannot be modified without agreement of the Parties.

Section 9. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be considered an original, and all such counterparts shall constitute one agreement. To facilitate execution of this Termination Agreement, the Parties may execute and exchange by e-mail as a portable document format or other electronic imaging, counterparts of the signature page, which shall be deemed original signatures for all purposes.

Section 10. Assignment. The Parties to this Agreement shall not assign this Agreement, in whole or in part, any such assignment or attempted assignment being void.

Section 11. No Third-Party Beneficiary. The CITY's approval of this Agreement does not create a third-party beneficiary. There is no third-party beneficiary to this Agreement. No person or entity who is not a Party to this Agreement shall have any third-party beneficiary or other rights hereunder.

Section 12. Governmental Immunity. By executing this Agreement, neither Party is waiving its right of governmental immunity. Each Party is retaining its immunity from suit. Neither Party is granting consent to be sued by legislative resolution or action. THERE IS NO WAIVER OF GOVERNMENTAL IMMUNITY AS TO EITHER PARTY. Notwithstanding the foregoing, an equitable action to enforce the lawful obligations of either Party to carry out the terms of this Agreement shall not be prohibited.

Section 13. Consideration. The Parties hereby agree and acknowledge that this Agreement is supported by good and valuable consideration in accordance with Section 791.011(e) of the Texas Government Code, the receipt and sufficiency of which is hereby acknowledged by the Parties.

Section 14. Notices. All notices under this Agreement shall be sent by U.S. mail, postage prepaid, addressed to such Party as shown below. A notice properly sent shall be deemed received three (3) days after depositing in the U.S. mail. Either Party may change the address below by sending written notice of such change to the other Party in the manner provided herein.

If to the CITY: City Manager
City of Midland
P.O. Box 1152
Midland, Texas 79702

If to the FUND: Chairman of the Board of Trustees
Midland Firemen's Relief and Retirement Fund
105 N. G Street, Suite 201
Midland, Texas 79701

Section 15. Governmental Function. The Parties acknowledge and agree that the CITY and the FUND are governmental entities entitled to immunity from suit or liability under state law, subject to the limitations set forth in Section 12 above, and that the CITY is entering into this Agreement pursuant to its governmental function. The Parties further acknowledge and agree that this Agreement is not subject to the provisions of Subchapter I of Chapter 271, Tex. Loc. Gov't Code, and that the consideration received by the Parties under this Agreement does not constitute a good or service for purposes of Tex. Loc. Gov't Code § 271.151(2)(A).

Section 16. Termination. Either Party may terminate this Agreement if there is a material breach of this Agreement by the other Party that is not cured within thirty (30) days following the breaching Party's receipt of written notice of such material breach. If the cure would take longer than thirty (30) days and the breaching Party has begun and diligently thereafter continues in good faith to cure said breach, the cure period shall be extended to such period as is reasonably practicable to effect such cure. Notwithstanding the foregoing, in no event shall such cure period be extended for a period longer than ninety (90) days following the breaching Party's receipt of written notice of such material breach.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be legally executed as of the Effective Date.

THE CITY OF MIDLAND, TEXAS	MIDLAND FIREMEN'S RELIEF AND RETIREMENT FUND
_____	_____
Lori Merritt Blong, Mayor	Justin Graham, Chairman of the Board of Trustees
_____	_____
Date	Date
ATTEST:	ATTEST:
_____	_____
Marcia Bentley-German, City Secretary	Eric Stewart, Secretary of the Board of Trustees

EXHIBIT A

PROCESS FOR CHANGES TO ACTUARIAL ASSUMPTIONS AND BENEFIT ENHANCEMENT(S)/CHANGE(S)

A. At least once each calendar year during the term of the Agreement, and every time the FUND considers an Actuarial Assumptions and Methods revision or a Benefit Enhancement(s)/Change(s), the FUND shall cause its actuary to conduct an actuarial analysis for the purpose of determining the actuarial liabilities and actuarially determined contribution rates of the FUND (an "***Actuarial Analysis***"). The FUND shall provide written notice to the CITY upon the commencement of any Actuarial Analysis by the FUND's actuary.

B. In connection with each Actuarial Analysis, the CITY shall inform the FUND of the following:

   1. whether the CITY will conduct its own analysis using the CITY's actuary;

   2. whether the CITY's actuary will review the Actuarial Analysis of the FUND's actuary; and

   3. whether the CITY will accept the Actuarial Analysis of the FUND's actuary.

C. If the CITY elects to:

   1. conduct its own analysis, it must complete it within three (3) months following the date the CITY received the written notice prescribed by Section A of this exhibit; or

   2. have the CITY's actuary review the FUND's Actuarial Analysis, such review shall be completed no later than one (1) month after the date the preliminary results of the Actuarial Analysis are presented to the Board.

D. If the CITY chooses to have its own analysis performed or to have the City's actuary review the FUND's Actuarial Analysis, the FUND's actuary and the CITY's actuary shall determine what the hypothetical actuarially determined contribution ("*ADC*") rate would be using data from the most recent actuarial valuation performed by the FUND's consulting actuary. Each actuary shall calculate the impact of the change in Actuarial Assumptions and Methods and/or Benefit Enhancement(s)/Changes(s) on the ADC separately in his/her respective analysis.

E. If the difference between the hypothetical ADC determined by the FUND's actuary and the CITY's actuary under Section D of this exhibit:

   1. is less than or equal to two percent (2%) of pensionable payroll when the Actuarial Analysis is for the purpose of evaluating the change in Actuarial

Assumptions and Methods only, or is less than or equal to one percent (1%) of pensionable payroll when the Actuarial Analysis is for the purpose of evaluating a Benefit Enhancement(s)/Change(s) only, then no further action is needed and the Board shall use the Actuarial Analysis performed by the FUND's actuary; or

2. is greater than two percent (2%) of pensionable payroll when the Actuarial Analysis is for the purpose of evaluating the change in Actuarial Assumptions and Methods only, or is greater than one percent (1%) of pensionable payroll when the Actuarial Analysis is for the purpose of evaluating a Benefit Enhancement(s)/Change(s) only, then the FUND's actuary and the CITY's actuary shall have twenty (20) business days to reconcile the difference between their analyses, and:

    a. if, as a result of the reconciliation efforts under this subsection, the difference between the ADC rates determined by the FUND's actuary and the CITY's actuary is reduced to two percent (2%) or less when the Actuarial Analysis is for the purpose of evaluating the change in Actuarial Assumptions and Methods only, or if the difference is one percent (1%) or less when the Actuarial Analysis is for the purpose of evaluating a Benefit Enhancement(s)/Change(s) only, then no further action is needed, and the Board shall use the reconciled Actuarial Analysis determined by the FUND's actuary; or

    b. if, after twenty (20) business days, the FUND's actuary and the CITY's actuary are unable to reach a reconciliation that reduces the difference in the hypothetical ADC rates to an amount less than or equal to two percent (2%) when the Actuarial Analysis is for the purpose of evaluating the change in Actuarial Assumptions and Methods only, or is less than or equal to one percent (1%) when the Actuarial Analysis is for the purpose of evaluating a Benefit Enhancement(s)/Change(s) only, a third-party actuary shall be retained to opine on the differences in the analyses used by the FUND's actuary and the CITY's actuary.

F. The independent third-party actuary retained in accordance with Section E.2.b of this exhibit shall be chosen by the CITY from a list containing at least three (3) actuarial firms provided by the FUND or by written agreement of the Parties.

G. If a third-party actuary is retained under Section E.2.b of this exhibit, the third-party actuary's findings shall be presented to the Board along with the Actuarial Analysis conducted by the FUND's actuary and, if applicable, the analysis of the CITY's actuary. If the Board adopts an Actuarial Analysis contrary to the third-party actuary's findings, then:

1. the Actuarial Analysis and any related changes must be approved by a unanimous vote of the full membership of the Board;

2. the FUND shall provide a formal letter describing the rationale for the Board's action to the Midland City Council and the State Pension Review Board; and

3. the FUND's actuary and Chairman shall be made available in person at the request of the Midland City Council or the State Pension Review Board to present the rationale for the Board's action.

H. If the Board proposes a change to Actuarial Assumptions or Methods that is not in connection with an Actuarial Analysis described in Section A of this exhibit, the FUND and the CITY shall follow the same process prescribed by this exhibit with respect to an Actuarial Analysis in connection with the proposed change.

Exhibit B

Actuarial Valuation Report

Midland Firemen's Relief and Retirement Fund

Actuarial Valuation as of December 31, 2023

May 30, 2024

Exhibit B

Mitchell L. Bilbe, F.S.A.
Evan L. Dial, F.S.A.
Philip S. Dial, F.S.A.
Charles V. Faerber, F.S.A., A.C.A.S.
Mark R. Fenlaw, F.S.A.
Brandon L. Fuller, F.S.A.
Christopher S. Johnson, F.S.A.
Oliver B. Kiel, F.S.A.
Dustin J. Kim, F.S.A.

Rudd and Wisdom, Inc.
Consulting Actuaries

Edward A. Mire, F.S.A.
Rebecca B. Morris, A.S.A.
Amanda L. Murphy, F.S.A.
Michael J. Muth, F.S.A.
Khiem Ngo, F.S.A., A.C.A.S.
Timothy B. Seifert, F.S.A.
Raymond W. Tilotta
Ronald W. Tobleman, F.S.A.
David G. Wilkes, F.S.A.

May 30, 2024

Board of Trustees
Midland Firemen's Relief and
Retirement Fund
c/o Ms. Shera Crow
Post Office Box 4296
Midland, TX 79704

Members of the Board of Trustees:

At your request, we have prepared this report of the results of the actuarial valuation of the fund as of December 31, 2023. This valuation was prepared to determine whether the fund has an adequate contribution arrangement.

In a separate report later this year, we will provide the necessary disclosures for the fund's compliance with the Governmental Accounting Standards Board (GASB) Statement No. 67 for the plan year ending December 31, 2023. Similarly, we will provide a separate report containing the pension expense, net pension liability, and disclosure information for the city's compliance with GASB 68 for the fiscal year ending September 30, 2024. GASB 68 prescribes the city's accounting for your fund, while this actuarial valuation report reflects the assumed continuation of the current funding policy.

We certify that we are members of the American Academy of Actuaries who meet Qualification Standards of the American Academy of Actuaries to render the actuarial opinions contained in this report.

Sincerely,

Mark R. Fenlaw

Mark R. Fenlaw, F.S.A.

Rebecca B. Morris

Rebecca B. Morris, A.S.A.

MRF/RBM:nlg

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9500 Arboretum Blvd., Suite 200
Austin, Texas 78759

www.ruddwisdom.com

Phone: (512) 346-1590
Fax: (512) 345-7437

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Section I

Valuation Summary

An actuarial valuation of the assets and liabilities of the Midland Firemen's Relief and Retirement Fund as of December 31, 2023 has been completed. This valuation is based on **preliminary asset information**. The valuation was based on the Present Plan (plan effective January 1, 2024) and the provisions of the Texas Local Fire Fighters' Retirement Act (TLFFRA) which were in effect on December 31, 2023. Section II shows the key results of the actuarial valuation as of December 31, 2023 and discusses the changes since the prior valuation as of December 31, 2021.

This valuation reflects an actuarially assumed total contribution rate of 38.4%, comprised of 14.2% by the firefighters and 24.2% by the city. The total contribution rate of 38.4% exceeds the normal cost rate of 27.28%, leaving 11.12% available to amortize the unfunded actuarial accrued liability (UAAL) of $120,942,577. Assuming that the total payroll increases at the rate of 3% per year in the future, the contributions in excess of the normal cost **will never amortize the UAAL.**

In order for a retirement plan to have an adequate contribution arrangement, contributions must be made that are sufficient to pay the plan's normal cost and to amortize the plan's UAAL over a reasonable period of time. Based on the Texas State Pension Review Board guidelines for pension funding, our professional judgment, and the actuarial assumptions and methods used in making this valuation, we consider amortization periods of 10 to 25 years to be preferable and 30 years to be the current maximum acceptable amortization period. Since the total contributions are not sufficient to pay the fund's normal cost and to amortize the fund's UAAL within the maximum acceptable period, we are of the opinion that the fund, based on present levels of benefits and contributions, **has an inadequate contribution arrangement. Section III presents considerations for establishing an adequate contribution arrangement.**

The below chart shows what the increased city contribution would need to have been in effect on the respective valuation dates in order for the fund to have a 25-year amortization period.

	City Contribution Rate	
	12/31/2021 Valuation	12/31/2023 Valuation
Current actual contribution rate	22.2%	24.2%
Hypothetical rate for a 25-year amortization period		
• Assumed effective on the valuation date	48.5%	42.5%
• Assumed effective on January 1, 2025	54.25%	44.0%

Plan Provisions

The plan provisions have been amended since the prior actuarial valuation. Effective January 1, 2024, two key changes were approved by the firefighters and the board, (1) to exclude unscheduled overtime pay from the final average pay used to determine benefits and (2) to use the highest 60 consecutive months of pay to determine the final average pay instead of the 60 highest months. The changes were accompanied by an acceptable transition protecting those eligible for normal retirement or within two years of normal retirement eligibility. In addition, the city increased its contribution rate by 2% from 22.2% to 24.2% effective January 1, 2024.

Projected Actuarial Valuation Results

In addition to completing this actuarial valuation, we estimated the amortization periods as of December 31, 2025 and as of December 31, 2027 by making projections from the December 31, 2023 actuarial valuation. These projections examine the effect on the amortization period in the next two biennial actuarial valuations of the actuarial investment gains and losses that the fund experienced in the four years prior to the valuation date (losses in 2020, 2022, and 2023, and a gain in 2021) that have been only partially recognized as of December 31, 2023. As shown in Exhibit 8, a smoothing method is used to determine the actuarial value of assets (AVA) for this valuation. This method phases in over a five-year period any investment gains or losses (net actual investment return greater or less than the actuarially assumed investment return) that the fund has had. The AVA used in this current valuation is deferring recognition of various portions of the gains and losses in 2020-2023 that the fund experienced. The AVA used in this valuation is $91.5 million. The market value of assets (MVA) is $83.7 million. The $7.8 million difference between the MVA and the AVA is the deferred net loss over the past four years that will be recognized in the next two biennial actuarial valuations.

The theory behind the AVA method is to allow time for investment gains and losses to partially offset each other and thereby dampen the volatility associated with the progression of the MVA over time. In practice, the timing and amounts of investment gains and losses can result in irregular effects on the AVA in a given year. However, as intended, the pattern of the AVA is smoother over time than the pattern of the MVA, as seen in Exhibit 9.

For the purpose of projecting the amortization period through 2027 we used six scenarios of various assumed annual rates of investment return, net of investment-related expenses, over the 2024-2027 projection period. These projections show the expected effects over the next four years after the valuation date (1) of the recognition of the portions of the investment gains and losses over the past four years that are deferred as of December 31, 2023, (2) of investment returns over the next four years different from the 7% assumption used in this valuation, and (3) assuming a city contribution rate of 44.0% beginning January 1, 2025 that would have been required to have an amortization period of 25 years. That would be a 19.8% increase over the current city contribution rate of 24.2%.

	Scenario					
	1	2	3	4	5	6
Assumed Investment Return for Calendar Year						
2024	7%	10%	-5%	-10%	-10%	-7%
2025	7	5	0	7	4	2
2026	7	10	10	7	4	2
2027	7	10	10	7	4	2
2028 and later	7	7	7	7	7	7
City Contribution Rate (effective January 1, 2025)	44.0%	44.0%	44.0%	44.0%	44.0%	44.0%
Amortization Period in Years as of December 31:						
2023 (actual)	25.0	25.0	25.0	25.0	25.0	25.0
2025 (projected)	24.6	24.4	26.5	26.8	27.0	26.7
2027 (projected)	23.7	22.8	27.6	28.1	29.3	29.3

The projected future December 31, 2027 valuation in Scenario 1 reveals that instead of decreasing by the expected four years to 21.0 years, the amortization period is projected to decrease by 1.3 years to 23.7 years because of the recognition of the deferred net loss. The other scenarios with investment gains and losses show that there is not much sensitivity of the amortization period. That is not typical of a fund with a 25-year amortization period. The small sensitivity results in this case because of the unrealistically large projected contributions by the city and because of the relatively low funded ratio of 43% as of December 31, 2023.

The primary conclusion from the scenarios is that since the fund has a dramatically inadequate contribution arrangement and a significant deferred net loss that will hinder the amortization of the UAAL, the board needs to demonstrate to the firefighters that additional action needs to be taken to be part of a solution with the city to establish an adequate contribution arrangement. The magnitude of either an increase in the city contribution rate or lump sum contributed by the city alone is too great.

Participant and Asset Data

We have relied on and based our valuation on the active firefighter data, pensioner data, and asset data provided on behalf of the board of trustees by Ms. Shera Crow, the administrator of the fund. We have not audited the data provided but have reviewed it for reasonableness and consistency relative to the data provided for the December 31, 2021 actuarial valuation. Exhibit 1 is a distribution of the active firefighters by age and service. In general, the assumed 2024 compensation used for projecting future contributions for each active firefighter in the valuation was the actual pay for calendar year 2023 increased by 3% to reflect the effect of the 5% general pay increase effective October 1, 2023. The total of these assumed compensation amounts is our assumed annualized covered payroll for the plan year beginning January 1, 2024 and is used in the valuation to determine the UAAL amortization period and to calculate the actuarially determined contribution (ADC) rate. The averages of the assumed compensation amounts for the 2024 plan year are shown in Exhibit 1. For projecting future benefits, we have assumed that the pay excluding unscheduled overtime pay will be 10% less than the pay for making contributions.

Exhibit 2 contains summary information on the pensioners. The monthly benefit payments are generally based on the amounts paid January 31, 2024. Exhibit 3 is a reconciliation of firefighters and pensioners from December 31, 2021 to December 31, 2023. Exhibit 4 shows a breakdown of the dollar amount of the monthly benefits for retirees and surviving spouses. Exhibit 5 shows a historical comparison of the actuarial accrued liability and the actuarial value of assets.

Asset information is contained in exhibits 6 through 10. The summary of assets contained in Exhibit 6 is based on the new target asset allocation and the **preliminary** total assets as of December 31, 2023. This exhibit also shows a comparison with the market values and actuarial values of assets as of December 31, 2021 and December 31, 2023. Exhibit 7 contains the statement of changes in assets for 2023 (preliminary) and 2022. Exhibit 8 shows the development of the actuarial value of assets. Exhibit 9 shows a historical comparison between the market value and actuarial value of assets. A comparison of the market value asset allocation by major asset class as of December 31, 2021 and December 31, 2023 is shown in Exhibit 10.

Assumptions

As a part of each actuarial valuation, we review the actuarial assumptions used in the prior actuarial valuation. As a result of our review, we have selected actuarial assumptions we consider to be reasonable and appropriate estimates of future experience for the fund for the long-term future. Their selection complies with the applicable actuarial standards of practice. Significant actuarial assumptions used in this valuation are:

1. 7% annual investment return net of investment-related expenses;

2. 3% general annual compensation increase combined with promotion, step, and longevity increases that average 2.89% per year over a 30-year career;

3. 3% aggregate payroll growth (for the purpose of amortizing the UAAL and calculating the ADC rate);

4. Retirement rates which result in an average expected age at retirement of 53.6;

5. PubS-2010 (public safety) total dataset mortality tables for employees and for retirees, projected for mortality improvement generationally using the projection scale MP-2019; and

6. Pay excluding unscheduled overtime pay will be 10% less than the pay for making contributions.

The actuarial assumptions for this December 31, 2023 actuarial valuation are the same as those used in the December 31, 2021 valuation. A summary of all the assumptions and methods used in the valuation is shown in Exhibits 11 and 12. In our opinion, the assumptions used, both in the aggregate and individually, are reasonably related to the experience of the fund and to reasonable expectations. The assumptions represent a reasonable estimate of anticipated experience of the fund over the long-term future.

Supporting Exhibits

Exhibit 13 contains definitions of terms used in this actuarial valuation report. Exhibit 14 summarizes the plan provisions of the Present Plan. Appendix A documents our review of the economic assumptions.

Funding Policy

A funding policy in compliance with state law would say that each actuarial valuation will include a benchmark actuarially determined contribution (ADC) rate using a closed amortization period of 30 years beginning January 1, 2020. The components of the ADC rate are the normal cost and the amortization cost, both expressed as contribution rates. Then the fund's actuary is to compare the benchmark ADC rate and the total contribution rate. The table below shows the actuarial valuation results in two key metrics, the amortization period and the total contribution rate. The amortization period for the benchmark ADC began at 30 years for the December 31, 2019 valuation and declines by one each year; so it is at 26 years for this actuarial valuation.

	Amortization Period	Total Contribution Rate
Benchmark ADC rate	26.0 years	56.1%
Actuarial valuation	never	38.4%
Difference	(immeasurable)	(17.7)%

That much negative divergence from the benchmark means that the board's next steps include (1) working with Rudd and Wisdom to study potential changes that would establish an appropriate balance between benefits and contributions and (2) working with the firefighters and the city to achieve the necessary changes. Section III of this report gives the board some recommended potential changes for study.

Variability in Future Actuarial Measurement

Future actuarial measurements may differ significantly from the current measurements presented in this report due to such factors as the following:

- Plan experience differing from that anticipated by the current economic or demographic assumptions;
- Increases or decreases expected as part of the natural operation of the methodology used for these measurements;
- Changes in economic or demographic assumptions; and
- Changes in plan provisions.

Analysis of the potential range of such future measurements resulting from the possible sources of measurement variability will be provided in the next biennial actuarial valuation once an adequate contribution arrangement has been established.

Respectfully submitted,
RUDD AND WISDOM, INC.

Mark R. Fenlaw

Mark R. Fenlaw
Fellow, Society of Actuaries
Member, American Academy of Actuaries

Rebecca B. Morris

Rebecca B. Morris
Associate, Society of Actuaries
Member, American Academy of Actuaries

Section II

Key Results of the Actuarial Valuations

	December 31, 2021[1]	December 31, 2023[1]	December 31, 2023[2]
1. Actuarial present value of future benefits			
a. Those now receiving benefits or former firefighters entitled to receive benefits	$106,761,734	$116,767,189	$116,767,189
b. Firefighters	164,001,081	189,736,230	165,218,316
c. Total	$270,762,815	$306,503,419	$281,985,505
2. Actuarial present value of future normal cost contributions	$ 69,985,878	$ 82,330,358	$ 69,575,030
3. Actuarial accrued liability (Item 1c – Item 2)	$200,776,937	$224,173,061	$212,410,475
4. Actuarial value of assets	$ 91,653,825	$ 91,467,898	$ 91,467,898
5. Unfunded actuarial accrued liability (UAAL) (Item 3 - Item 4)	$109,123,112	$132,705,163	$120,942,577
6. Contributions (percent of pay)			
a. Firefighters	14.20%	14.20%	14.20%
b. City of Midland	22.20%	22.20%	24.20%
c. Total	36.40%	36.40%	38.40%
7. Normal cost (percent of payroll)	31.54%	31.38%	27.28%
8. Percent of payroll available to amortize the UAAL (Item 6c - Item 7)	4.86%	5.02%	11.12%
9. Annualized covered payroll	$ 22,052,445	$ 25,874,745	$ 25,874,745
10. Years to amortize the UAAL	never	never	never
11. Funded ratio (Item 4 ÷ Item 3)[3]	45.6%	40.8%	43.1%
12. Retiree funded ratio (Item 4 ÷ Item 1a)[4]	85.8%	78.3%	78.3%

[1] All items reflect the plan provisions before the changes effective January 1, 2024.
[2] All items reflect the plan provisions effective January 1, 2024.
[3] The funded ratio is not appropriate for assessing either the need for or the amount of future contributions or the adequacy of the assumed contribution rates. Using the market value of assets instead of the actuarial value of assets for Item 11 would have resulted in funded ratios of 46.7% as of December 31, 2021 and 39.4% as of December 31, 2023 with the plan provisions effective January 1, 2024. **The best indicator of the fund's health will be Item 10 once an adequate contribution arrangement is established.**
[4] The retiree funded ratio should ideally never be less than 100%.

Changes in the Unfunded Actuarial Accrued Liability

In comparing this actuarial valuation to the prior one, the UAAL increased by $11,819,465 from $109,123,112 as of December 31, 2021 to $120,942,577 as of December 31, 2023. The table below summarizes the reasons for the increase.

Reason for Change	Amount
• Expected increase (interest on UAAL more than expected amortization payments, accumulated with interest)	$ 13,486,410
• Change in benefit provisions	(11,762,586)
• Investment loss for the two years (based on the AVA average annual return of 3.0%)	7,534,789
• Experience loss (net difference between actual experience and assumed experience for pay increases, retirements, mortality, and terminations)	2,560,852
Total	$ 11,819,465

Changes in the ADC

Since the UAAL will never be amortized based on the benefit provisions and the contribution arrangement reflected in this December 31, 2023 actuarial valuation, it is impossible to analyze changes since the December 31, 2021 actuarial valuation in terms of the amortization period. Instead, the below shows an analysis in terms of an actuarially determined contribution rate by the city (ADC) that with the 14.2% contribution rate by the firefighters would be adequate to pay the normal cost and to amortize the UAAL in 25 years beginning on the actuarial valuation date. The beginning point in the December 31, 2021 actuarial valuation report was an ADC of 48.5%. The ending point is the December 31, 2023 actuarial valuation with an ADC of 42.5%. The items below identify changes and experience since the prior actuarial valuation and the resulting decrease in the ADC of 6.0% from the 48.5% two years ago to the 42.5% in this actuarial valuation.

1. The average annual rate of investment return, net of investment-related expenses, on the market value of assets during the two plan years 2022 and 2023 was -2.5%. However, the actuarial value of assets (AVA) used in the valuation and the determination of the amortization period is based on an adjusted market value. The average annual rate of return on the AVA, net of investment-related expenses, for plan years 2022 and 2023 was 3.0%, less than the assumed rate of return for those years of 7.0%. This resulted in an increase in the ADC of 2.1%.

2. The shortfall in contributions due to the starting 48.5% ADC not being contributed in 2022 and 2023 increased the ADC by 3.6%.

3. The aggregate payroll increased at an average rate of 8.3% per year instead of the assumed 3% per year rate, which caused the ADC to decrease by 3.6%.

4. The net result of all experience compared to the assumptions, other than the investment experience and the aggregate payroll experience, had the combined effect of increasing the ADC by 0.6%.

5. The changes in benefit provisions resulted in a decrease in the ADC of 7.1%.

6. Starting over with a new 25-year amortization period instead of staying at 23 years with the elapse of two years between the actuarial valuation dates decreased the ADC by 1.6%.

Section III

Establishing an Adequate Contribution Arrangement

The results of this actuarial valuation as of December 31, 2023, reflecting the changes in plan provisions and the increase in the city contribution rate effective January 1, 2024, reveal that the fund still has an inadequate contribution arrangement. There are three options for establishing an adequate contribution arrangement: (1) a sufficient increase in the total contribution rate, (2) a package of sufficient decreases in benefits, or (3) a sufficient combination of increases in contributions and decreases in benefits. A lump sum contribution is also a possibility in combination with any of the three normal options.

Without any additional changes in plan provisions, we showed in Section I the higher city contribution rate of 44.0% (assumed effective January 1, 2025) that would result in an amortization period of 25 years as of December 31, 2023. An increase of 19.8% in the city's contribution rate is unrealistic. Alternatively in lieu of an increase in the contribution percentage, a lump sum of $80.6 million would be needed. Even with the proposed lump sum contribution of $47 million by the city, there would still leave a required increase in the city rate of around 8.3%, both assumed effective as of January 1, 2025.

Because of these unrealistic contribution rate increases, the board will need to consider combining the $47 million lump sum contribution with a package of decreases in benefits and an increase in the firefighter contribution rate. At your request, we recommended studies in an April 25, 2024 letter of the effects on the fund's December 31, 2023 actuarial valuation of each of the potential changes in benefit provisions described below. Given that additional changes may be needed, this is an ideal time to improve the benefit design and features of the plan and to reduce the normal cost to a more manageable level for the long-term sustainability of the fund.

1. Change the benefit formula from 75% of final average salary for the first 20 years of service plus $80 for each year of service above 20 years to a set of graded percents of final average salary that will reduce the benefit for the first 20 years and increase the benefit for years above 20 years (3.3% per year for the first 20 years, 2.0% per year for years 21-30, and 1.0% per year for years above 30).

2. Discontinue the supplemental benefit for those retiring after the plan change effective date at age 50 or above of $500 per month.

3. Increase by two years the minimum age and service requirements for all of the DROP plan benefits (from age 50/20 years to age 52/22 years and from 25 years at any age to 27 years at any age).

4. Discontinue the crediting of interest in the determination of a DROP lump sum.

5. Exclude firefighter contributions from the determination of a DROP lump sum.

6. Make the Reverse DROP actuarially equivalent to the normal retirement benefit by changing the reduction factor for the monthly benefit from 90% to the appropriate percentage based on a 7% interest rate assumption and an appropriate gender-neutral mortality assumption (expected to be close to 80%).

7. Change the benefit formula definition of final average salary from the highest 60-month average to the highest 84-month average, both being consecutive number of months.

We will determine the effects on the actuarial accrued liability and the normal cost percent for each of the potential changes individually as well as collectively. In addition, we will study what effect the collective package of potential changes plus the potential $47 million lump sum contribution from the city would have toward establishing an adequate contribution arrangement. In addition, we will solve for what additional financing with the collective package and the $47 million lump sum would be required, expressed both as a lump sum and as an increase in the total contribution rate.

The fund is subject to the state law known as the Funding Soundness Protection Plan. It requires the board and the city to work together to finalize a package of changes that will result in an amortization period of 30 years or less by September 1, 2025. For the fund, that effectively means a package of changes based on this December 31, 2023 actuarial valuation. We recommend targeting 25 years because of the very adverse investment experience of 2022 that is only partially recognized in this December 31, 2023 actuarial valuation.

Exhibit 1

Distribution of Firefighters by Age and Service on December 31, 2023 with Average Annual Compensation

Years of Service	Age									Total	Average Compen-sation
	Under 25	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60 or Over		
0	2	4	5	4	0	0	0	0	0	15	$ 57,000
1	11	10	5	1	0	0	0	0	0	27	62,780
2	4	5	4	3	0	1	0	0	0	17	78,770
3	3	10	5	7	0	0	0	0	0	25	93,087
4	1	6	9	3	1	0	0	0	0	20	92,418
5	1	3	1	5	0	0	0	0	0	10	93,978
6	0	4	5	4	2	0	0	0	0	15	91,510
7	0	2	2	1	0	0	0	0	0	5	107,394
8	0	3	3	1	2	0	0	0	0	9	105,033
9	0	1	5	2	0	1	0	0	0	9	116,043
10	0	1	4	1	5	1	0	0	0	12	116,918
11	0	0	1	3	2	0	0	0	0	6	112,839
12	0	0	1	3	2	0	0	0	0	6	117,462
13	0	0	0	0	1	0	0	0	0	1	161,867
14	0	0	0	0	1	1	0	0	1	3	141,107
15	0	0	0	3	1	0	0	0	0	4	125,537
16	0	0	0	1	6	0	2	0	0	9	132,587
17	0	0	0	3	7	2	1	0	0	13	128,119
18	0	0	0	2	3	1	0	0	0	6	139,262
19	0	0	0	0	2	1	0	0	0	3	129,311
20-24	0	0	0	0	3	11	3	0	0	17	142,992
25-29	0	0	0	0	0	4	7	2	1	14	151,589
30-34	0	0	0	0	0	0	0	1	1	2	166,928
35+	0	0	0	0	0	0	0	0	1	1	129,511
Totals	22	49	50	47	38	23	13	3	4	249	$103,915

Average Compensation	$67,739	$92,127	$124,172	$139,810	$153,685	
	$83,767	$104,602	$135,111	$166,289	$103,915	

Average age	35.8
Average years of service	9.2
Average age at hire	26.6

Exhibit 2

Summary of Pensioner Data

Type of Benefit	Pensioner Data Used in December 31, 2023 Valuation	
	Number of Recipients	Total Monthly Benefit Payments
Service Retirement	159[1]	$ 736,308
Disability Retirement	4	13,107
Vested Terminated (Deferred)	8	20,307
Surviving Spouse	30	74,034
Surviving Child	8	6,281
Total	209	$ 850,037

Type of Benefit	Comparison of Pensioner Count by Type as of The Prior and Current Actuarial Valuations			
	December 31, 2021	New	Ceased	December 31, 2023
Service Retirement	150[1]	+13	-4	159[1]
Disability Retirement	4	0	0	4
Vested Terminated (Deferred)	7	+3	-2	8
Surviving Spouse	33	+2	-5	30
Surviving Child	6	+2	0	8
Total	200	+20	-11	209

[1] Includes seven alternate payees receiving benefits according to the terms of a Qualified Domestic Relations Order (QDRO).

Exhibit 3

Firefighter and Pensioner Reconciliation

	Firefighters	Current Payment Status	Vested Terminated Firefighters	Total
1. As of December 31, 2021	230	193 [1]	7	430
2. Change of status				
a. retirement	(9)	11	(2)	0
b. disability	0	0	0	0
c. death	(1)	(5)	0	(6)
d. survivor payment begins	0	4	0	4
e. withdrawal	(29)	0	0	(29)
f. vested termination	(1)	0	1	0
g. QDRO alternate payee	0	0	0	0
h. child benefit ceases	0	0	0	0
i. correction	0	(2)	2	0
j. net changes	(40)	8	1	(31)
3. New firefighters	59	0	0	59
4. As of December 31, 2023	249	201 [1]	8	458

[1] Includes seven alternate payees receiving benefits according to the terms of a Qualified Domestic Relations Order (QDRO).

Exhibit 4

Breakdown of Monthly Benefit Payment Amounts as of December 31, 2023

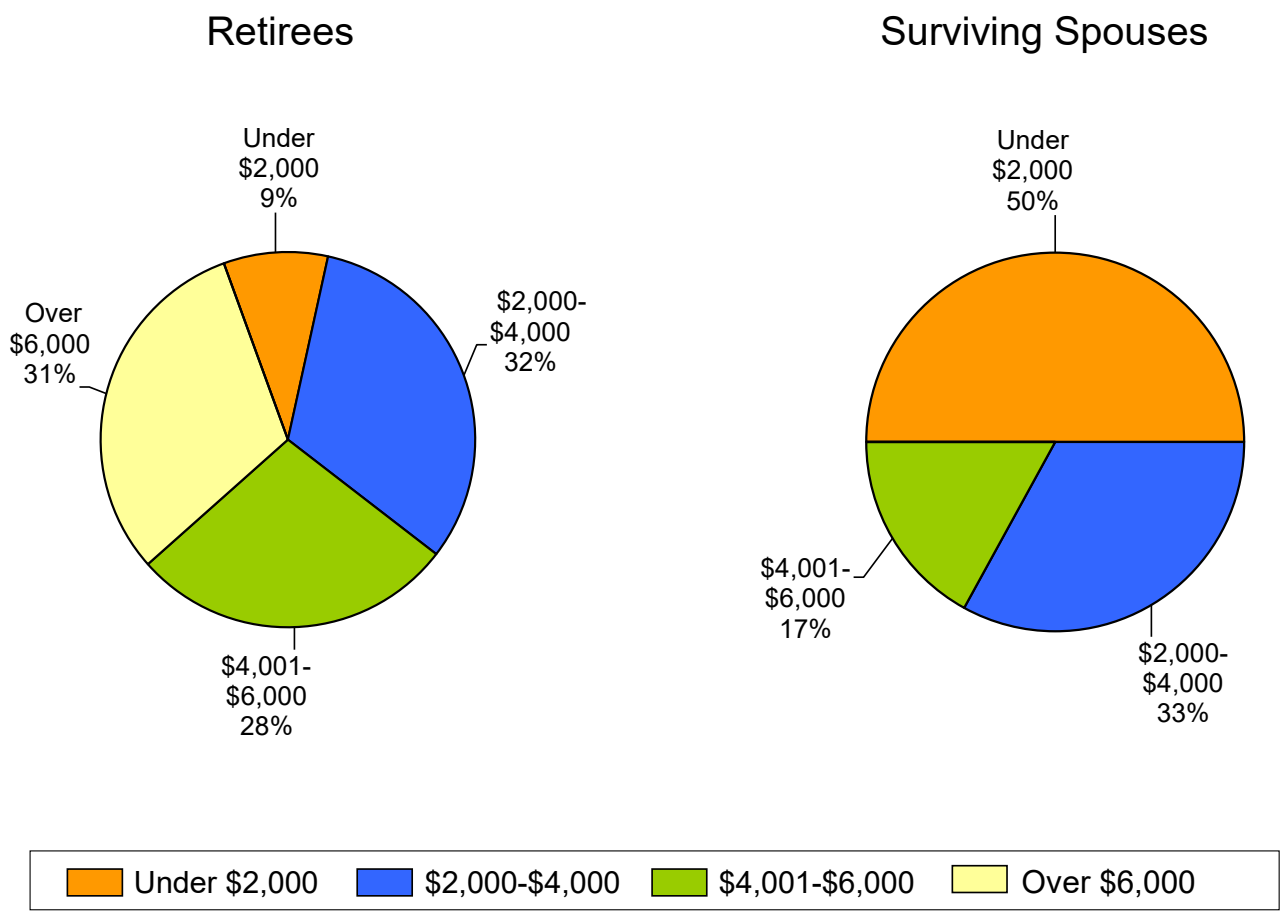


Exhibit 5

Historical Comparison of Actuarial Accrued Liability and Actuarial Value of Assets (Present Plan Valuations as of December 31)

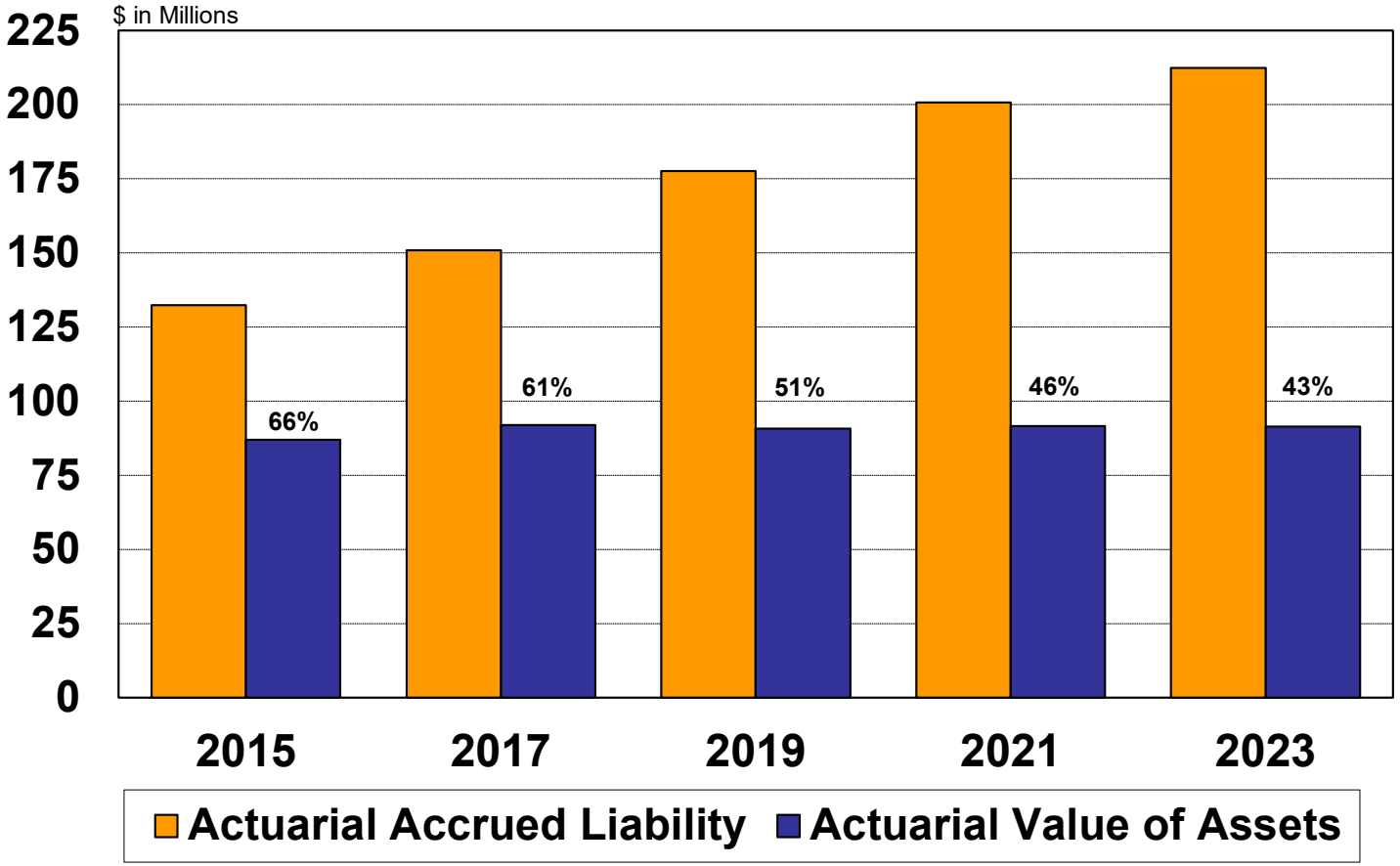


Exhibit 6

Summary of PRELIMINARY Asset Data

Asset Type	Market Value as of December 31, 2023	Target Allocation As a Percent of Grand Total
Equities		
U.S. Large Cap		20%
U.S. Small/Mid Cap		5
International		15
Total		40
Alternatives		
Venture Capital/Private Equity		15
Real Estate		10
Master Limited Partnerships		10
Private Credit		5
Total		40
Fixed Income		15
Cash Equivalents, Net of Payables		5
Grand Total	$83,710,694 [1]	100%

[1] The grand total is the preliminary amount for the December 31, 2023 financial report. The invested amounts are not shown, instead the new investment consultant's target asset allocation is solely shown.

Comparison of Asset Values as of the Prior and Current Actuarial Valuation Dates		
	December 31, 2021	December 31, 2023
Market Value	$93,771,847	$83,710,694
Actuarial Value	$91,653,825	$91,467,898
Actuarial Value as a Percent of Market Value	97.7%	109.3%

Exhibit 7

Statement of Changes in Audited Assets for the Years Ended December 31, 2023 and 2022

	12/31/2023 Preliminary	12/31/2022
Additions		
1. Contributions		
a. Employer	$ 5,580,525	$ 5,201,025
b. Employees	3,569,340	3,326,782
c. Total	$ 9,149,865	$ 8,527,807
2. Investment Income		
a. Interest and dividends	$ 1,000,000[1]	$ 958,504
b. Net appreciation in fair value	5,034,586[1]	(10,514,724)
c. Total	$ 6,034,586[1]	$ (9,556,220)
3. Other Additions	0	389
Total Additions	**$ 15,184,451**	**$ (1,028,024)**
Deductions		
4. Benefit Payments	$ 11,553,195	$ 10,875,344
5. Expenses		
a. Investment-related	$ 500,000[1]	$ 500,264
b. General administrative	400,000[1]	388,777
c. Total	$ 900,000[1]	$ 889,041
Total Deductions	**$ 12,453,195**	**$ 11,764,385**
Net Increase in Assets	**$ 2,731,256**	**$(12,792,409)**
Market Value of Assets (Fiduciary Net Position)		
Beginning of Year	$ 80,979,438	$ 93,771,847
End of Year	$ 83,710,694	$ 80,979,438
Rate of Return		
Net of All Expenses	6.44%	(11.28)%
Net of Investment-Related Expenses	6.95%	(10.88)%
Gross	7.61%	(10.37)%
Direct Investment-Related Expenses	0.66%	0.51%

[1] Estimated.

Exhibit 8

Development of Actuarial Value of Assets

Calculation of Actuarial Investment Gain/(Loss) Based on Market Value for Plan Years Ending December 31				
	2023	2022	2021	2020
1. Market Value of Assets as of beginning of year	$80,979,438	$93,771,847	$86,345,309	$84,848,966
2. Firefighter Contributions	3,569,340	3,326,782	3,138,754	2,867,985
3. City Contributions	5,580,525	5,201,025	4,907,065	4,483,675
4. Benefit Payments and Administrative Expenses[1]	(11,953,195)	(11,264,121)	(13,075,523)	(10,686,490)
5. Expected Investment Return[2]	5,570,444	6,468,258	6,287,284	6,238,616
6. Expected Market Value of Assets as of end of year	83,746,552	97,503,791	87,602,889	87,752,752
7. Actual Market Value of Assets as of end of year	83,710,694	80,979,438	93,771,847	86,345,309
8. Actuarial Investment Gain/(Loss)	(35,858)	(16,524,353)	6,168,958	(1,407,443)
9. Market Value Rate of Return Net of Expenses	6.95%	(10.88)%	14.86%	5.81%
10. Rate of Actuarial Investment Gain/(Loss)	(0.05)%	(17.88)%	7.36%	(1.69)%

[1] Administrative expenses are included for all years to retroactively make the investment return assumption net of investment-related expenses.
[2] Assuming uniform distribution of contributions and payments during the plan year; annual investment return assumed to be 7.0% for 2022 and 2023 and 7.5% for 2020 and 2021.

Plan Year	Investment Gain/(Loss)	Deferral Percentage	Deferred Gain/(Loss) as of 12/31/2023
2023	$ (35,858)	80%	$ (28,686)
2022	(16,524,353)	60%	(9,914,612)
2021	6,168,958	40%	2,467,583
2020	(1,407,443)	20%	(281,489)
Total			$ (7,757,204)

Actuarial Value of Assets as of December 31, 2023	
11. Market Value of Assets as of December 31, 2023	$ 83,710,694
12. Deferred Gain/(Loss) to be Recognized in Future	(7,757,204)
13. Preliminary Value (Item 11 – Item 12)	$ 91,467,898
14. Corridor for Actuarial Value of Assets	
a. 80% of Market Value as of December 31, 2023 (minimum)	$ 66,968,555
b. 120% of Market Value as of December 31, 2023 (maximum)	$100,452,833
15. Actuarial Value as of December 31, 2023	$ 91,467,898
16. Write Up/(Down) of Assets (Item 15 – Item 11)	$ 7,757,204

Exhibit 9

Historical Comparison of Market and Actuarial Value of Assets (Valuation as of December 31)

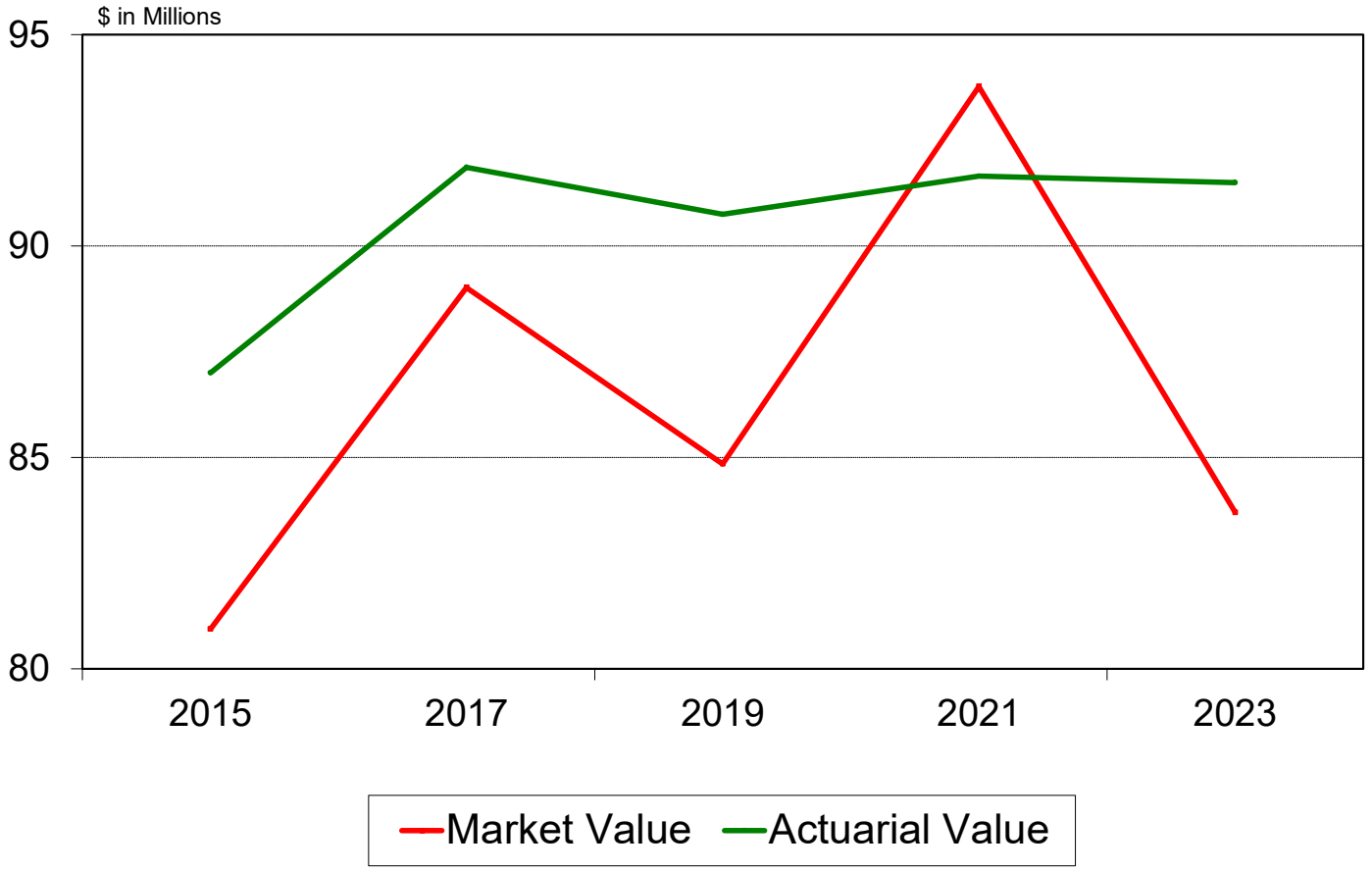
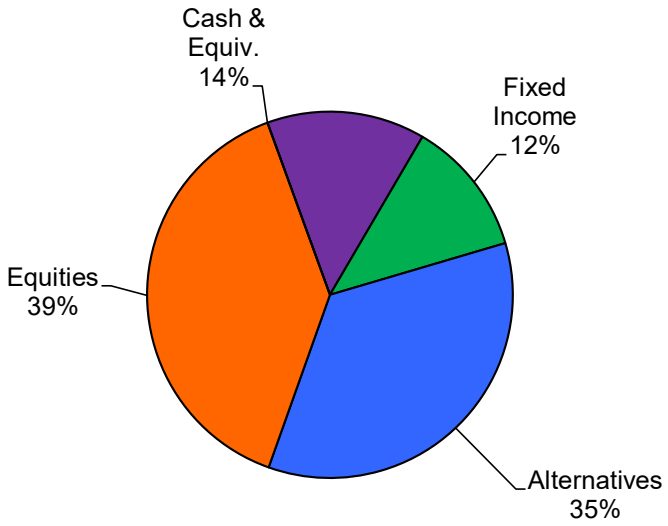


Exhibit 10

Market Value Asset Allocation for Prior and Current Actuarial Valuation Dates

December 31, 2021



December 31, 2023

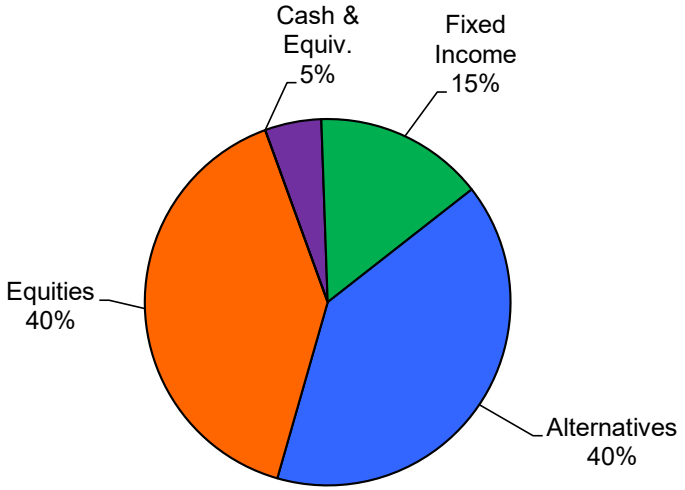


Exhibit 11

Actuarial Methods and Assumptions

A. Actuarial Methods

1. Actuarial Cost Method

The Entry Age Actuarial Cost Method is an actuarial cost method in which the actuarial present value of projected benefits of each active firefighter included in the valuation is allocated as a level percentage of compensation over the period from age at hire to the last age before 100% assumed retirement. Each active firefighter's normal cost is the current annual contribution in a series of annual contributions which, if made throughout the firefighter's total period of employment, would fund his expected benefits. Each firefighter's normal cost is calculated to be a constant percentage of his expected compensation in each year of employment. The normal cost for the fund is the sum of the normal costs for each active firefighter for the year following the valuation date. The normal cost as a percent of payroll reflects that contributions are made biweekly.

The fund's actuarial accrued liability is the excess of the actuarial present value of projected benefits over the actuarial present value of all future remaining normal cost contributions. The unfunded actuarial accrued liability (UAAL) is the amount by which the actuarial accrued liability exceeds the actuarial value of assets. The UAAL is recalculated each time a valuation is performed. Experience gains and losses, which represent deviations of the UAAL from its expected value based on the prior valuation, are determined at each valuation and are amortized as part of the newly calculated UAAL.

2. Amortization Method

The UAAL is assumed to be amortized with level percentage of payroll contributions (total assumed contribution rate less normal cost contribution rate) based on assumed payroll growth of 3% per year. The actuarial determination of the amortization period reflects that contributions are made biweekly.

3. Actuarial Value of Assets Method

All assets are valued at market value with an adjustment made to uniformly spread actuarial gains or losses (as measured by actual market value investment return vs. expected market value investment return) over a five-year period. The total adjustment amount shall be limited as necessary such that the actuarial value of assets shall not be less than 80% of market value nor greater than 120% of market value. See Exhibit 8.

B. Actuarial Assumptions

As a part of each actuarial valuation, we review the actuarial assumptions used in the prior actuarial valuation. The investment return assumption is reviewed using the building block approach that includes several asset allocations, assumed real rates of return for each asset class, an assumed rate of investment-related expenses, and an assumed rate

of inflation, with all assumptions for the long-term future. Our economic assumptions are influenced both by long-term historical experience and by future expectations of investment consultants and economists, but we select the economic assumptions and try to discuss them with the board before completing the actuarial valuation. See our review of the economic assumptions in Appendix A.

We review the termination and retirement experience since the prior valuation and periodically look back more than two years. We also periodically review the average salaries by years of service to get insights into the promotion, step, and longevity compensation patterns for the purpose of reviewing our compensation increase assumption. For the mortality assumptions, we use an appropriate published mortality table with projections for improvement beyond the valuation date. We are guided in our review and selection of assumptions by the relevant actuarial standards of practice. As a result of our review, we have selected actuarial assumptions we consider to be reasonable and appropriate estimates of future experience for the fund for the long-term future.

1. Investment Return

   7% per year net of investment-related expenses.

2. Inflation

   2.75% per year included in compensation increases and investment return assumptions.

3. Mortality Rates

   PubS-2010 (public safety) total dataset mortality tables for employees and for retirees (sex distinct), projected for mortality improvement generationally using the projection scale MP-2019.

4. Compensation Increases

   General increases of 3% per year combined with promotion, step, and longevity increases that average 2.89% per year over a 30-year career. See Exhibit 12.

5. Retirement Rates

Age	Rate per Year for Firefighters Eligible to Retire
50	30%
51-52	10
53	40
54-55	25
56-59	50
60	100

   The average expected retirement age for paid firefighters not yet eligible to retire based on these rates is 53.6.

6. DROP Elections

   a. Percent of firefighters eligible electing Retroactive DROP: 100% of service retirements eligible to elect at least a 24-month lump sum.

   b. Months assumed for Retroactive DROP lump sum: Maximum they are eligible for, up to 36 months.

   c. Percent of firefighters electing Reverse DROP: 100% of service retirements not eligible to elect at least a 24-month lump sum Retroactive DROP.

   d. Percent of firefighters electing Forward DROP and Combined DROP: 0%

7. Termination Rates

   See Exhibit 12.

8. Disability Rates

   See Exhibit 12.

9. Reduction in Benefit after 2½ Years of Disability Retirement

   15% weighted average reduction in benefit.

10. Percent Married

    90% of the firefighters are assumed to be married at retirement, disability, or death while employed, with male firefighters having a spouse three years younger and female firefighters having a spouse three years older.

11. Payment Form for Retirement Benefits Due to Service Retirement, Disability Retirement, or Vested Termination

    - Joint and 75% to surviving spouse for the 90% assumed to be married
    - Life annuity for the 10% assumed to be single

12. Surviving Child's Death Benefit

    None are assumed as a result of future deaths.

13. Firefighters' Contribution Rate

    14.2% of covered pay.

14. City's Contribution Rate

    24.2% of covered pay for at least as long as the period required to amortize the UAAL.

15. Compensation for First Year Following Valuation Date for Projecting Contributions

The actual (or annualized) pay for 2023 for each firefighter increased by 3% to reflect the general pay increase of 5% effective October 1, 2023. The sum of this compensation for projecting contributions is the covered payroll for the first year following the valuation date.

16. Compensation for First Year Following Valuation Date for Projecting Benefits

Compensation for each firefighter for projecting contributions (described in item 15) decreased by 10% to reflect the exclusion of compensation for unscheduled overtime. This compensation is used for projecting benefits.

17. Administrative Expenses

The expenses paid by fund assets for other than investment-related expenses are assumed to be 1.7% of payroll. The normal cost rate as a percent of payroll is assumed to be 1.7% of payroll higher to reflect these expenses.

18. Conditional 2% Increase in Benefits

The Present Plan's Section F conditional 2% increase in benefits to certain pensions when the fund's investment rate of return averages at least 8.25% over the most recent five consecutive years will never be triggered.

Exhibit 12

Disability and Termination Rates per 1,000 Active Members
Compensation Increases by Years of Service

Disability Rates		Termination Rates		Compensation Increases	
Attained Age	Rate per 1,000	Years of Service	Rate per 1,000	Years of Service	Increase Percent
20	0.14	0	119	1	15.88%
21	0.15	1	107	2	15.88
22	0.16	2	95	3	15.88
23	0.17	3	84	4	6.09
24	0.18	4	73	5	6.09
25	0.19	5	63	6	6.09
26	0.21	6	54	7	6.09
27	0.23	7	48	8	6.09
28	0.25	8	42	9	6.09
29	0.28	9	38	10	6.09
30	0.31	10	33	11	6.09
31	0.35	11	28	12	6.09
32	0.40	12	24	13	6.09
33	0.45	13	21	14	6.09
34	0.49	14	19	15	6.09
35	0.52	15	18	16	6.09
36	0.54	16	18	17	6.09
37	0.57	17	16	18	6.09
38	0.62	18	15	19	6.09
39	0.73	19	15	20	6.09
40	0.92	20 & Over	0	21	3.00
41	1.14			22	3.00
42	1.32			23	3.00
43	1.48			24	3.00
44	1.73			25	3.00
45	2.09			26	3.00
46	2.55			27	3.00
47	2.98			28	3.00
48	3.34			29	3.00
49	3.62			30	3.00
50	3.79			31	3.00
51	3.92			32	3.00
52	4.04			33	3.00
53	4.24			34	3.00
54	4.56			35	3.00
55	0.00			36	3.00
56	0.00			37	3.00
57	0.00			38	3.00
58	0.00			39	3.00
59	0.00			40	3.00

Exhibit 13

Definitions

1. Actuarial Accrued Liability	That portion, as determined by the particular actuarial cost method used, of the Actuarial Present Value of future pension plan benefits as of the Valuation Date that is not provided for by the Actuarial Present Value of future Normal Costs.
2. Actuarial Assumptions	Assumptions as to the occurrence of future events affecting pension costs, such as: mortality, termination, disablement and retirement; changes in compensation; rates of investment earnings and asset appreciation; and other relevant items.
3. Actuarially Equivalent	Of equal Actuarial Present Value, determined as of a given date with each value based on the same set of Actuarial Assumptions.
4. Actuarial Gain (Loss)	A measure of the difference between actual experience and that expected based on the Actuarial Assumptions during the period between two Actuarial Valuation dates, as determined in accordance with the particular actuarial cost method used.
5. Actuarial Present Value	The value of an amount or series of amounts payable or receivable at various times, determined as of a given date (the Valuation Date) by the application of the Actuarial Assumptions.
6. Actuarial Valuation	The determination, as of a Valuation Date, of the Normal Cost, Actuarial Accrued Liability, Actuarial Value of Assets and related Actuarial Present Values for a pension plan.
7. Actuarial Value of Assets	The value of cash, investments and other property belonging to a pension plan, as determined by a method and used by the actuary for the purpose of an Actuarial Valuation.

8. Entry Age Actuarial Cost Method	An actuarial cost method under which the Actuarial Present Value of the Projected Benefits of each individual included in the Actuarial Valuation is allocated as a level percentage of compensation over the period from age at hire to the last age before 100% assumed retirement. The portion of this Actuarial Present Value allocated to a valuation year is called the Normal Cost. The portion of this Actuarial Present Value not provided for at a Valuation Date by the Actuarial Present Value of future Normal Costs is called the Actuarial Accrued Liability. Under this method, Actuarial Gains (Losses), as they occur, reduce (increase) the Unfunded Actuarial Accrued Liability.
9. Plan Year	A 12-month period beginning January 1 and ending December 31.
10. Normal Cost	That portion of the Actuarial Present Value of pension plan benefits that is allocated to a valuation year by the actuarial cost method.
11. Projected Benefits	Those pension plan benefit amounts that are expected to be paid at various future times according to the Actuarial Assumptions, taking into account such items as the effect of advancement in age and past and anticipated future qualified service.
12. Overfunded Actuarial Accrued Liability	The excess, if any, of the Actuarial Value of Assets over the Actuarial Accrued Liability.
13. Unfunded Actuarial Accrued Liability	The excess, if any, of the Actuarial Accrued Liability over the Actuarial Value of Assets.
14. Valuation Date	The date upon which the Normal Cost, Actuarial Accrued Liability and Actuarial Value of Assets are determined. Generally, the Valuation Date will coincide with the end of a Plan Year.
15. Years to Amortize the Unfunded Actuarial Accrued Liability	The period is determined in each Actuarial Valuation as the number of years, beginning with the Valuation Date, to amortize the Unfunded Actuarial Accrued Liability with a level percent of payroll that is the difference between the expected total contribution rate and the Normal Cost contribution rate.

Exhibit 14

Summary of Present Plan

1. Normal Service or Disability Retirement Monthly Benefit	
(a) Percentage of Highest 60-Month Average Salary	75%
(b) Additional amount per year of service over 20 years	$80.00
2. Normal Service Retirement Eligibility (Minimum)	Age 50 and 20 Years or 25 Years and Under 50
3. Supplemental Monthly Benefit	
(a) Monthly amount	$500.00
(b) Eligibility requirement (Minimum)	Age 50 and 20 Years
4. Actuarially Equivalent Early Service Retirement Eligibility	Age 45 and 20 Years
5. Retroactive Deferred Retirement Option Plan (RETRO DROP)	
(a) Earliest RETRO DROP benefit calculation date	Normal Service Retirement Eligibility
(b) Maximum RETRO DROP benefit accumulation period	36 Months
(c) RETRO DROP lump sum includes	
(i) Monthly benefits that would have been received between RETRO DROP benefit calculation date and termination of employment,	
(ii) accumulated contributions made by the firefighter after the RETRO DROP benefit calculation date, and	
(iii) 4% annual interest	
6. Reverse DROP	
(a) Eligible upon attaining Normal Service Retirement Eligibility	
(b) Monthly benefit of 90% of regular benefit	
(c) Lump sum of 24 times the reduced monthly benefit	
(d) No return of accumulated contributions and no interest	

7. Forward DROP	
(a) Earliest Forward DROP irrevocable election	Normal Service Retirement Eligibility
(b) Maximum Forward DROP accumulation period	36 months
(c) Forward DROP lump sum includes	
(i) Monthly benefits that would have been received between the DROP election date and termination of employment,	
(ii) accumulated contributions made by the firefighter after the DROP election date, and	
(iii) 4% annual interest	
8. Vested Terminated Benefit	
(a) Eligibility for firefighters	10 Years
(b) Percent vested with 10 years	50%
(c) Additional percent vested for each year above 10 years	5%
(d) Percent vested with 20 or more years	100%
(e) Benefit is deferred to date person would have satisfied normal service retirement eligibility date	
(f) Benefit is percent vested times service retirement benefit	
9. Disability Retirement Monthly Benefit for Firefighters Who Become Totally Disabled while Employed	
(a) For initial 30-month period is (i) plus (ii) if not able to perform job in fire department	
(i) Minimum monthly amount based on 20 years	
(ii) Additional amount per year of service over 20 years	
(b) Following initial 30-month period is (i), or (ii), or (iii), depending upon status	
(i) Initial benefit	
(ii) Initial benefit multiplied by one-half	
(iii) Zero	
(c) Upon attaining eligibility for normal retirement, the member's vested retirement benefit becomes payable if the disability benefit has been reduced or terminated	
10. Surviving Spouse's Monthly Benefit as a Percentage of Benefit Active Would Have Been Entitled to as a Normal Service Retirement Benefit	75%
11. Surviving Children's Monthly Benefit as a Percentage of Highest 60-Month Average Salary	
(a) Where the spouse is receiving a benefit	11.25%
(b) Where the spouse is not receiving a benefit or there is no spouse	22.50%
12. Contributions as a Percent of Payroll by:	
(a) Firefighters	14.20%
(b) City of Midland	24.20%

13. The normal form of annuity payment at retirement is a Joint and 75% to Surviving Spouse. In lieu of the normal form, an optional reduced Joint and 100% to Surviving Spouse may be elected. Payment is the last day of each month.

14. Salary used to determine the Highest 60-Month Average Salary before January 1, 2024 includes total pay except any lump sum distributions for unused sick leave or vacation are excluded. Beginning January 1, 2024, the salary used also excludes pay for unscheduled overtime. The average is based on the pay for the consecutive 60 months during which the includable pay was highest.

15. Refund of firefighters' accumulated contributions without interest will be made to firefighters who terminate employment and either are not eligible for any other benefit from the fund or request a refund from the fund.

16. Pensioners who have received benefits for five full plan years or more will receive a 2% cost-of-living adjustment on August 1 provided the fund's investment performance over the five plan years ending the previous December 31 averages 8.25% or more. DROP participation does not constitute time credited to the five-year requirement. The $500 per month supplemental benefit will not be increased by the 2% cost-of-living adjustments.

17. A lump sum death benefit of $10,000 will be paid to the designated beneficiary of a deceased firefighter, whether active or inactive (retired firefighter or a vested terminated firefighter).

Appendix A

Review of the Actuarial Economic Assumptions for the December 31, 2023 Actuarial Valuation

Theoretical Investment Return Assumption Development

Asset Class	Gross Annual Real Rate of Investment Return (ROR)[1]	Target Asset Allocation[2]
Domestic Equities		
Large Cap	6.5%	20%
Small/Mid Cap	7.0	5
		25
International Equities	7.0	15
Fixed Income	2.0	15
Alternatives		
Venture Capital/Private Equity	8.5	15
Real Estate	5.5	10
Master Limited Partnerships	8.0	10
Private Credit	5.0	5
		40
Cash	0.0	5
Total		100%
Weighted Average Gross Real ROR Assumption		5.88%
Weighted Average Net Real ROR Assumption[3]		4.63%
Possible Theoretical Annual Investment Return Assumption:		
Net Real ROR Plus Assumed Annual Rate of Inflation		
Assumed 2.75% Inflation		7.38%

[1] A gross **real** rate of return is an assumed total annual rate of investment return, before expenses, that is in excess of the assumed annual inflation rate. These are long-term assumptions made by Rudd and Wisdom, Inc.

[2] This allocation is based on the new investment consultant's asset allocation target.

[3] A weighted average Net Real ROR is an annual rate equal to the weighted average Gross Real ROR reduced by investment-related expenses of an assumed annual rate of 1.25%. Before the change to the new investment consultant, investment-related expenses had been averaging 1.25% of assets. In the future, these expenses should be somewhat lower, but the large allocation to alternatives suggests the level could still be above 1.00%.

Appendix A (continued)

Price Inflation in the USA - Average Annual Rates of Increase in the CPI-U

Years (Dec. to Dec.)	Number of Years	Average Annual Increase
1958 – 2023	65	3.70%
1963 – 2023	60	3.90
1968 – 2023	55	4.00
1973 – 2023	50	3.86
1978 – 2023	45	3.41
1983 – 2023	40	2.81
1988 – 2023	35	2.71
1993 – 2023	30	2.51
1998 – 2023	25	2.54
2003 – 2023	20	2.58

Most inflation forecasts are for 10 years or less. For example, the average 10-year forecast in the December 2023 Livingston Survey published by the Federal Reserve Bank of Philadelphia was 2.26%. However, 10 years is too short a forecast period for a public employee defined benefit pension plan. In the 2024 annual report of the OASDI Trust Funds (Social Security), the ultimate inflation assumptions for their 75-year projections are 3.0%, 2.4%, and 1.8% for the low-cost, intermediate, and high-cost assumptions, respectively. Looking at the average annual increase in the CPI-U over historical periods of 30 to 65 years above and considering the Social Security forecasts, we believe that reasonable assumed rates of inflation for the long-term future would range from 2.25% to 3.00%.

Administrative Expenses Paid by the Fund

Plan Year Ending 12/31 (1)	Administrative Expenses Paid by the Fund (2)	Covered Payroll (3)	% of Payroll (2) ÷ (3) (4)
2023	$ 400,000(estimated)	$ 25,136,197	1.59%
2022	388,777	23,428,042	1.66
2021	406,490	22,103,901	1.84
2020	330,045	20,196,734	1.63
2019	390,407	19,403,712	2.01
2018	230,738	17,568,234	1.31
2018-2023	$2,146,457	$127,836,820	1.68%

The administrative expenses are not reflected in the investment return assumption but are reflected as a percent of payroll that is added to the normal cost contribution rate. We recommend 1.70%, the average developed above for the last six plan years, rounded up to a multiple of 0.05%. (The covered payroll was determined as the contributions by the firefighters or the city for the plan year divided by the appropriate contribution rate during the plan year.) This is the same as the 1.70% assumption for the prior valuation.

Appendix A (continued)

Comparison of 12/31/2021 Actuarial Economic Assumptions with 12/31/2023 Actuarial Economic Assumptions

Actuarial Assumption[1]	12/31/2021 Actuarial Economic Assumptions	12/31/2023 Actuarial Economic Assumptions
Inflation (Price)	2.75%	2.75%
Net real rate of return[2]	4.25	4.25
Net total investment return[2]	7.00%	7.00%
Firefighter pay increase[3]	5.89%	5.89%
Aggregate payroll increase	3.00%	3.00%
Administrative expenses	1.70% of payroll	1.70% of payroll

[1] All assumptions are annual rates.
[2] Net of all investment-related expenses.
[3] For both 12/31/2021 and 12/31/2023, a 3% annual general compensation increase combined with annual promotion, step, and longevity pay increases that vary by length of service, which together average 5.89% over a 30-year career.

Appendix B

Other Disclosures as of December 31, 2023

Negative Amortization

- As of this actuarial valuation, the fund has perpetual negative amortization because the total contributions are inadequate to pay the normal cost and to amortize the unfunded actuarial accrued liability.

Reasonable Actuarially Determined Contribution Rate

- The benchmark actuarially determined contribution (ADC) rate in the section on funding policy on page 5 is a reasonable ADC rate consistent with actuarial standards of practice.

Actuarial Valuation Software

- We have utilized software licensed from Winklevoss Technologies, LLC in the development of the liabilities summarized in the report. We have independently confirmed the model developed by Winklevoss and have sufficiently tested it to ensure the model is an accurate representation of the system's liabilities.

Low-Default-Risk Obligation Measure (LDROM)

- The LDROM is a new required disclosure calculated as of the date of the actuarial valuation using a discount rate based on high quality bond yields instead of the expected return on the fund's diversified investment portfolio.

Low-Default-Risk Obligation Measure	$346,804,053
Actuarial Accrued Liability	$212,410,475

- The difference between the LDROM and the actuarial accrued liability determined in this actuarial valuation could be viewed as the expected savings from investing in the fund's diversified portfolio instead investing only in high quality bonds.

- For our calculation of the LDROM, we have used the same actuarial cost method and actuarial assumptions from this actuarial valuation summarized in Exhibits 11 and 12, except for an assumed discount rate of 3.26% instead of the investment return assumption of 7%. To determine the assumed discount rate, we used the Bond Buyer Index of general obligation bonds with 20 years to maturity, which has an average rating roughly equivalent to Moody's Investors Services' Aa2 rating and Standard and Poor's Corporation AA. The weekly index closest to the December 31, 2023 measurement date was 3.26%.

- Because the fund's assets are not invested only in high-quality bonds, the LDROM does not reflect the fund's actuarial condition, nor does it offer insights into the total contribution required for an adequate contribution arrangement or the security of participant benefits.

Exhibit C

Proposed Revisions to Benefits and Eligibility Requirements

Benefits	Present Plan	Proposed Revisions
• DROP Provisions		
○ Earliest age + service; service only eligibility		
▪ Benefit calculation date	50 + 20; 25	52 + 22; 27
▪ 3-year lump sum	53 + 23; 28	55 + 25; 30
○ Lump sum determination		
▪ Contributions made after benefit calculation date	Included	Excluded
▪ Crediting interest	Yes	No
• Supplemental $500 per month	Yes	No
• Benefit formula as a percentage of Final Average Salary (FAS) or $ amount		
○ Years 1-20	3.75% per year*	3.3% per year
○ Years 21-30	$80 per year	2.0% per year
○ Years above 30	$80 per year	1.0% per year
○ Maximum percent of FAS	None	None
• Average period for FAS	60 months	72 months
• Normal form of monthly benefits	Joint + 75% to surviving spouse	Joint + 75% to surviving spouse
Effective decrease in % payroll shortfall	None	5.1%
Contribution rates		
• Fund's membership		
○ Current contribution rate	14.2%	14.2%
○ Future contribution rate	14.2%	Up to 17.2%**
• City of Midland		
○ Current contribution rate	24.2%	24.2%
○ Future contribution rate	24.2%	ADC**

*Equivalent to the current 75% of FAS for the first 20 years.

**Actuarially Determined Contribution (ADC) rate increases are shared between the City and the Funds's membership based on a 2:1 ratio, which shall be based on a closed 30-year amortization period for the unfunded liability, decreasing by one year for each year of elapsed time. The Fund's membership's contribution rate increases may not exceed a total of three hundred (300) basis points during the term of the Agreement.

City Council Meeting

Item Number: 39.
Meeting Date: October 14, 2025
To: City Council
From: Taylor Novak, Chief of Staff
Subject: DISCUSS AND TAKE ACTION TO APPROVE A LETTER OF SUPPORT FOR THE BOYS & GIRLS CLUB OF MIDLAND'S PLANNED EXPANSION, AND TO AUTHORIZE THE MAYOR TO EXECUTE THE LETTER OF SUPPORT ON BEHALF OF THE MIDLAND CITY COUNCIL

Purpose:
To support the potential expansion of the Midland Boys and Girls Club to include a future Club site in Midland. This would help to expand quality after-school care and youth engagement for Midland's continued population growth.

Recommended Action:
Approval. This is a letter of support only.

Fiscal Impact:
N/A

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:

Attachments:
A. Boys and Girls Club 9.24

Taylor Novak, City Manager	Created/Initiated - 9/30/2025
Jose Ortiz, City Manager	Approved - 10/3/2025
Morris Williams, City Manager	Approved - 10/7/2025
Linda Ochoa, Legal	Approved - 10/7/2025
Morris Williams, City Manager	Approved - 10/7/2025
Jose Ortiz, City Manager	Approved - 10/7/2025
Jan Hamilton, City Secretary	Approved - 10/7/2025
Rachel Guentensberger, City Secretary	Final Approval - 10/7/2025

MIDLAND
Be the Energy!

OFFICE OF THE CITY COUNCIL

Mayor
Lori Blong

At-Large
Robin Poole

At-Large
John Burkholder

District 1
Brian Stubbs

District 2
John Norman

District 3
Jack Ladd

District 4
Amy Stretcher-Burkes

City Manager
Tommy Gonzalez

September 24th, 2025

To Whom It May Concern,

On behalf of the Midland City Council, we write to express our full support for the Boys & Girls Club of Midland and the positive impact it continues to have on the youth of our community. For decades, the Club has provided a safe, supportive, and enriching environment where young people can learn, grow, and build the skills they need for a successful future.

The Council recognizes the importance of strong community partners like the Boys & Girls Club in advancing our shared vision for Midland. The Club's focus on education, character development, health, and leadership directly align with our Strategic Plan priorities of building a strong economy, enhancing quality of life, and ensuring Midland remains a safe and thriving place for families.

As Midland continues to grow, the demand for youth programming and safe after-school spaces grows with it. The City Council is committed to supporting the Boys & Girls Club in its mission and welcomes opportunities to collaborate on potential expansion efforts that would allow more children and families to benefit from its services. We believe such an investment in our youth is an investment in Midland's future.

We extend our gratitude to the Boys & Girls Club for their continued service to the community, and we look forward to future partnerships that strengthen Midland for generations to come.

Sincerely,
Midland City Council

AIRPORT PLANNING AND DEVELOPMENT BOARD - (Advisory)

(1) Vacancy appointment remaining

Name:	Replacing:
	Frank Kisner

List of Current Applicants:

Chris Nolan	Sammy Daulong
Christina Renteria	Stephanie Griffin
Hank Hudson	Steven Price
Christopher Butler	Jose Ortega *(appointed to Hotel/Motel)*
David Tryson	Barrett Bole
Deborah Julian	Lindsay Johnson
Holly Darby	Ty Parkison
Leo Guillen	Zhong Pan (Sean) (appointed to Parks)
Russell Johnson	Zachary Smith
	Matthew Wilson

Quick Overview of Board info:

Justine Ruff **(Staff Liasion)** Robin Poole **(Council Liaison)**

Ex-Officio members are Earl Erdman and Harry Spannaus, the City Manager and the City Attorney. The Secretary is the Director of Aviation. **Eligibility Requirements**: Resident of Midland County

Term / Membership:	*10 Members, three-year terms - expiring 3-3-4*
Meetings:	*Meets 3rd Wednesday of each month at 2:00 p.m. (January, April, July & October @ 12:30 p.m.) in the Third Floor Media Room at Midland International Air & Space Port*
Board responsibilities:	*Advises City Council and Airport Director regarding the promotion and development of Midland Industrial Park, Midland International Air & Space Port and Midland Airpark.*

MIDLAND HOUSING AUTHORITY COMMISSION- (Separate Legal Entity)

(1) Vacancy appointment remaining (must be a resident Board member)

(2) Reappointments remaining

Name:	Replacing:
	Resident Board Member Vacancy
Neville Peyton (current member - seeking reappointment)	**Reappointment**
Latoya Mayberry (current member - seeking reappointment)	**Reappointment**

List of Current Applicants:

Marie Ridenour *(Resident board member)*
Jose Ortega *(appointed to Hotel/Motel Board)*
Holley Hock Vang
Jonathan Conners
Gina Martin

Quick Overview of Board info:

Isaac Garnett **(Staff Liaison)** Staff Contact: Teressa Thompson 432-682-0011

Eligibility Requirements: No member may be an officer or employee of the City of Midland.

Term / Membership:	*Five (5) Members, two-year terms; expiring 3-2*
Meetings:	*Meets 4th Monday of each month at 11:45 a.m. in the Conference Room, Midland Housing Authority*
Board responsibilities:	*Operates on behalf of local government to serve the housing authority needs of the community's low-income housing for the elderly and disabled.*

MIDLAND SPACEPORT DEVELOPMENT CORPORATION - (Decision-making)

(1) Vacancy appointment remaining

Name:	Replacing:
	Frank Kisner - City Appointee

List of Current Applicants:

Christopher Butler
Jose Ortega *(appointed to Hotel/Motel Board)*
Matt Berkebile *(appointed to Airport Planning Board)*
Jonathan Conners
Russell Johnson
Spencer Manning
Scott Ramsey

Quick Overview of Board info:

Justine Ruff **(Staff Liaison)** Eligibility Requirements: **None**

Term / Membership:	*Seven (7) members, 4 appointed by City of Midland & 3 by Midland County - two-year terms*
Meetings:	*Meets the second Thursday of the first month of each quarter in the City Hall basement Conference room, 300 N Loraine*
Board responsibilities:	*Supports the creation and development of spaceport projects in Midland, Texas, and for any lawful purpose permitted by Texas Nonprofit Corporation Law.*

OIL AND GAS ADVISORY COMMITTEE -

(1) Vacancy appointment remaining **(must be a Petroleum Engineer or Geologist)**

Name:	Replacing:
	Ross Klabon *(Petroleum Engineer)*

List of Current Applicants:

Abdul Kreem Al Obied *(Petroleum Engineer)*
Victoria Santiago
Zachary Smith
Alka Kumar

Quick Overview of Board info:

Garrick Clayton **(Staff Liaison)**

Eligibility Requirements: 3 Petroleum Engineers or Geologists and 2 with Property Development or Real Estate Experience.

Term / Membership:	*Five (5) members - 3 petroleum engineers or geologists, 2 with property development or real estate experience - two-year terms*
Meetings:	*Meets every 2nd Wednesday of the month at 2:00 P.M, City Hall Council Chamber*
Board responsibilities:	*Assists the City of Midland Planning Division with the administrative review of Oil and Gas Well Permit applications for (1) technical compliance with the requirements of Sec. 6-1-23 of the City code regarding Oil and Gas Well Permits issued on or after January 1, 2010, and (2) administrative completeness. The Committee may also recommend a surface location where there is a disagreement between the Operator and the owner. The Committee is subject to the Texas Open Meetings Act, but functions in an advisory capacity only.*

PARKS AND RECREATION COMMISSION - (Advisory)

(3) reappointments remaining

Name:	Replacing:
Rachel Overman (current member - seeking reappointment)	**Reappointment**
Sarah Judge (current member - seeking reappointment)	**Reappointment**
Amber Voithorer (current member - seeking reappointment)	**Reappointment**
Lynn Rogers (current member - seeking reappointment)	**Reappointment**

List of Current Applicants:

Jonathan Conners
Russell Johnson
Stephanie Griffin
Suellen King
Sharmaine Zamora
Xavier Torres
Joy Paulson
Matthew Wilson
Max Kilgore
Melissa Mosier
Myron McGee
Peggy Cox
Samuel Gonzalez

Quick Overview of Board info:

Laurie Williams **(Staff Liaison)** John Norman **(Council Liasion)**
Eligibility Requirements: Resident Citizen, Taxpayer and Qualified Voter.

Term / Membership:	*Nine (9) members - three-year terms*
Meetings:	*Meets six times per year typically on the third Tuesday of the month at 11:30 a.m. at the Martin Luther King, Jr. Community Center*
Board responsibilities:	*Advises the City Council and Community Services Department concerning all matters pertaining to public parks and recreation in the City.*

ZONING BOARD OF ADJUSTMENT & AIRPORT ZONING BOARD OF ADJUSTMENT- (Decision Making) (2) Alternate Vacancies - (2) Reappointments

Name:	Replacing:
Rachel Walker (current member - seeking reappointment)	**Reappointment**
Elizabeth Moore (current member - seeking reappointment)	**Reappointment**
	Alternate Vacancy Appointment
	Alternate Vacancy Appointment

List of Current Applicants:

Jonathan Conners
Rachel Overman *(appointed to MOUTD Board)*
Russell Johnson
Christina Renteria
Zachary Smith
Melissa Mosier
Zhong Pan (Sean) *(appointed to Parks Board)*

Quick Overview of Board info:

Jeff Pinkstaff **(Staff Liasion) Eligibility Requirements:**Resident citizen of City of Midland, owner of real property within the City Limits and qualified Voter.

Term / Membership:	*Five (5) members, four (4) alternate members - two-year terms*
Meetings:	*Meets as needed at a time and place to be determined*
Board responsibilities:	*Makes decisions on appeals from determinations made by the Building Official, regarding special exceptions and specific variances.*