CITY OF MIDLAND, TEXAS
AGENDA FOR CITY COUNCIL REGULAR MEETING
October 28, 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 - Senior Pastor Robb Foreman, Home Line Baptist 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 Proclamation for “Veterans Partnership”

   3.b Presentation of Proclamation for “ Municipal Court Week”

   3.c Presentation of Proclamation for “National Business Women's Week and Krista Payne James Day”

CONSENT AGENDA

4. MOTION APPROVING THE FOLLOWING MINUTES:

   4.a REGULAR SESSION OF OCTOBER 14, 2025.

5. 111-2025 - MOTION AUTHORIZING PAYMENT IN THE SUM OF $820,000.00 TO MIDLAND-ODESSA URBAN TRANSIT DISTRICT; SAID PAYMENT BEING THE CITY OF MIDLAND’S FISCAL YEAR 2026 LOCAL MATCH PURSUANT TO THE INTERLOCAL AGREEMENT AUTHORIZED BY RESOLUTION NO. 2001-227 **(DISTRICT: NONE) (FINANCE) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

6. 112-2025 - MOTION APPROVING THE ANNUAL ACTUARIAL VALUATION REPORT OF THE MIDLAND FIREMEN’S RELIEF AND RETIREMENT FUND FOR THE PLAN YEAR ENDING DECEMBER 31, 2024 **(DISTRICT: NONE) (FINANCE) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

7. 113-2025 - MOTION APPROVING THE TRANSFER OF $250,000.00 FROM THE RATE STABILIZATION FUND BALANCE TO A RESTRICTED FIREFIGHTER RETIREMENT STABILITY FUND IN PREPARATION FOR THE PAYMENT OF FUTURE REQUIRED CONTRIBUTIONS TO THE MIDLAND FIREMEN’S RELIEF AND RETIREMENT FUND **(DISTRICT: NONE) (FINANCE) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

8. 114-2025 - MOTION ACCEPTING A DONATION OF $18,000 FROM ENTERPRISE

CRUDE PIPELINE LLC AND A DONATION OF $5,000 FROM TARGA RESOURCES PARTNERS LP; SAID DONATIONS TO BE USED FOR THE PURCHASE OF GAS MONITORS FOR THE MIDLAND FIRE DEPARTMENT HAZMAT TEAM **(DISTRICT: NONE) (FINANCE) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

9. 2025-150 - RESOLUTION AWARDING A CONTRACT IN THE AMOUNT OF $228,783.32 FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT AT HALEY PARK TO EXERPLAY, INC.; APPROVING $23,000.00 FOR PROJECT-RELATED EXPENSES; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT FOR SAID CONTRACT **(DISTRICT: 3) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

10. 2025-151 - RESOLUTION APPROVING THE PURCHASE OF TWENTY-SIX (26) CHEVROLET TAHOES, FIVE (5) FORD EXPLORERS AND SIX (6) FORD F150 PICKUP TRUCKS UPFITTED FOR USE FOR THE MIDLAND POLICE DEPARTMENT FROM THE SEWELL FAMILY OF COMPANIES, INC., THROUGH BUYBOARD FOR A TOTAL COST OF $2,989,610.89; AND AUTHORIZING PAYMENT FOR SAID PURCHASE **(DISTRICT: NONE) (GENERAL SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

11. 2025-152 - RESOLUTION APPROVING THE PURCHASE OF A ONE-YEAR RENEWAL OF THE PALO ALTO NETWORKS CORTEX AND FIREWALL SECURITY SYSTEMS FROM CDW GOVERNMENT LLC THROUGH THE INTERLOCAL PURCHASING SYSTEM FOR A TOTAL COST OF $229,395.27; AND AUTHORIZING PAYMENT FOR SAID PURCHASE **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

12. 2025-153 - RESOLUTION APPROVING THE PURCHASE OF A TWO-YEAR RENEWAL OF WIRELESS SERVICES FROM VERIZON WIRELESS THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES FOR A TOTAL COST OF $943,731.12; AND AUTHORIZING PAYMENT FOR SAID PURCHASE **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

13. 2025-154 - RESOLUTION AUTHORIZING THE PURCHASE OF AN ESTIMATED ANNUAL SUPPLY OF ALUMINUM SULFATE AND LIQUID COPPER SULFATE PENTAHYDRATE (19.8%) NEEDED FOR THE TREATMENT OF DRINKING WATER FOR FISCAL YEAR 2026 FROM CHAMELEON INDUSTRIES FOR A TOTAL COST OF $1,310,000.00; AND AUTHORIZING PAYMENT FOR SAID PURCHASE **(DISTRICT: ALL) (GENERAL SERVICES) (QUALITY OF LIFE AND PLACE)**

14. 115-2025 - MOTION AUTHORIZING THE EXECUTION OF AN ECONOMIC DEVELOPMENT AGREEMENT WITH THE MIDLAND DEVELOPMENT CORPORATION IN THE AMOUNT OF $1,668,754.00 FOR THE CONSTRUCTION OF CERTAIN WATER INFRASTRUCTURE IMPROVEMENTS LOCATED ON AND ADJACENT TO STATE HIGHWAY LOOP 250 AND TODD ROAD AS AUTHORIZED BY TEXAS LOCAL GOVERNMENT CODE § 501.103 **(DISTRICT: 1), (DISTRICT: 2) (CITY MANAGER) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

15. 116-2025 - MOTION APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND KIMLEY-HORN AND ASSOCIATES, INC. IN THE AMOUNT OF $2,099,100.00 FOR PROFESSIONAL SERVICES RELATED TO THE CONSTRUCTION OF AN INTERCHANGE AT THE INTERSECTION OF COUNTY ROAD 1250 AND STATE

HIGHWAY 191 **(DISTRICT: 4) (CITY MANAGER) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

16. 2025-155 - RESOLUTION AUTHORIZING THE APPOINTMENT OF NICHOLAS TOULET-CRUMP TO THE POSITION OF CITY ATTORNEY OF THE CITY OF MIDLAND, TEXAS; ESTABLISHING AN ADVISORY COMMITTEE COMPRISED OF MAYOR LORI MERRITT BLONG, COUNCILMAN JACK LADD, AND COUNCILMAN BRIAN STUBBS FOR THE PURPOSE OF NEGOTIATING AN EMPLOYMENT AGREEMENT WITH NICHOLAS TOULET-CRUMP; AND AUTHORIZING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT WITH NICHOLAS TOULET-CRUMP **(DISTRICT: ALL) (CITY SECRETARY) (TRANSPARENT & CONSISTENT COMMUNICATION)**

17. 117-2025 - MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, A PRELIMINARY PLAT OF SIMA DEVELOPMENT ADDITION, BEING A PLAT OF A 35.98-ACRE TRACT OF LAND OUT OF SECTION 22, BLOCK 39, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF SOUTH STATE HIGHWAY 349, APPROXIMATELY 1270 FEET NORTH OF WEST COUNTY ROAD 137) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

18. 118-2025 - MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, A PRELIMINARY PLAT OF THE PATCH ADDITION, BEING A PLAT OF A 148.76-ACRE TRACT OF LAND OUT OF SECTION 24, BLOCK 40, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF SOUTH COUNTY ROAD 1232 AND WEST COUNTY ROAD 140) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

19. 119-2025 - MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, AN AMENDED PRELIMINARY PLAT OF MOCKINGBIRD RIDGE, BEING A PLAT OF A 302.39-ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH FAIRGROUNDS ROAD AND FIREWHEEL ROAD) **(DISTRICT: 1) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

20. 120-2025 - MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE AMENDMENT (25-329-028) WITH HUGH BRINSON PIPELINE, LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 30, BLOCK 36, T-3-S, T&P RR CO. SURVEY, MIDLAND AND GLASSCOCK COUNTIES, TEXAS **(DISTRICT: NONE) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

21. 121-2025 - MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (25-495-026) BETWEEN THE CITY OF MIDLAND AND CIVITAS PERMIAN OPERATING, LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 17, BLOCK C-24, PUBLIC SCHOOL LAND SURVEY, LOVING COUNTY, TEXAS **(DISTRICT: NONE) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

SECOND READINGS

22. 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 (FIRST READING HELD OCTOBER 14, 2025) **(DISTRICT: 4) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

23. 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 (FIRST READING HELD OCTOBER 14, 2025) **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

24. 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 (FIRST READING HELD OCTOBER 14, 2025) **(DISTRICT: ALL) (DEVELOPMENT SERVICES) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

25. 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 (FIRST READING HELD OCTOBER 14, 2025) **(DISTRICT: ALL) (DEVELOPMENT SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

26. 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 (FIRST READING HELD OCTOBER 14, 2025) **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

27. 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 (FIRST READING HELD OCTOBER 14, 2025) **(DISTRICT: 1) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

28. 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 (FIRST READING HELD OCTOBER 14, 2025) **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

29. 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 (FIRST READING HELD OCTOBER 14, 2025) **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

30. 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 (FIRST READING HELD OCTOBER 14, 2025) **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

31. 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 (FIRST READING HELD OCTOBER 14, 2025) **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

32. 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 (FIRST READING HELD OCTOBER 14, 2025) **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

PUBLIC HEARINGS

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

33. 10685 - AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR A 1.0-ACRE TRACT OF LAND OUT OF SECTION 23, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF GLADIOLA AVENUE, APPROXIMATELY 465 FEET EAST OF GOLDEN GATE DRIVE), BY PERMITTING A REDUCED MINIMUM LOT AREA; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION **(DISTRICT: 4) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

34. 10686 - AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR A 3.919-ACRE TRACT OF LAND OUT OF SECTION 9, BLOCK X, H.P. HILLARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF MAYFIELD PLACE, APPROXIMATELY 165 FEET NORTH OF FAIRFIELD LANE), BY PERMITTING A REDUCED MINIMUM LOT WIDTH; 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: 1) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

35. 10687 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR LOT 11A, BLOCK 8, WESTRIDGE PARK ADDITION, SECTION 52, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF WINDHAVEN DRIVE, APPROXIMATELY 190 FEET SOUTH OF DEAUVILLE BOULEVARD), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A HOTEL 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: 4) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

36. 10688 - AN ORDINANCE VACATING AND ABANDONING A 0.1377-ACRE PORTION OF ALLEY RIGHT-OF-WAY OUT OF BLOCK 35, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST TEXAS AVENUE, APPROXIMATELY 140 FEET EAST OF NORTH BIG SPRING STREET) IN ACCORDANCE WITH THAT CERTAIN MASTER DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIDLAND, MIDLAND DEVELOPMENT CORPORATION, AND MIDLAND DOWNTOWN RENAISSANCE, LP THAT WAS EXECUTED ON JANUARY 25, 2024, AS AMENDED; RETAINING A NONEXCLUSIVE UTILITY EASEMENT; AND ORDERING RECORDATION BY THE CITY SECRETARY **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

MISCELLANEOUS

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

PUBLIC COMMENT

38. 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

39. Presentation on “Strengthening and Sustaining our Road Infrastructure"

40. Presentation on “Strengthening and Sustaining our Water Infrastructure"

EXECUTIVE SESSION

41. 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:

41.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.

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

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

41.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.

41.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 OF MIDLAND, TEXAS
MINUTES FOR CITY COUNCIL REGULAR MEETING
October 14, 2025 - 10:00 AM

The City Council convened in a Regular meeting in the Council Chamber, City Hall, Midland, Texas, at 10:00 AM, October 14, 2025.

Council Members present:	John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
Council Members absent:	
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

OPENING ITEMS

Mayor Blong called the meeting to order at 10:01 a.m.

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

Brian Stubbs moved to Approve Consent Agenda items 4-17, excluding items 5 & 16; seconded by John Burkholder.

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

4. MOTION APPROVING THE FOLLOWING MINUTES:

   4.a REGULAR SESSION OF SEPTEMBER 23, 2025

DRAFT

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)**

Council Member John Burkholder inquired of the process by which individuals may apply to this board. Mayor Blong and City Manager Tommy Gonzalez reported on the Board process. Mayor Blong also reported on the process of protesting property valuations.

John Burkholder moved to Approve; seconded by John Norman.

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

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)**

DRAFT

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

DRAFT

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)**

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is a preliminary plat and explained why it is coming to Council since it is so far from the city limits. The developer has requested to use groundwater.

Council discussion ensued regarding water supply & annexations. The Council discussed their concerns and reported they are not comfortable approving this item with the possibility of severe water issues in the future and having no jurisdiction to make sure everything is done properly. The Council also inquired about a groundwater study and state law.

Interim City Attorney Nicholas Toulet-Crump reported on the groundwater study and how state law applies. The applicant has met requirements. The City Council may vote or may abstain and allow it to pass by default through the state in 30 days. Ultimately, this is a civil matter between the residents and the developer.

RJ Daum, 110 W. Louisiana, Magrym Consulting, spoke in favor of this item and provided a short history of this project and other projects.

First Assistant City Attorney Stephen Gates reported that per state law, the city has an inter-local agreement with the County regarding plat approval in the Extraterritorial Jurisdiction (ETJ).

City Manager Tommy Gonzalez reported that, from an operational standpoint, this is a legislative item.

Carr Carothers, Santa Cruz Properties, spoke in favor of this item and provided an overview of the plans and what they plan to do with this project in Midland.

Gilbert Van Deventer, Trident Environmental, spoke in favor of this item regarding tracking recharge in the form of precipitation.

This entire presentation may be heard online at https://www.midlandtexas.gov/1231/Meetings-Agendas-and-Minutes.

This item died for lack of a motion or second. Council took no action.

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)**

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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)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10670.

John Norman moved to Approve; seconded by John Burkholder.

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

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)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10671.

Brian Stubbs moved to Approve; seconded by Robin Poole.

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

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

DRAFT

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)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10672.

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

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

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)**

Mayor Blong opened the public hearing at 11:12 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

PUBLIC HEARING ONLY! NO ACTION TAKEN

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)**

Mayor Blong opened the public hearing at 11:13 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

PUBLIC HEARING ONLY! NO ACTION TAKEN

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)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10673.

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 11:14 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Robin Poole moved to Approve; seconded by John Burkholder.

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

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)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10674.

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

Mayor Pro Tem Robin Poole reported on traffic concerns and inquired of plans for the area.

Council Member John Burkholder inquired if other zoning types were considered for this area.

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Deputy City Manager Jose Ortiz reported on options that can be looked into.

Mrs. Triggs reported regional retail would leave it open for more options.

Mayor Blong reported that usually, when there are letters of objection, the Council defers so that more information may be gathered.

Mayor Blong opened the public hearing at 11:21 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Burkholder moved to Defer; seconded by Robin Poole.

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

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)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10675.

Planning Manager Landon Ochoa gave a brief presentation of the item noting this ordinance is to amend Title XI (Planning & Development" of the Midland City Code by adding Chapter 1B, "Residential Overlay District Number 1".

Mayor Blong and Council thanked staff for the work on this project.

Council Member John Burkholder reported this positively affects around 450 homes in Midland.

Council Member Jack Ladd reported this saves more than 200 public hearings that now do not

need to come before the Council.

Council Member John Norman reported he is appreciative of the work done.

Mayor Blong opened the public hearing at 11:27 a.m.

Ramona Ball, 504 S. Calhoun, has concerns and wants to know if this is something that will help her area. Mayor Blong explained the history of this item and the positive impacts it will have. Council Member John Norman also provided history and how this will save time for the City and property owners.

Council Member John Burkholder explained the lots sizes with regard to the changes.

There being no one else wishing to speak, the public hearing was closed at 11:35 a.m.

John Norman moved to Approve; seconded by Jack Ladd.

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

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)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10676.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this ordinance is to amend the procedures of Title XI of the Midland City Code (Planning & Development) "Plats & Subdivisions" such as, removing the sketch plat process. Routine and smaller plats less than 25 acres will not need to come to Council for approval; only plats larger than 25 acres.

Mayor Blong opened the public hearing at 11:46 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

DRAFT

Brian Stubbs moved to Approve; seconded by Jack Ladd.

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

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)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10677.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this ordinance is to amend Title IV of the Midland City Code Building Regulations, Chapter 11, "Residential Code", Section 3, "Changes & Additions to the Adopted Residential Code."

Mayor Blong opened the public hearing at 11:46 a.m.

Jody McGee, 6700 Big Bend Country, on behalf of the Builders' Association, would like the builders to have clear guidelines such as what constitutes a clean or messy site, containing construction materials on a job site, inspections, etc.

Mrs. Triggs reported photos are required by inspectors.

Interim City Attorney Nicholas Toulet-Crump reported how the citation process works.

Mr. McGee also inquired what the appeal process looks like for the builder. City Manager Tommy Gonzalez reported this is complaint driven.

There being no one else wishing to speak, the public hearing was closed at 11:52 a.m.

Brian Stubbs moved to Approve; seconded by Robin Poole.

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

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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)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10678.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting it is for a Specific Use Designation for the sale of alcohol.

Mayor Blong opened the public hearing at 11:54 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Robin Poole moved to Approve; seconded by Amy Stretcher Burkes.

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

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)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10679

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

a Specific Use Designation for the sale of alcohol.

Mayor Blong opened the public hearing at 11:57 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Brian Stubbs moved to Approve; seconded by Jack Ladd.

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

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)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10680.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is a Specific Use Designation for the sale of alcohol.

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

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

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

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

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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)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10681.

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 12:00 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Norman moved to Approve; seconded by Jack Ladd.

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

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)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10682.

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 12:01 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Norman moved to Approve; seconded by Jack Ladd.

DRAFT

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

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)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10683.

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 12:02 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

Brian Stubbs moved to Approve; seconded by John Burkholder.

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

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)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10684.

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

DRAFT

Mayor Blong opened the public hearing at 12:04 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Norman moved to Approve; seconded by Jack Ladd.

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

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)**

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this item and the next three items are substandard buildings/homes. The owner will have 30 days to get the home/building in order or demolished, if not the city may step in and bill back to the property owner.

Mayor Blong opened the public hearing at 12:08 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Norman moved to Approve; seconded by Jack Ladd.

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

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

DRAFT

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)**

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is related to substandard buildings and the action(s) that need to be taken.

Mayor Blong opened the public hearing at 12:10 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Norman moved to Approve; seconded by John Burkholder.

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

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)**

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is related to substandard buildings and the action(s) that need to be taken. Mrs. Triggs reported that the property owner has worked with the city for a lower cost/payment plan.

Mayor Blong opened the public hearing at 12:14 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Burkholder moved to Approve; seconded by John Norman.

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

MISCELLANEOUS

DRAFT

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)**

Justin Graham, Chairman of the Midland Firemen's Relief and Retirement Fund (MFRRF), gave a brief presentation of the item noting the numbers of the actuarial report, contributing factors such as board turnover and benefit reductions to name a couple.

Mayor Blong explained the next steps in the process.

City Council took no action on this item.

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)**

Andrea Jones, 2511 Seaboard, Executive Director of the Boys and Girls Club, spoke in favor of this item with regard to the letters of support.

John Burkholder moved to Approve; seconded by John Norman.

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

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

City Council took no action on this item.

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

No presentation provided.

43. Presentation on Roads

DRAFT

No presentation provided.

EXECUTIVE SESSION

Mayor Blong recessed the City Council meeting to go into Executive Session at 12:27 p.m.

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.

All the business at hand having been completed, the meeting adjourned at 1:42 p.m.

PASSED AND APPROVED October 28, 2025.

_____
Lori Blong, Mayor

ATTEST:

_____
Marcia Bentley-German
City Governance Officer/City Secretary

DRAFT

City Council Meeting

Item Number: 5.
Meeting Date: October 28, 2025
To: City Council
From: Jamie Barton, Finance Reporting Manager
Subject: MOTION AUTHORIZING PAYMENT IN THE SUM OF $820,000.00 TO MIDLAND-ODESSA URBAN TRANSIT DISTRICT; SAID PAYMENT BEING THE CITY OF MIDLAND'S FISCAL YEAR 2026 LOCAL MATCH PURSUANT TO THE INTERLOCAL AGREEMENT AUTHORIZED BY RESOLUTION NO. 2001-227

Purpose:
The Midland-Odessa Urban Transit District (MOUTD) was established through an interlocal agreement between the City and the City of Odessa on August 28, 2001, to provide mass transit to both cities. The agreement established the MOUTD as an urban transportation system provider under chapter 458 of the Texas Transportation Code. The MOUTD is to be exclusively governed by both City Councils or through an equally appointed board. The Transit Board (the Board) is the official governing agency of EZ-Rider. It is comprised of six individuals from both cities, appointed by their respective City Councils. The Board approves the budget, routes, fares, schedules, policies and procedures, new services, etc.

The request for the Fiscal Year 2026 local match is $820,000, which is a $90,000 increase from Fiscal Year 2025. A 7% increase was approved from FY2024 to FY2025. However, there was not an increase in the requested amount between fiscal year 2021 and 2024. The 12% increase is due to inflationary costs, which include rising fuel prices, increased ridership, and provisional increases to drivers' wages to remain competitive with Midland Independent School District.

Recommended Action:
APPROVE

Fiscal Impact:
Funds are available in the FY2026 General Fund operating budget.

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
SAID FUNDS ARE FOR THE PURPOSE OF CONTINUED SUPPORT TO THE COMMUNITY'S PUBLIC TRANSPORTATION SYSTEM: See attached request from the MOUTD Director of Finance for the FY2026 local match.

Attachments:

A. FY26 MOUTD City Contribution Request - Midland
B. FY26 MOUTD DRAFT BUDGET

Jamie Barton, Finance	Created/Initiated - 10/17/2025
Christy Weakland, Finance	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/20/2025
Morris Williams, City Manager	Approved - 10/20/2025
Jose Ortiz, City Manager	Approved - 10/21/2025
Jan Hamilton, City Secretary	Final Approval - 10/21/2025

MIDLAND ODESSA URBAN TRANSIT DISTRICT PO BOX 60808 MIDLAND, TEXAS 79711 TELL: (432) 561-9990 FAX: (432) 561-8056

October 6, 2025

City of Midland
Attn: Christy Weakland

On behalf of the Midland Odessa Urban Transit District (MOUTD), we are requesting the approved Fiscal Year 2026 local match of $820,000.00.

Your continued support of this community's public transportation system is greatly appreciated.

Sincerely,

PJ Patel
Director of Finance

FY 2026 Midland Odessa Urban Transit District Budget
Income and Expenses by Category

	Fixed Route	PM	ADA	PLANNING	Operating Budget	Operating Expenses paid in CIP	Total
Income							
Bus Fares	300,000		-		300,000		300,000
					-		-
Advertising	20,000				20,000		20,000
City Support	926,771	418,451	239,968	54,810	1,640,000		1,640,000
State Grant	801,782				801,782		801,782
5310 Grant				50,000	50,000		50,000
					-		
5307 Federal Grants	$1,708,553	1,673,803	959,871	219,240	4,561,467	-	4,561,467
TOTAL INCOME	**3,757,106**	**2,092,254**	**1,199,839**	**324,051**	**7,373,249**	**-**	**7,373,249**
Expenses							
Wages	2,000,072	773,307	756,485	136,677	3,666,541		3,666,541
Fringe Benefits	766,339	274,422	262,835	46,182	1,349,777	-	1,349,777
Services	397,876	184,650	50,123	140,000	772,650	-	772,650
Insurance	43,000	397,637	-	-	440,637		440,637
Materials & Supplies	485,059	430,085	123,166	1,192	1,039,501	-	1,039,501
Utilities	31,770	32,153	-	-	63,923	-	63,923
Misc / Travel and Training	32,990	-	7,230	-	40,219	-	40,219
TOTAL EXPENSES	**3,757,106**	**2,092,254**	**1,199,839**	**324,051**	**7,373,249**	**-**	**7,373,249**
***Deficit (Surplus) or Balanced**	**(0)**	**-**	**-**	**-**	**(0)**	**-**	**(0)**

		2025 BUDGET	2026 PROJECTED BUDGET	DOLLAR CHANGE	PERCENT CHANGE
	501 WAGES				
010-5010-010	Fixed Route -Operators Wages	$1,305,004	$1,604,611	299,607	23.0%
010-5010-021	Fixed Route Dir/Disp/Sup Wages	620,884	395,461	(225,423)	-36.3%
011-5010-010	Para Operator's Wages	376,051	366,257	(9,794)	-2.6%
011-5010-020	Para Dir/Disp/Sup Wages	156,064	390,229	234,164	150.0%
025-5010-020 + 025-	Planning Wages	93,613	136,677	43,063	46.0%
041-5010-023	PM Director, Mechanics	674,103	605,855	(68,248)	-10.1%
042-5010-024	PM Facilities Wages	119,682	167,452	47,769	39.9%
	501 WAGES Total	**$3,345,402**	**$3,666,541**	**321,138**	**9.6%**
	502 FRINGE BENEFITS				
000-5020-010	Fixed Route Payroll Taxes	$178,386	$179,812	1,426	0.8%
000-5020-020	Fixed Route 401(K)	49,120	41,594	(7,526)	-15.3%
000-5020-030	Fixed Route Health Insurance	299,683	366,847	67,164	22.4%
000-5020-080	Operations Workmen's Comp	68,400	70,560	2,160	3.2%
000-5020-090	Fixed Route Incentive Wage Expense	44,087	60,116	16,028	36.4%
011-5020-010	Para Payroll Taxes	50,341	62,287	11,946	23.7%
011-5020-020	Para 401k	14,834	14,112	(723)	-4.9%
011-5020-030	Para Health Insurance	98,111	151,033	52,922	53.9%
011-5020-080	Para Workmen's Comp	17,100	17,640	540	3.2%
011-5020-090	Para Incentive	17,046	17,763	717	4.2%
025-5020-000	Planning Payroll Taxes	3,575	6,626	3,051	85.3%
025-5020-010	Planning - Capital Wages FICA	5,214	5,014	(200)	-3.8%
025-5020-020	Planning 401K	3,370	2,379	(990)	-29.4%
025-5020-030	Planning Health Insurance	14,271	22,915	8,644	60.6%
025-5020-080	Planning Workmen's Comp	5,700	5,880	180	3.2%
025-5020-090	Planning Incentive	2,806	3,367	561	20.0%
041-5020-010	PM- Payroll Taxes	70,802	66,555	(4,248)	-6.0%
041-5020-020	PM 401K	13,934	21,005	7,070	50.7%
041-5020-030	PM Health Insurance	104,651	113,429	8,778	8.4%
041-5020-080	PM Workmen's Comp	22,800	23,520	720	3.2%
041-5020-090	PM Incentive	30,147	30,040	(107)	-0.4%
010-5020-130	Driver Uniforms	49,728	47,410	(2,318)	-4.7%
041-5020-130	PM Uniforms	22,852	19,873	(2,979)	-13.0%
	502 FRINGE BENEFITS Total	**$1,186,957**	**$1,349,777**	**162,820**	**13.7%**

		2025 BUDGET	2026 PROJECTED BUDGET	DOLLAR CHANGE	PERCENT CHANGE
	503 SERVICES				
010-5030-030	Fixed Route Prof/Tech Services	$375,400	$397,876	22,477	6.0%
011-5030-030	Para Prof/Tech Services	50,989	50,123	(865)	-1.7%
025-5030-010	Planning McDonald Contract	140,000	140,000	-	0.0%
041-5030-030	PM Prof/Services	78,097	161,425	83,328	106.7%
042-5030-030	BLDG MNT Prof/Tech Services	71,781	23,226	(48,555)	-67.6%
	503 SERVICES Total	**$716,266**	**$772,650**	**56,384**	**7.9%**
	504 MATERIALS & SUPPLIES				
010-5040-010	Fixed Route Fuel - Buses	$351,916	$421,337	69,421	19.7%
010-5040-990	Fixed Route Materials and Supplies	34,647	63,722	29,075	83.9%
011-5040-010	Para Fuel	130,161	120,047	(10,114)	-7.8%
011-5040-990	Para Materials and Supplies	3,119	3,119	-	0.0%
041-5040-010	PM Fuel Support Vehicles	12,534	11,233	(1,301)	-10.4%
041-5040-020	Preventive Maintenance	9,502	6,594	(2,907)	-30.6%
041-5040-990	PM Materials & Supplies Parts	282,567	375,339	92,772	32.8%
042-5040-990	Bldg Maint Materials & Supp	32,709	36,918	4,209	12.9%
025-5040-990	Planning Material and Supplies	3,247	1,192	(2,055)	-63.3%
	504 MATERIALS & SUPPLIES Total	**$860,401**	**$1,039,501**	**179,100**	**20.8%**
	505 UTILITIES				
160-5050-030	Admin Telephone	$10,886	$10,227	(659)	-6.1%
041-5050-030	PM Telephone	10,886	10,227	(659)	-6.1%
160-5050-020	Admin Utilities	22,615	21,543	(1,072)	-4.7%
041-5050-020	PM Utilities	22,615	21,926	(688)	-3.0%
	505 UTILITIES Total	**$67,003**	**$63,923**	**(3,080)**	**-4.6%**

		2025 BUDGET	2026 PROJECTED BUDGET	DOLLAR CHANGE	PERCENT CHANGE
	506 INSURANCE				
041-5060-030	PM Comp Fleet & GL Insurance	$380,000	$397,637	17,637	4.6%
160-5060-050	Errors & Omissions Liab Insurance	40,000	43,000	3,000	7.5%
	506 INSURANCE Total	**$420,000**	**$440,637**	**20,637**	**4.9%**
	509 MISCELLANEOUS EXPENSE				
010-5090-020 + 011-	Travel & Training	21,334	20,219	(1,115)	-5.2%
010-5040-020	Non Eligible Expense	20,000	20,000	-	0.0%
160-5090-085	Advertising Other	75,000	-	(75,000)	-100.0%
	509 MISCELLANEOUS EXPENSE Total	**$116,334**	**$40,219**	**(76,115)**	**-65.4%**
	TOTAL EXPENSES	**$6,712,364**	**$7,373,249**	**660,885**	**9.8%**

City Council Meeting

Item Number: 6.
Meeting Date: October 28, 2025
To: City Council
From: Jamie Barton, Finance Reporting Manager
Subject: MOTION APPROVING THE ANNUAL ACTUARIAL VALUATION REPORT OF THE MIDLAND FIREMEN'S RELIEF AND RETIREMENT FUND FOR THE PLAN YEAR ENDING DECEMBER 31, 2024

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:
APPROVE

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. (Final as Amended) Admin and Funding Agreement

B. 2025.09.25-PRB-Board-Meeting-Packet
C. Midland Fire Actuarial Valuation 12-31-24

Jamie Barton, Finance	Created/Initiated - 10/16/2025
Christy Weakland, Finance	Approved - 10/17/2025
Christy Weakland, Finance	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/20/2025
Jose Ortiz, City Manager	Approved - 10/21/2025
Morris Williams, City Manager	Approved - 10/21/2025
Jan Hamilton, City Secretary	Final Approval - 10/21/2025

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

i:\clients\fire\wd\vals\2024\midland\midland-12-31-23.docx

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.

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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

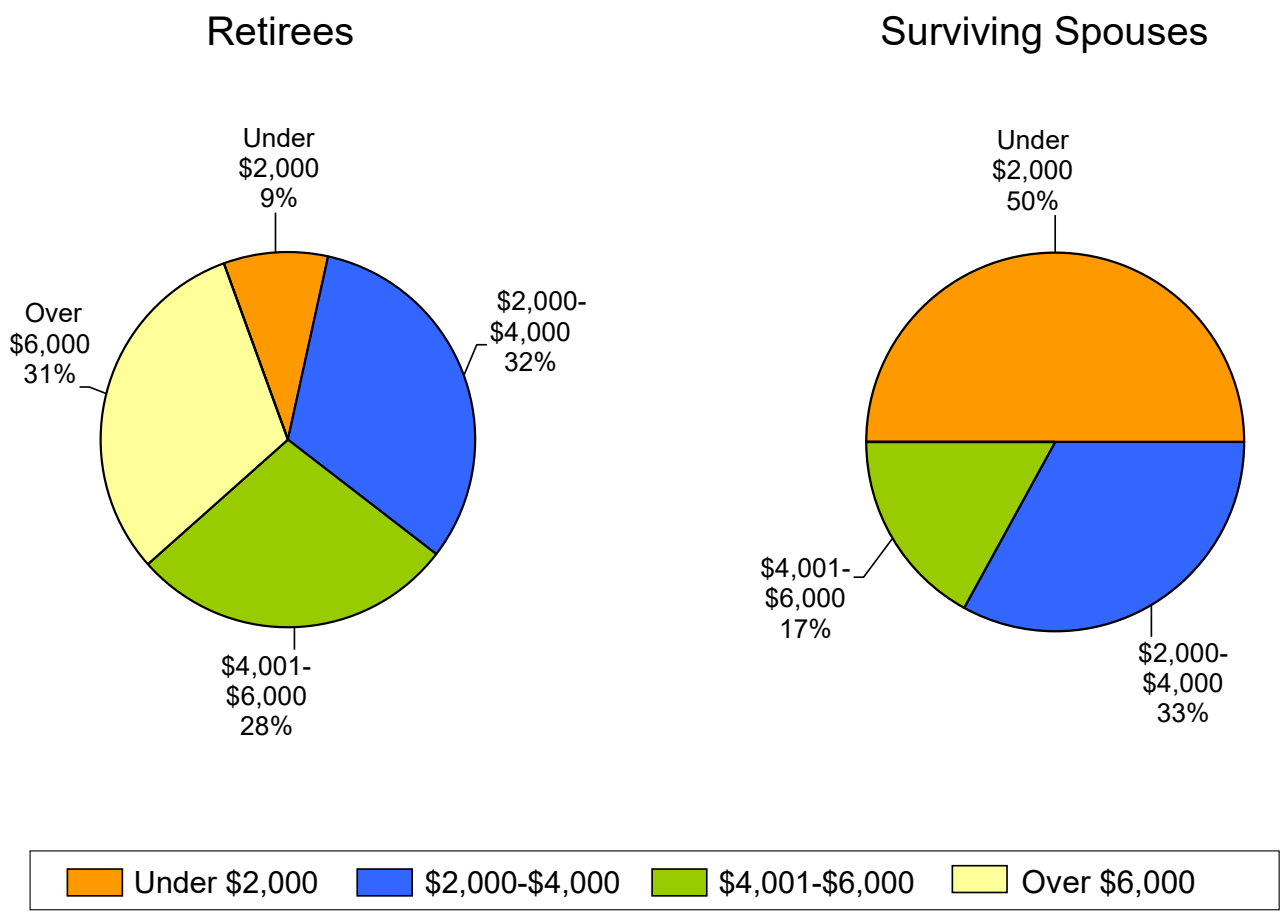


Exhibit 5

Historical Comparison of Actuarial Accrued Liability and Actuarial Value of Assets (Present Plan Valuations as of December 31)

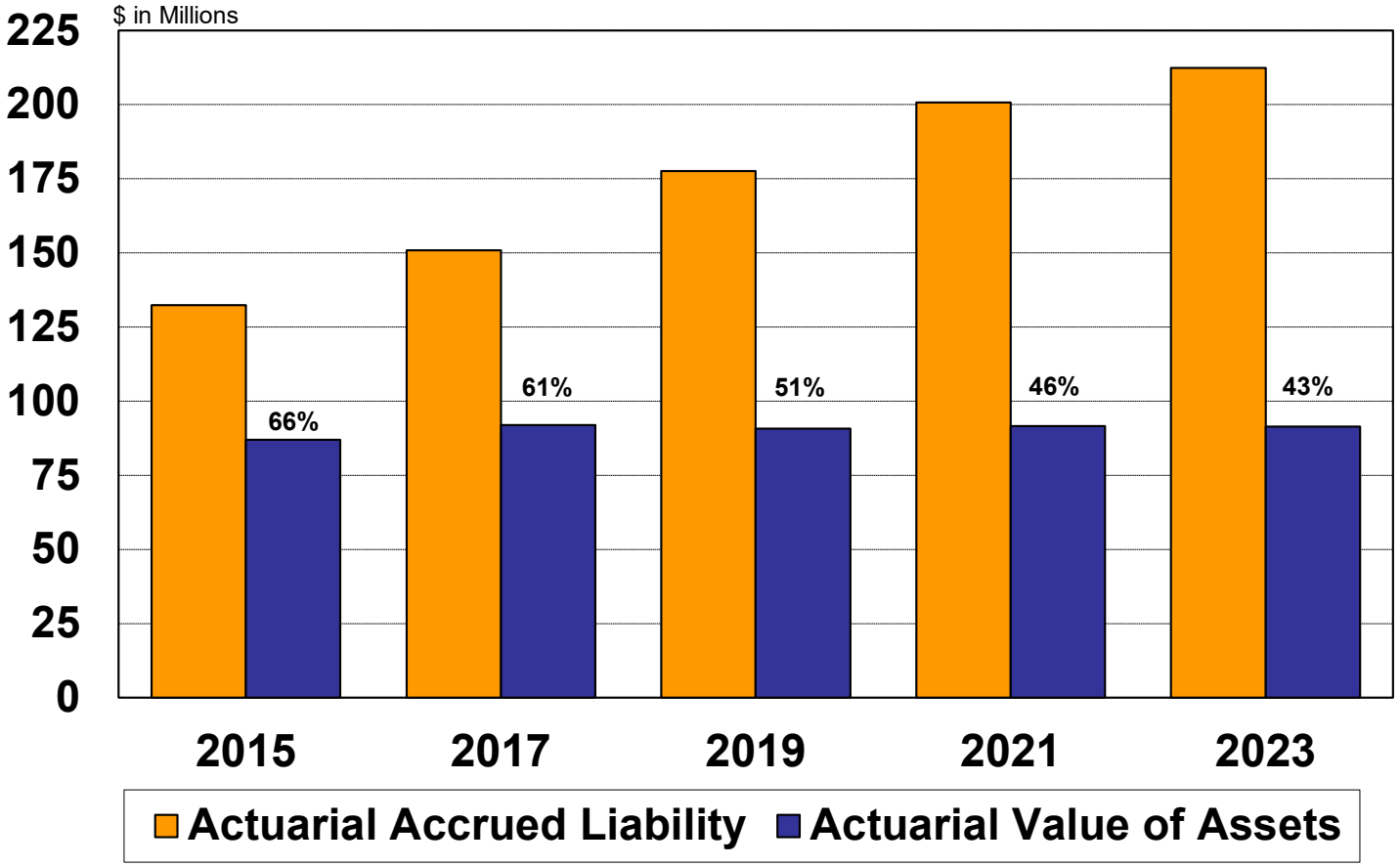


Exhibit 6

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)

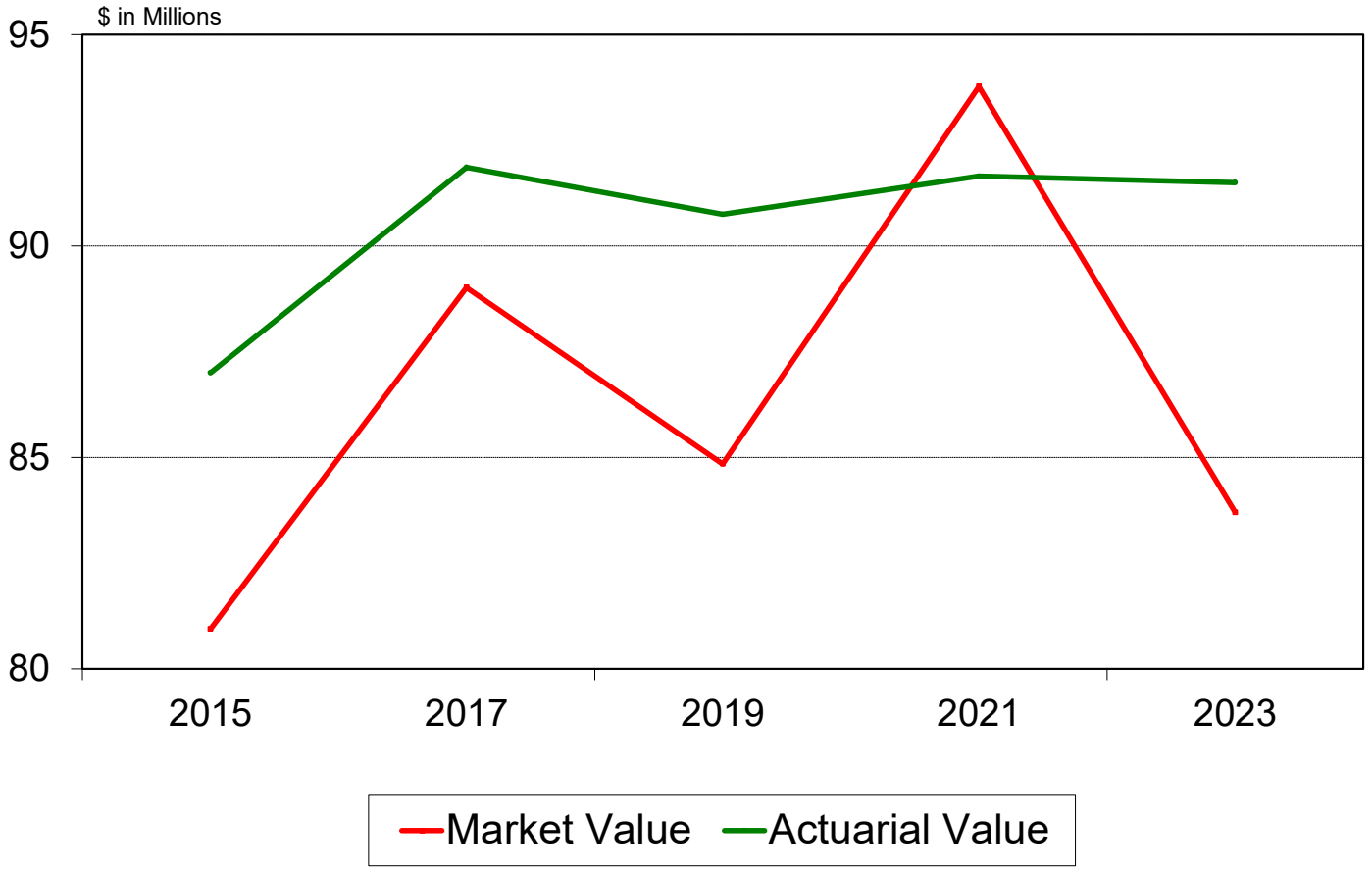
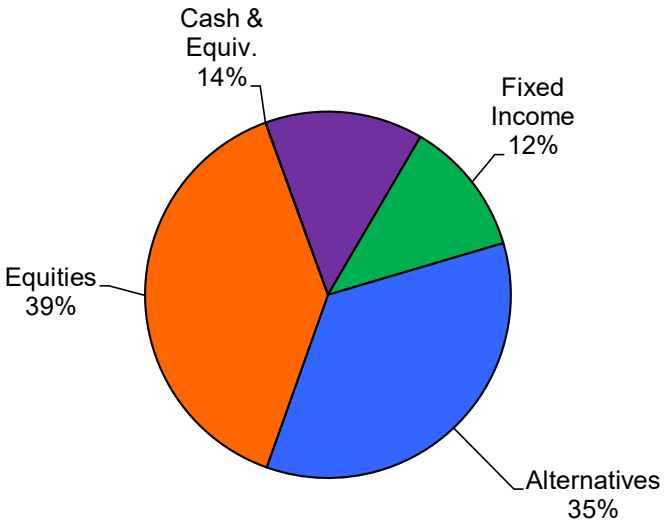


Exhibit 10

Market Value Asset Allocation for Prior and Current Actuarial Valuation Dates

December 31, 2021



December 31, 2023

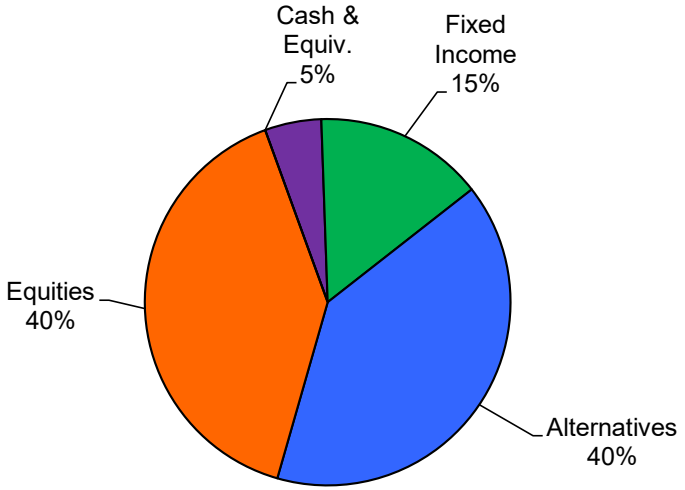


Exhibit 11

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.

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

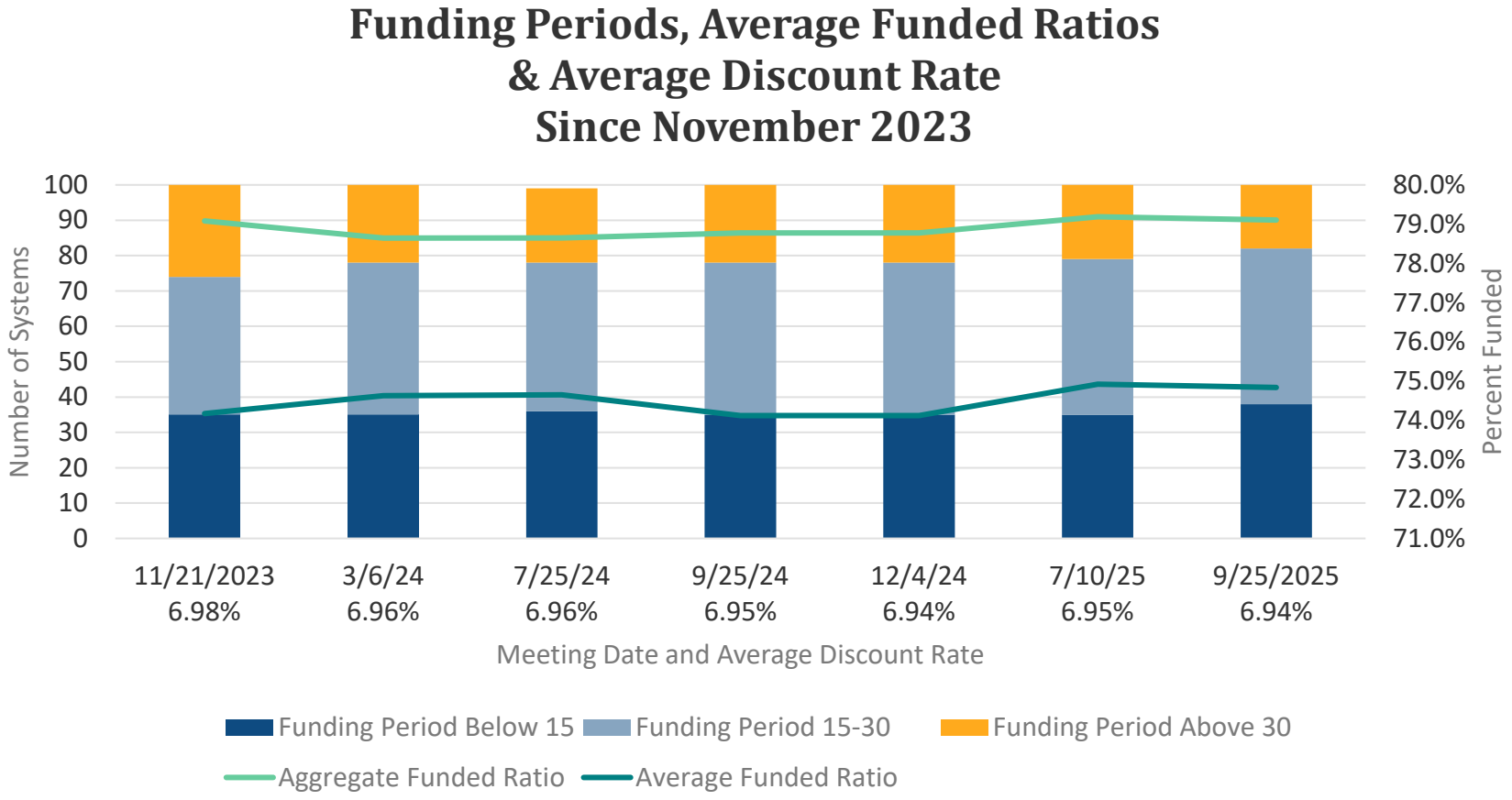
Texas Public Pension System News

- 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

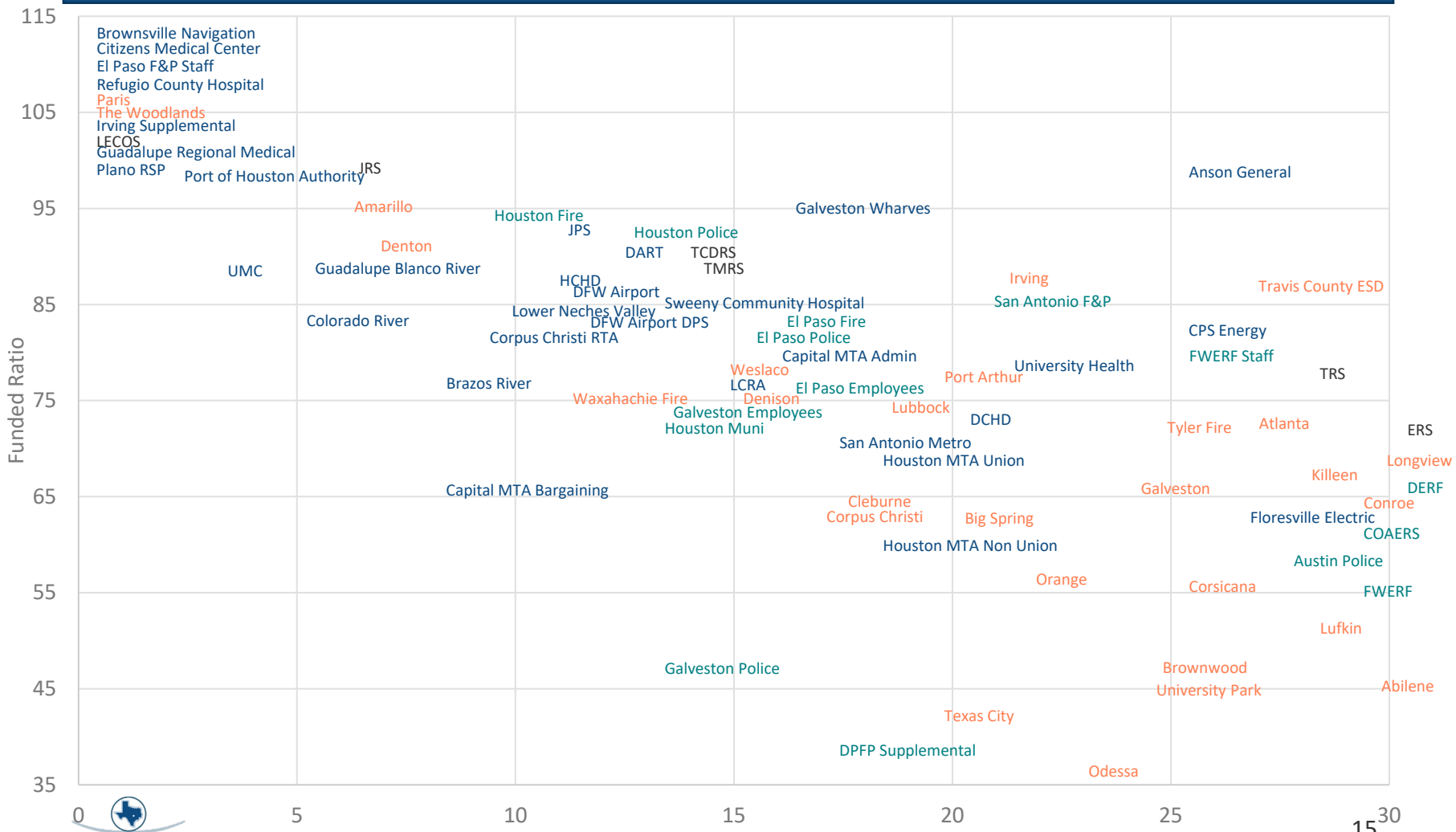
Significant Economic Assumption Changes

	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%

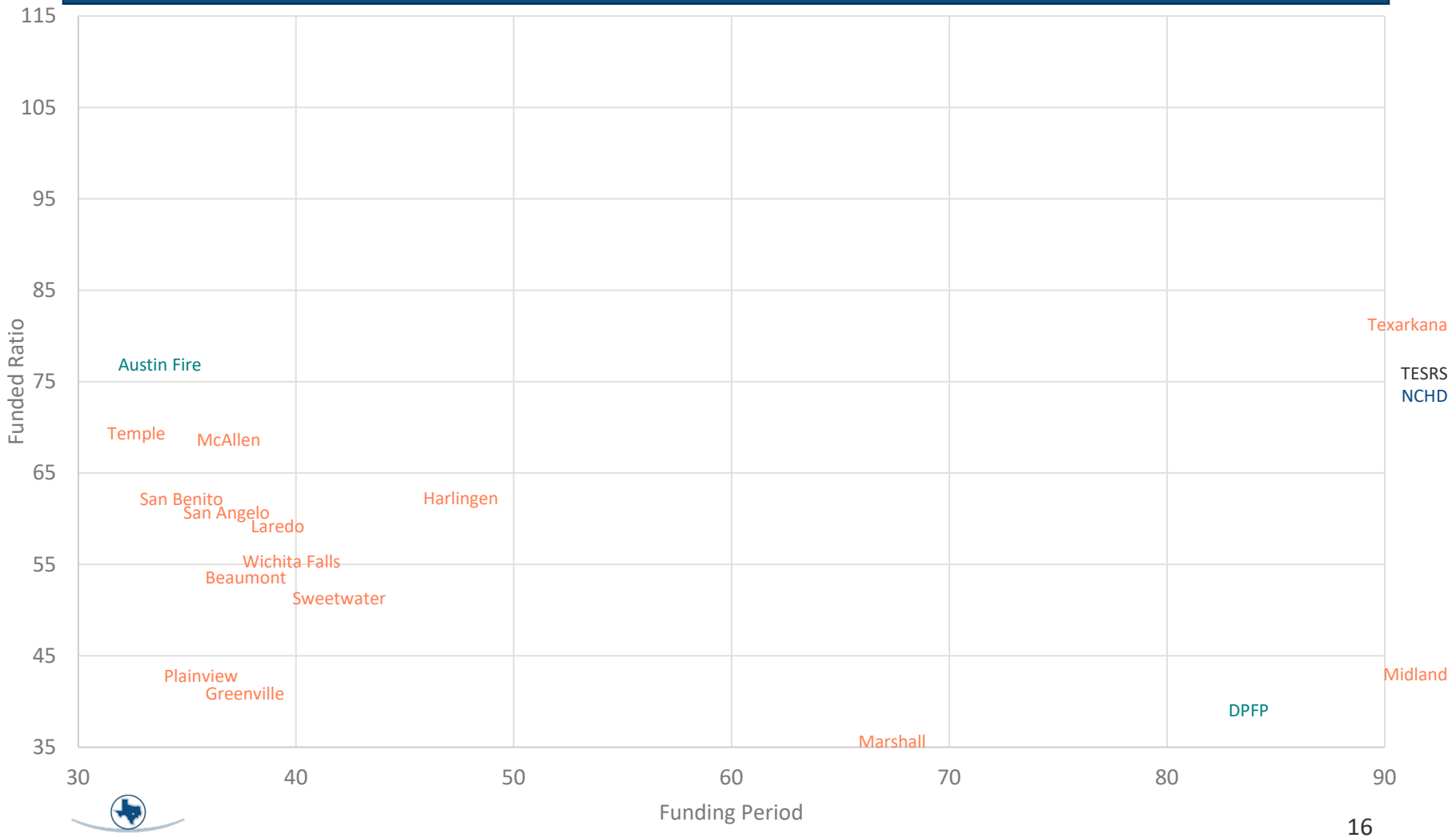
Funding Progress 2023-2025



Funding Progress By System
Funding Periods 30 Years and Below



Funding Progress By System
Funding Periods Over 30 Years



Expected Funding Pattern

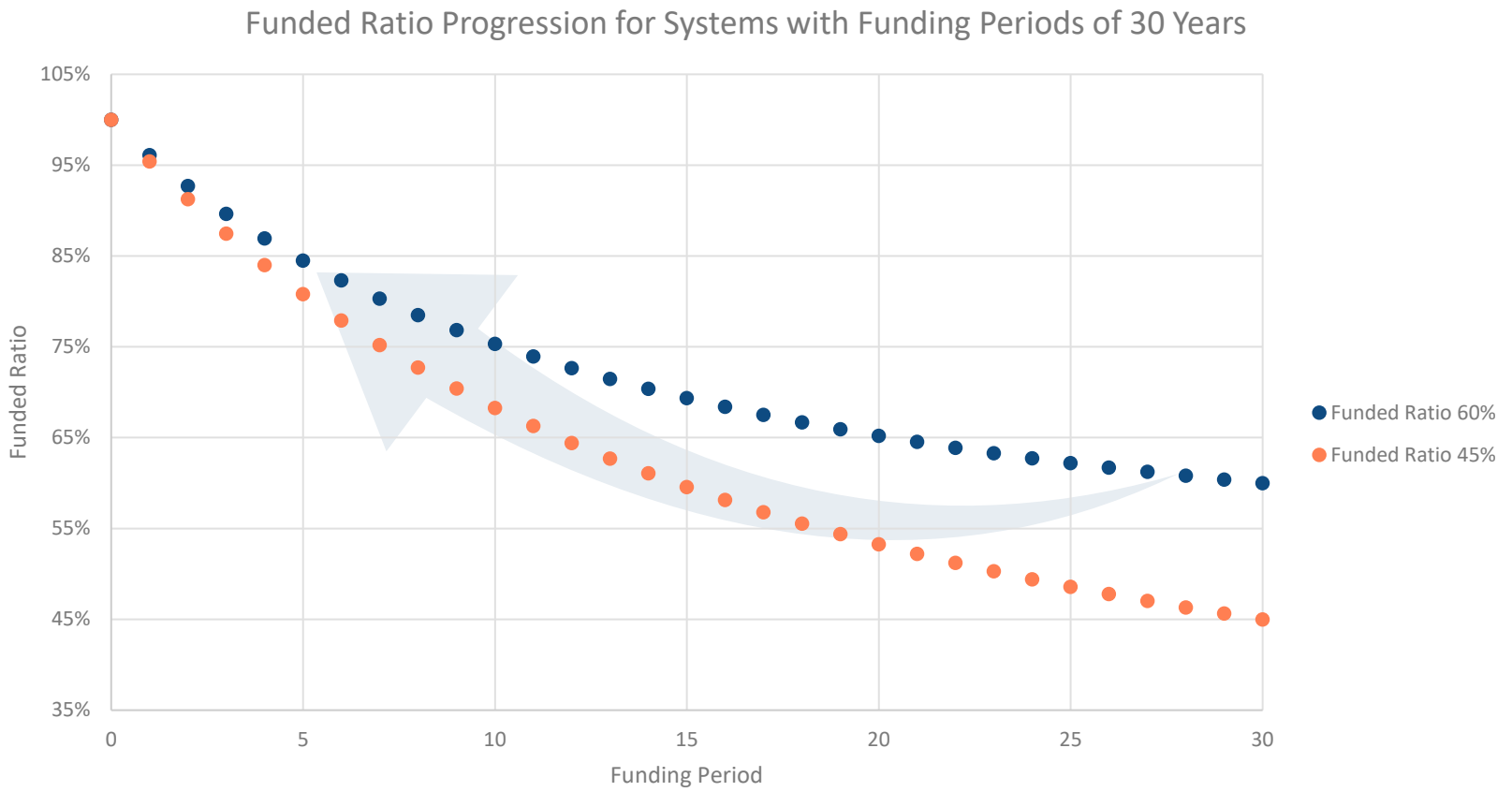


Illustration of 30-Year Amortization Period

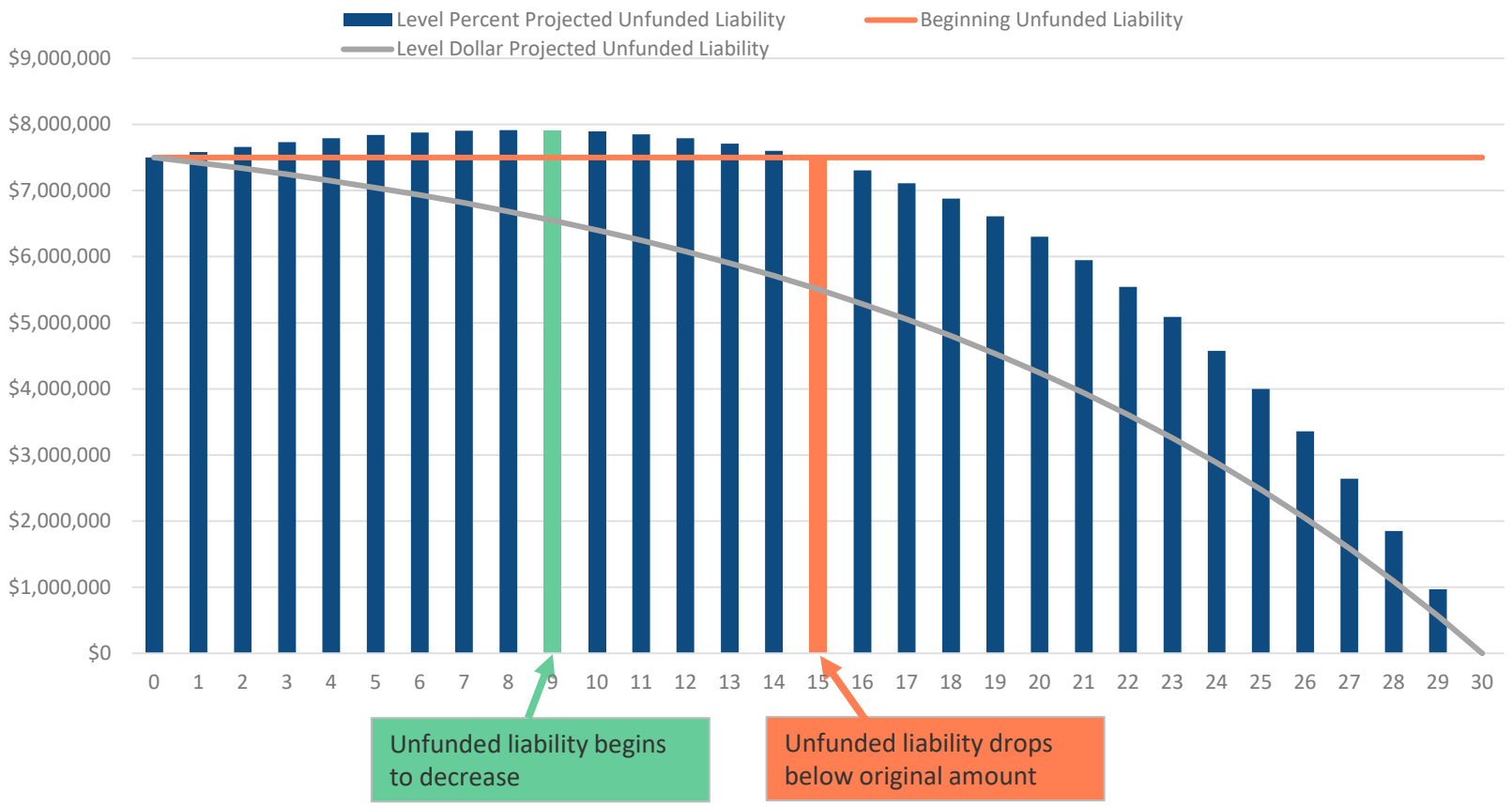


Chart illustrates amortization of $7.5 million unfunded liability using 7 percent expected returns and 3 percent payroll growth

Funding Period To Avoid Negative Amortization

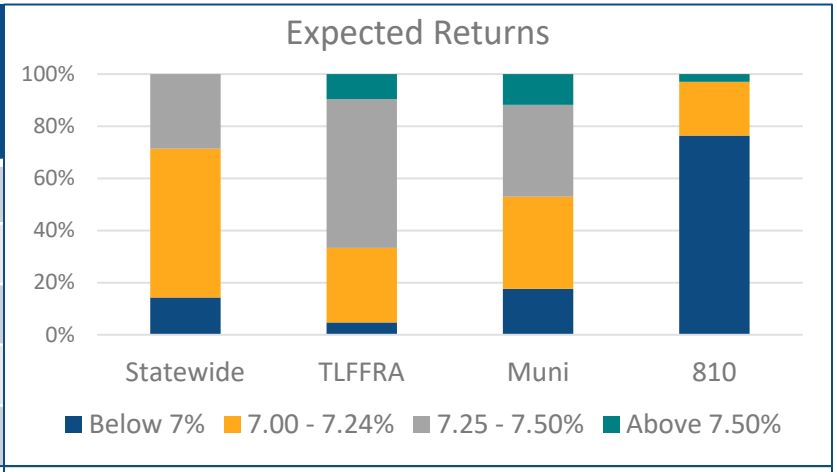
Expected Return

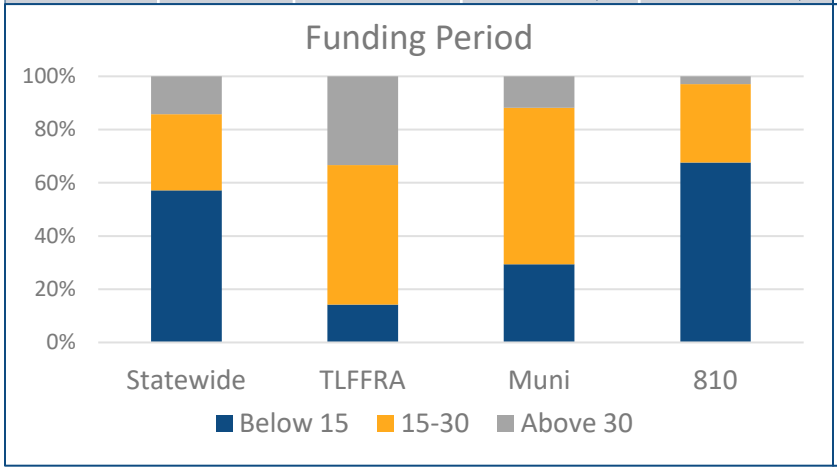
Expected Payroll Growth	6.75%	7.00%	7.25%	7.50%	7.75%
4.25% 4.50%	18	18	(18) Temple Fire	18	(18) Big Spring Fire
4.00%	20	(19) Waxahachie Fire	(19) Greenville Fire, Conroe Fire	18	18
3.75%	20	20	19	19	19
3.50%	(21) Citizens Medical Ctr	(20) DFW Airport, Galveston Police	(20) Paris Fire	20	(19) Harlingen 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

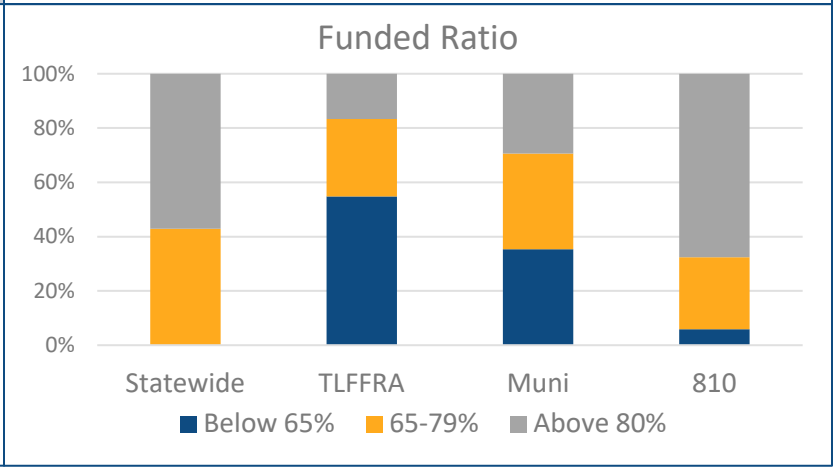
Beaumont Fire changed from 20 years to 21 years

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%** ↓

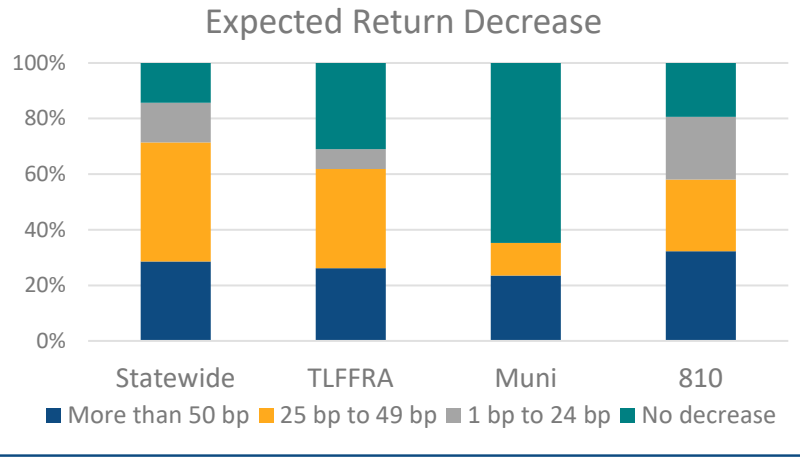


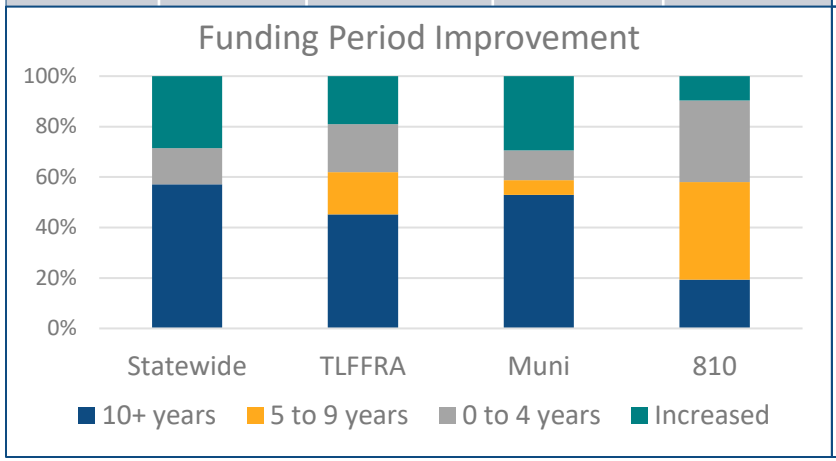


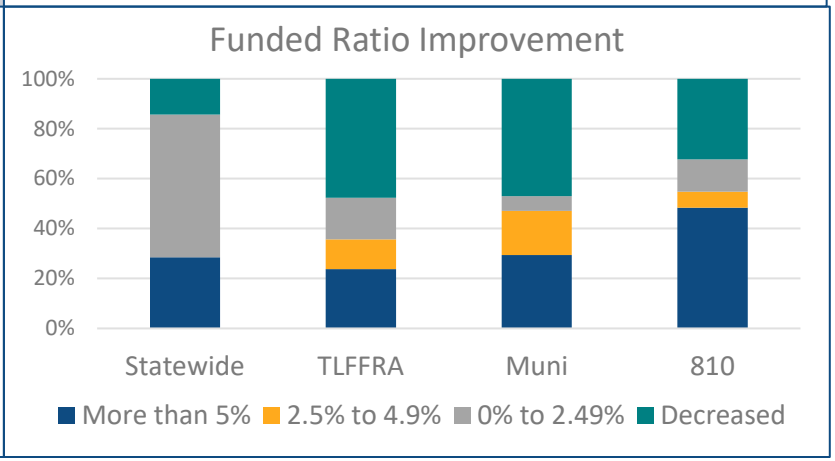


System Overview by Type – Six Year Trend

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

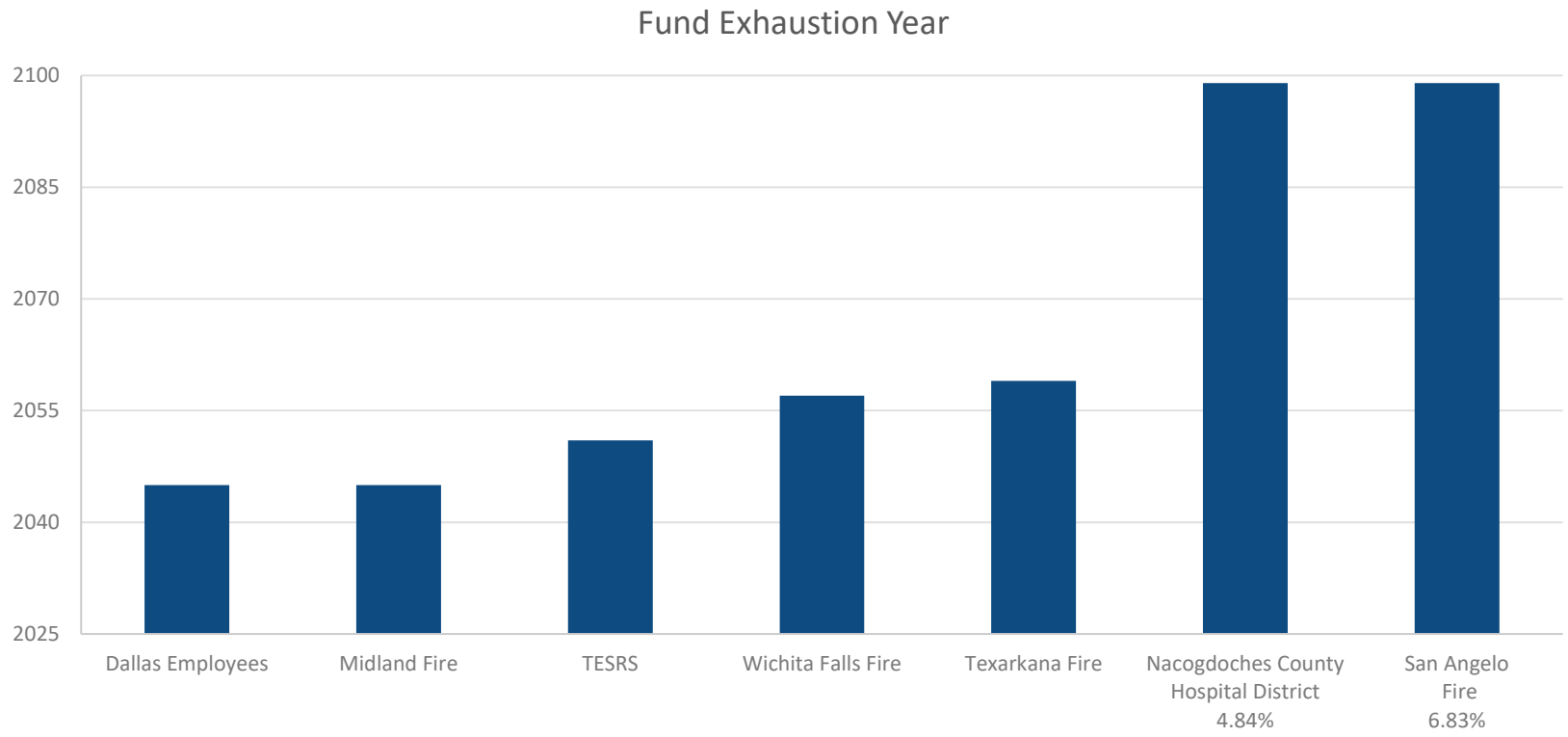
System Name	Funded Ratio	Funding Period	System Type	Notes
Midland Firemen's Relief & Retirement Fund	43.1%	Infinite	TLFFRA	Completed FSRP
Dallas Police & Fire Pension System-Combined Plan	39.1%	82.0	Muni	
Marshall Firemen's Relief & Retirement Fund	35.7%	65.0	TLFFRA	Plan expected 2025
Harlingen Firemen's 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

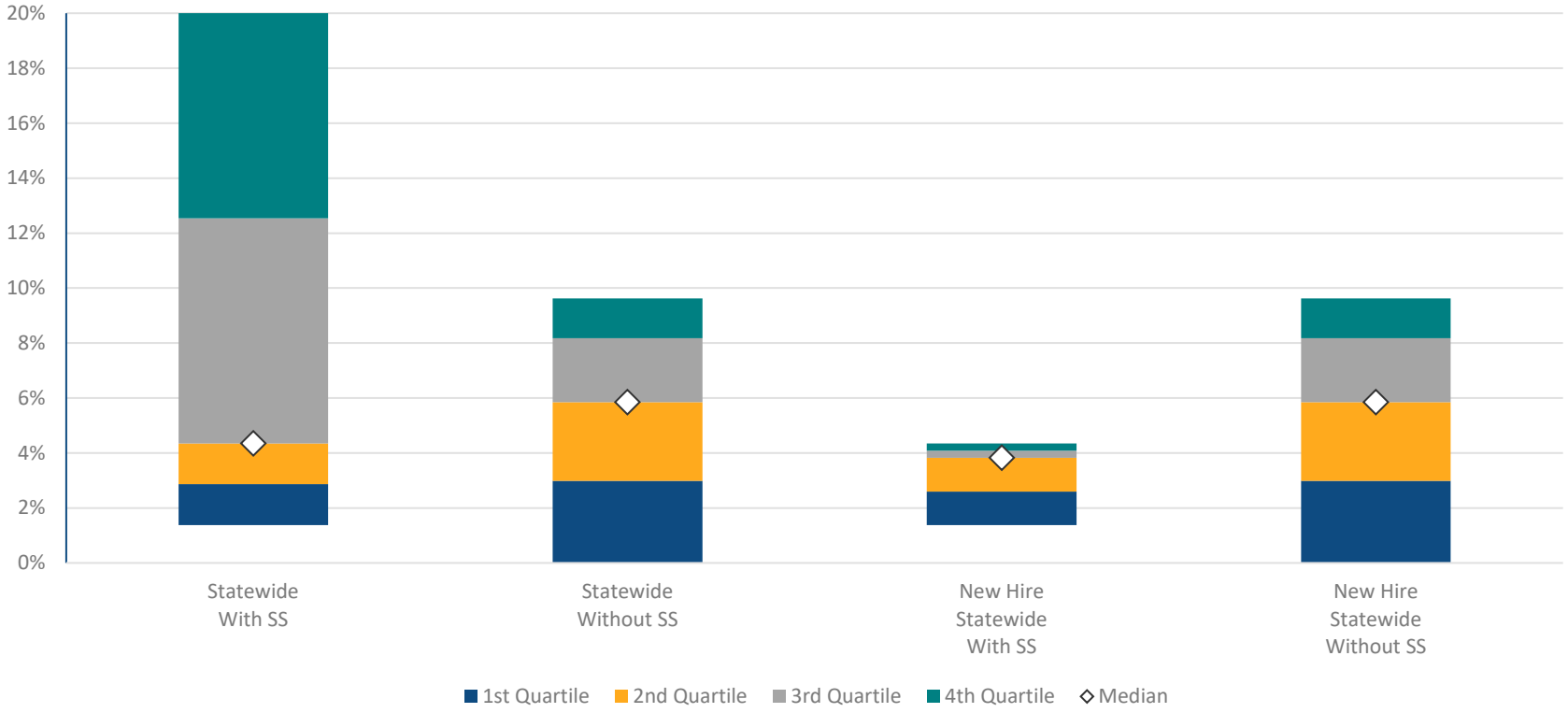
[1] A growing city supports a higher payroll growth assumption

[2] A payroll growth assumption equal to expected inflation may not be considered aggressive

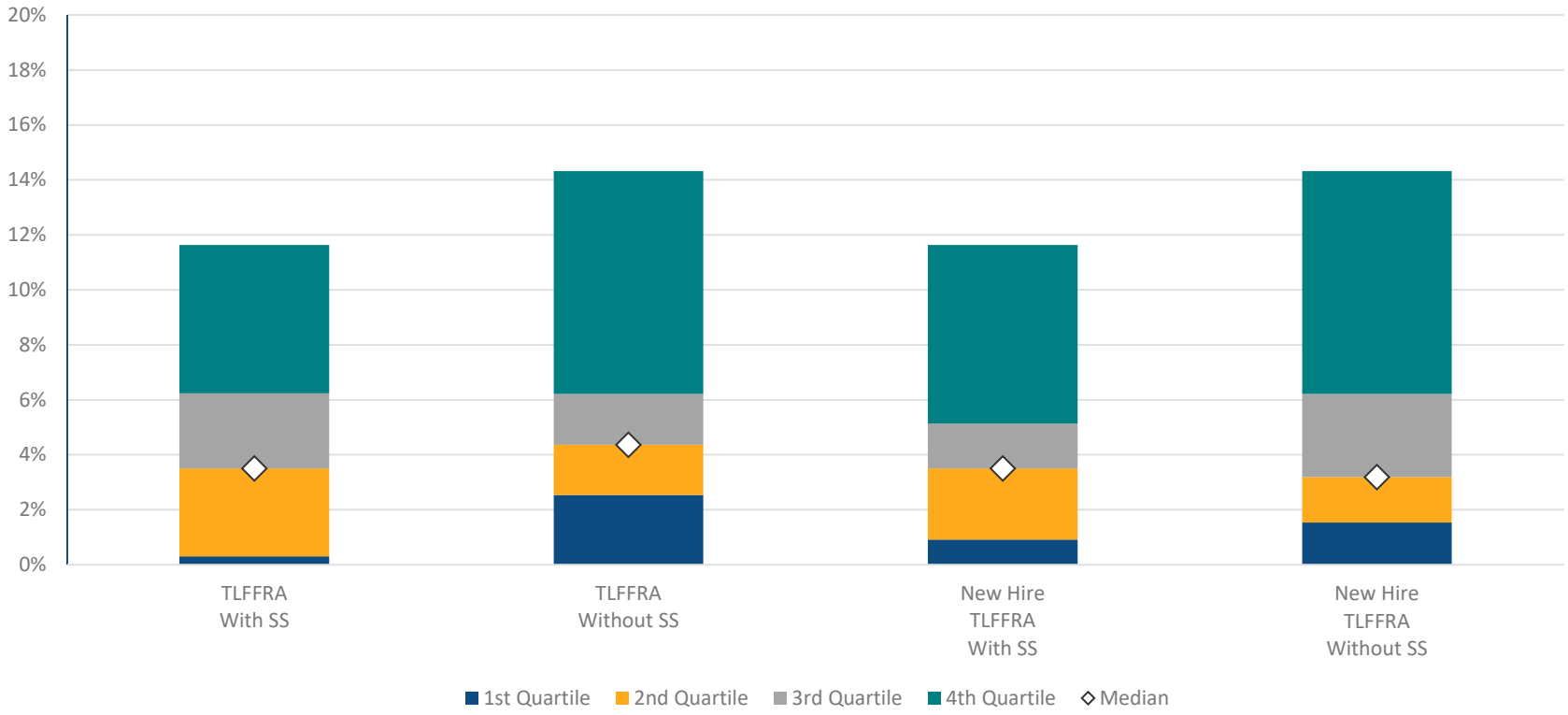
Systems With UAAL as Percent of Pay > 300 Percent and Funding Period >30

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

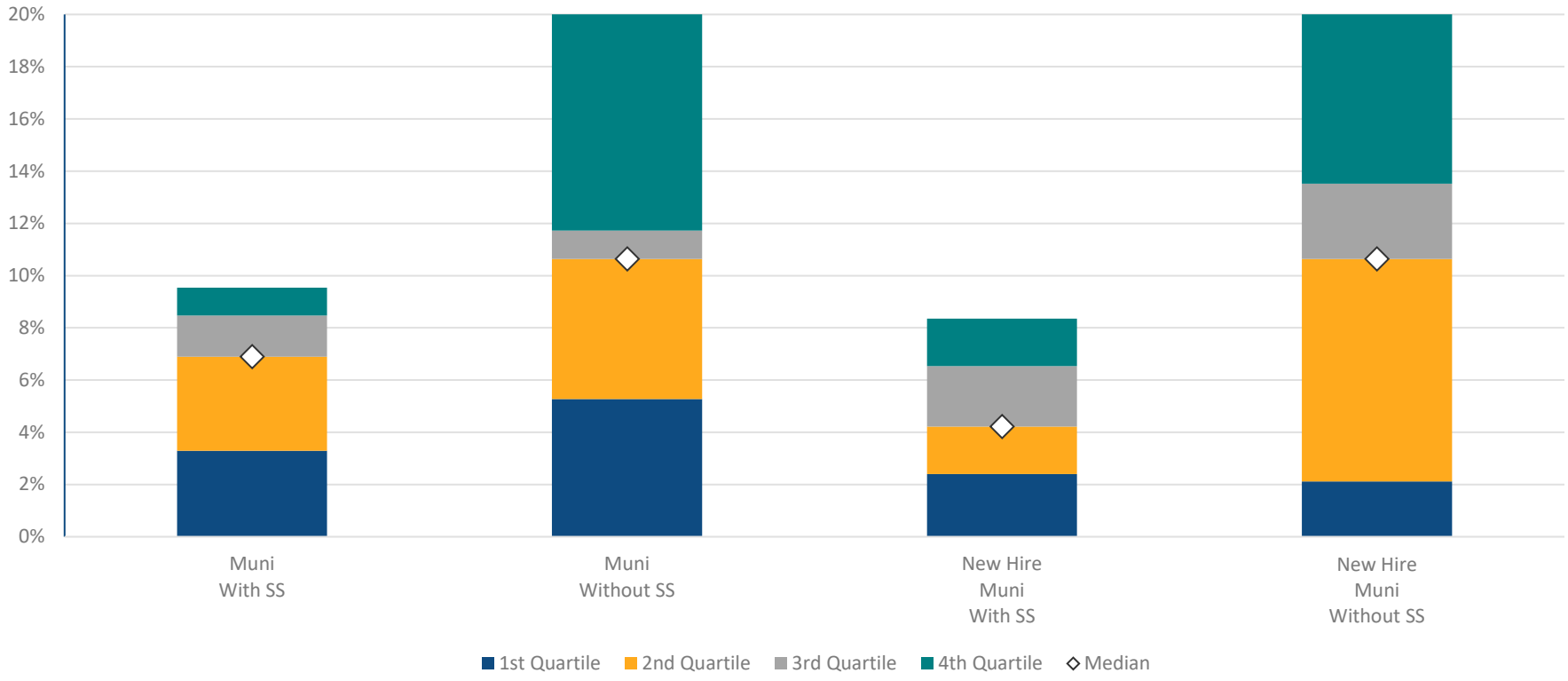
Employer Normal Cost – Statewide Systems



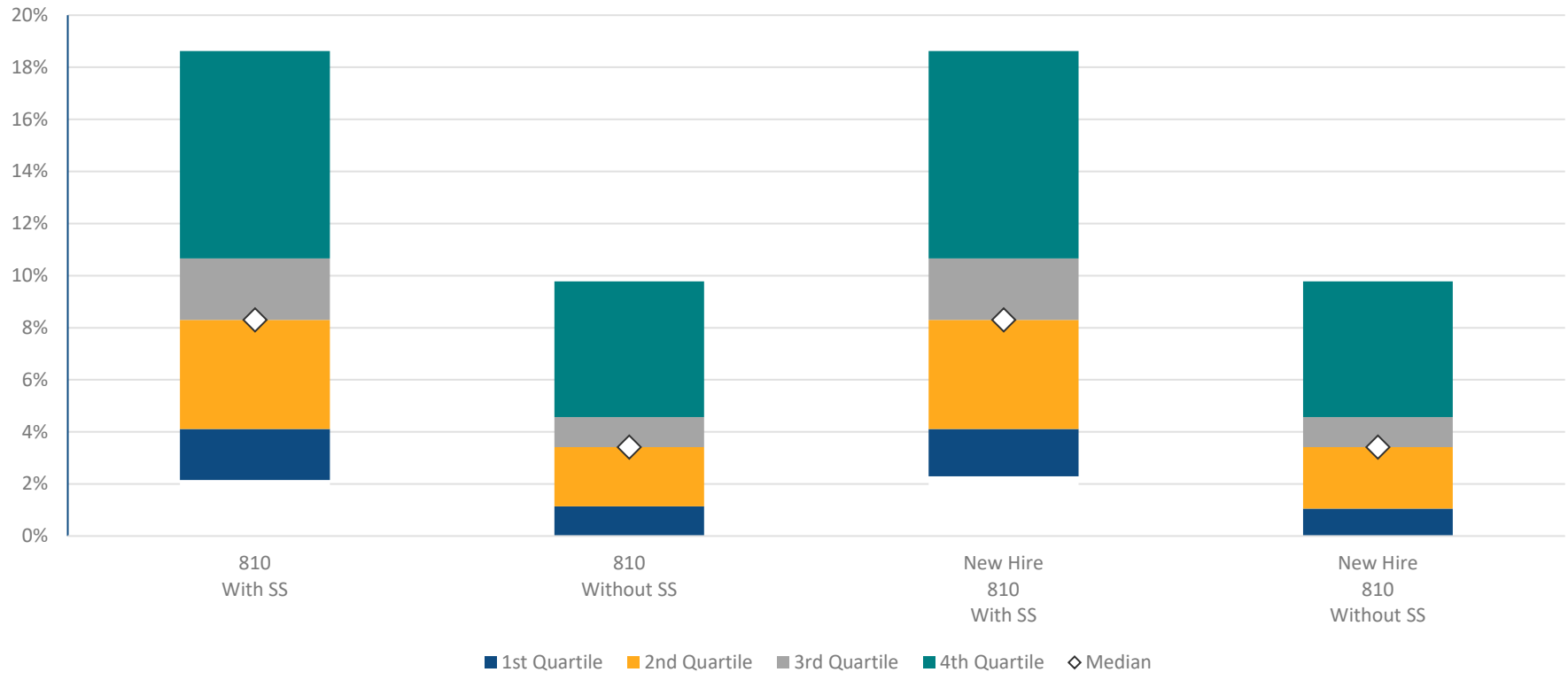
Employer Normal Cost – TLFFRA Systems



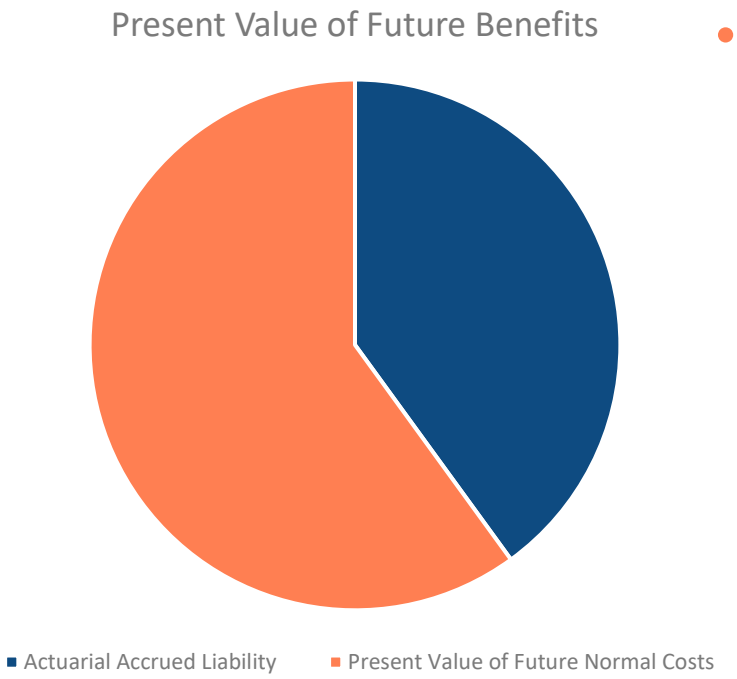
Employer Normal Cost – Municipal Systems



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?

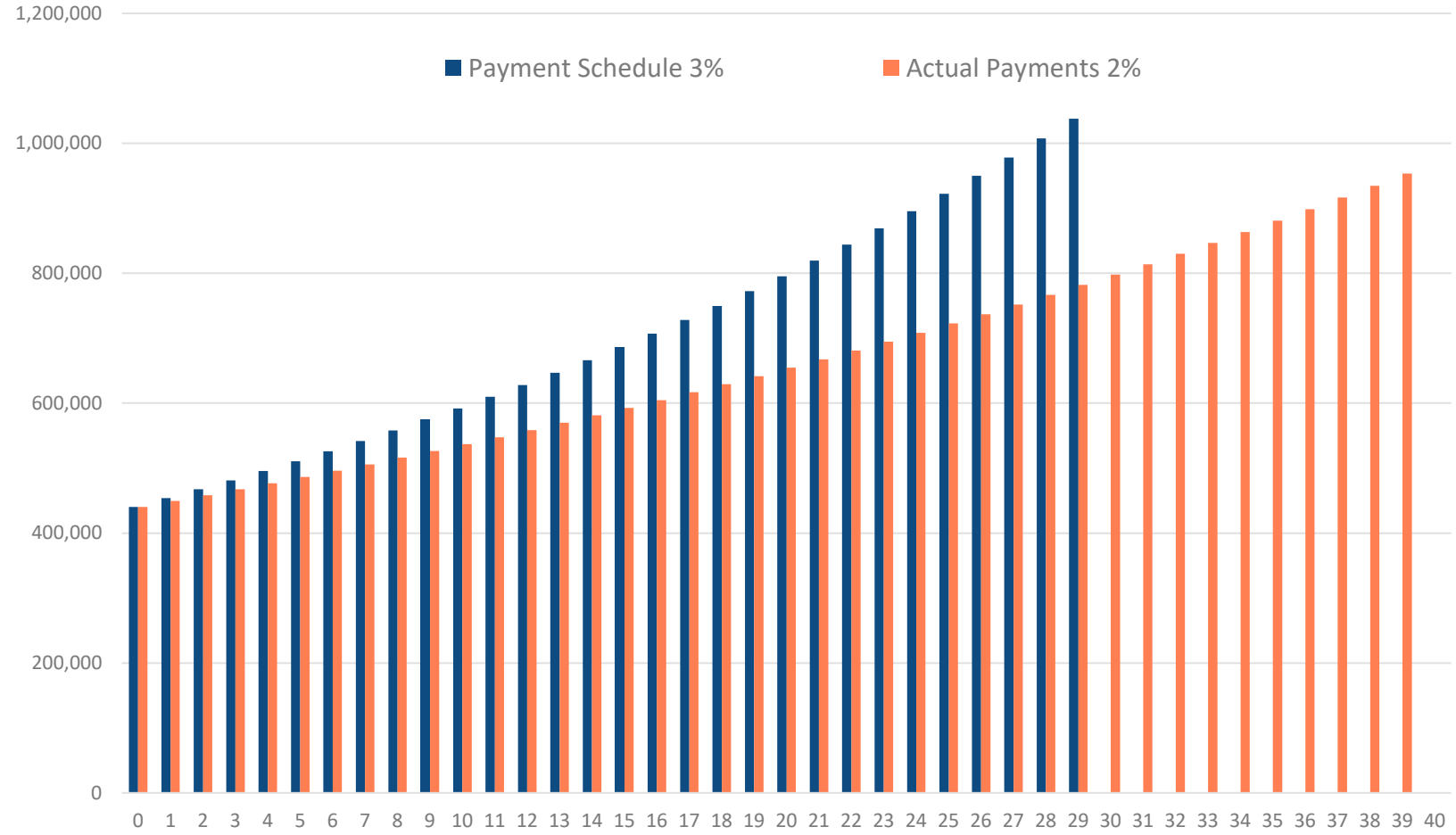


Chart illustrates amortization of $7.5 million unfunded liability using 7 percent expected returns and 3 percent payroll growth

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

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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/

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		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.

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		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

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 %**
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

This report is a compilation of pension data reported by retirement systems to the PRB in their most recently published Annual Financial Report and PRB-1000.

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%

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.

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

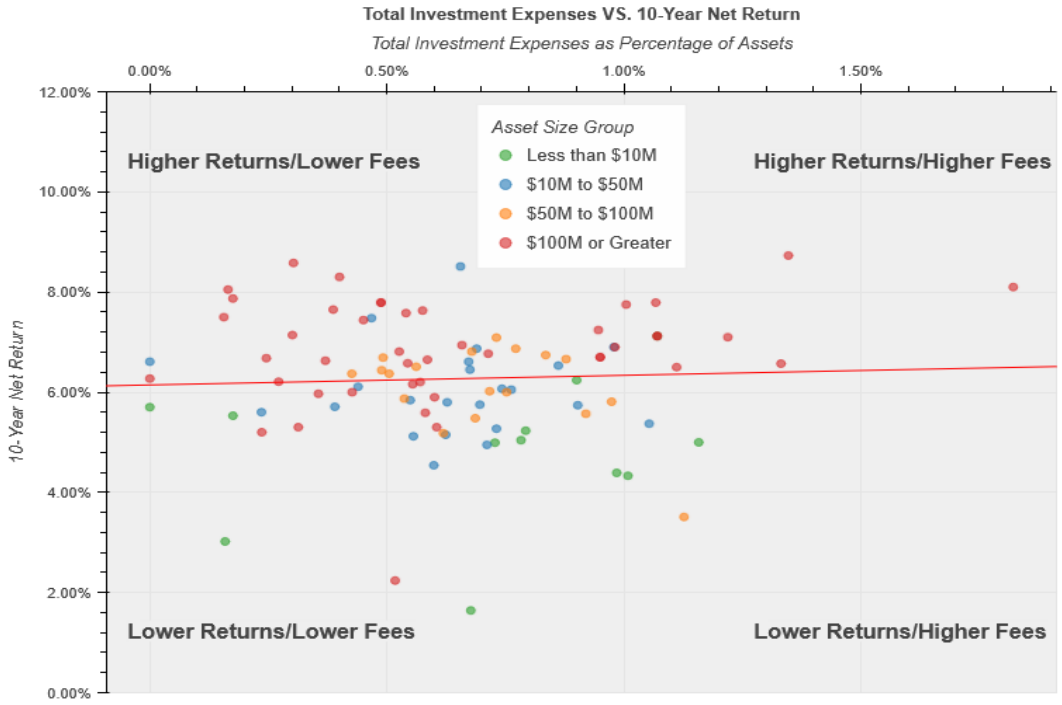
- Investment Data Report Future Additions
  - Quarterly Information

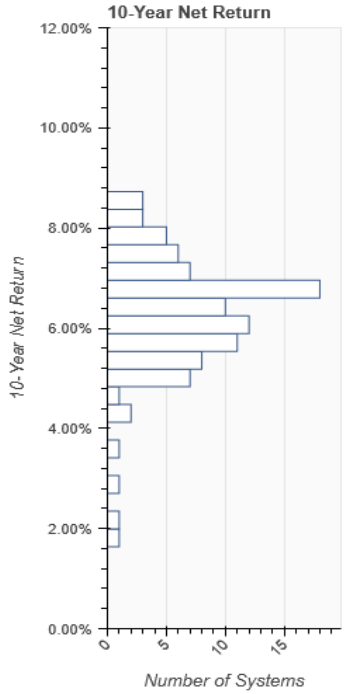
Investment Data Report Update

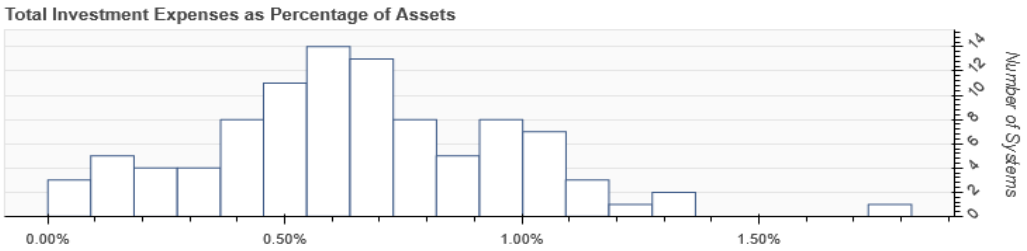
59 plans' 10-year net returns are within 1 percent of their investment return assumption

	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.

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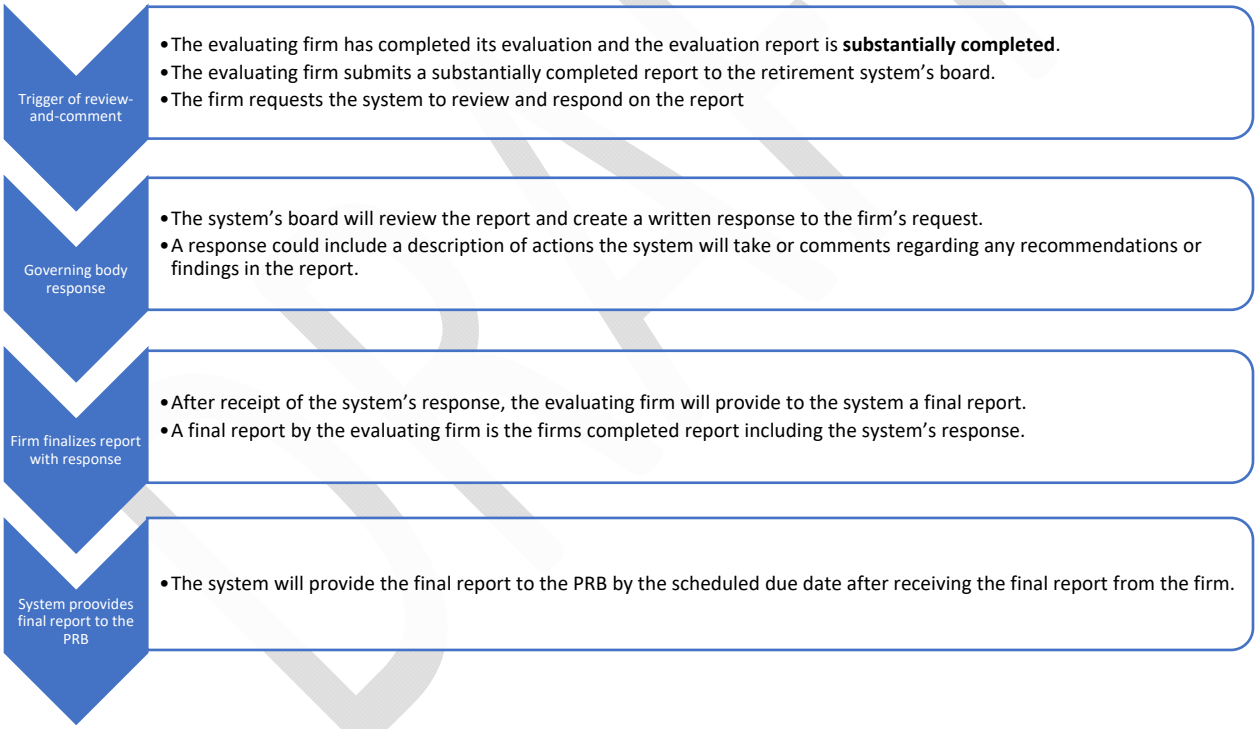
Formal review-and-comment process



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."

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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

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.
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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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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

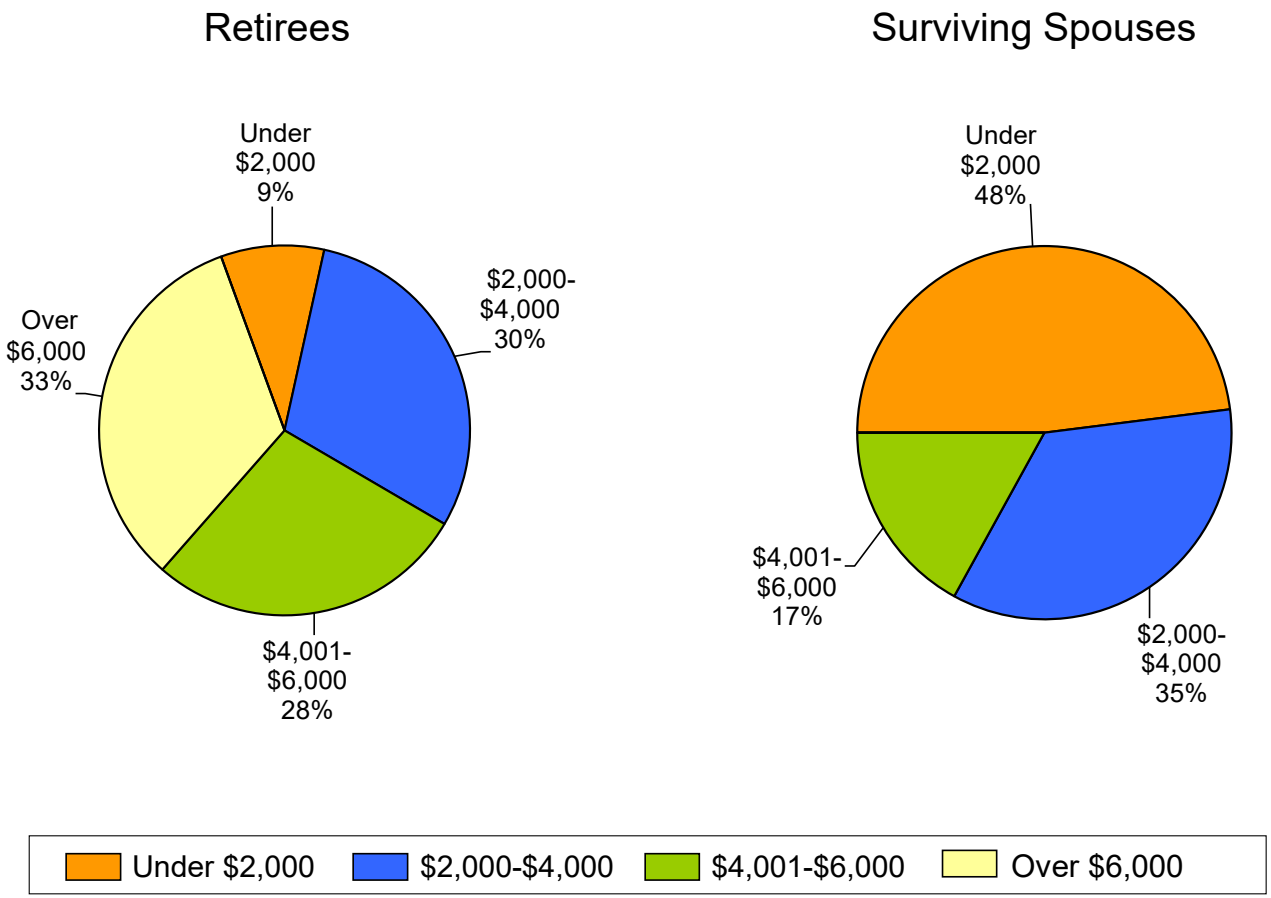


Exhibit 5

Historical Comparison of Actuarial Accrued Liability and Actuarial Value of Assets (Present Plan Valuations as of December 31)

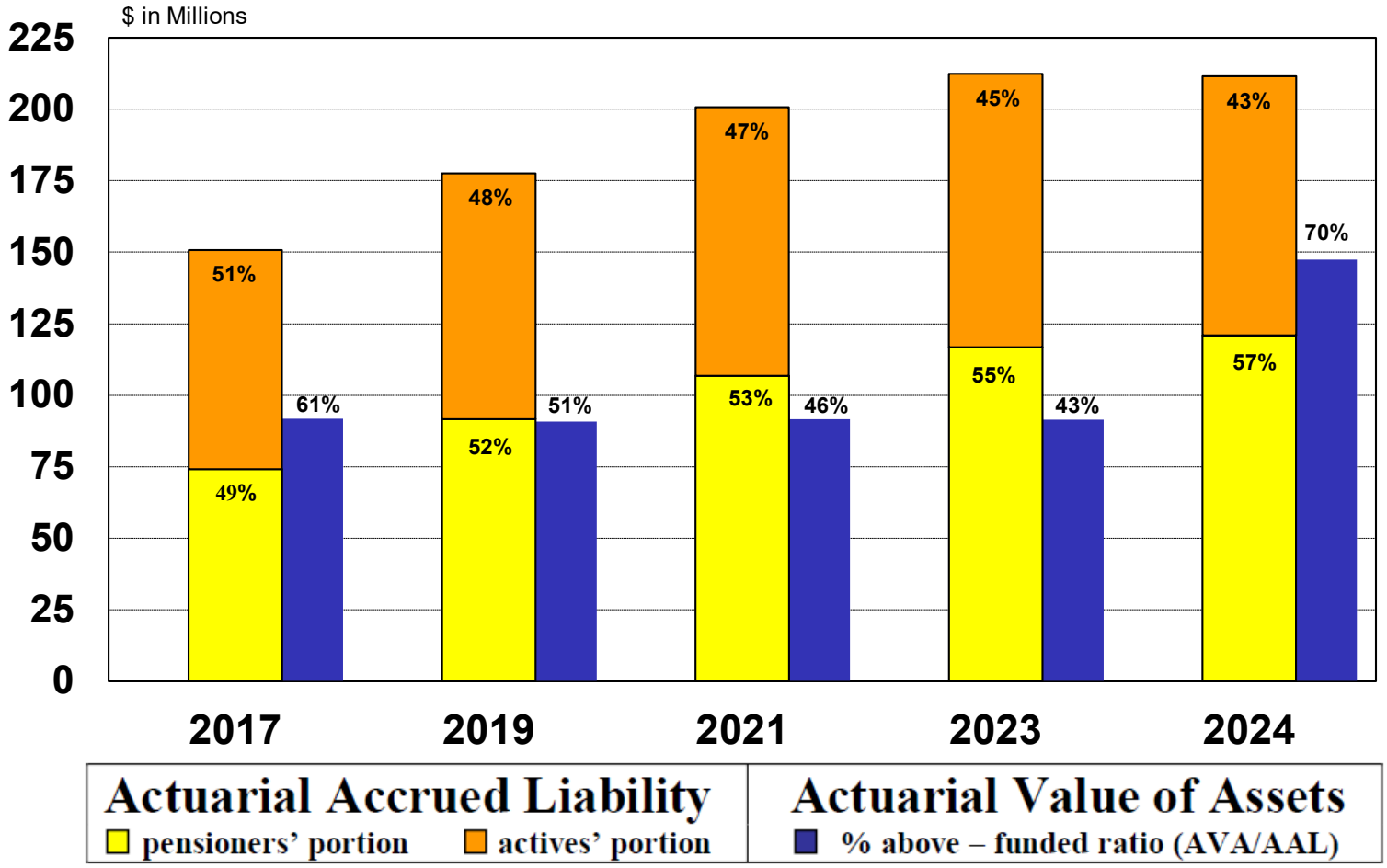


Exhibit 6

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)

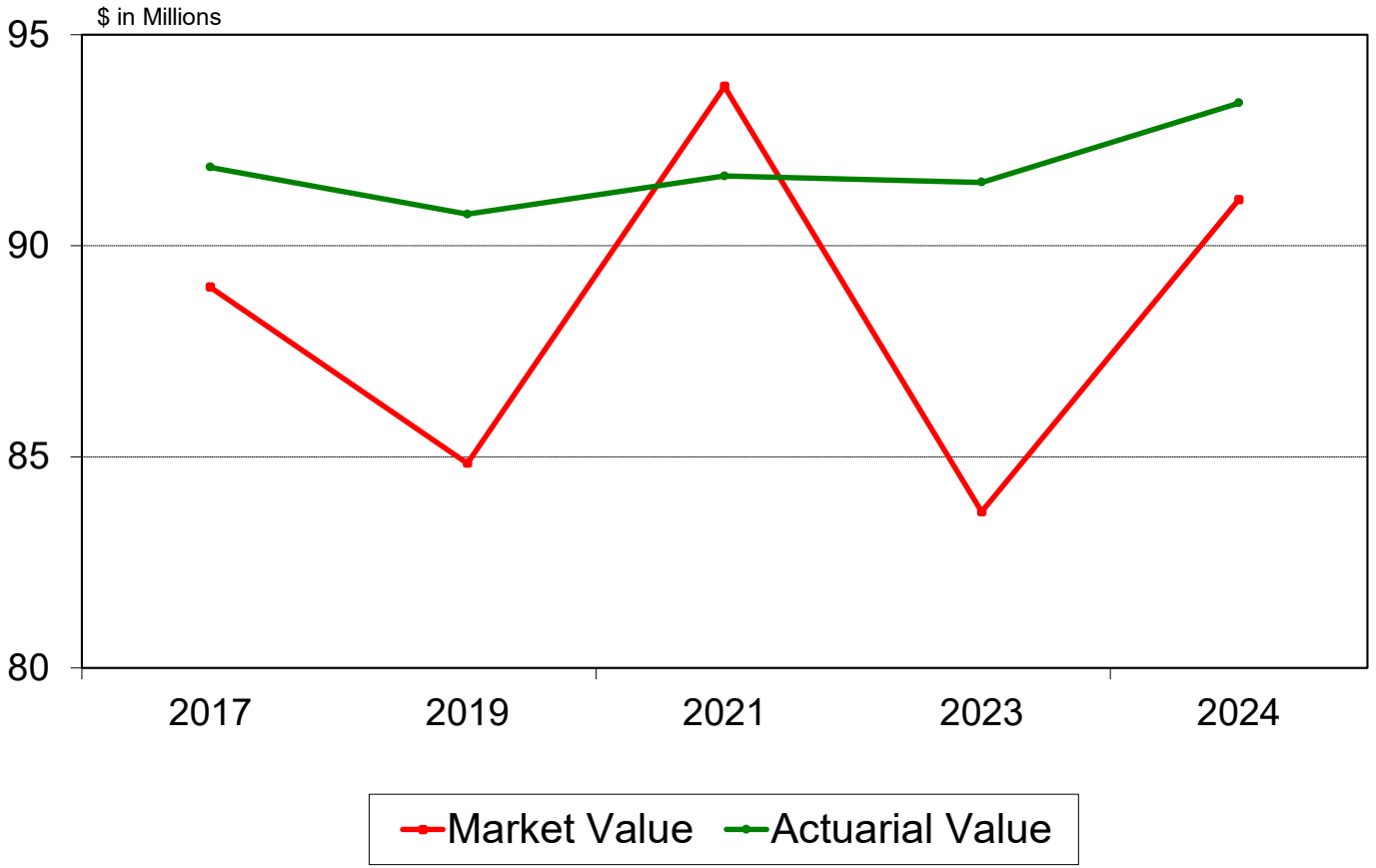
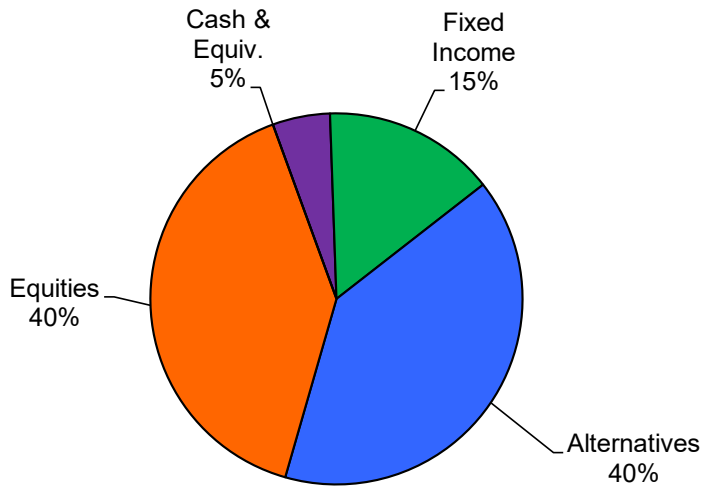


Exhibit 10

Market Value Asset Allocation for Prior and Current Actuarial Valuation Dates

December 31, 2023



December 31, 2024

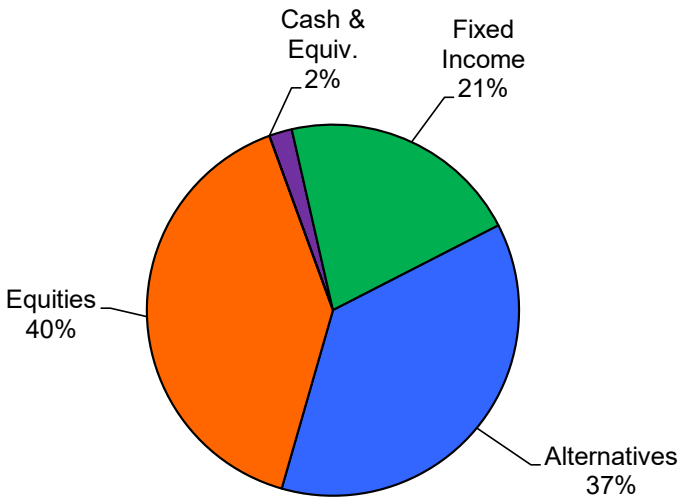


Exhibit 11

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

City Council Meeting

Item Number: 7.
Meeting Date: October 28, 2025
To: City Council
From: Christy Weakland, Finance Director
Subject: MOTION APPROVING THE TRANSFER OF $250,000.00 FROM THE RATE STABILIZATION FUND BALANCE TO A RESTRICTED FIREFIGHTER RETIREMENT STABILITY FUND IN PREPARATION FOR THE PAYMENT OF FUTURE REQUIRED CONTRIBUTIONS TO THE MIDLAND FIREMEN'S RELIEF AND RETIREMENT FUND

Purpose:
This memorandum provides background and rationale for the proposed motion to set aside **$250,000** into a newly established **Firefighter Retirement Stability Fund**. The intent is to demonstrate the City's ongoing commitment to prudent financial management and to plan responsibly for potential future funding needs associated with the **Midland Firefighters Relief and Retirement Fund**.

The City of Midland maintains a **Memorandum of Understanding (MOU)** with the **Midland Firefighters Relief and Retirement Fund (MFRRF)** that outlines the City's participation in the plan and establishes an **Actuarially Determined Contribution (ADC)** requirement.

Under this framework, contribution rates for both the City and plan members are reviewed periodically based on actuarial performance. Should market conditions or actuarial assumptions change, the City could, at some point, be required to **increase its contribution rate** to maintain compliance with the ADC and ensure the plan's long-term solvency. This set-aside would not immediately change the City's current contribution rate but would instead serve as a **strategic reserve** that could be drawn upon if and when the ADC requires higher contributions in future fiscal years.

Recommended Action:
Approve

Fiscal Impact:
Funds are available and will be transferred and appropriated for said purpose.

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
Staff recommends that Council approve the set-aside into the restricted fund. The reserve demonstrates fiscal rationale by proactively planning for an increase rather than reacting when

actuarial results require action. The reserve provides flexibility and protects the General Fund from future adjustments. Furthermore, this action is aligned with GFOA best practices for long-term pension sustainability, which reinforces Council's commitment to responsible fiscal management.

Attachments:
None

Jamie Barton, Finance	Created/Initiated - 10/17/2025
Christy Weakland, Finance	Approved - 10/17/2025
Christy Weakland, Finance	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/20/2025
Jose Ortiz, City Manager	Approved - 10/21/2025
Morris Williams, City Manager	Approved - 10/21/2025
Jan Hamilton, City Secretary	Final Approval - 10/21/2025

City Council Meeting

Item Number: 8.
Meeting Date: October 28, 2025
To: City Council
From: Michael Tully, Fire Chief
Subject: MOTION ACCEPTING A DONATION OF $18,000 FROM ENTERPRISE CRUDE PIPELINE LLC AND A DONATION OF $5,000 FROM TARGA RESOURCES PARTNERS LP; SAID DONATIONS TO BE USED FOR THE PURCHASE OF GAS MONITORS FOR THE MIDLAND FIRE DEPARTMENT HAZMAT TEAM

Purpose:
DONATION OF $18,000 FROM ENTERPRISE CRUDE PIPELINE LLC, AND ANOTHER DONATION IN THE AMOUNT OF $5,000 FROM TARGA RESOURCES PARTNERS LP; SAID DONATIONS TO BE USED FOR THE PURCHASE OF GAS MONITORS FOR MIDLAND'S FIRE HAZMAT TEAM.

Recommended Action:
APPROVE

Fiscal Impact:
DONATIONS WILL BE DEPOSITED IN THE FIRE TECHNOLOGY AND EQUIPMENT FUND, AND APPROPRIATED FOR SAID PURPOSE

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
STAFF RECOMMENDS APPROVAL OF THE DONATIONS TO ASSIST MIDLAND FIRE DEPARTMENT WITH NECESSARY SAFETY EQUIPMENT

Attachments:
A. Re_ 76 Fund Transfer- GAS MONITOR DONATIONS

Jamie Barton, Finance	Created/Initiated - 10/17/2025
Christy Weakland, Finance	Approved - 10/17/2025
Christy Weakland, Finance	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/21/2025
Jose Ortiz, City Manager	Approved - 10/22/2025
Morris Williams, City Manager	Approved - 10/22/2025
Jan Hamilton, City Secretary	Final Approval - 10/22/2025

From: Michael Tully
To: Jamie Barton
Cc: Christy Weakland; Charles Blumenauer
Subject: Re: 76 Fund Transfer
Date: Friday, October 17, 2025 2:18:52 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png

That amount is correct for Enterprise. Let me check on the Targa.

Thank you,
Tully

Michael Tully
Midland Fire Department
Fire Chief
(432) 685-7436 O I (432) 238-2642
1500 W. Wall St. Midland, TX, 79701

From: Jamie Barton <jbarton@midlandtexas.gov>
Sent: Friday, October 17, 2025 2:12:19 PM
To: Michael Tully <mtully@midlandtexas.gov>
Cc: Christy Weakland <cweakland@midlandtexas.gov>; Charles Blumenauer <cblumenauer@midlandtexas.gov>
Subject: RE: 76 Fund Transfer

Chief, sorry to call you Michael.

Jamie Barton
Finance Department
Finance Reporting Manager
O: (432) 685-7975
300 N. Loraine, Midland, TX, 79701

We value your feedback. Please take a moment to complete our Customer Satisfaction Survey. Your insights help us improve our services.

From: Jamie Barton
Sent: Friday, October 17, 2025 2:11 PM
To: Michael Tully <mtully@midlandtexas.gov>

Cc: Christy Weakland <cweakland@midlandtexas.gov>; Charles Blumenauer <cblumenauer@midlandtexas.gov>
Subject: RE: 76 Fund Transfer

Hi Michael-

I am creating an agenda item for the donations below; however I cannot find the donation from Targa for $5,000. Is there another name it could be under or mixed in with another donation?

I do see donation from Enterprise Pipeline, but for $18,000, not $16,000. Is this the correct one?

Jamie Barton
Finance Department
Finance Reporting Manager
O: (432) 685-7975
300 N. Loraine, Midland, TX, 79701

We value your feedback. Please take a moment to complete our Customer Satisfaction Survey. Your insights help us improve our services.

From: Christy Weakland, CPA, CPFO <cweakland@midlandtexas.gov>
Sent: Friday, October 3, 2025 12:37 PM
To: Jamie Barton <jbarton@midlandtexas.gov>
Subject: FW: 76 Fund Transfer

Christy Weakland, CPA, CPFO
Finance Department
Chief Financial Officer
O: (432) 685-7210 | C: (432) 413-5035
300 N. Loraine, Midland, TX, 79701

We value your feedback. Please take a moment to complete our Customer Satisfaction Survey. Your insights help us improve our services.

From: Michael Tully <mtully@midlandtexas.gov>
Sent: Friday, October 3, 2025 12:03 PM
To: Christy Weakland, CPA, CPFO <cweakland@midlandtexas.gov>
Cc: Charles Blumenauer <cblumenauer@midlandtexas.gov>
Subject: 76 Fund Transfer

Hello Christy,

We received two donations for the purchase of gas monitors for our Hazmat team. Enterprise donated $16,000 and Targa donated $5000, these funds were deposited into the contribution side of the 76 fund. I need to move these funds to the spending side to purchase the gas monitors, can you help getting this on the agenda for approval.

Respectfully,

Michael Tully, MPA, CFE
Midland Fire Department
Fire Chief
(432) 685-7436 O I (432) 238-2642
1500 W. Wall St. Midland, TX, 79701

City Council Meeting

Item Number: 9.
Meeting Date: October 28, 2025
To: City Council
From: Erika Munoz, Assistant General Services Director
Subject: RESOLUTION AWARDING A CONTRACT IN THE AMOUNT OF $228,783.32 FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT AT HALEY PARK TO EXERPLAY, INC.; APPROVING $23,000.00 FOR PROJECT-RELATED EXPENSES; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT FOR SAID CONTRACT

Purpose:
Resolution awarding a contract for the purchase and installation of playground equipment for Haley Park to ExerPlay, Inc. through Buyboard 781-25 for a cost of $228,783.32, plus project related expenses of $23,000.00 for a total cost of $251,783.32.

Recommended Action:

Fiscal Impact:
Funding is available in the Parks Bond Fund and will be appropriated to a project for said purpose.

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
Staff recommends purchase and installation of playground equipment for Haley Park to ExerPlay, Inc. through Buyboard 781-25. 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. Please see the attached memo from Laurie M. Williams, Parks and Recreation Director, for additional information.

Therefore, please consider a resolution approving the purchase and installation of playground equipment for Haley Park to ExerPlay, Inc. through Buyboard 781-25 for a cost of $228,783.32, plus project related expenses of $23,000.00 for a total cost of $251,783.32.

Attachments:
A. 10282025 Haley Playground memo Erika

B. RESOLUTIONS W/EXH - Buyboard - Playground Equipment at Haley Park Reso w Exh
C. 26000194 Contract.revised

Erika Munoz, General Services	Created/Initiated - 10/2/2025
Regina Stephenson, General Services	Approved - 10/2/2025
Linda Ochoa, City Secretary	Approved - 10/13/2025
Morris Williams, City Manager	Approved - 10/17/2025
Christy Weakland, Finance	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/20/2025
Jose Ortiz, City Manager	Approved - 10/22/2025
Jan Hamilton, City Secretary	Final Approval - 10/22/2025

Parks Division
Interoffice Memorandum

Date: October 15, 2025
To: Jose Ortiz, Deputy City Manager
From: Laurie M. Williams, Parks and Recreation Director
Subject: Haley Playground Equipment Purchase – Award Contract

Midland is home to 28 neighborhood parks. Of these 28, two are without playground equipment. Haley Park, located on the south side of the Museum of the Southwest, is underserved with only a set of swings. The City of Midland is committed to bringing this park up to the level of other neighborhood parks for children's play areas.

The Parks and Recreation Advisory Commission met in September and voted unanimously to recommend playgrounds for Haley Park to be manufactured and installed by Exerplay, Inc. The playground will accommodate ages 2-12 and have a natural theme, fitting nicely into the park. It will have full coverage artificial turf under the play areas. Haley Park improvements will include the removal of the existing swings, enlarging the playground area, and adding two play structures and 2 swing bays.

The Exerplay Buyboard quote includes the play equipment, surfacing, freight, and installation at a cost of $228,783.32. An additional $23,000 is requested to cover the cost of the concrete construction that will be completed by the Parks Division's construction crew, to provide the concrete border that will enclose the play area.

The total cost for the playground is $251,783.32. The playground installation should be completed in early Spring 2026.

$251,783.32 is available in the Parks Bond Fund and will be appropriated to a project for said purpose.

RESOLUTION NO. _____

RESOLUTION AWARDING A CONTRACT IN THE AMOUNT OF $228,783.32 FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT AT HALEY PARK TO EXERPLAY, INC.; APPROVING $23,000.00 FOR PROJECT-RELATED EXPENSES; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT FOR SAID CONTRACT

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

WHEREAS, ExerPlay, Inc. has submitted a total proposed cost to the City of $228,783.32 through Buyboard for the purchase and installation of playground equipment at Haley Park; and

WHEREAS, the Council finds the price proposed by ExerPlay, Inc. through Buyboard for the purchase and installation of playground equipment at Haley Park to be fair and reasonable; and

WHEREAS, the City Council finds it to be in the public interest to award a contract for the purchase and installation of playground equipment at Haley Park to ExerPlay, Inc.; and

WHEREAS, the City Council finds it to be in the public interest to approve $23,000.00 for project-related expenses;

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

SECTION ONE. That the City Manager and City Secretary are hereby authorized and directed to execute and attest, respectively, on behalf of the City of Midland, a contract with ExerPlay, Inc. in the amount of $228,783.32, through Buyboard, for the installation of playground equipment at Haley Park. Said contract being in a form substantially similar to Exhibit A, which is attached hereto and incorporated herein for all purposes.

SECTION TWO. That the sum of $23,000.00 for project-related expenses is hereby approved.

SECTION THREE. That the amount of $251,783.32 is available in the Parks Bond Fund and shall be appropriated to a project established by the City of Midland Finance Department.

SECTION FOUR. That the City Comptroller is hereby authorized and directed to pay ExerPlay, Inc. in accordance with the provisions of the above-referenced contract from funds appropriated herein 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

THE CITY OF MIDLAND

CONTRACT

Contract No. 26000194

THIS CONTRACT, effective the 29 day of October 2025, by and between the City of Midland, hereinafter referred to as "CITY", an Exerplay, Inc., hereinafter referred to as "COMPANY", is made for the following considerations:

1. **Cost:** Total Proposal: $ 228,783.32 DOLLARS

2. **Scope of Work:** COMPANY shall perform all work described and shall provide labor, materials, equipment and supervision necessary for the purchase and installation of playground equipment for Haley Park. 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..... Bonding instructions for Public Works Contract of $50,000 and more
EXHIBIT D..... Wage Scale

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. [**INTENTIONALLY DELETED]**

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 90 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; Retainage:** After all work is completed by COMPANY, including all Change Orders altering the original scope and amount of the contract are completed, and the CITY has inspected and approved that the work is completed and in compliance with the contract and all subsequent Change Orders, the CITY may thereafter issue payment to COMPANY in the amount of the contract and all Change Orders. The CITY shall be the final judge of when the work is completed by COMPANY. The CITY, in its sole discretion, shall determine if the work under the contract and under any Change Orders has been done to the CITY's requirements.

16.1. The CITY may make periodic payments to COMPANY; provided, however, such periodic payments may only be made pursuant to this section, and only after all work and all Change Orders are completed by COMPANY and approved by the CITY. The approval shall be in the CITY's sole discretion. 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 CITY or the CITY'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. **Late Completion; Liquidated Damages:** It is hereby understood and mutually agreed, by and between COMPANY and the CITY, that the date of beginning and the time for completion as specified in the contract of the work to be done hereunder are ESSENTIAL CONDITIONS of this contract; and it is further mutually understood and agreed that the work embraced in this contract shall be commenced on a date to be specified in the "Notice to Proceed." COMPANY agrees that said work shall be prosecuted regularly, diligently, and uninterruptedly at such rate of progress as will insure full completion thereof within the time specified. It is expressly understood and agreed, by and between COMPANY and the CITY, that the time for the completion of the work described herein is a reasonable time for the completion of the same, taking into consideration the average climatic range and usual industrial conditions prevailing in this locality.

17.1. In the event COMPANY shall neglect, fail or refuse to complete the work within the time herein specified, or any proper extension thereof granted by the CITY, then COMPANY and COMPANY's surety, if any, shall be liable for and does hereby agree, as a part consideration for the awarding of this contract, to pay to the CITY $500.00, not as a penalty but as liquidated damages for such breach of contract as hereinafter set forth, for each and every day that COMPANY shall be in default after

the time stipulated in the contract for completing the work. Further, the CITY shall have the right to cancel this contract for such delay. In the event the CITY cancels this contract pursuant to the terms of this section, the CITY shall pay to COMPANY only those monies deemed appropriate by the CITY, in its sole discretion, to compensate COMPANY for any work actually performed, less any liquidated damages COMPANY owes the CITY.

17.2. The said amount is fixed and agreed upon by and between COMPANY and the CITY because of the impracticability and extreme difficulty of fixing and ascertaining the actual damages the CITY would in such event sustain, and said amount is agreed to be the amount of damages which the CITY would sustain and said amount shall be retained from time to time by the CITY from current periodical estimates.

17.3. It is further agreed that time is of the essence of each and every portion of this contract and of the specifications wherein a definite and certain length of time is fixed for the performance of any act whatsoever; and where under the contract an additional time is allowed for the completion of any work, the new time limit fixed by such extension shall be of the essence of this contract. Provided, that COMPANY shall not be charged with liquidated damages or any excess cost when the CITY determines, in its sole discretion, that COMPANY is without fault and COMPANY's reasons for the time extension are acceptable to the CITY. Provided, further, that COMPANY shall not be charged with liquidated damages of any excess cost when the delay in completion of the work is due:

a. To any preference, priority or allocation order duly issued by the Government;

b. To unforeseeable cause beyond the control and without the fault or negligence of COMPANY, including, but not restricted to, acts of God, or of the public enemy, acts of the CITY, acts of another contractor in the performance of a contract with the CITY, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and severe weather; and

c. To any delays of subcontractors or suppliers occasioned by any of the causes specified in subsections (a) and (b) of this article.

17.4. Provided, further, that COMPANY shall, within ten (10) days from the beginning of such delay, unless the CITY shall, in its sole discretion grant a further period of time prior to the date of final settlement of the contract, notify the CITY, in writing, of the causes of the delay, who shall ascertain the facts and extent of the delay and notify COMPANY within a reasonable time of its decision in the matter.

17.5. **COMPANY AGREES THAT THE PAYMENT OF SUCH LIQUIDATED DAMAGES MAY BE RECOVERED BY THE CITY FROM RETAINAGE HELD BY THE CITY. NOTWITHSTANDING ANY OTHER PROVISION HEREOF, COMPANY HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY, CITY'S**

EMPLOYEES AND OFFICERS FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES, OR CAUSES OF ACTION OF ANY KIND WHATSOEVER ARISING FROM THE CITY WITHHOLDING PAYMENT FROM COMPANY AS LIQUIDATED DAMAGES FOR COMPANY'S FAILURE TO COMPLETE THE WORK WITHIN THE TIME SPECIFIED HEREIN, 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.

17.6. **COMPANY SHALL RECEIVE NO FINANCIAL COMPENSATION FOR DELAY OR HINDRANCE TO THE WORK. IN NO EVENT SHALL THE CITY BE LIABLE TO COMPANY OR ANY SUBCONTRACTOR OR SUPPLIER, ANY OTHER PERSON OR ANY SURETY FOR OR ANY EMPLOYEE OR AGENT OF ANY OF THEM, FOR ANY DAMAGES ARISING OUT OF OR ASSOCIATED WITH ANY DELAY OR HINDRANCE TO THE WORK, REGARDLESS OF THE SOURCE OF THE DELAY OR HINDRANCE, INCLUDING EVENTS OF FORCE MAJEURE, AND EVEN IF SUCH DELAY OR HINDRANCE RESULTS FROM, ARISES OUT OF OR IS DUE, IN WHOLE OR IN PART, TO THE NEGLIGENCE OF THE CITY. COMPANY'S SOLE REMEDY IN ANY SUCH CASE SHALL BE AN EXTENSION OF TIME.**

18. **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.

19. 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.

20. **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.

21. **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.

22. **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.

23. **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**.

24. **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.

25. **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.

26. **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.

27. **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.

28. **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.

29. **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.

30. To the extent that Sections 2271.002, 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.

31. **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.

32. **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.

33. **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.

34. 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 ONLYAS TO FORM

_____
Nicholas Toulet, Interim City Attorney

COMPANY:

By: _____

Name: _____

Title: _____

STATE OF _____ §
§
COUNTY OF_____ §

BEFORE ME, the undersigned authority, on this ____ day of _____, 20___ personally appeared, _____, an officer of Exerplay, Inc., 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 _____, 20____.

_____

Notary Public, State of _____

Exhibit A

Proposal

Q012129

Please Issue Purchase Order to:
Exerplay, Inc
PO Box 1160, Cedar Crest, NM 87008
fax to 505-281-0155

Proposal Date	Salesperson
10/15/2025	Jeffrey Talley 806-670-4006 jeff@exerplay.com

Midland, City of: Haley Park, New Play Area
Buyboard Equip - 781-25

Quantity	Item Code	Description	Unit Price	DISC.	Total Extended
		LANDSCAPE STRUCTURES, INC.			
1.00	LSI	Smart Play (2-5 years) Design 005651D	95,449.50	5%	90,677.02
1.00	FREIGHT	Freight/shipping charges (RAD)	7,215.00		7,215.00
1.00	INSTALL	Installation of Playground Equipment	47,330.00		47,330.00
4,440.00	SURFACING	PGT9103, Synthetic Turf, priced per sq/ft Pricing Includes: up to 3" Drainage Stone & Compaction, Perimeter Board, Infill where Applicable, Silica Sand, SafetyFoam Pro, & Installation	17.35	5%	73,182.30
1.00	FREIGHT	Freight/shipping charges (3989 RV1) Excludes: Excavation & Surfacing Removal	2,642.00		2,642.00
1.00	BOND	Payment/Performance Bond	7,737.00		7,737.00

THIS PROPOSAL IS SUBJECT TO THE ATTACHED TERMS AND CONDITIONS
Taxes subject to change

Proposal prepared by: Stefani Schmuker

Subtotal	228,783.32
Tax Total:	0.00
Total	228,783.32

Accepted by:
Print Name: _____ Signature: _____ Date: _____

General Terms and Conditions:

Pricing for all listed items is good for 30 days from date of quote. ExerPlay reserves the right to revise pricing if any quote approvals are received after the 30-day timeframe, or if any portion of the quote is changed or removed. This may result in a delay in ordering materials for this project.

Pricing is for the listed items only and unless specifically shown on the quote, does not include freight, installation, engineering, offloading, storage, security, site preparation, permitting, security/temporary fencing, hard dig conditions, saw cutting, core drilling, field painting, electrical, concrete slabs, masonry work, ABC compaction, curbing, hand digging, excavation, spoil & waste removal, certification classes, background checks/badging, private line locating, or any applicable taxes or bonds. To obtain a performance/payment bond, please add 3.5% of the total to this quote.

Any necessary permits (federal, state, and/or local building) or special inspections are the responsibility of the General Contractor or End Owner.

Any applicable taxes shown on the quote are calculated based on state, city or county rates and project-specific requirements. Any Requests to remove taxes are subject to approval and MUST include an applicable tax-exempt certificate.

Please provide a signed quote, Purchase Order, or Contract to request an order. Further information such as shipping, colors, contact info, etc., may be needed before an order can be placed. Contract terms are subject to review and approval.

Notwithstanding anything to the contrary in any Contract Documents, ExerPlay shall have no duty to defend or indemnify Owner, Customer, or any other party for that portion of any claim arising out of the sole negligence of the indemnified party.

Billing and Payment Terms:

Current Customers: Unless otherwise negotiated and agreed upon, ExerPlay's payment terms are Net 30 from the date of the invoice, with approved credit; and Net 45 for contracted projects. ExerPlay's process is to bill the customer when the equipment ships. Surfacing and installation are billed upon completion. Bonds are billed when ordered. Late payments may be subject to finance fees and/or legal action.

New Customers: New customers may be required to pay a deposit on equipment at time of order. Deposit amount to be determined, based on credit. The remainder of that equipment, including freight, will be billed when it ships. Surfacing and installation are billed upon completion. Bonds are billed when ordered.

If paying by credit card, there will be a 3.5% fee added to the invoice.

Installation Terms:

If installation is included on the quote, the following guidelines must be followed:

1. It is recommended that any Landscape Structures Equipment be installed by a certified Landscape Structures installer, and that all other equipment be installed by a CPSI Certified installer. ExerPlay reserves the right to request proof of certification.
2. Playground equipment MUST be installed over ADA compliant wood fiber or rubber surfacing. This area is not ADA compliant without surfacing and an accessible route up to and into the playground area. Please contact us for more information.
3. Installation price does NOT include prevailing wages, Davis-Bacon wages, or TERO wages unless otherwise specified. Any changes in wage requirements at time of order are subject to updated pricing.
4. Installation price is based on normal soil conditions. Unusual or hard dig soil conditions that require the use of a jack hammer, or other such equipment, will incur additional charges by reason of such conditions and supervisory fee, and for an extension of the time of completion. Installation price does not include removal of anything which may hinder installation of equipment, unless otherwise specified on our quote.
5. If Hard Dig conditions are known, please advise so we can quote accordingly to avoid any delays or additional fees. Hard Dig conditions will be considered anything that cannot be excavated with a standard Bobcat mounted hydraulic auger. Hard Dig conditions will require a change order at a Time & Material rate. If an auger truck is required to complete digging, it will be at the expense of the General Contractor or Owner, if a spoil report is not provided at the time of quoting.

6. Finish grade is to be provided by others prior to arrival of installer.
7. Installer must have free and clear access to the install location(s). The installer is not responsible for damage done to existing surfacing/ landscaping that may occur when equipment & vehicles are being used in the normal course of construction. Reasonable access to the job site for a Bobcat is assumed as a part of this quote.
8. Line-item pricing is for informational purposes only and is based upon being awarded the total project. All items are to be installed concurrently if specific areas are not ready for installation, and an additional mobilization fee will be required via Change order unless otherwise specified on the quote.
9. If any materials need to be unloaded on site by the installer, unloading must be coordinated at the same time as the installation. If special arrangements need to be made, an additional trip charge for unloading may apply.
10. Our installation team will call 811 to conduct a line location service; however, often-times they do not mark lines on the actual property where the installation will be done. The owner is responsible for blue-staking the job site and staking out any underground utilities prior to installation. Owner is responsible should damage occur.
11. Neither ExerPlay nor Installers are responsible for vandalism, theft of equipment or subsequent repairs or replacement. Security fencing can be provided upon request and added to the quote.
12. The job site MUST be ready, and area leveled, when the installer arrives to begin the job, unless specifically noted on the quote. Any downtime or site delays caused by Owner or General Contractor will incur additional fees.
13. If equipment is to be shipped to the installer's yard, it will be held for a maximum of 6 months from delivery, with intent to install in that time frame; otherwise, storage fees may occur.

General Contractor is responsible for:

1. Adequate storage and layout area as well as security of equipment while on site.
2. Water, power, sanitary facilities, and trash container on site.
3. Free and clear vehicle access to site and all areas under the scope of work.
4. Movement of any utilities conflicting with the installation of the equipment (installer is not responsible for landscape irrigation).
5. Once the installers are on site, any delays or additional work incurred by the installation crew and caused by others (owners or other contractors) will be charged on a cost-plus basis.
6. Any additional costs, i.e. demolition, relocation, excavation, surfacing materials, and labor due to abnormal soil conditions, are not included in price.
7. Please notify ExerPlay of any changes immediately. If any changes are made which we are not aware of, and which alter the installation, then all additional costs will be passed on to the GC.

EXHIBIT C

Bonding Requirements

The successful bidder shall be required to furnish a Performance & Payment Bond* for bids in excess of $50,000.00, in an amount equal to one hundred percent (100%) of the total contract price, such bond to be executed by a Corporate Surety authorized to do business in the State of Texas and acceptable to the City of Midland. **All bonds must be executed on forms contained in these contract documents**. The form of agreement which the successful bidder, as contractor, will be required to execute is also included herewith. The form of agreement and the form of the bonds should be carefully examined by the bidder.

A certified check, cashier's check, bank money order, or irrevocable letter of credit issued by a bank satisfactory to the City, **or a bidder's bond on the form provided**, in the amount of five percent (5%) of the largest possible lump sum bid submitted, payable without recourse to the City, must accompany the bidder's proposal, as a guaranty that the bidder will enter a contract and execute the required payment bond and guaranty in the forms provided within fifteen (15) days after notice of award of contract to him. Bids or proposals without the required bid guaranty will not be considered. All bid sureties and payment bonds shall name the City of Midland as Obligee.

*A cash security such as a cashier's check or irrevocable letter of credit issued by a bank satisfactory to the City for 100 % of the contract amount may be supplied in lieu of the Performance and Payment Bonds. The check will be returned un-cashed upon satisfactory completion of the work and evidence of payment of all obligations due for the contract.

PAYMENT BOND

THE STATE OF TEXAS §

COUNTY OF MIDLAND § SURETY NO _____

KNOW ALL MEN BY THESE PRESENTS, THAT _____ of the City of _____ of the County of _____ and State of Texas as Principal, and _____, as Surety, are held and firmly bound unto the City of Midland, Texas, as Obligee, in the amount of _____ DOLLARS ($ _____) for the payment whereof the said Principal and Surety bind themselves, their heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has entered into a certain written contract with the Obligee, dated the _____ day of _____, 20__, for the furnishing of materials, equipment to perform all labor and work necessary for _____, hereof as fully and to the same extent as if copied at length herein.

NOW, THEREFORE, the condition of the obligation is that if the said Principal shall pay all claimants supplying labor and material to him or a subcontractor in the prosecution of the work provided for in said contract, then this obligation shall be null and void; otherwise, it is to remain in full force and effect.

Surety, for value received, stipulates and agrees that no change, extension of time alteration or addition to the terms of the contract, or to the work performed there under, or the plans, specifications of drawings accompanying the same, or any assignment of the contract as may be provided for in the instructions to bidders, shall in anywise affect its obligation on this Bond, and it does waive notice of any such change, extension of

time, alteration or addition to the terms of the contract, assignment thereof, or to the work to be performed there under.

IN WITNESS WHEREOF the said Principal and Surety have signed and sealed this instrument, this _____ day of _____ , 20__ .

_____	_____
Principal	Surety
By _____	By _____
Address _____	Address _____
_____	_____
_____	_____

APPROVED AS TO FORM:

_____

City Attorney

NOTE: Attach Power of Attorney

PERFORMANCE BOND

THE STATE OF TEXAS §

COUNTY OF MIDLAND § SURETY NO _____

KNOW ALL MEN BY THESE PRESENTS, THAT _____ (Hereinafter called the Principal[s]), as Principal(s), and _____ (Hereinafter called the Surety), as Surety, are held and firmly bound unto the City of Midland, Texas a home rule municipal corporation of Midland County, Texas, (hereinafter called the Obligee), in the amount of _____ DOLLARS ($ _____) for the payment whereof the said Principal and surety bind themselves, and their heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has entered into a certain written contract with the Obligee, dated the _____day of _____ , 20___ , for the furnishing of materials and equipment to perform all labor and work necessary for the construction of _____ , specifically including in the scope of this work and bond, the additional maintenance guaranty provisions set forth in the contract conditions, which contract is hereby referred to and made a part hereof as fully and to the same extent as if copies at length herein, as well as the Principal's primary obligation to perform according to plans and specifications.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall faithfully perform the work in accordance with the plans, specifications, instructions to bidder, general and special conditions and other contract documents, including any addendum thereto, then this obligation shall be void; otherwise to remain in full force and effect.

PROVIDED further that if any legal action be filed upon this Bond venue shall lie in Midland County, State of Texas.

Surety, for value received, stipulates and agrees that no change, extension of time, alteration or addition to the terms of the contract, or to the work performed thereunder, or the plans, specifications or drawings accompanying the same, or any assignment of the contract as may be provided for in the instructions to bidders, shall in anywise affect its obligation on this Bond, and it does waive notice of any such change, extension of time, alteration or addition to the terms of the contract, assignment thereof, or the work to be performed thereunder.

IN WITNESS WHEREOF, the said Principal and surety do sign and seal this instrument, this _____ day of _____ , 20___.

_____	_____
Principal	Surety
By _____	By _____
Address _____	Address _____
_____	_____
_____	_____

APPROVED AS TO FORM:

_____

City Attorney

NOTE: Attach Power of Attorney

Form Revised August 2012

PerfB 2

"General Decision Number: TX20250261 03/14/2025

Superseded General Decision Number: TX20240261

State: Texas

Construction Type: Building

County: Midland County in Texas.

BUILDING CONSTRUCTION PROJECTS (does not include single family homes or apartments up to and including 4 stories).

Note: Contracts subject to the Davis-Bacon Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658. Please note that these Executive Orders apply to covered contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but do not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(1).

If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022:	. Executive Order 14026 generally applies to the contract. . The contractor must pay all covered workers at least $17.75 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2025.
If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022:	. Executive Order 13658 generally applies to the contract. . The contractor must pay all covered workers at least $13.30 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on that contract in 2025.

The applicable Executive Order minimum wage rate will be adjusted annually. If this contract is covered by one of the Executive Orders and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must still submit a conformance request.

Additional information on contractor requirements and worker protections under the Executive Orders is available at http://www.dol.gov/whd/govcontracts.

Modification Number	Publication Date
0	01/03/2025
1	03/14/2025

* BOIL0074-003 01/01/2025

	Rates	Fringes
BOILERMAKER	$ 33.17	24.92

ENGI0178-005 06/01/2020

	Rates	Fringes
POWER EQUIPMENT OPERATOR		
(1) Tower Crane	$ 32.85	13.10
(2) Cranes with Pile Driving or Caisson Attachment and Hydraulic Crane 60 tons and above	$ 28.75	10.60
(3) Hydraulic cranes 59 Tons and under	$ 32.35	13.10

IRON0084-011 06/01/2024

	Rates	Fringes
IRONWORKER, ORNAMENTAL	$ 28.26	8.13

PLUM0404-001 09/01/2022

	Rates	Fringes
PLUMBER	$ 28.64	10.65

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* SUTX2014-037 07/21/2014

	Rates	Fringes
BRICKLAYER	$ 20.00	0.00
CARPENTER	$ 13.82 **	0.00
CEMENT MASON/CONCRETE FINISHER	$ 13.76 **	0.00
ELECTRICIAN	$ 23.18	6.31
INSULATOR - MECHANICAL (Duct, Pipe & Mechanical System Insulation)	$ 19.77	7.13
IRONWORKER, REINFORCING	$ 12.27 **	0.00
IRONWORKER, STRUCTURAL	$ 22.16	5.26
LABORER: Common or General	$ 11.80 **	0.00
LABORER: Mason Tender - Brick	$ 11.38 **	0.00
LABORER: Mason Tender - Cement/Concrete	$ 10.58 **	0.00
LABORER: Pipelayer	$ 12.49 **	2.13
LABORER: Roof Tearoff	$ 11.28 **	0.00
OPERATOR: Backhoe/Excavator/Trackhoe	$ 14.25 **	0.00

OPERATOR: Bobcat/Skid Steer/Skid Loader.....$ 13.93 ** 0.00

OPERATOR: Bulldozer.....$ 18.29 1.31

OPERATOR: Drill.....$ 16.22 ** 0.34

OPERATOR: Forklift.....$ 14.83 ** 0.00

OPERATOR: Grader/Blade.....$ 13.37 ** 0.00

OPERATOR: Loader.....$ 13.55 ** 0.94

OPERATOR: Mechanic.....$ 17.52 ** 3.33

OPERATOR: Paver (Asphalt, Aggregate, and Concrete).....$ 16.03 ** 0.00

OPERATOR: Roller.....$ 12.70 ** 0.00

PAINTER (Brush, Roller, and Spray).....$ 15.00 ** 0.73

PIPEFITTER.....$ 25.80 8.55

ROOFER.....$ 14.75 ** 0.00

SHEET METAL WORKER (HVAC Duct Installation Only).....$ 22.73 7.52

SHEET METAL WORKER, Excludes HVAC Duct Installation.....$ 19.50 0.00

TILE FINISHER.....$ 11.22 ** 0.00

TILE SETTER.....$ 14.74 ** 0.00

TRUCK DRIVER: Dump Truck.....$ 12.39 ** 1.18

TRUCK DRIVER: Flatbed Truck.....$ 19.65 8.57

TRUCK DRIVER: Semi-Trailer Truck.....$ 12.50 ** 0.00

TRUCK DRIVER: Water Truck.....$ 12.00 ** 4.11

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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** Workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 ($17.75) or 13658 ($13.30). Please see the Note at the top of the wage determination for more information. Please also note that the minimum wage requirements of Executive Order 14026 are not currently being enforced as to any contract or subcontract to which the states of Texas, Louisiana, or Mississippi, including their agencies, are a party.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any

solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at https://www.dol.gov/agencies/whd/government-contracts.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (iii)).

The body of each wage determination lists the classifications and wage rates that have been found to be prevailing for the type(s) of construction and geographic area covered by the wage determination. The classifications are listed in alphabetical order under rate identifiers indicating whether the particular rate is a union rate (current union negotiated rate), a survey rate, a weighted union average rate, a state adopted rate, or a supplemental classification rate.

Union Rate Identifiers

A four-letter identifier beginning with characters other than ""SU"", ""UAVG"", ?SA?, or ?SC? denotes that a union rate was prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2024. PLUM is an identifier of the union whose collectively bargained rate prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. The date, 07/01/2024 in the example, is the effective date of the most current negotiated rate.

Union prevailing wage rates are updated to reflect all changes over time that are reported to WHD in the rates in the collective bargaining agreement (CBA) governing the classification.

Union Average Rate Identifiers

The UAVG identifier indicates that no single rate prevailed for those classifications, but that 100% of the data reported for the classifications reflected union rates. EXAMPLE: UAVG-OH-0010 01/01/2024. UAVG indicates that the rate is a weighted union average rate. OH indicates the State of Ohio. The next number, 0010 in the example, is an internal number used in producing the wage determination. The date, 01/01/2024 in the example, indicates the date the wage determination was updated to reflect the most current union average rate.

A UAVG rate will be updated once a year, usually in January, to reflect a weighted average of the current rates in the collective bargaining agreements on which the rate is based.

Survey Rate Identifiers

The ""SU"" identifier indicates that either a single non-union rate prevailed (as defined in 29 CFR 1.2) for this classification in the survey or that the rate was derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As a weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SUFL2022-007 6/27/2024. SU indicates the rate is a single non-union prevailing rate or a weighted average of survey data for that classification. FL indicates the State of Florida. 2022 is the year of the survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. The date, 6/27/2024 in the example, indicates the survey completion date for the classifications and rates under that identifier.

?SU? wage rates typically remain in effect until a new survey is conducted. However, the Wage and Hour Division (WHD) has the discretion to update such rates under 29 CFR 1.6(c)(1).

State Adopted Rate Identifiers

The ""SA"" identifier indicates that the classifications and prevailing wage rates set by a state (or local) government were adopted under 29 C.F.R 1.3(g)-(h). Example: SAME2023-007 01/03/2024. SA reflects that the rates are state adopted. ME refers to the State of Maine. 2023 is the year during which the state completed the survey on which the listed classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. The date, 01/03/2024 in the example, reflects the date on which the classifications and rates under the ?SA? identifier took effect under state law in the state from which the rates were adopted.

WAGE DETERMINATION APPEALS PROCESS

1) Has there been an initial decision in the matter? This can be:

a) a survey underlying a wage determination
b) an existing published wage determination
c) an initial WHD letter setting forth a position on a wage determination matter
d) an initial conformance (additional classification and rate) determination

On survey related matters, initial contact, including requests for summaries of surveys, should be directed to the WHD Branch of Wage Surveys. Requests can be submitted via email to davisbaconinfo@dol.gov or by mail to:

Branch of Wage Surveys
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

Regarding any other wage determination matter such as conformance decisions, requests for initial decisions should be directed to the WHD Branch of Construction Wage Determinations. Requests can be submitted via email to BCWD-Office@dol.gov or by mail to:

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Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2) If an initial decision has been issued, then any interested party (those affected by the action) that disagrees with the decision can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Requests for review and reconsideration can be submitted via email to dba.reconsideration@dol.gov or by mail to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210.

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END OF GENERAL DECISION"

"General Decision Number: TX20250002 09/19/2025

Superseded General Decision Number: TX20240002

State: Texas

Construction Type: Heavy

Counties: Armstrong, Carson, Crosby, Ector, Irion, Lubbock, Midland, Potter, Randall, Taylor and Tom Green Counties in Texas.

HEAVY CONSTRUCTION PROJECTS

Note: Contracts subject to the Davis-Bacon Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658. Please note that these Executive Orders apply to covered contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but do not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(1).

If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022:	. Executive Order 14026 generally applies to the contract. . The contractor must pay all covered workers at least $17.75 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2025.
If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022:	. Executive Order 13658 generally applies to the contract. . The contractor must pay all covered workers at least $13.30 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on that contract in 2025.

The applicable Executive Order minimum wage rate will be adjusted annually. If this contract is covered by one of the Executive Orders and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must still submit a conformance request.

Additional information on contractor requirements and worker protections under the Executive Orders is available at http://www.dol.gov/whd/govcontracts.

Modification Number	Publication Date
0	01/03/2025

1 09/19/2025

* SUTX2011-002 08/02/2011

	Rates	Fringes
CEMENT MASONG/CONCRETE FINISHER (Paving & Structures)	$ 13.55 **	
ELECTRICIAN	$ 20.96	
FORM BUILDER/FORM SETTER		
Paving & Curb	$ 12.36 **	
Structures	$ 13.52 **	
LABORER		
Asphalt Raker	$ 12.28 **	
Flagger	$ 9.30 **	
Laborer, Common	$ 10.30 **	
Laborer, Utility	$ 11.80 **	
Work Zone Barricade Servicer	$ 10.30 **	
POWER EQUIPMENT OPERATOR:		
Asphalt Distributer	$ 14.87 **	
Asphalt Paving Machine	$ 13.40 **	
Broom and Sweeper	$ 11.21 **	
Crane, Lattice Boom 80 Tons or Less	$ 16.82 **	
Crawler Tractor Operator	$ 13.96 **	
Excavator, 50,000 lbs or less	$ 13.46 **	
Front End Loader Operator, Over 3 CY	$ 12.77 **	
Front End Loader, 3CY or less	$ 12.28 **	
Loader/Backhoe	$ 14.18 **	
Mechanic	$ 20.14	
Milling Machine	$ 15.54 **	
Motor Grader, Rough	$ 16.15 **	
Motor Grader, Fine	$ 17.49 **	
Pavement Marking Machine	$ 16.42 **	
Reclaimer/Pulverizer	$ 12.85 **	
Roller, Asphalt	$ 10.95 **	
Roller, Other	$ 10.36 **	
Scraper	$ 10.61 **	
Spreader Box	$ 12.60 **	
Servicer	$ 13.98 **	
Steel Worker (Reinforcing)	$ 13.50 **	
TRUCK DRIVER		
Lowboy-Float	$ 14.46 **	
Single Axle	$ 12.74 **	
Single or Tandem Axle Dump	$ 11.33 **	
Tandem Axle Tractor with Semi	$ 12.49 **	

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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** Workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 ($17.75) or 13658 ($13.30). Please see the Note at the top of the wage determination for more information. Please also note that the minimum wage requirements of Executive Order 14026 are not currently being enforced as to any contract or subcontract to which the states of Texas, Louisiana, or Mississippi, including their agencies, are a party.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at https://www.dol.gov/agencies/whd/government-contracts.

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200 Constitution Avenue, N.W.
Washington, DC 20210.

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END OF GENERAL DECISION"

THE CITY OF MIDLAND

CONTRACT

Contract No. 26000194

THIS CONTRACT, effective the 29 day of October 2025, by and between the City of Midland, hereinafter referred to as "CITY", an Exerplay, Inc., hereinafter referred to as "COMPANY", is made for the following considerations:

1. **Cost:** Total Proposal: $ 228,783.32 DOLLARS

2. **Scope of Work:** COMPANY shall perform all work described and shall provide labor, materials, equipment and supervision necessary for the purchase and installation of playground equipment for Haley Park. 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..... Bonding instructions for Public Works Contract of $50,000 and more
EXHIBIT D..... Wage Scale

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. [**INTENTIONALLY DELETED]**

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 90 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; Retainage:** After all work is completed by COMPANY, including all Change Orders altering the original scope and amount of the contract are completed, and the CITY has inspected and approved that the work is completed and in compliance with the contract and all subsequent Change Orders, the CITY may thereafter issue payment to COMPANY in the amount of the contract and all Change Orders. The CITY shall be the final judge of when the work is completed by COMPANY. The CITY, in its sole discretion, shall determine if the work under the contract and under any Change Orders has been done to the CITY's requirements.

16.1. The CITY may make periodic payments to COMPANY; provided, however, such periodic payments may only be made pursuant to this section, and only after all work and all Change Orders are completed by COMPANY and approved by the CITY. The approval shall be in the CITY's sole discretion. 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 CITY or the CITY'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. **Late Completion; Liquidated Damages:** It is hereby understood and mutually agreed, by and between COMPANY and the CITY, that the date of beginning and the time for completion as specified in the contract of the work to be done hereunder are ESSENTIAL CONDITIONS of this contract; and it is further mutually understood and agreed that the work embraced in this contract shall be commenced on a date to be specified in the "Notice to Proceed." COMPANY agrees that said work shall be prosecuted regularly, diligently, and uninterruptedly at such rate of progress as will insure full completion thereof within the time specified. It is expressly understood and agreed, by and between COMPANY and the CITY, that the time for the completion of the work described herein is a reasonable time for the completion of the same, taking into consideration the average climatic range and usual industrial conditions prevailing in this locality.

17.1. In the event COMPANY shall neglect, fail or refuse to complete the work within the time herein specified, or any proper extension thereof granted by the CITY, then COMPANY and COMPANY's surety, if any, shall be liable for and does hereby agree, as a part consideration for the awarding of this contract, to pay to the CITY $500.00, not as a penalty but as liquidated damages for such breach of contract as hereinafter set forth, for each and every day that COMPANY shall be in default after

the time stipulated in the contract for completing the work. Further, the CITY shall have the right to cancel this contract for such delay. In the event the CITY cancels this contract pursuant to the terms of this section, the CITY shall pay to COMPANY only those monies deemed appropriate by the CITY, in its sole discretion, to compensate COMPANY for any work actually performed, less any liquidated damages COMPANY owes the CITY.

17.2. The said amount is fixed and agreed upon by and between COMPANY and the CITY because of the impracticability and extreme difficulty of fixing and ascertaining the actual damages the CITY would in such event sustain, and said amount is agreed to be the amount of damages which the CITY would sustain and said amount shall be retained from time to time by the CITY from current periodical estimates.

17.3. It is further agreed that time is of the essence of each and every portion of this contract and of the specifications wherein a definite and certain length of time is fixed for the performance of any act whatsoever; and where under the contract an additional time is allowed for the completion of any work, the new time limit fixed by such extension shall be of the essence of this contract. Provided, that COMPANY shall not be charged with liquidated damages or any excess cost when the CITY determines, in its sole discretion, that COMPANY is without fault and COMPANY's reasons for the time extension are acceptable to the CITY. Provided, further, that COMPANY shall not be charged with liquidated damages of any excess cost when the delay in completion of the work is due:

a. To any preference, priority or allocation order duly issued by the Government;

b. To unforeseeable cause beyond the control and without the fault or negligence of COMPANY, including, but not restricted to, acts of God, or of the public enemy, acts of the CITY, acts of another contractor in the performance of a contract with the CITY, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and severe weather; and

c. To any delays of subcontractors or suppliers occasioned by any of the causes specified in subsections (a) and (b) of this article.

17.4. Provided, further, that COMPANY shall, within ten (10) days from the beginning of such delay, unless the CITY shall, in its sole discretion grant a further period of time prior to the date of final settlement of the contract, notify the CITY, in writing, of the causes of the delay, who shall ascertain the facts and extent of the delay and notify COMPANY within a reasonable time of its decision in the matter.

17.5. **COMPANY AGREES THAT THE PAYMENT OF SUCH LIQUIDATED DAMAGES MAY BE RECOVERED BY THE CITY FROM RETAINAGE HELD BY THE CITY. NOTWITHSTANDING ANY OTHER PROVISION HEREOF, COMPANY HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY, CITY'S**

EMPLOYEES AND OFFICERS FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES, OR CAUSES OF ACTION OF ANY KIND WHATSOEVER ARISING FROM THE CITY WITHHOLDING PAYMENT FROM COMPANY AS LIQUIDATED DAMAGES FOR COMPANY'S FAILURE TO COMPLETE THE WORK WITHIN THE TIME SPECIFIED HEREIN, 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.

17.6. **COMPANY SHALL RECEIVE NO FINANCIAL COMPENSATION FOR DELAY OR HINDRANCE TO THE WORK. IN NO EVENT SHALL THE CITY BE LIABLE TO COMPANY OR ANY SUBCONTRACTOR OR SUPPLIER, ANY OTHER PERSON OR ANY SURETY FOR OR ANY EMPLOYEE OR AGENT OF ANY OF THEM, FOR ANY DAMAGES ARISING OUT OF OR ASSOCIATED WITH ANY DELAY OR HINDRANCE TO THE WORK, REGARDLESS OF THE SOURCE OF THE DELAY OR HINDRANCE, INCLUDING EVENTS OF FORCE MAJEURE, AND EVEN IF SUCH DELAY OR HINDRANCE RESULTS FROM, ARISES OUT OF OR IS DUE, IN WHOLE OR IN PART, TO THE NEGLIGENCE OF THE CITY. COMPANY'S SOLE REMEDY IN ANY SUCH CASE SHALL BE AN EXTENSION OF TIME.**

18. **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.

19. 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.

20. **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.

21. **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.

22. **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.

23. **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**.

24. **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.

25. **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.

26. **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.

27. **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.

28. **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.

29. **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.

30. To the extent that Sections 2271.002, 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.

31. **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.

32. **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.

33. **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.

34. 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 ONLYAS TO FORM

_____
Nicholas Toulet, Interim City Attorney

COMPANY:

By: _____

Name: _____

Title: _____

STATE OF _____ §
§
COUNTY OF_____ §

BEFORE ME, the undersigned authority, on this ____ day of _____, 20___ personally appeared, _____, an officer of Exerplay, Inc., 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 _____, 20____.

_____

Notary Public, State of _____

Exhibit A

Proposal

Q012129

Please Issue Purchase Order to:
Exerplay, Inc
PO Box 1160, Cedar Crest, NM 87008
fax to 505-281-0155

Proposal Date	Salesperson
10/15/2025	Jeffrey Talley 806-670-4006 jeff@exerplay.com

Midland, City of: Haley Park, New Play Area
Buyboard Equip - 781-25

Quantity	Item Code	Description	Unit Price	DISC.	Total Extended
		LANDSCAPE STRUCTURES, INC.			
1.00	LSI	Smart Play (2-5 years) Design 005651D	95,449.50	5%	90,677.02
1.00	FREIGHT	Freight/shipping charges (RAD)	7,215.00		7,215.00
1.00	INSTALL	Installation of Playground Equipment	47,330.00		47,330.00
4,440.00	SURFACING	PGT9103, Synthetic Turf, priced per sq/ft Pricing Includes: up to 3" Drainage Stone & Compaction, Perimeter Board, Infill where Applicable, Silica Sand, SafetyFoam Pro, & Installation	17.35	5%	73,182.30
1.00	FREIGHT	Freight/shipping charges (3989 RV1) Excludes: Excavation & Surfacing Removal	2,642.00		2,642.00
1.00	BOND	Payment/Performance Bond	7,737.00		7,737.00

THIS PROPOSAL IS SUBJECT TO THE ATTACHED TERMS AND CONDITIONS
Taxes subject to change

Proposal prepared by: Stefani Schmuker

Subtotal	228,783.32
Tax Total:	0.00
Total	228,783.32

Accepted by:
Print Name: _____ Signature: _____ Date: _____

General Terms and Conditions:

Pricing for all listed items is good for 30 days from date of quote. ExerPlay reserves the right to revise pricing if any quote approvals are received after the 30-day timeframe, or if any portion of the quote is changed or removed. This may result in a delay in ordering materials for this project.

Pricing is for the listed items only and unless specifically shown on the quote, does not include freight, installation, engineering, offloading, storage, security, site preparation, permitting, security/temporary fencing, hard dig conditions, saw cutting, core drilling, field painting, electrical, concrete slabs, masonry work, ABC compaction, curbing, hand digging, excavation, spoil & waste removal, certification classes, background checks/badging, private line locating, or any applicable taxes or bonds. To obtain a performance/payment bond, please add 3.5% of the total to this quote.

Any necessary permits (federal, state, and/or local building) or special inspections are the responsibility of the General Contractor or End Owner.

Any applicable taxes shown on the quote are calculated based on state, city or county rates and project-specific requirements. Any Requests to remove taxes are subject to approval and MUST include an applicable tax-exempt certificate.

Please provide a signed quote, Purchase Order, or Contract to request an order. Further information such as shipping, colors, contact info, etc., may be needed before an order can be placed. Contract terms are subject to review and approval.

Notwithstanding anything to the contrary in any Contract Documents, ExerPlay shall have no duty to defend or indemnify Owner, Customer, or any other party for that portion of any claim arising out of the sole negligence of the indemnified party.

Billing and Payment Terms:

Current Customers: Unless otherwise negotiated and agreed upon, ExerPlay's payment terms are Net 30 from the date of the invoice, with approved credit; and Net 45 for contracted projects. ExerPlay's process is to bill the customer when the equipment ships. Surfacing and installation are billed upon completion. Bonds are billed when ordered. Late payments may be subject to finance fees and/or legal action.

New Customers: New customers may be required to pay a deposit on equipment at time of order. Deposit amount to be determined, based on credit. The remainder of that equipment, including freight, will be billed when it ships. Surfacing and installation are billed upon completion. Bonds are billed when ordered.

If paying by credit card, there will be a 3.5% fee added to the invoice.

Installation Terms:

If installation is included on the quote, the following guidelines must be followed:

1. It is recommended that any Landscape Structures Equipment be installed by a certified Landscape Structures installer, and that all other equipment be installed by a CPSI Certified installer. ExerPlay reserves the right to request proof of certification.
2. Playground equipment MUST be installed over ADA compliant wood fiber or rubber surfacing. This area is not ADA compliant without surfacing and an accessible route up to and into the playground area. Please contact us for more information.
3. Installation price does NOT include prevailing wages, Davis-Bacon wages, or TERO wages unless otherwise specified. Any changes in wage requirements at time of order are subject to updated pricing.
4. Installation price is based on normal soil conditions. Unusual or hard dig soil conditions that require the use of a jack hammer, or other such equipment, will incur additional charges by reason of such conditions and supervisory fee, and for an extension of the time of completion. Installation price does not include removal of anything which may hinder installation of equipment, unless otherwise specified on our quote.
5. If Hard Dig conditions are known, please advise so we can quote accordingly to avoid any delays or additional fees. Hard Dig conditions will be considered anything that cannot be excavated with a standard Bobcat mounted hydraulic auger. Hard Dig conditions will require a change order at a Time & Material rate. If an auger truck is required to complete digging, it will be at the expense of the General Contractor or Owner, if a spoil report is not provided at the time of quoting.

6. Finish grade is to be provided by others prior to arrival of installer.
7. Installer must have free and clear access to the install location(s). The installer is not responsible for damage done to existing surfacing/ landscaping that may occur when equipment & vehicles are being used in the normal course of construction. Reasonable access to the job site for a Bobcat is assumed as a part of this quote.
8. Line-item pricing is for informational purposes only and is based upon being awarded the total project. All items are to be installed concurrently if specific areas are not ready for installation, and an additional mobilization fee will be required via Change order unless otherwise specified on the quote.
9. If any materials need to be unloaded on site by the installer, unloading must be coordinated at the same time as the installation. If special arrangements need to be made, an additional trip charge for unloading may apply.
10. Our installation team will call 811 to conduct a line location service; however, often-times they do not mark lines on the actual property where the installation will be done. The owner is responsible for blue-staking the job site and staking out any underground utilities prior to installation. Owner is responsible should damage occur.
11. Neither ExerPlay nor Installers are responsible for vandalism, theft of equipment or subsequent repairs or replacement. Security fencing can be provided upon request and added to the quote.
12. The job site MUST be ready, and area leveled, when the installer arrives to begin the job, unless specifically noted on the quote. Any downtime or site delays caused by Owner or General Contractor will incur additional fees.
13. If equipment is to be shipped to the installer's yard, it will be held for a maximum of 6 months from delivery, with intent to install in that time frame; otherwise, storage fees may occur.

General Contractor is responsible for:

1. Adequate storage and layout area as well as security of equipment while on site.
2. Water, power, sanitary facilities, and trash container on site.
3. Free and clear vehicle access to site and all areas under the scope of work.
4. Movement of any utilities conflicting with the installation of the equipment (installer is not responsible for landscape irrigation).
5. Once the installers are on site, any delays or additional work incurred by the installation crew and caused by others (owners or other contractors) will be charged on a cost-plus basis.
6. Any additional costs, i.e. demolition, relocation, excavation, surfacing materials, and labor due to abnormal soil conditions, are not included in price.
7. Please notify ExerPlay of any changes immediately. If any changes are made which we are not aware of, and which alter the installation, then all additional costs will be passed on to the GC.

EXHIBIT C

Bonding Requirements

The successful bidder shall be required to furnish a Performance & Payment Bond* for bids in excess of $50,000.00, in an amount equal to one hundred percent (100%) of the total contract price, such bond to be executed by a Corporate Surety authorized to do business in the State of Texas and acceptable to the City of Midland. **All bonds must be executed on forms contained in these contract documents**. The form of agreement which the successful bidder, as contractor, will be required to execute is also included herewith. The form of agreement and the form of the bonds should be carefully examined by the bidder.

A certified check, cashier's check, bank money order, or irrevocable letter of credit issued by a bank satisfactory to the City, **or a bidder's bond on the form provided**, in the amount of five percent (5%) of the largest possible lump sum bid submitted, payable without recourse to the City, must accompany the bidder's proposal, as a guaranty that the bidder will enter a contract and execute the required payment bond and guaranty in the forms provided within fifteen (15) days after notice of award of contract to him. Bids or proposals without the required bid guaranty will not be considered. All bid sureties and payment bonds shall name the City of Midland as Obligee.

*A cash security such as a cashier's check or irrevocable letter of credit issued by a bank satisfactory to the City for 100 % of the contract amount may be supplied in lieu of the Performance and Payment Bonds. The check will be returned un-cashed upon satisfactory completion of the work and evidence of payment of all obligations due for the contract.

PAYMENT BOND

THE STATE OF TEXAS §

COUNTY OF MIDLAND § SURETY NO _____

KNOW ALL MEN BY THESE PRESENTS, THAT _____ of the City of _____ of the County of _____ and State of Texas as Principal, and _____, as Surety, are held and firmly bound unto the City of Midland, Texas, as Obligee, in the amount of _____ DOLLARS ($ _____) for the payment whereof the said Principal and Surety bind themselves, their heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has entered into a certain written contract with the Obligee, dated the _____ day of _____, 20__, for the furnishing of materials, equipment to perform all labor and work necessary for _____, hereof as fully and to the same extent as if copied at length herein.

NOW, THEREFORE, the condition of the obligation is that if the said Principal shall pay all claimants supplying labor and material to him or a subcontractor in the prosecution of the work provided for in said contract, then this obligation shall be null and void; otherwise, it is to remain in full force and effect.

Surety, for value received, stipulates and agrees that no change, extension of time alteration or addition to the terms of the contract, or to the work performed there under, or the plans, specifications of drawings accompanying the same, or any assignment of the contract as may be provided for in the instructions to bidders, shall in anywise affect its obligation on this Bond, and it does waive notice of any such change, extension of

time, alteration or addition to the terms of the contract, assignment thereof, or to the work to be performed there under.

IN WITNESS WHEREOF the said Principal and Surety have signed and sealed this instrument, this _____ day of _____ , 20__ .

_____	_____
Principal	Surety
By _____	By _____
Address _____	Address _____
_____	_____
_____	_____

APPROVED AS TO FORM:

_____

City Attorney

NOTE: Attach Power of Attorney

PERFORMANCE BOND

THE STATE OF TEXAS §

COUNTY OF MIDLAND § SURETY NO _____

KNOW ALL MEN BY THESE PRESENTS, THAT _____ (Hereinafter called the Principal[s]), as Principal(s), and _____ (Hereinafter called the Surety), as Surety, are held and firmly bound unto the City of Midland, Texas a home rule municipal corporation of Midland County, Texas, (hereinafter called the Obligee), in the amount of _____ DOLLARS ($ _____) for the payment whereof the said Principal and surety bind themselves, and their heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has entered into a certain written contract with the Obligee, dated the _____day of _____ , 20___ , for the furnishing of materials and equipment to perform all labor and work necessary for the construction of _____ , specifically including in the scope of this work and bond, the additional maintenance guaranty provisions set forth in the contract conditions, which contract is hereby referred to and made a part hereof as fully and to the same extent as if copies at length herein, as well as the Principal's primary obligation to perform according to plans and specifications.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall faithfully perform the work in accordance with the plans, specifications, instructions to bidder, general and special conditions and other contract documents, including any addendum thereto, then this obligation shall be void; otherwise to remain in full force and effect.

PROVIDED further that if any legal action be filed upon this Bond venue shall lie in Midland County, State of Texas.

Surety, for value received, stipulates and agrees that no change, extension of time, alteration or addition to the terms of the contract, or to the work performed thereunder, or the plans, specifications or drawings accompanying the same, or any assignment of the contract as may be provided for in the instructions to bidders, shall in anywise affect its obligation on this Bond, and it does waive notice of any such change, extension of time, alteration or addition to the terms of the contract, assignment thereof, or the work to be performed thereunder.

IN WITNESS WHEREOF, the said Principal and surety do sign and seal this instrument, this _____ day of _____ , 20___.

_____	_____
Principal	Surety
By _____	By _____
Address _____	Address _____
_____	_____
_____	_____

APPROVED AS TO FORM:

_____

City Attorney

NOTE: Attach Power of Attorney

Form Revised August 2012

PerfB 2

"General Decision Number: TX20250261 03/14/2025

Superseded General Decision Number: TX20240261

State: Texas

Construction Type: Building

County: Midland County in Texas.

BUILDING CONSTRUCTION PROJECTS (does not include single family homes or apartments up to and including 4 stories).

Note: Contracts subject to the Davis-Bacon Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658. Please note that these Executive Orders apply to covered contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but do not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(1).

If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022:	. Executive Order 14026 generally applies to the contract. . The contractor must pay all covered workers at least $17.75 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2025.
If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022:	. Executive Order 13658 generally applies to the contract. . The contractor must pay all covered workers at least $13.30 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on that contract in 2025.

The applicable Executive Order minimum wage rate will be adjusted annually. If this contract is covered by one of the Executive Orders and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must still submit a conformance request.

Additional information on contractor requirements and worker protections under the Executive Orders is available at http://www.dol.gov/whd/govcontracts.

Modification Number	Publication Date
0	01/03/2025
1	03/14/2025

* BOIL0074-003 01/01/2025

	Rates	Fringes
BOILERMAKER	$ 33.17	24.92

ENGI0178-005 06/01/2020

	Rates	Fringes
POWER EQUIPMENT OPERATOR		
(1) Tower Crane	$ 32.85	13.10
(2) Cranes with Pile Driving or Caisson Attachment and Hydraulic Crane 60 tons and above	$ 28.75	10.60
(3) Hydraulic cranes 59 Tons and under	$ 32.35	13.10

IRON0084-011 06/01/2024

	Rates	Fringes
IRONWORKER, ORNAMENTAL	$ 28.26	8.13

PLUM0404-001 09/01/2022

	Rates	Fringes
PLUMBER	$ 28.64	10.65

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* SUTX2014-037 07/21/2014

	Rates	Fringes
BRICKLAYER	$ 20.00	0.00
CARPENTER	$ 13.82 **	0.00
CEMENT MASON/CONCRETE FINISHER	$ 13.76 **	0.00
ELECTRICIAN	$ 23.18	6.31
INSULATOR - MECHANICAL (Duct, Pipe & Mechanical System Insulation)	$ 19.77	7.13
IRONWORKER, REINFORCING	$ 12.27 **	0.00
IRONWORKER, STRUCTURAL	$ 22.16	5.26
LABORER: Common or General	$ 11.80 **	0.00
LABORER: Mason Tender - Brick	$ 11.38 **	0.00
LABORER: Mason Tender - Cement/Concrete	$ 10.58 **	0.00
LABORER: Pipelayer	$ 12.49 **	2.13
LABORER: Roof Tearoff	$ 11.28 **	0.00
OPERATOR: Backhoe/Excavator/Trackhoe	$ 14.25 **	0.00

OPERATOR: Bobcat/Skid Steer/Skid Loader.....$ 13.93 ** 0.00

OPERATOR: Bulldozer.....$ 18.29 1.31

OPERATOR: Drill.....$ 16.22 ** 0.34

OPERATOR: Forklift.....$ 14.83 ** 0.00

OPERATOR: Grader/Blade.....$ 13.37 ** 0.00

OPERATOR: Loader.....$ 13.55 ** 0.94

OPERATOR: Mechanic.....$ 17.52 ** 3.33

OPERATOR: Paver (Asphalt, Aggregate, and Concrete).....$ 16.03 ** 0.00

OPERATOR: Roller.....$ 12.70 ** 0.00

PAINTER (Brush, Roller, and Spray).....$ 15.00 ** 0.73

PIPEFITTER.....$ 25.80 8.55

ROOFER.....$ 14.75 ** 0.00

SHEET METAL WORKER (HVAC Duct Installation Only).....$ 22.73 7.52

SHEET METAL WORKER, Excludes HVAC Duct Installation.....$ 19.50 0.00

TILE FINISHER.....$ 11.22 ** 0.00

TILE SETTER.....$ 14.74 ** 0.00

TRUCK DRIVER: Dump Truck.....$ 12.39 ** 1.18

TRUCK DRIVER: Flatbed Truck.....$ 19.65 8.57

TRUCK DRIVER: Semi-Trailer Truck.....$ 12.50 ** 0.00

TRUCK DRIVER: Water Truck.....$ 12.00 ** 4.11

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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** Workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 ($17.75) or 13658 ($13.30). Please see the Note at the top of the wage determination for more information. Please also note that the minimum wage requirements of Executive Order 14026 are not currently being enforced as to any contract or subcontract to which the states of Texas, Louisiana, or Mississippi, including their agencies, are a party.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any

solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at https://www.dol.gov/agencies/whd/government-contracts.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (iii)).

The body of each wage determination lists the classifications and wage rates that have been found to be prevailing for the type(s) of construction and geographic area covered by the wage determination. The classifications are listed in alphabetical order under rate identifiers indicating whether the particular rate is a union rate (current union negotiated rate), a survey rate, a weighted union average rate, a state adopted rate, or a supplemental classification rate.

Union Rate Identifiers

A four-letter identifier beginning with characters other than ""SU"", ""UAVG"", ?SA?, or ?SC? denotes that a union rate was prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2024. PLUM is an identifier of the union whose collectively bargained rate prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. The date, 07/01/2024 in the example, is the effective date of the most current negotiated rate.

Union prevailing wage rates are updated to reflect all changes over time that are reported to WHD in the rates in the collective bargaining agreement (CBA) governing the classification.

Union Average Rate Identifiers

The UAVG identifier indicates that no single rate prevailed for those classifications, but that 100% of the data reported for the classifications reflected union rates. EXAMPLE: UAVG-OH-0010 01/01/2024. UAVG indicates that the rate is a weighted union average rate. OH indicates the State of Ohio. The next number, 0010 in the example, is an internal number used in producing the wage determination. The date, 01/01/2024 in the example, indicates the date the wage determination was updated to reflect the most current union average rate.

A UAVG rate will be updated once a year, usually in January, to reflect a weighted average of the current rates in the collective bargaining agreements on which the rate is based.

Survey Rate Identifiers

The ""SU"" identifier indicates that either a single non-union rate prevailed (as defined in 29 CFR 1.2) for this classification in the survey or that the rate was derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As a weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SUFL2022-007 6/27/2024. SU indicates the rate is a single non-union prevailing rate or a weighted average of survey data for that classification. FL indicates the State of Florida. 2022 is the year of the survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. The date, 6/27/2024 in the example, indicates the survey completion date for the classifications and rates under that identifier.

?SU? wage rates typically remain in effect until a new survey is conducted. However, the Wage and Hour Division (WHD) has the discretion to update such rates under 29 CFR 1.6(c)(1).

State Adopted Rate Identifiers

The ""SA"" identifier indicates that the classifications and prevailing wage rates set by a state (or local) government were adopted under 29 C.F.R 1.3(g)-(h). Example: SAME2023-007 01/03/2024. SA reflects that the rates are state adopted. ME refers to the State of Maine. 2023 is the year during which the state completed the survey on which the listed classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. The date, 01/03/2024 in the example, reflects the date on which the classifications and rates under the ?SA? identifier took effect under state law in the state from which the rates were adopted.

WAGE DETERMINATION APPEALS PROCESS

1) Has there been an initial decision in the matter? This can be:

a) a survey underlying a wage determination
b) an existing published wage determination
c) an initial WHD letter setting forth a position on a wage determination matter
d) an initial conformance (additional classification and rate) determination

On survey related matters, initial contact, including requests for summaries of surveys, should be directed to the WHD Branch of Wage Surveys. Requests can be submitted via email to davisbaconinfo@dol.gov or by mail to:

Branch of Wage Surveys
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

Regarding any other wage determination matter such as conformance decisions, requests for initial decisions should be directed to the WHD Branch of Construction Wage Determinations. Requests can be submitted via email to BCWD-Office@dol.gov or by mail to:

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Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2) If an initial decision has been issued, then any interested party (those affected by the action) that disagrees with the decision can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Requests for review and reconsideration can be submitted via email to dba.reconsideration@dol.gov or by mail to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210.

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END OF GENERAL DECISION"

"General Decision Number: TX20250002 09/19/2025

Superseded General Decision Number: TX20240002

State: Texas

Construction Type: Heavy

Counties: Armstrong, Carson, Crosby, Ector, Irion, Lubbock, Midland, Potter, Randall, Taylor and Tom Green Counties in Texas.

HEAVY CONSTRUCTION PROJECTS

Note: Contracts subject to the Davis-Bacon Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658. Please note that these Executive Orders apply to covered contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but do not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(1).

If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022:	. Executive Order 14026 generally applies to the contract. . The contractor must pay all covered workers at least $17.75 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2025.
If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022:	. Executive Order 13658 generally applies to the contract. . The contractor must pay all covered workers at least $13.30 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on that contract in 2025.

The applicable Executive Order minimum wage rate will be adjusted annually. If this contract is covered by one of the Executive Orders and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must still submit a conformance request.

Additional information on contractor requirements and worker protections under the Executive Orders is available at http://www.dol.gov/whd/govcontracts.

Modification Number	Publication Date
0	01/03/2025

1 09/19/2025

* SUTX2011-002 08/02/2011

	Rates	Fringes
CEMENT MASONG/CONCRETE FINISHER (Paving & Structures)	$ 13.55 **	
ELECTRICIAN	$ 20.96	
FORM BUILDER/FORM SETTER		
Paving & Curb	$ 12.36 **	
Structures	$ 13.52 **	
LABORER		
Asphalt Raker	$ 12.28 **	
Flagger	$ 9.30 **	
Laborer, Common	$ 10.30 **	
Laborer, Utility	$ 11.80 **	
Work Zone Barricade Servicer	$ 10.30 **	
POWER EQUIPMENT OPERATOR:		
Asphalt Distributer	$ 14.87 **	
Asphalt Paving Machine	$ 13.40 **	
Broom and Sweeper	$ 11.21 **	
Crane, Lattice Boom 80 Tons or Less	$ 16.82 **	
Crawler Tractor Operator	$ 13.96 **	
Excavator, 50,000 lbs or less	$ 13.46 **	
Front End Loader Operator, Over 3 CY	$ 12.77 **	
Front End Loader, 3CY or less	$ 12.28 **	
Loader/Backhoe	$ 14.18 **	
Mechanic	$ 20.14	
Milling Machine	$ 15.54 **	
Motor Grader, Rough	$ 16.15 **	
Motor Grader, Fine	$ 17.49 **	
Pavement Marking Machine	$ 16.42 **	
Reclaimer/Pulverizer	$ 12.85 **	
Roller, Asphalt	$ 10.95 **	
Roller, Other	$ 10.36 **	
Scraper	$ 10.61 **	
Spreader Box	$ 12.60 **	
Servicer	$ 13.98 **	
Steel Worker (Reinforcing)	$ 13.50 **	
TRUCK DRIVER		
Lowboy-Float	$ 14.46 **	
Single Axle	$ 12.74 **	
Single or Tandem Axle Dump	$ 11.33 **	
Tandem Axle Tractor with Semi	$ 12.49 **	

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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** Workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 ($17.75) or 13658 ($13.30). Please see the Note at the top of the wage determination for more information. Please also note that the minimum wage requirements of Executive Order 14026 are not currently being enforced as to any contract or subcontract to which the states of Texas, Louisiana, or Mississippi, including their agencies, are a party.

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WAGE DETERMINATION APPEALS PROCESS

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Wage and Hour Division
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Wage and Hour Division
U.S. Department of Labor
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The request should be accompanied by a full statement of the interested party's position and any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210.

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END OF GENERAL DECISION"

City Council Meeting

Item Number: 10.
Meeting Date: October 28, 2025
To: City Council
From: Erika Munoz, Assistant General Services Director
Subject: RESOLUTION APPROVING THE PURCHASE OF TWENTY-SIX (26) CHEVROLET TAHOES, FIVE (5) FORD EXPLORERS AND SIX (6) FORD F150 PICKUP TRUCKS UPFITTED FOR USE FOR THE MIDLAND POLICE DEPARTMENT FROM THE SEWELL FAMILY OF COMPANIES, INC., THROUGH BUYBOARD FOR A TOTAL COST OF $2,989,610.89; AND AUTHORIZING PAYMENT FOR SAID PURCHASE

Purpose:
Resolution for the purchase of twenty-six (26) Chevrolet Tahoes, five (5) Ford Explorers and six (6) Ford F150 pickup trucks from The Sewell Family of Companies Inc. through Buyboard contract #724-23 for a total cost of $2,989,610.89.

Recommended Action:
Approve

Fiscal Impact:
Funds are available in the Garage Fund operating budget.

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

Discussion:
The Garage Division is recommending the purchase of twenty-six (26) Chevrolet Tahoes, five (5) Ford Explorers and six (6) Ford F150 pickup trucks from The Sewell Family of Companies Inc. through Buyboard contract #724-23. We are members of the Buyboard Program 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 will be a replacement to the fleet. Please see the attached memo from Manuel Salinas, Garage Superintendent, for additional information.

Therefore, please consider a resolution authorizing the purchase of twenty-six (26) Chevrolet Tahoes, five (5) Ford Explorers and six (6) Ford F150 pickup trucks from The Sewell Family of Companies Inc. through Buyboard contract #724-23 for a total cost of $2,989,610.89.

Attachments:
A. 2026 memo for Tahoes and trucks

B. RESOLUTION W/ EXH - Police SUVs and Pickup Trucks Reso w Exh
C. Updated Quotes for 2026 Tahoes

Erika Munoz, General Services	Created/Initiated - 10/16/2025
Regina Stephenson, General Services	Approved - 10/16/2025
Christy Weakland, Finance	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/20/2025
Jose Ortiz, City Manager	Approved - 10/22/2025
Morris Williams, City Manager	Approved - 10/22/2025
Jan Hamilton, City Secretary	Final Approval - 10/22/2025

Fleet Services Division

INTEROFFICE MEMORANDUM

TO: Regina Stephenson

FROM: Manuel Eloy Salinas

SUBJECT: Buyboard contract #724-23 for the purchase of Police Dept Vehicles

DATE: 10/10/25

Fleet Services is requesting the purchase of:

19	2026 – 2WD Chevrolet Tahoes for Patrol with upfitting	$1,721,600.50
1	2026 – 2WD Chevrolet Tahoe for K-9 with upfitting	96,719.50
5	2026 – 2WD Chevrolet Tahoes for Admin with upfitting	375,009.15
1	2026 – 2WD Chevrolet Tahoe for Recruiting with upfitting	82,048.50
4	2025 – 4WD F150 XLT Supercrew CSO Trucks with upfitting	293,424.00
5	2025 – AWD Ford Explorers with upfitting	290,284.20
2	2025 – 4WD F150 XLT Supercrew Trucks for the Range with upfitting	130,525.04
	Total Cost:	$2,989,610.89

These vehicles will be replacements for vehicles that range from 5 to 11 years in service and have high mileage and or long service hours and have gone beyond their useful service life. The budgeted amount for FY 2026 for Police Department vehicles is $3,052,850.00. The purchasing amount through Buy Board contract #724-23 for the Police Department vehicles is being offered by The Sewell Family of Companies, Inc. in the amount of $2,989,610.89

Sincerely,

Manuel Eloy Salinas

City of Midland Fleet Superintendent

RESOLUTION NO. _____

RESOLUTION APPROVING THE PURCHASE OF TWENTY-SIX (26) CHEVROLET TAHOES, FIVE (5) FORD EXPLORERS AND SIX (6) FORD F150 PICKUP TRUCKS UPFITTED FOR USE FOR THE MIDLAND POLICE DEPARTMENT FROM THE SEWELL FAMILY OF COMPANIES, INC., THROUGH BUYBOARD FOR A TOTAL COST OF $2,989,610.89; 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, Sewell Family of Companies, Inc., has submitted a total proposed cost to the City of $2,989,610.89 for the purchase of twenty-six (26) Chevrolet Tahoes, five (5) Ford Explorers and six (6) Ford F150 pickup trucks for the Midland Police Department through Buyboard, as shown on the quotes that are collectively attached hereto as Exhibit A and incorporated herein for all purposes; and

WHEREAS, the Council finds the price proposed by Sewell Family of Companies, Inc., through Buyboard for the purchase of said vehicles to be fair and reasonable; and

WHEREAS, the City Council finds it to be in the public interest to provide for the purchase of said vehicles from Sewell Family of Companies, Inc., 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 provide for the purchase of twenty-six (26) Chevrolet Tahoes, five (5) Ford Explorers and six (6) Ford F150 pickup trucks for the Midland Police Department from Sewell Family of Companies, Inc., through Buyboard for a total cost of $2,989,610.89.

SECTION TWO. That the City Comptroller is hereby authorized and directed to pay $2,989,610.89 to Sewell Family of Companies, Inc., for the purchase of said vehicles from funds available in the Garage Fund operating budget 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

SEWELL
FAMILY OF COMPANIES

SEWELL CHEVROLET		**QUOTE #:**	2500693BH
		DATE:	30-Sep
COOP:	BUYBOARD 724-23	**SALES PERSON:**	BILLY HUGHES
PRODUCT DESCRIPTION:	2026 CHEVY TAHOE 2WD PPV	**EMAIL:**	billy.hughes@teamsewell.com
		CONTACT:	LIZ THORNTON
END USER:	CITY OF MIDLAND	**PHONE #:**	
BUILD:	PATROL	**EMAIL:**	

BID SERIES:			**BASE PRICE:**	$ 56,500.00	
CODE:	OPTIONS:	BID PRICE:	CODE:	OPTIONS:	BID PRICE
CC10706	26 TAHOE 2WD PPV	INCL.		INFOTAINMENT SYSTEM	INCL.
	5.3L ECOTTEC 3 V8 ENGINE	INCL.		POWER WINDOWS/SEATS/MIRROR	INCL.
9C1	POLICE PACKAGE VEHICLE	INCL.		AC/HEAT AND CRUISE CONTROL	INCL.
6N5	REAR WINDOW SWITCH INACTIVE	INCL.		REMOTE START AND KEYLESS ENTR	INCL.
6N6	DOOR LOCKS & HANDLES INOP	INCL.		EXTRA KEYS	INCL.
RC1	SKID PLATES	INCL.			
V76	RECOVERY HOOKS	INCL.			

EXTERIOR COLOR:	BLACK
INTERIOR COLOR:	JET BLACK

ADDITIONAL ITEMS:	**FLEET ORDER**		$ -
EQUIPMENT VENDOR:	**PRO-FIT OUTFITTERS S00733**		**$ 33,111.00**
EQUIPMENT VENDOR:			$ -
REGISTRATION, INSPECTION, PAPERWORK, POSTAGE COST:			254
DELIVERY COST $1.75 PER MILE	414 MILES		724.5
SUB TOTAL:			$ 90,589.50
QUANTITY:	**19**		$ 1,721,200.50
CO OP FEE:	BUYBOARD. 724-23		$ 400
TOTAL:			**$ 1,721,600.50**

Exhibit "A"

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

City of Midland, Liz Thornton
300 North Loraine Street
Midland TX 79701
United States

Quotation # S00733

Quotation Date: 09/15/2025

Expiration: 10/15/2025

Salesperson: Bary Bedford

VINs: None

DESCRIPTION	QUANTITY	UNIT PRICE	TAXES	AMOUNT
2025 BLACK TAHOE PATROL X18				
			Subtotal	$ 0.00
CONSOLE				
425-6735 2025+ TAHOE CONSOLE WITH LOCKING LID STORAGE	18.00 Units	645.00	No Sales Tax (Sales)	$ 11,610.00
425-6613 Federal Signal Pathfinder, PF200S17B/PF400S17B (R) - 4" Faceplate	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6295 Motorola XTL 5000 O5 Remote Head/APX 7500 O5/APX6500/4500 Remote Head 3" Faceplate	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6049 Blank Faceplate - 1" Faceplate	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6701 USB-A/USB-C and 12V Power Outlets x2 in 2" Faceplate	18.00 Units	85.00	No Sales Tax (Sales)	$ 1,530.00
425-1485 4" Utility Box - Faceplate Mount	18.00 Units	45.00	No Sales Tax (Sales)	$ 810.00
425-6051 Blank Faceplate - 2" Faceplate	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6729 ABS Dual Cup Holder Faceplate Mount (4")	18.00 Units	48.00	No Sales Tax (Sales)	$ 864.00

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

[MMSU-1] MMSU-1	18.00 Units	38.00	No Sales Tax (Sales)	$ 684.00
425-1849 Side Mount Arm Rest (Works with 425-6726, 425-6491, 425-6500, 425-6569,425-6678)	18.00 Units	99.00	No Sales Tax (Sales)	$ 1,782.00
425-0150 Mamba Mount w/GK-H Plate	18.00 Units	383.00	No Sales Tax (Sales)	$ 6,894.00
			Subtotal	$ 24,174.00
ELECTRONICS				
CG-X CHARGEGUARD	18.00 Units	101.00	No Sales Tax (Sales)	$ 1,818.00
B0CNS2GHRK	18.00 Units	21.00	No Sales Tax (Sales)	$ 378.00
HKN6168B REMOTE HEAD CABLE	18.00 Units	87.00	No Sales Tax (Sales)	$ 1,566.00
HKN4192C Motorola DC Power Cable 20' 20amp power cable	18.00 Units	62.00	No Sales Tax (Sales)	$ 1,116.00
HKN6188B Cable, Ch Power And Speaker	18.00 Units	74.00	No Sales Tax (Sales)	$ 1,332.00
HY0061 WIZACE 10FT SMA FEMALE TO MALE CABLE	18.00 Units	26.00	No Sales Tax (Sales)	$ 468.00
			Subtotal	$ 6,678.00
EMERGENCY LIGHTING				
VALR51J-P1BL	18.00 Units	2,717.00	No Sales Tax (Sales)	$ 48,906.00
HKB-TAH21-HP TAHOE HOOK KIT	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
PF200S17B PATHFINDER	18.00 Units	1,177.00	No Sales Tax (Sales)	$ 21,186.00
ES100C SPEAKER 100W	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
DFC-SB-ES100C	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00

ProFit Outfitters
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United States

RBKIT2-COMPACT RUMBLER COMPACT KIT	18.00 Units	456.00	No Sales Tax (Sales)	$ 8,208.00
RBC2-TAH21ND RUMBLER BRAKET 21+ TAHOE	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
OBDCABLE20-GMCAN PBD CABLE	18.00 Units	130.00	No Sales Tax (Sales)	$ 2,340.00
PFSYNC-1 SYNC MODULE	18.00 Units	234.00	No Sales Tax (Sales)	$ 4,212.00
PFSPLTR-4 1 TO 4 SPLITTER	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
EXPMOD24 EXPANSION MODULE	54.00 Units	227.00	No Sales Tax (Sales)	$ 12,258.00
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	36.00 Units	117.00	No Sales Tax (Sales)	$ 4,212.00
MOUNT IN PB LIGHT CHANNEL				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	36.00 Units	117.00	No Sales Tax (Sales)	$ 4,212.00
1 EACH SIDE OF PB USING WEDGE				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	108.00 Units	117.00	No Sales Tax (Sales)	$ 12,636.00
3 EACH RUNNING BOARD USING WEDGE				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	36.00 Units	117.00	No Sales Tax (Sales)	$ 4,212.00
DS AND PS CARGO SIDE WINDOWS USING L BRACKETS				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	108.00 Units	117.00	No Sales Tax (Sales)	$ 12,636.00
FOR SPOILER BRACKET				
416309-RBW FLUSH MOUNT LIGHTHEAD R/W/B	180.00 Units	67.00	No Sales Tax (Sales)	$ 12,060.00
416302 GROMMET KIT	18.00 Units	14.00	No Sales Tax (Sales)	$ 252.00
ICSPL13-AW	18.00 Units	156.00	No Sales Tax (Sales)	$ 2,808.00
MOUNTED TO CENTER BAR OF PB				

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

MPSM6-TA21RS TAHOE SPOILER BRACKET	18.00 Units	149.00	No Sales Tax (Sales)	$ 2,682.00
MPSM6U-FPIU20SMW MICROPULSE WEDGE KIT	72.00 Units	11.00	No Sales Tax (Sales)	$ 792.00
MPSM6-LB MICROPULSE L BRACKET	36.00 Units	11.00	No Sales Tax (Sales)	$ 396.00
			Subtotal	$ 154,008.00
EXTERIOR				
WES36-4045 2025 Chevrolet Tahoe Push Bumper Elite	18.00 Units	850.00	No Sales Tax (Sales)	$ 15,300.00
WES36-4045WC 2025 Chevrolet Tahoe Push Bumper Elite Wire Cover	18.00 Units	57.00	No Sales Tax (Sales)	$ 1,026.00
WES36-4045W 21-22 TAHOE POLICE PURSUIT VEHICLE WING WRAP ELITE	18.00 Units	378.00	No Sales Tax (Sales)	$ 6,804.00
WES36-4045PB 20-22 TAHOE POLICE PURSUIT VEHICLE PIT BAR ELITE	18.00 Units	545.00	No Sales Tax (Sales)	$ 9,810.00
WES36-6015W2 PUSH BUMPER LIGHT CHANNEL 33.1 INCH WHELEN 2 HOLE BLACK	18.00 Units	55.00	No Sales Tax (Sales)	$ 990.00
			Subtotal	$ 33,930.00
PRISONER TRANSPORT				
475-1657 Chevy Tahoe (2021+) Space Creator Vehicle Partition Featuring Bidirectional Recessed Housing (HS/HV Window Option)	18.00 Units	839.00	No Sales Tax (Sales)	$ 15,102.00
475-1674 High Security Extension Panel for Chevy Tahoe (2021+) VP9 Space Creator Vehicle Partition - Two Piece Steel HSEP	18.00 Units	121.00	No Sales Tax (Sales)	$ 2,178.00
475-1743 Replacement Bio-Seat System for Chevy Tahoe (2021+)	18.00 Units	1,130.00	No Sales Tax (Sales)	$ 20,340.00
475-1764 Chevy Tahoe (2021+) Secure-Grid Window Armor & Door Panel Package	18.00 Units	475.00	No Sales Tax (Sales)	$ 8,550.00
475-0849 DUAL PARTITION MOUNTED ZRT GUNRACK WITH UNIVERSAL LOCKS	18.00 Units	587.00	No Sales Tax (Sales)	$ 10,566.00
			Subtotal	$ 56,736.00
STORAGE				

ProFit Outfitters
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C-CHTAHM2-21N-TR-PPZC11649E Tahoe Custom C11649E Custom TruckVault	18.00 Units	3,918.00	No Sales Tax (Sales)	$ 70,524.00
ALL ELECTRONICS MOUNTED HERE				
			Subtotal	$ 70,524.00
MISC.				
GRAPHICS			No Sales Tax (Sales)	$ 27,648.00
TINT - 2 2 FRONT WINDOWS AND EYEBROW	18.00 Units	300.00	No Sales Tax (Sales)	$ 5,400.00
			Subtotal	$ 33,048.00
CUSTOMER SUIPPLIED				
MOTOROLA APX 6500, ANTENNA X6, HAVIS DOCK, CRADLEPOINT, COAX				
			Subtotal	$ 0.00
LABOR, SHIPPING, SHOP SUPPLIES				
LABOR			No Sales Tax (Sales)	$ 152,100.00
SHIPPING			No Sales Tax (Sales)	$ 27,000.00
SHOP SUPPLIES			No Sales Tax (Sales)	$ 5,130.00
WIRING HARNESS			No Sales Tax (Sales)	$ 6,930.00
PROGRAMMING FEE			No Sales Tax (Sales)	$ 4,500.00
DISPOSAL			No Sales Tax (Sales)	$ 1,800.00
INSPECT			No Sales Tax (Sales)	$ 3,600.00
DEALER PREP			No Sales Tax (Sales)	$ 2,700.00
DELIVERY	18.00 Units	730.00	No Sales Tax (Sales)	$ 13,140.00
65.00				

ProFit Outfitters
22424 FM 159
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United States

Subtotal	$ 216,900.00

Untaxed Amount	$ 595,998.00
Tax	$ 0.00
Total	$ 595,998.00

SEWELL
FAMILY OF COMPANIES

SEWELL CHEVROLET		**QUOTE #:**	2500693BH
		DATE:	30-Sep
COOP:	BUYBOARD 724-23	**SALES PERSON:**	BILLY HUGHES
PRODUCT DESCRIPTION:	2026 CHEVY TAHOE 2WD PPV	**EMAIL:**	billy.hughes@teamsewell.com
		CONTACT:	LIZ THORNTON
END USER:	CITY OF MIDLAND	**PHONE #:**	
BUILD:	PATROL – KG	**EMAIL:**	

BID SERIES:			**BASE PRICE:**	$ 56,500.00	
CODE:	OPTIONS:	BID PRICE:	CODE:	OPTIONS:	BID PRICE
CC10706	26 TAHOE 2WD PPV	INCL.		INFOTAINMENT SYSTEM	INCL.
	5.3L ECOTTEC 3 V8 ENGINE	INCL.		POWER WINDOWS/SEATS/MIRROR	INCL.
9C1	POLICE PACKAGE VEHICLE	INCL.		AC/HEAT AND CRUISE CONTROL	INCL.
6N5	REAR WINDOW SWITCH INACTIVE	INCL.		REMOTE START AND KEYLESS ENTR	INCL.
6N6	DOOR LOCKS & HANDLES INOP	INCL.		EXTRA KEYS	INCL.
RC1	SKID PLATES	INCL.			
V76	RECOVERY HOOKS	INCL.			

EXTERIOR COLOR:	BLACK
INTERIOR COLOR:	JET BLACK

ADDITIONAL ITEMS:	**FLEET ORDER**	**$ -**
EQUIPMENT VENDOR:	**PRO-FIT OUTFITTERS S00736**	**$ 38,841.00**
EQUIPMENT VENDOR:		**$ -**
REGISTRATION, INSPECTION, PAPERWORK, POSTAGE COST:		254
DELIVERY COST $1.75 PER MILE	414 MILES	724.5
SUB TOTAL:		$ 96,319.50
QUANTITY:	1	$ 96,319.50
CO OP FEE:	BUYBOARD. 724-23	$ 400
TOTAL:		**$ 96,719.50**

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

City of Midland, Liz Thornton
300 North Loraine Street
Midland TX 79701
United States

Quotation # S00736

Quotation Date: 09/15/2025

Expiration: 10/15/2025

Salesperson: Bary Bedford

VINs: None

DESCRIPTION	QUANTITY	UNIT PRICE	TAXES	AMOUNT
2025 BLACK TAHOE PATROL K9				
			Subtotal	$ 0.00
CONSOLE				
425-6735 2025+ TAHOE CONSOLE WITH LOCKING LID STORAGE	1.00 Units	645.00	No Sales Tax (Sales)	$ 645.00
425-6285 K9 Heat Alarm, CH-2520 4"	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6613 Federal Signal Pathfinder, PF200S17B/PF400S17B (R) - 4" Faceplate	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6295 Motorola XTL 5000 O5 Remote Head/APX 7500 O5/APX6500/4500 Remote Head 3" Faceplate	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6049 Blank Faceplate - 1" Faceplate	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6701 USB-A/USB-C and 12V Power Outlets x2 in 2" Faceplate	1.00 Units	85.00	No Sales Tax (Sales)	$ 85.00
425-6051 Blank Faceplate - 2" Faceplate	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6729 ABS Dual Cup Holder Faceplate Mount (4")	1.00 Units	48.00	No Sales Tax (Sales)	$ 48.00

ProFit Outfitters
22424 FM 159
Navasota TX 77868
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[MMSU-1] MMSU-1	1.00 Units	38.00	No Sales Tax (Sales)	$ 38.00
425-1849 Side Mount Arm Rest (Works with 425-6726, 425-6491, 425-6500, 425-6569,425-6678)	1.00 Units	99.00	No Sales Tax (Sales)	$ 99.00
425-0150 Mamba Mount w/GK-H Plate	1.00 Units	383.00	No Sales Tax (Sales)	$ 383.00
			Subtotal	$ 1,298.00
ELECTRONICS				
CG-X CHARGEGUARD	1.00 Units	94.00	No Sales Tax (Sales)	$ 94.00
B0CNS2GHRK	1.00 Units	21.00	No Sales Tax (Sales)	$ 21.00
HKN6168B REMOTE HEAD CABLE	1.00 Units	87.00	No Sales Tax (Sales)	$ 87.00
HKN4192C Motorola DC Power Cable 20' 20amp power cable	1.00 Units	62.00	No Sales Tax (Sales)	$ 62.00
HKN6188B Cable, Ch Power And Speaker	1.00 Units	74.00	No Sales Tax (Sales)	$ 74.00
HY0061 WIZACE 10FT SMA FEMALE TO MALE CABLE	1.00 Units	26.00	No Sales Tax (Sales)	$ 26.00
			Subtotal	$ 364.00
EMERGENCY LIGHTING				
VALR51J-P1BL	1.00 Units	2,717.00	No Sales Tax (Sales)	$ 2,717.00
HKB-TAH21-HP TAHOE HOOK KIT	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
PF200S17B PATHFINDER	1.00 Units	1,177.00	No Sales Tax (Sales)	$ 1,177.00
ES100C SPEAKER 100W	1.00 Units	405.00	No Sales Tax (Sales)	$ 405.00
DFC-SB-ES100C	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00

ProFit Outfitters
22424 FM 159
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RBKIT2-COMPACT RUMBLER COMPACT KIT	1.00 Units	456.00	No Sales Tax (Sales)	$ 456.00
RBC2-TAH21ND RUMBLER BRAKET 21+ TAHOE	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
OBDCABLE20-GMCAN PBD CABLE	1.00 Units	130.00	No Sales Tax (Sales)	$ 130.00
PFSYNC-1 SYNC MODULE	1.00 Units	263.00	No Sales Tax (Sales)	$ 263.00
PFSPLTR-4 1 TO 4 SPLITTER	1.00 Units	33.00	No Sales Tax (Sales)	$ 33.00
EXPMOD24 EXPANSION MODULE	3.00 Units	227.00	No Sales Tax (Sales)	$ 681.00
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	2.00 Units	117.00	No Sales Tax (Sales)	$ 234.00
MOUNT IN PB LIGHT CHANNEL				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	2.00 Units	117.00	No Sales Tax (Sales)	$ 234.00
1 EACH SIDE OF PB USING WEDGE				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	6.00 Units	117.00	No Sales Tax (Sales)	$ 702.00
3 EACH RUNNING BOARD USING WEDGE				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	2.00 Units	117.00	No Sales Tax (Sales)	$ 234.00
DS AND PS CARGO SIDE WINDOWS USING L BRACKETS				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	6.00 Units	117.00	No Sales Tax (Sales)	$ 702.00
FOR SPOILER BRACKET				
416309-RBW FLUSH MOUNT LIGHTHEAD R/W/B	10.00 Units	67.00	No Sales Tax (Sales)	$ 670.00
416302 GROMMET KIT	1.00 Units	14.00	No Sales Tax (Sales)	$ 14.00
ICSPL13-AW	1.00 Units	156.00	No Sales Tax (Sales)	$ 156.00
MOUNTED TO CENTER BAR OF PB				

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

MPSM6-TA21RS TAHOE SPOILER BRACKET	1.00 Units	149.00	No Sales Tax (Sales)	$ 149.00
MPSM6U-FPIU20SMW MICROPULSE WEDGE KIT	4.00 Units	11.00	No Sales Tax (Sales)	$ 44.00
MPSM6-LB MICROPULSE L BRACKET	2.00 Units	14.00	No Sales Tax (Sales)	$ 28.00
			Subtotal	$ 9,029.00
EXTERIOR				
WES36-4045 2025 Chevrolet Tahoe Push Bumper Elite	1.00 Units	850.00	No Sales Tax (Sales)	$ 850.00
WES36-4045PB 20-22 TAHOE POLICE PURSUIT VEHICLE PIT BAR ELITE	1.00 Units	545.00	No Sales Tax (Sales)	$ 545.00
WES36-4045W 21-22 TAHOE POLICE PURSUIT VEHICLE WING WRAP ELITE	1.00 Units	378.00	No Sales Tax (Sales)	$ 378.00
WES36-4045WC 2025 Chevrolet Tahoe Push Bumper Elite Wire Cover	1.00 Units	57.00	No Sales Tax (Sales)	$ 57.00
			Subtotal	$ 1,830.00
K9 TRANSPORT				
HS-K9-C26-B HAVIS standard black K9 Transport	1.00 Units	3,902.00	No Sales Tax (Sales)	$ 3,902.00
HS-K9-A-336 Havis Remote Pager Kit for Hot-N-Pop	1.00 Units	825.00	No Sales Tax (Sales)	$ 825.00
HS-K9-A-104 Havis K9 Transport & Window Guard Option	1.00 Units	594.00	No Sales Tax (Sales)	$ 594.00
HS-K9-A-201 Havis K9 Transport Hot-N-Pop Unit	1.00 Units	2,947.00	No Sales Tax (Sales)	$ 2,947.00
HS-K9-A-306 Havis K9 Transport Engine Stall Option	1.00 Units	259.00	No Sales Tax (Sales)	$ 259.00
WES36-6015W2 PUSH BUMPER LIGHT CHANNEL 33.1 INCH WHELEN 2 HOLE BLACK	1.00 Units	55.00	No Sales Tax (Sales)	$ 55.00
			Subtotal	$ 8,582.00
STORAGE				
Z-CUSTOM-MIDLAND TRUCK VAULT CUSTOM K9 CARGO BOX FOR MIDLAND PD	1.00 Units	3,683.00	No Sales Tax (Sales)	$ 3,683.00

Remit to; P.O. Box 735, Millican, Texas 77866

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

			Subtotal	$ 3,683.00
MISC.				
GRAPHICS			No Sales Tax (Sales)	$ 1,536.00
TINT - 2 2 FRONT WINDOWS AND EYEBROW	1.00 Units	300.00	No Sales Tax (Sales)	$ 300.00
			Subtotal	$ 1,836.00
CUSTOMER SUIPPLIED				
MOTOROLA APX 6500, ANTENNA X6, HAVIS DOCK, CRADLEPOINT, COAX				
			Subtotal	$ 0.00
LABOR, SHIPPING, SHOP SUPPLIES				
LABOR			No Sales Tax (Sales)	$ 8,619.00
SHIPPING			No Sales Tax (Sales)	$ 1,500.00
SHOP SUPPLIES			No Sales Tax (Sales)	$ 285.00
WIRING HARNESS			No Sales Tax (Sales)	$ 385.00
PROGRAMMING FEE			No Sales Tax (Sales)	$ 250.00
DISPOSAL			No Sales Tax (Sales)	$ 100.00
INSPECT			No Sales Tax (Sales)	$ 200.00
DEALER PREP			No Sales Tax (Sales)	$ 150.00
DELIVERY	1.00 Units	730.00	No Sales Tax (Sales)	$ 730.00
66.30				
			Subtotal	$ 12,219.00

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

Untaxed Amount	$ 38,841.00
Tax	$ 0.00
Total	$ 38,841.00

SEWELL
FAMILY OF COMPANIES

SEWELL CHEVROLET		**QUOTE #:**	2500693BH
		DATE:	30-Sep
COOP:	BUYBOARD 724-23	**SALES PERSON:**	BILLY HUGHES
PRODUCT DESCRIPTION:	2026 CHEVY TAHOE 2WD PPV	**EMAIL:**	billy.hughes@teamsewell.com
		CONTACT:	LIZ THORNTON
END USER:	CITY OF MIDLAND	**PHONE #:**	
BUILD:	PATROL - Admin	**EMAIL:**	

BID SERIES:			**BASE PRICE:**	$ 56,500.00	
CODE:	OPTIONS:	BID PRICE:	CODE:	OPTIONS:	BID PRICE
CC10706	26 TAHOE 2WD PPV	INCL.		INFOTAINMENT SYSTEM	INCL.
	5.3L ECOTTEC 3 V8 ENGINE	INCL.		POWER WINDOWS/SEATS/MIRROR	INCL.
9C1	POLICE PACKAGE VEHICLE	INCL.		AC/HEAT AND CRUISE CONTROL	INCL.
6N5	REAR WINDOW SWITCH INACTIVE	INCL.		REMOTE START AND KEYLESS ENTR	INCL.
6N6	DOOR LOCKS & HANDLES INOP	INCL.		EXTRA KEYS	INCL.
RC1	SKID PLATES	INCL.			
V76	RECOVERY HOOKS	INCL.			

EXTERIOR COLOR:	BLACK
INTERIOR COLOR:	JET BLACK

ADDITIONAL ITEMS:	**FLEET ORDER**		
EQUIPMENT VENDOR:	**PRO-FIT OUTFITTERS S00737**		$ -
EQUIPMENT VENDOR:			**$ 17,443.33**
REGISTRATION, INSPECTION, PAPERWORK, POSTAGE COST:			$ -
DELIVERY COST $1.75 PER MILE	414 MILES		254
SUB TOTAL:			724.5
QUANTITY:	5		$ 74,921.83
CO OP FEE:	BUYBOARD. 724-23		$ 374,609.15
TOTAL:			$ 400
			$ 375,009.15

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

City of Midland, Liz Thornton
300 North Loraine Street
Midland TX 79701
United States

Quotation # S00737

Quotation Date: 09/15/2025

Expiration: 10/15/2025

Salesperson: Bary Bedford

VINs: None

DESCRIPTION	QUANTITY	UNIT PRICE	TAXES	AMOUNT
2025 BLACK TAHOE ADMIN X6				
			Subtotal	$ 0.00
CONSOLE				
425-6735 2025+ TAHOE CONSOLE WITH LOCKING LID STORAGE	6.00 Units	645.00	No Sales Tax (Sales)	$ 3,870.00
425-6613 Federal Signal Pathfinder, PF200S17B/PF400S17B (R) - 4" Faceplate	6.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6295 Motorola XTL 5000 O5 Remote Head/APX 7500 O5/APX6500/4500 Remote Head 3" Faceplate	6.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6049 Blank Faceplate - 1" Faceplate	6.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6701 USB-A/USB-C and 12V Power Outlets x2 in 2" Faceplate	6.00 Units	85.00	No Sales Tax (Sales)	$ 510.00
425-1485 4" Utility Box - Faceplate Mount	6.00 Units	45.00	No Sales Tax (Sales)	$ 270.00
425-6051 Blank Faceplate - 2" Faceplate	6.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6729 ABS Dual Cup Holder Faceplate Mount (4")	6.00 Units	48.00	No Sales Tax (Sales)	$ 288.00

ProFit Outfitters
22424 FM 159
Navasota TX 77868
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[MMSU-1] MMSU-1	6.00 Units	38.00	No Sales Tax (Sales)	$ 228.00
425-1849 Side Mount Arm Rest (Works with 425-6726, 425-6491, 425-6500, 425-6569,425-6678)	6.00 Units	99.00	No Sales Tax (Sales)	$ 594.00
			Subtotal	$ 5,760.00
ELECTRONICS				
CG-X CHARGEGUARD	6.00 Units	94.00	No Sales Tax (Sales)	$ 564.00
B0CNS2GHRK	6.00 Units	21.00	No Sales Tax (Sales)	$ 126.00
HKN6168B REMOTE HEAD CABLE	6.00 Units	87.00	No Sales Tax (Sales)	$ 522.00
HKN4192C Motorola DC Power Cable 20' 20amp power cable	6.00 Units	62.00	No Sales Tax (Sales)	$ 372.00
HKN6188B Cable, Ch Power And Speaker	6.00 Units	74.00	No Sales Tax (Sales)	$ 444.00
HY0061 WIZACE 10FT SMA FEMALE TO MALE CABLE	6.00 Units	26.00	No Sales Tax (Sales)	$ 156.00
			Subtotal	$ 2,184.00
EMERGENCY LIGHTING				
SIFMJS-TAH21-P3 FRONT ILS TRIO 21+ THAOE	6.00 Units	1,041.00	No Sales Tax (Sales)	$ 6,246.00
SIFMJH-TAH21-PF1 REAR INTERIOR BAR TAHOE	6.00 Units	986.00	No Sales Tax (Sales)	$ 5,916.00
PF200S17B PATHFINDER	6.00 Units	1,177.00	No Sales Tax (Sales)	$ 7,062.00
ES100C SPEAKER 100W	6.00 Units	405.00	No Sales Tax (Sales)	$ 2,430.00
ESB-U ES100C BAIL MOUNT BRACKET	6.00 Units	52.00	No Sales Tax (Sales)	$ 312.00
MPSM6-GRL2 MICROPULSE BEHIND THE GRILLE BRACKET TAHOE	6.00 Units	38.00	No Sales Tax (Sales)	$ 228.00

ProFit Outfitters
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MPSM6-LPV1 FED SIG KIT,DUAL MNT,LP VERT,ADJ,MPS	6.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
MPSMW9-TAH21MIR UNDER MIRROR BRACKETS TAHOE	6.00 Units	45.00	No Sales Tax (Sales)	$ 270.00
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	36.00 Units	117.00	No Sales Tax (Sales)	$ 4,212.00
GRILLE AND LP				
MPSW9-RBW MICROPULSE WIDE ANGLE TRIO RBW	12.00 Units	152.00	No Sales Tax (Sales)	$ 1,824.00
UNDER MIRROR				
MPSM6-LB MICROPULSE L BRACKET	12.00 Units	14.00	No Sales Tax (Sales)	$ 168.00
REAR CARGO SIDE WINDOWS				
PFSYNC-1 SYNC MODULE	1.00 Units	263.00	No Sales Tax (Sales)	$ 263.00
EXPMOD24 EXPANSION MODULE	1.00 Units	227.00	No Sales Tax (Sales)	$ 227.00
OBDCABLE20-GMCAN PBD CABLE	1.00 Units	130.00	No Sales Tax (Sales)	$ 130.00
			Subtotal	$ 29,288.00
STORAGE				
C-CHTAHM2-21N-TR-PPZC11649E Tahoe Custom C11649E Custom TruckVault	6.00 Units	3,918.00	No Sales Tax (Sales)	$ 23,508.00
			Subtotal	$ 23,508.00
CUSTOMER SUPPLIED PARTS				
RADIO, ANTENNA				
			Subtotal	$ 0.00
MISC				
TINT - 2 2 FRONT WINDOWS AND EYEBROW	6.00 Units	300.00	No Sales Tax (Sales)	$ 1,800.00
			Subtotal	$ 1,800.00
LABOR, SHIPPING, SHOP SUPPLIES				

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LABOR			No Sales Tax (Sales)	$ 26,520.00
SHIPPING			No Sales Tax (Sales)	$ 4,800.00
SHOP SUPPLIES			No Sales Tax (Sales)	$ 1,110.00
WIRING HARNESS			No Sales Tax (Sales)	$ 1,710.00
PROGRAMMING FEE			No Sales Tax (Sales)	$ 1,500.00
INSPECT			No Sales Tax (Sales)	$ 1,200.00
DEALER PREP			No Sales Tax (Sales)	$ 900.00
DELIVERY	6.00 Units	730.00	No Sales Tax (Sales)	$ 4,380.00
34.00				
			Subtotal	$ 42,120.00

Untaxed Amount	$ 104,660.00
Tax	$ 0.00
Total	$ 104,660.00

Remit to; P.O. Box 735, Millican, Texas 77866

info@profitoutfitters.com www.ProFitOutfitters.com

SEWELL
FAMILY OF COMPANIES

SEWELL CHEVROLET		**QUOTE #:**	2500693BH
		DATE:	30-Sep
COOP:	BUYBOARD 724-23	**SALES PERSON:**	BILLY HUGHES
PRODUCT DESCRIPTION:	2026 CHEVY TAHOE 2WD PPV	**EMAIL:**	billy.hughes@teamsewell.com
		CONTACT:	LIZ THORNTON
END USER:	CITY OF MIDLAND	**PHONE #:**	
BUILD:	RECRUITING BUILD	**EMAIL:**	

BID SERIES:			**BASE PRICE:**	$ 56,500.00	
CODE:	OPTIONS:	BID PRICE:	CODE:	OPTIONS:	BID PRICE
CC10706	26 TAHOE 2WD PPV	INCL.		INFOTAINMENT SYSTEM	INCL.
	5.3L ECOTTEC 3 V8 ENGINE	INCL.		POWER WINDOWS/SEATS/MIRROR	INCL.
9C1	POLICE PACKAGE VEHICLE	INCL.		AC/HEAT AND CRUISE CONTROL	INCL.
6N5	REAR WINDOW SWITCH INACTIVE	INCL.		REMOTE START AND KEYLESS ENTR	INCL.
6N6	DOOR LOCKS & HANDLES INOP	INCL.		EXTRA KEYS	INCL.
RC1	SKID PLATES	INCL.			
V76	RECOVERY HOOKS	INCL.			

EXTERIOR COLOR:	BLACK
INTERIOR COLOR:	JET BLACK

ADDITIONAL ITEMS:	**FLEET ORDER**	
EQUIPMENT VENDOR:	**PRO-FIT OUTFITTERS S00734**	$ -
EQUIPMENT VENDOR:		**$ 24,170.00**
REGISTRATION, INSPECTION, PAPERWORK, POSTAGE COST:		$ -
DELIVERY COST $1.75 PER MILE	414 MILES	254
SUB TOTAL:		724.5
QUANTITY:	**1**	$ 81,648.50
CO OP FEE:	BUYBOARD. 724-23	$ 81,648.50
TOTAL:		$ 400
		$ 82,048.50

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

City of Midland, Liz Thornton
300 North Loraine Street
Midland TX 79701
United States

Quotation # S00734

Quotation Date:
09/15/2025

Expiration:
10/15/2025

Salesperson:
Bary Bedford

VINs: None

DESCRIPTION	QUANTITY	UNIT PRICE	TAXES	AMOUNT
2025 BLACK TAHOE RECRUITING				
			Subtotal	$ 0.00
CONSOLE				
425-6735 2025+ TAHOE CONSOLE WITH LOCKING LID STORAGE	1.00 Units	645.00	No Sales Tax (Sales)	$ 645.00
425-6613 Federal Signal Pathfinder, PF200S17B/PF400S17B (R) - 4" Faceplate	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6295 Motorola XTL 5000 O5 Remote Head/APX 7500 O5/APX6500/4500 Remote Head 3" Faceplate	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6049 Blank Faceplate - 1" Faceplate	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6701 USB-A/USB-C and 12V Power Outlets x2 in 2" Faceplate	1.00 Units	85.00	No Sales Tax (Sales)	$ 85.00
425-1485 4" Utility Box - Faceplate Mount	1.00 Units	45.00	No Sales Tax (Sales)	$ 45.00
425-6051 Blank Faceplate - 2" Faceplate	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6729 ABS Dual Cup Holder Faceplate Mount (4")	1.00 Units	48.00	No Sales Tax (Sales)	$ 48.00

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

[MMSU-1] MMSU-1	1.00 Units	38.00	No Sales Tax (Sales)	$ 38.00
425-1849 Side Mount Arm Rest (Works with 425-6726, 425-6491, 425-6500, 425-6569,425-6678)	1.00 Units	99.00	No Sales Tax (Sales)	$ 99.00
			Subtotal	$ 960.00
ELECTRONICS				
B0CNS2GHRK	1.00 Units	21.00	No Sales Tax (Sales)	$ 21.00
HKN6168B REMOTE HEAD CABLE	1.00 Units	87.00	No Sales Tax (Sales)	$ 87.00
HKN4192C Motorola DC Power Cable 20' 20amp power cable	1.00 Units	62.00	No Sales Tax (Sales)	$ 62.00
HKN6188B Cable, Ch Power And Speaker	1.00 Units	74.00	No Sales Tax (Sales)	$ 74.00
HY0061 WIZACE 10FT SMA FEMALE TO MALE CABLE	1.00 Units	26.00	No Sales Tax (Sales)	$ 26.00
			Subtotal	$ 270.00
EMERGENCY LIGHTING				
VALR51J-P1BL	1.00 Units	2,717.00	No Sales Tax (Sales)	$ 2,717.00
HKB-TAH21-HP TAHOE HOOK KIT	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
PF200S17B PATHFINDER	1.00 Units	1,177.00	No Sales Tax (Sales)	$ 1,177.00
ES100C SPEAKER 100W	1.00 Units	405.00	No Sales Tax (Sales)	$ 405.00
DFC-SB-ES100C	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
RBKIT2-COMPACT RUMBLER COMPACT KIT	1.00 Units	456.00	No Sales Tax (Sales)	$ 456.00
RBC2-TAH21ND RUMBLER BRAKET 21+ TAHOE	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00

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OBDCABLE20-GMCAN PBD CABLE	1.00 Units	130.00	No Sales Tax (Sales)	$ 130.00
PFSYNC-1 SYNC MODULE	1.00 Units	263.00	No Sales Tax (Sales)	$ 263.00
PFSPLTR-4 1 TO 4 SPLITTER	1.00 Units	33.00	No Sales Tax (Sales)	$ 33.00
EXPMOD24 EXPANSION MODULE	3.00 Units	227.00	No Sales Tax (Sales)	$ 681.00
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	2.00 Units	117.00	No Sales Tax (Sales)	$ 234.00
MOUNT IN PB LIGHT CHANNEL				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	2.00 Units	117.00	No Sales Tax (Sales)	$ 234.00
1 EACH SIDE OF PB USING WEDGE				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	6.00 Units	117.00	No Sales Tax (Sales)	$ 702.00
3 EACH RUNNING BOARD USING WEDGE				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	2.00 Units	117.00	No Sales Tax (Sales)	$ 234.00
DS AND PS CARGO SIDE WINDOWS USING L BRACKETS				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	6.00 Units	117.00	No Sales Tax (Sales)	$ 702.00
FOR SPOILER BRACKET				
416309-RBW FLUSH MOUNT LIGHTHEAD R/W/B	10.00 Units	67.00	No Sales Tax (Sales)	$ 670.00
416302 GROMMET KIT	1.00 Units	14.00	No Sales Tax (Sales)	$ 14.00
ICSPL13-AW	1.00 Units	156.00	No Sales Tax (Sales)	$ 156.00
MOUNTED TO CENTER BAR OF PB				
MPSM6-TA21RS TAHOE SPOILER BRACKET	1.00 Units	149.00	No Sales Tax (Sales)	$ 149.00
MPSM6U-FPIU20SMW MICROPULSE WEDGE KIT	4.00 Units	11.00	No Sales Tax (Sales)	$ 44.00

ProFit Outfitters
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Navasota TX 77868
United States

MPSM6-LB MICROPULSE L BRACKET	2.00 Units	14.00	No Sales Tax (Sales)	$ 28.00
			Subtotal	$ 9,029.00
EXTERIOR				
WES36-4045 2025 Chevrolet Tahoe Push Bumper Elite	1.00 Units	850.00	No Sales Tax (Sales)	$ 850.00
WES36-4045PB 20-22 TAHOE POLICE PURSUIT VEHICLE PIT BAR ELITE	1.00 Units	545.00	No Sales Tax (Sales)	$ 545.00
WES36-4045W 21-22 TAHOE POLICE PURSUIT VEHICLE WING WRAP ELITE	1.00 Units	378.00	No Sales Tax (Sales)	$ 378.00
WES36-4045WC 2025 Chevrolet Tahoe Push Bumper Elite Wire Cover	1.00 Units	57.00	No Sales Tax (Sales)	$ 57.00
WES36-6015W2 PUSH BUMPER LIGHT CHANNEL 33.1 INCH WHELEN 2 HOLE BLACK	1.00 Units	55.00	No Sales Tax (Sales)	$ 55.00
			Subtotal	$ 1,885.00
MISC.				
GRAPHICS			No Sales Tax (Sales)	$ 1,536.00
TINT - 2 2 FRONT WINDOWS AND EYEBROW	1.00 Units	300.00	No Sales Tax (Sales)	$ 300.00
			Subtotal	$ 1,836.00
CUSTOMER SUIPPLIED				
MOTOROLA APX 6500, ANTENNA X1 COAX				
			Subtotal	$ 0.00
LABOR, SHIPPING, SHOP SUPPLIES				
LABOR			No Sales Tax (Sales)	$ 6,890.00
SHIPPING			No Sales Tax (Sales)	$ 1,200.00
SHOP SUPPLIES			No Sales Tax (Sales)	$ 285.00
WIRING HARNESS			No Sales Tax (Sales)	$ 385.00

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

PROGRAMMING FEE			No Sales Tax (Sales)	$ 250.00
DISPOSAL			No Sales Tax (Sales)	$ 100.00
INSPECT			No Sales Tax (Sales)	$ 200.00
DEALER PREP			No Sales Tax (Sales)	$ 150.00
DELIVERY	1.00 Units	730.00	No Sales Tax (Sales)	$ 730.00
53.00				
			Subtotal	$ 10,190.00

Untaxed Amount	$ 24,170.00
Tax	$ 0.00
Total	$ 24,170.00

SEWELL
FAMILY OF COMPANIES

SEWELL FAMILY OF COMPANIES		**QUOTE #:**	2500821BH
		DATE:	10-Oct
COOP:	BUYBOARD 724-23	**SALES PERSON:**	BILLY HUGHES
PRODUCT DESCRIPTION:	2025 F150 XLT 4WD SUPERCREW	**EMAIL:**	billy.hughes@teamsewell.com
		CONTACT:	LIZ THORNTON
END USER:	CITY OF MIDLAND	**PHONE #:**	
ADDRESS:	CSO TRUCKS	**EMAIL:**	

BID SERIES:			**BASE PRICE:**	$ 53,500.00	
CODE:	OPTIONS:	BID PRICE:	CODE:	OPTIONS:	BID PRICE
W3L	25 F150 XLT SUPERCREW 4WD	INCL.		INFOTAINMENT SYSTEM	INCL.
	3.5L V6 ECOBOOST	INCL.		POWER WINDOWS/SEATS	INCL.
	FRONT LICENSE PLATE KIT	INCL.		AC/HEAT AND CRUISE CONTROL	INCL.
17R	REAR DOOR CONTROLS INOP	INCL.		KEYLESS ENTRY/	INCL.
18B	BLACK PLATFROM RUNNING BOARDS	INCL.		SPOTLIGHT DRIVER SIDE	INCL.
67T	INTEGRATED TRAILER BRAKE CONTROL	INCL.			

EXTERIOR COLOR:	BLACK
INTERIOR COLOR:	BLACK

ADDITIONAL ITEMS:	**GOVERNMENT ORDER**	**$ -**
EQUIPMENT VENDOR:	**AEP QTE 0042259**	**$ 19,418.00**
EQUIPMENT VENDOR:		**$ 84.00**
REGISTRATION, INSPECTION, PAPERWORK, POSTAGE COST:		254
DELIVERY COST $1.75 PER MILE	0 MILES	0
SUB TOTAL:		$ 73,256.00
QUANTITY:	4	$ 293,024.00
CO OP FEE:	BUYBOARD 724-23	$ 400
TOTAL:		**$ 293,424.00**

Quotation

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QTE0042259	

American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder CSO Blu		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	FORD	F150 Responder	BLACK	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
		(2x) 2026 F150 Responder CSO Upfits for Midland PD Agency: Midland PD Contact: Liz Thornton Phone: 432.528.3589 Dealer: Sewell Ford Contact: Billy Hughes Phone: 940.867.1537 (Front Doors need wrapped white) (add MPD graphics to front doors) - Front Grille Emergency Lighting Blue/Amber (SoundOff)			
4.00	LIGH00365 / EMPS2001N-M	mpower® Fascia 4" stud mount Blue / Amber	130.5400	N	522.16
4.00	LEDS03364 / PMP2BKDGAJ	90 deg Adjustable Mounting Bracket for mPower LED QSF097780 - Overhead Emergency Lightbar Blue/Amber (SoundOff)	9.6600	N	38.64
2.00	INST05526 / Parts	nFORCE® nxt Lightbar 54" blue/amber QSF097780	2,497.0000	N	4,994.00

Quotation continued on next page ...

Quotation

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American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder CSO Blu		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	FORD	F150 Responder	BLACK	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
		- Running Board / Side Vehicle Lighting (SoundOff)			
16.00	LIGH00365 / EMPS2001N-M	mpower® Fascia 4" stud mount Blue / Amber	130.5400	N	2,088.64
		note: 4 lights per running board, 8 per truck			
		- Rear Bumper Lighting Blue/Amber (SoundOff)			
4.00	LIGH00365 / EMPS2001N-M	mpower® Fascia 4" stud mount Blue / Amber	130.5400	N	522.16
2.00	BKRT00028 / PMP2BRK2LPV	Soundoff 4" Mpower license plate bracket, vertical	29.5300	N	59.06
		- Light Controller (SoundOff)			
2.00	SIRE00579 / ETCPMP801	Soundoff (8) button controller	163.1700	N	326.34
		- Power Management / Distribution (SoundOff)			
2.00	PATC00224 / MI0001	Mini Patrol Power, Gen1, Universal	519.0100	N	1,038.02
		- Activate Headlight / Taillight Flasher			
		- Center Console / Pedestal with docking station (HAVIS)			

Quotation continued on next page ...

Quotation

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QTE0042259	

American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder CSO Blu		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	FORD	F150 Responder	BLACK	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
2.00	CONS01874 / C-VSW-2400-F150-1	24" Vehicle-Specific Console for 2021+ Ford F-150 Responder	669.9500	N	1,339.90
2.00	INST05526 / Parts	Docking Station For Getac S410 Notebook With Triple Pass-Thr	1,034.7500	N	2,069.50
2.00	COMP00616 / C-HDM-214	8.5" HD Telescoping pole, side mount PB 2012-09-01	138.5100	N	277.02
2.00	CONS01454 / C-MD-112	11" Slide Out Locking Swing Arm W/ Motion Adapter	276.2900	N	552.58
2.00	FACE00216 / C-EB25-XTL-1P	Havis Shield Faceplate for Motorola Radio XTL2500.	24.7900	N	49.58
2.00	CONS01623 / CUP2-1001	Self-Adjusting Dual Cup Holder	51.0300	N	102.06
2.00	VACC02761 / C-ARM-1001	VSX Internal Mount Armrest with Lockable Accessory Pocket, 7	239.3800	N	478.76
2.00	CONS01940 / C-LP1-USB	Lighter Plug Outlet W/ 1 USB Cut Outs	47.0300	N	94.06
2.00	FACE00893 / C-AHW-45	4.5" Accessory Holder for 3.3"W Section of Wide Consoles	18.2500	N	36.50
2.00	FACE00228 / C-FP-4	Havis-Shields 4" blank faceplate PB 2012-09-01	11.2300	N	22.46

Quotation continued on next page ...

Quotation

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QTE0042259	

American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder CSO Blu		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	FORD	F150 Responder	BLACK	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
		- Bed Cover (CarID Trifold)			
2.00	VACC03330 / TR26029	UnderCover® - Triad Hard Folding Tonneau Cover	989.3900	N	1,978.78
		- Weather Guard Storage (Grainger)			
2.00	STOR01291 / 13R548	WeatherGuard Truck or Van Storage Drawer	2,268.7300	N	4,537.46
		- CSM (customer supplied materials)			
		APX 8500 Motorola Radio			
		Getac S410 Laptop			
		Install GPS equipment			
		Graphics provided by MPD			
		- Vehicle Graphics / Door Wrap by 575 Designs			
2.00	GRAP90001 / Graphics	Graphics Install by 575 Designs	270.0000	N	540.00
2.00	GRAP90001 / Graphics	Wrap front doors white by 575 Designs	465.0000	N	930.00

Quotation continued on next page ...

Quotation

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QTE0042259	

American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder CSO Blu		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	FORD	F150 Responder	BLACK	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
		- Window Tinting 20% Front 20% Rear			
2.00	TINT90001 / Window Tint	All window tinting	350.0000	N	700.00
		- Installation / Shop supplies / Shipping			
108.00	LABO90060 / LABOR	EVT Tech Installation Labor	125.0000	N	13,500.00
2.00	INST05440 / AEP-Misc	Shop Supplies	95.0000	N	190.00
		Shipping		N	1,850.00

Thank you for the opportunity to earn your business

Terms & Conditions:

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- Returns subject to 25% restocking fee. No returns on special order items.
- Credit Card payments accepted for payments of orders/invoicing totaling $10,000 or less only.

SIGNATURE (not required if PO/contract is issued) _____

Parts	**22,017.68**
Labor / Services	**14,970.00**
Trans / Trip / Fee	**0.00**
Shipping	**1,850.00**
Order Discount	**0.00**
Subtotal	**38,837.68**
Total sales tax	**0.00**
Total order	**38,837.68**

SEWELL
FAMILY OF COMPANIES

SEWELL FAMILY OF COMPANIES		**QUOTE #:**	2400820BH
		DATE:	10-Oct
COOP:	BUYBOARD 724-23	**SALES PERSON:**	BILLY HUGHES
PRODUCT DESCRIPTION:	2025 FORD PIU INTERCEPTOR	**EMAIL:**	billy.hughes@teamsewell.com
		CONTACT:	LIZ THORNTON
END USER:	CITY OF MIDLAND	**PHONE #:**	
ADDRESS:	UNMARKED UNITS	**EMAIL:**	

BID SERIES:			**BASE PRICE:**	$ 48,500.00	
CODE:	OPTIONS:	BID PRICE:	CODE:	OPTIONS:	BID PRICE
K8A	25 FORD INTERCEPTOR PPV AWD	INCL.		INFOTAINMENT SYSTEM	INCL.
	3.3L V6 ENGINE	INCL.		POWER WINDOWS/SEATS	INCL.
	FRONT LICENSE PLATE KIT	INCL.		AC/HEAT AND CRUISE CONTROL	INCL.
68G	REAR DOOR LOCKS INOP	INCL.		BACK UP CAMERA	INCL.
76D	DEFLECTOR PLATE	INCL.		BLUETOOTH	INCL.

EXTERIOR COLOR:	BLACK
INTERIOR COLOR:	BLACK

ADDITIONAL ITEMS:	**FLEET STOCK UNITS NAVASOTA**	$ -
EQUIPMENT VENDOR:	**AEP 42251**	**$ 8,494.84**
EQUIPMENT VENDOR:		
REGISTRATION, INSPECTION, PAPERWORK, POSTAGE COST:		254
DELIVERY COST $1.75 PER MILE	416 MILES	728
SUB TOTAL:		$ 57,976.84
QUANTITY:	5	$ 289,884.20
CO OP FEE:	BUYBOARD. 724-23	$ 400
TOTAL:		**$ 290,284.20**

Quotation

Date	Page
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Order Number	
QTE0042251	

American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(5x) Unmarked PIU red/blue packag		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	Ford	PIU		Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
		*** (5x) Unmarked 2026 PIU red/blue package *** Agency: City of Midland Contact: Liz Thornton Phone: 432.528.3589 Dealership: Sewell Contact: Billy Phone: 940.867.1537 - Front Interior Lightbar Red/Blue			
5.00	INST05526 / Parts	nFORCE® Interior LED Lightbar red/blue QSF097613 - Rear Interior Lightbar Red/Blue	647.8500	N	3,239.25
5.00	INST05526 / Parts	nFORCE® Interior LED Lightbar Rear red/blue QSF097613 - HAVIS Center Console / Controller / Siren Speakers	647.8500	N	3,239.25
5.00	CONS01768 / C-VSX-1800-INUT	VSX Console with Front Bin for 2020-2021 Ford Interceptor	577.3700	N	2,886.85

Quotation continued on next page ...

Quotation

Date	Page
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Order Number	
QTE0042251	

American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(5x) Unmarked PIU red/blue packag		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	Ford	PIU		Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
5.00	VACC02761 / C-ARM-1001	VSX Internal Mount Armrest with Lockable Accessory Pocket, 7	248.5900	N	1,242.95
5.00	SIRE00644 / ETSA482RSR	nERGY® 400 Series Remote Siren w/ Knob Control / Dual Tone	670.3300	N	3,351.65
5.00	BKRT00197 / C-EBX-SO-1	VSX Equipment Bracket, Front Tray Siren Light Control,Sound	24.2400	N	121.20
5.00	CONS01691 / CUP2-1004	Self-Adjusting Double Cup Holder, 4"	48.8400	N	244.20
5.00	FACE00181 / C-FP-05	Havis 0.5" FACEPLATE BLANK PB 2012-09-01	9.9800	N	49.90
5.00	FACE00211 / C-FP-3	Havis Shield 3" Blank Face Plate. PB 2012-09-01	12.8300	N	64.15
10.00	SPEA00247 / ETSS100J	100J Series Composite Speaker w/Universal Bracket, 100-Watt	195.8500	N	1,958.50
10.00	BKRT00082 / ETSSVBK01	100N/100J single speaker behind grille brkt,20-24 PIU,2 max - Power Management	31.7500	N	317.50
5.00	PATC00224 / MI0001	Mini Patrol Power, Gen1, Universal	519.0100	N	2,595.05

Quotation continued on next page ...

Quotation

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QTE0042251	

American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(5x) Unmarked PIU red/blue packag		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	Ford	PIU		Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
		- Window Tint			
5.00	TINT90001 / Window Tint	All window tinting	488.7500	N	2,443.75
		note: 5% Rear 20% Front			
		- Installation / Shop Supplies / Shipping			
160.00	LABO90060 / LABOR	Installation Labor	125.0000	N	20,000.00
5.00	INST05440 / AEP-Misc	Shop Supplies	95.0000	N	475.00
		Shipping		N	245.00

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- Credit Card payments accepted for payments of orders/invoicing totaling $10,000 or less only.

SIGNATURE (not required if PO/contract is issued) _____

Parts	**22,229.20**
Labor / Services	**20,000.00**
Trans / Trip / Fee	**0.00**
Shipping	**245.00**
Order Discount	**0.00**
Subtotal	**42,474.20**
Total sales tax	**0.00**
Total order	**42,474.20**

SEWELL
FAMILY OF COMPANIES

SEWELL FAMILY OF COMPANIES		**QUOTE #:**	2500821BH
		DATE:	10-Oct
COOP:	BUYBOARD 724-23	**SALES PERSON:**	BILLY HUGHES
PRODUCT DESCRIPTION:	2025 F150 XLT 4WD SUPERCREW	**EMAIL:**	billy.hughes@teamsewell.com
		CONTACT:	LIZ THORNTON
END USER:	CITY OF MIDLAND	**PHONE #:**	
ADDRESS:	RANGE TRUCKS	**EMAIL:**	

BID SERIES:			**BASE PRICE:**	$ 53,500.00	
CODE:	OPTIONS:	BID PRICE:	CODE:	OPTIONS:	BID PRICE
W3L	25 F150 XLT SUPERCREW 4WD	INCL.		INFOTAINMENT SYSTEM	INCL.
	3.5L V6 ECOBOOST	INCL.		POWER WINDOWS/SEATS	INCL.
	FRONT LICENSE PLATE KIT	INCL.		AC/HEAT AND CRUISE CONTROL	INCL.
17R	REAR DOOR CONTROLS INOP	INCL.		KEYLESS ENTRY/	INCL.
18B	BLACK PLATFROM RUNNING BOARDS	INCL.		SPOTLIGHT DRIVER SIDE	INCL.
67T	INTEGRATED TRAILER BRAKE CONTROL	INCL.			

EXTERIOR COLOR:	BLACK
INTERIOR COLOR:	BLACK

ADDITIONAL ITEMS:	**GOVERNMENT ORDER**	**$ -**
EQUIPMENT VENDOR:	**AEP QTE 0042260**	**$ 11,308.52**
EQUIPMENT VENDOR:		
REGISTRATION, INSPECTION, PAPERWORK, POSTAGE COST:		254
DELIVERY COST $1.75 PER MILE	0 MILES	0
SUB TOTAL:		$ 65,062.52
QUANTITY:	2	$ 130,125.04
CO OP FEE:	BUYBOARD 724-23	$ 400
TOTAL:		**$ 130,525.04**

Quotation

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QTE0042260	

American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder Range T		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	Ford	F150 Responder	Black	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
		*** (2x) 2026 F150 Responder Range Trucks for MPD ***			
		Agency: Midland Police Department Contact: Liz Thornton Phone: 432.528.3589 Dealership: Sewell Contact: Billy Hughes Phone: 940.867.1537			
		(Unmarked - Red/Blue Package)			
		- Interior Visor Emergency Lighting Red/Blue-SoundOff Signal			
2.00	INST05526 / Parts	nFORCE® Interior LED Lightbar Red/Blue	857.8100	N	1,715.62
		QSF097806			
		- Headache Rack with Emergency Lighting Red/Blue			
2.00	TRUC00326 / 11908-52-01	Weather Guard Headache Rack, Half Bar, Aluminum, Black	1,193.4000	N	2,386.80
4.00	LEDS03388 / EMPS2STS4J	mPOwer Fascia LED, Stud Mount, 12-LED, Red/Blue	130.5400	N	522.16
		- Siren/Controller/Speaker/Havis Console			

Quotation continued on next page ...

Quotation

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American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder Range T		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	Ford	F150 Responder	Black	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
2.00	CONS01874 / C-VSW-2400-F150-1	24" Vehicle-Specific Console for 2021+ Ford F-150 Responder	669.9500	N	1,339.90
4.00	CONS01819 / C-AHW-80	8" Accessory Holder For 3.3"W Section Of Wide Consoles	19.2500	N	77.00
4.00	CONS01770 / C-FPW-2	Filler Plate for Wide VSW Consoles, 2"	6.4200	N	25.68
4.00	FACE00871 / C-FPW-05	1/2" Filler Plate for Wide VSW Consoles	5.8500	N	23.40
2.00	FACE00342 / C-EB35-S38-1P	3.5" (1 pc) equipment mounting bracket for Sound Off ETSA38 PB 2012-09-01	28.4300	N	56.86
2.00	FACE00216 / C-EB25-XTL-1P	Havis Shield Faceplate for Motorola Radio XTL2500.	24.7900	N	49.58
2.00	CONS01691 / CUP2-1004	Self-Adjusting Double Cup Holder, 4"	48.8400	N	97.68
2.00	CONS00602 / C-AP-1395-L	Console, accessory, box, internal mount, 13" mounting PB 2012-09-01	207.4200	N	414.84
2.00	FACE00183 / C-FP-1	Havis 1" blank faceplate PB 2012-09-01	9.9800	N	19.96
2.00	SIRE00671 / ETSA484CSR	nERGY 400 Series Console Siren w/ knob control	518.4800	N	1,036.96

Quotation continued on next page ...

Quotation

Date	Page
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QTE0042260	

American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder Range T		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	Ford	F150 Responder	Black	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
2.00	SPEA00247 / ETSS100J	100J Series Composite Speaker w/Universal Bracket, 100-Watt note: mount speaker behind grille - Storage / Tool Box Single Lid Crossover	200.3000	N	400.60
2.00	STOR01366 / C63LPAB	RKI® C63LPAB - C-Series Low Profile Single Lid Crossover Too note:carid (fits short wheel base) - Power Management / Distribution	1,120.4900	N	2,240.98
2.00	PATC00224 / MI0001	Mini Patrol Power, Gen1, Universal - Window Tint	519.0100	N	1,038.02
2.00	TINT90001 / Window Tint	All window tinting - Installation / Shop Supplies / Shipping	288.0000	N	576.00
78.00	LABO90060 / LABOR	EVT Tech Installation Labor	125.0000	N	9,750.00
2.00	INST05440 / AEP-Misc	Shop Supplies	95.0000	N	190.00

Quotation continued on next page ...

Quotation

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American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder Range T		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	Ford	F150 Responder	Black	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
		Shipping		N	655.00

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SIGNATURE (not required if PO/contract is issued) _____

Parts	**12,212.04**
Labor / Services	**9,750.00**
Trans / Trip / Fee	**0.00**
Shipping	**655.00**
Order Discount	**0.00**
Subtotal	**22,617.04**
Total sales tax	**0.00**
Total order	**22,617.04**

SEWELL
FAMILY OF COMPANIES

SEWELL CHEVROLET		**QUOTE #:**	2500693BH
		DATE:	30-Sep
COOP:	BUYBOARD 724-23	**SALES PERSON:**	BILLY HUGHES
PRODUCT DESCRIPTION:	2026 CHEVY TAHOE 2WD PPV	**EMAIL:**	billy.hughes@teamsewell.com
		CONTACT:	LIZ THORNTON
END USER:	CITY OF MIDLAND	**PHONE #:**	
BUILD:	PATROL	**EMAIL:**	

BID SERIES:			**BASE PRICE:**	$ 56,500.00	
CODE:	OPTIONS:	BID PRICE:	CODE:	OPTIONS:	BID PRICE
CC10706	26 TAHOE 2WD PPV	INCL.		INFOTAINMENT SYSTEM	INCL.
	5.3L ECOTTEC 3 V8 ENGINE	INCL.		POWER WINDOWS/SEATS/MIRROR	INCL.
9C1	POLICE PACKAGE VEHICLE	INCL.		AC/HEAT AND CRUISE CONTROL	INCL.
6N5	REAR WINDOW SWITCH INACTIVE	INCL.		REMOTE START AND KEYLESS ENTR	INCL.
6N6	DOOR LOCKS & HANDLES INOP	INCL.		EXTRA KEYS	INCL.
RC1	SKID PLATES	INCL.			
V76	RECOVERY HOOKS	INCL.			

EXTERIOR COLOR:	BLACK
INTERIOR COLOR:	JET BLACK

ADDITIONAL ITEMS:	**FLEET ORDER**	
EQUIPMENT VENDOR:	**PRO-FIT OUTFITTERS S00733**	
EQUIPMENT VENDOR:		
REGISTRATION, INSPECTION, PAPERWORK, POSTAGE COST:		
DELIVERY COST $1.75 PER MILE	414 MILES	
SUB TOTAL:		
QUANTITY:	**19**	
CO OP FEE:	BUYBOARD. 724-23	
TOTAL:		

$	-
$	**33,111.00**
$	-
	254
	724.5
$	90,589.50
$	1,721,200.50
$	400
$	**1,721,600.50**

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

City of Midland, Liz Thornton
300 North Loraine Street
Midland TX 79701
United States

Quotation # S00733

Quotation Date: 09/15/2025

Expiration: 10/15/2025

Salesperson: Bary Bedford

VINs: None

DESCRIPTION	QUANTITY	UNIT PRICE	TAXES	AMOUNT
2025 BLACK TAHOE PATROL X18				
			Subtotal	$ 0.00
CONSOLE				
425-6735 2025+ TAHOE CONSOLE WITH LOCKING LID STORAGE	18.00 Units	645.00	No Sales Tax (Sales)	$ 11,610.00
425-6613 Federal Signal Pathfinder, PF200S17B/PF400S17B (R) - 4" Faceplate	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6295 Motorola XTL 5000 O5 Remote Head/APX 7500 O5/APX6500/4500 Remote Head 3" Faceplate	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6049 Blank Faceplate - 1" Faceplate	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6701 USB-A/USB-C and 12V Power Outlets x2 in 2" Faceplate	18.00 Units	85.00	No Sales Tax (Sales)	$ 1,530.00
425-1485 4" Utility Box - Faceplate Mount	18.00 Units	45.00	No Sales Tax (Sales)	$ 810.00
425-6051 Blank Faceplate - 2" Faceplate	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6729 ABS Dual Cup Holder Faceplate Mount (4")	18.00 Units	48.00	No Sales Tax (Sales)	$ 864.00

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

[MMSU-1] MMSU-1	18.00 Units	38.00	No Sales Tax (Sales)	$ 684.00
425-1849 Side Mount Arm Rest (Works with 425-6726, 425-6491, 425-6500, 425-6569,425-6678)	18.00 Units	99.00	No Sales Tax (Sales)	$ 1,782.00
425-0150 Mamba Mount w/GK-H Plate	18.00 Units	383.00	No Sales Tax (Sales)	$ 6,894.00
			Subtotal	$ 24,174.00
ELECTRONICS				
CG-X CHARGEGUARD	18.00 Units	101.00	No Sales Tax (Sales)	$ 1,818.00
B0CNS2GHRK	18.00 Units	21.00	No Sales Tax (Sales)	$ 378.00
HKN6168B REMOTE HEAD CABLE	18.00 Units	87.00	No Sales Tax (Sales)	$ 1,566.00
HKN4192C Motorola DC Power Cable 20' 20amp power cable	18.00 Units	62.00	No Sales Tax (Sales)	$ 1,116.00
HKN6188B Cable, Ch Power And Speaker	18.00 Units	74.00	No Sales Tax (Sales)	$ 1,332.00
HY0061 WIZACE 10FT SMA FEMALE TO MALE CABLE	18.00 Units	26.00	No Sales Tax (Sales)	$ 468.00
			Subtotal	$ 6,678.00
EMERGENCY LIGHTING				
VALR51J-P1BL	18.00 Units	2,717.00	No Sales Tax (Sales)	$ 48,906.00
HKB-TAH21-HP TAHOE HOOK KIT	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
PF200S17B PATHFINDER	18.00 Units	1,177.00	No Sales Tax (Sales)	$ 21,186.00
ES100C SPEAKER 100W	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
DFC-SB-ES100C	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

RBKIT2-COMPACT RUMBLER COMPACT KIT	18.00 Units	456.00	No Sales Tax (Sales)	$ 8,208.00
RBC2-TAH21ND RUMBLER BRAKET 21+ TAHOE	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
OBDCABLE20-GMCAN PBD CABLE	18.00 Units	130.00	No Sales Tax (Sales)	$ 2,340.00
PFSYNC-1 SYNC MODULE	18.00 Units	234.00	No Sales Tax (Sales)	$ 4,212.00
PFSPLTR-4 1 TO 4 SPLITTER	18.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
EXPMOD24 EXPANSION MODULE	54.00 Units	227.00	No Sales Tax (Sales)	$ 12,258.00
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	36.00 Units	117.00	No Sales Tax (Sales)	$ 4,212.00
MOUNT IN PB LIGHT CHANNEL				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	36.00 Units	117.00	No Sales Tax (Sales)	$ 4,212.00
1 EACH SIDE OF PB USING WEDGE				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	108.00 Units	117.00	No Sales Tax (Sales)	$ 12,636.00
3 EACH RUNNING BOARD USING WEDGE				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	36.00 Units	117.00	No Sales Tax (Sales)	$ 4,212.00
DS AND PS CARGO SIDE WINDOWS USING L BRACKETS				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	108.00 Units	117.00	No Sales Tax (Sales)	$ 12,636.00
FOR SPOILER BRACKET				
416309-RBW FLUSH MOUNT LIGHTHEAD R/W/B	180.00 Units	67.00	No Sales Tax (Sales)	$ 12,060.00
416302 GROMMET KIT	18.00 Units	14.00	No Sales Tax (Sales)	$ 252.00
ICSPL13-AW	18.00 Units	156.00	No Sales Tax (Sales)	$ 2,808.00
MOUNTED TO CENTER BAR OF PB				

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

MPSM6-TA21RS TAHOE SPOILER BRACKET	18.00 Units	149.00	No Sales Tax (Sales)	$ 2,682.00
MPSM6U-FPIU20SMW MICROPULSE WEDGE KIT	72.00 Units	11.00	No Sales Tax (Sales)	$ 792.00
MPSM6-LB MICROPULSE L BRACKET	36.00 Units	11.00	No Sales Tax (Sales)	$ 396.00
			Subtotal	$ 154,008.00
EXTERIOR				
WES36-4045 2025 Chevrolet Tahoe Push Bumper Elite	18.00 Units	850.00	No Sales Tax (Sales)	$ 15,300.00
WES36-4045WC 2025 Chevrolet Tahoe Push Bumper Elite Wire Cover	18.00 Units	57.00	No Sales Tax (Sales)	$ 1,026.00
WES36-4045W 21-22 TAHOE POLICE PURSUIT VEHICLE WING WRAP ELITE	18.00 Units	378.00	No Sales Tax (Sales)	$ 6,804.00
WES36-4045PB 20-22 TAHOE POLICE PURSUIT VEHICLE PIT BAR ELITE	18.00 Units	545.00	No Sales Tax (Sales)	$ 9,810.00
WES36-6015W2 PUSH BUMPER LIGHT CHANNEL 33.1 INCH WHELEN 2 HOLE BLACK	18.00 Units	55.00	No Sales Tax (Sales)	$ 990.00
			Subtotal	$ 33,930.00
PRISONER TRANSPORT				
475-1657 Chevy Tahoe (2021+) Space Creator Vehicle Partition Featuring Bidirectional Recessed Housing (HS/HV Window Option)	18.00 Units	839.00	No Sales Tax (Sales)	$ 15,102.00
475-1674 High Security Extension Panel for Chevy Tahoe (2021+) VP9 Space Creator Vehicle Partition - Two Piece Steel HSEP	18.00 Units	121.00	No Sales Tax (Sales)	$ 2,178.00
475-1743 Replacement Bio-Seat System for Chevy Tahoe (2021+)	18.00 Units	1,130.00	No Sales Tax (Sales)	$ 20,340.00
475-1764 Chevy Tahoe (2021+) Secure-Grid Window Armor & Door Panel Package	18.00 Units	475.00	No Sales Tax (Sales)	$ 8,550.00
475-0849 DUAL PARTITION MOUNTED ZRT GUNRACK WITH UNIVERSAL LOCKS	18.00 Units	587.00	No Sales Tax (Sales)	$ 10,566.00
			Subtotal	$ 56,736.00
STORAGE				

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C-CHTAHM2-21N-TR-PPZC11649E Tahoe Custom C11649E Custom TruckVault	18.00 Units	3,918.00	No Sales Tax (Sales)	$ 70,524.00
ALL ELECTRONICS MOUNTED HERE				
			Subtotal	$ 70,524.00
MISC.				
GRAPHICS			No Sales Tax (Sales)	$ 27,648.00
TINT - 2 2 FRONT WINDOWS AND EYEBROW	18.00 Units	300.00	No Sales Tax (Sales)	$ 5,400.00
			Subtotal	$ 33,048.00
CUSTOMER SUIPPLIED				
MOTOROLA APX 6500, ANTENNA X6, HAVIS DOCK, CRADLEPOINT, COAX				
			Subtotal	$ 0.00
LABOR, SHIPPING, SHOP SUPPLIES				
LABOR			No Sales Tax (Sales)	$ 152,100.00
SHIPPING			No Sales Tax (Sales)	$ 27,000.00
SHOP SUPPLIES			No Sales Tax (Sales)	$ 5,130.00
WIRING HARNESS			No Sales Tax (Sales)	$ 6,930.00
PROGRAMMING FEE			No Sales Tax (Sales)	$ 4,500.00
DISPOSAL			No Sales Tax (Sales)	$ 1,800.00
INSPECT			No Sales Tax (Sales)	$ 3,600.00
DEALER PREP			No Sales Tax (Sales)	$ 2,700.00
DELIVERY	18.00 Units	730.00	No Sales Tax (Sales)	$ 13,140.00
65.00				

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Subtotal	$ 216,900.00

Untaxed Amount	$ 595,998.00
Tax	$ 0.00
Total	$ 595,998.00

SEWELL
FAMILY OF COMPANIES

SEWELL CHEVROLET		**QUOTE #:**	2500693BH
		DATE:	30-Sep
COOP:	BUYBOARD 724-23	**SALES PERSON:**	BILLY HUGHES
PRODUCT DESCRIPTION:	2026 CHEVY TAHOE 2WD PPV	**EMAIL:**	billy.hughes@teamsewell.com
		CONTACT:	LIZ THORNTON
END USER:	CITY OF MIDLAND	**PHONE #:**	
BUILD:	PATROL – KG	**EMAIL:**	

BID SERIES:			**BASE PRICE:**	$ 56,500.00	
CODE:	OPTIONS:	BID PRICE:	CODE:	OPTIONS:	BID PRICE
CC10706	26 TAHOE 2WD PPV	INCL.		INFOTAINMENT SYSTEM	INCL.
	5.3L ECOTTEC 3 V8 ENGINE	INCL.		POWER WINDOWS/SEATS/MIRROR	INCL.
9C1	POLICE PACKAGE VEHICLE	INCL.		AC/HEAT AND CRUISE CONTROL	INCL.
6N5	REAR WINDOW SWITCH INACTIVE	INCL.		REMOTE START AND KEYLESS ENTR	INCL.
6N6	DOOR LOCKS & HANDLES INOP	INCL.		EXTRA KEYS	INCL.
RC1	SKID PLATES	INCL.			
V76	RECOVERY HOOKS	INCL.			

EXTERIOR COLOR:	BLACK
INTERIOR COLOR:	JET BLACK

ADDITIONAL ITEMS:	**FLEET ORDER**	**$ -**
EQUIPMENT VENDOR:	**PRO-FIT OUTFITTERS S00736**	**$ 38,841.00**
EQUIPMENT VENDOR:		**$ -**
REGISTRATION, INSPECTION, PAPERWORK, POSTAGE COST:		254
DELIVERY COST $1.75 PER MILE	414 MILES	724.5
SUB TOTAL:		$ 96,319.50
QUANTITY:	1	$ 96,319.50
CO OP FEE:	BUYBOARD. 724-23	$ 400
TOTAL:		**$ 96,719.50**

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

City of Midland, Liz Thornton
300 North Loraine Street
Midland TX 79701
United States

Quotation # S00736

Quotation Date: 09/15/2025

Expiration: 10/15/2025

Salesperson: Bary Bedford

VINs: None

DESCRIPTION	QUANTITY	UNIT PRICE	TAXES	AMOUNT
2025 BLACK TAHOE PATROL K9				
			Subtotal	$ 0.00
CONSOLE				
425-6735 2025+ TAHOE CONSOLE WITH LOCKING LID STORAGE	1.00 Units	645.00	No Sales Tax (Sales)	$ 645.00
425-6285 K9 Heat Alarm, CH-2520 4"	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6613 Federal Signal Pathfinder, PF200S17B/PF400S17B (R) - 4" Faceplate	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6295 Motorola XTL 5000 O5 Remote Head/APX 7500 O5/APX6500/4500 Remote Head 3" Faceplate	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6049 Blank Faceplate - 1" Faceplate	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6701 USB-A/USB-C and 12V Power Outlets x2 in 2" Faceplate	1.00 Units	85.00	No Sales Tax (Sales)	$ 85.00
425-6051 Blank Faceplate - 2" Faceplate	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6729 ABS Dual Cup Holder Faceplate Mount (4")	1.00 Units	48.00	No Sales Tax (Sales)	$ 48.00

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[MMSU-1] MMSU-1	1.00 Units	38.00	No Sales Tax (Sales)	$ 38.00
425-1849 Side Mount Arm Rest (Works with 425-6726, 425-6491, 425-6500, 425-6569,425-6678)	1.00 Units	99.00	No Sales Tax (Sales)	$ 99.00
425-0150 Mamba Mount w/GK-H Plate	1.00 Units	383.00	No Sales Tax (Sales)	$ 383.00
			Subtotal	$ 1,298.00
ELECTRONICS				
CG-X CHARGEGUARD	1.00 Units	94.00	No Sales Tax (Sales)	$ 94.00
B0CNS2GHRK	1.00 Units	21.00	No Sales Tax (Sales)	$ 21.00
HKN6168B REMOTE HEAD CABLE	1.00 Units	87.00	No Sales Tax (Sales)	$ 87.00
HKN4192C Motorola DC Power Cable 20' 20amp power cable	1.00 Units	62.00	No Sales Tax (Sales)	$ 62.00
HKN6188B Cable, Ch Power And Speaker	1.00 Units	74.00	No Sales Tax (Sales)	$ 74.00
HY0061 WIZACE 10FT SMA FEMALE TO MALE CABLE	1.00 Units	26.00	No Sales Tax (Sales)	$ 26.00
			Subtotal	$ 364.00
EMERGENCY LIGHTING				
VALR51J-P1BL	1.00 Units	2,717.00	No Sales Tax (Sales)	$ 2,717.00
HKB-TAH21-HP TAHOE HOOK KIT	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
PF200S17B PATHFINDER	1.00 Units	1,177.00	No Sales Tax (Sales)	$ 1,177.00
ES100C SPEAKER 100W	1.00 Units	405.00	No Sales Tax (Sales)	$ 405.00
DFC-SB-ES100C	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00

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RBKIT2-COMPACT RUMBLER COMPACT KIT	1.00 Units	456.00	No Sales Tax (Sales)	$ 456.00
RBC2-TAH21ND RUMBLER BRAKET 21+ TAHOE	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
OBDCABLE20-GMCAN PBD CABLE	1.00 Units	130.00	No Sales Tax (Sales)	$ 130.00
PFSYNC-1 SYNC MODULE	1.00 Units	263.00	No Sales Tax (Sales)	$ 263.00
PFSPLTR-4 1 TO 4 SPLITTER	1.00 Units	33.00	No Sales Tax (Sales)	$ 33.00
EXPMOD24 EXPANSION MODULE	3.00 Units	227.00	No Sales Tax (Sales)	$ 681.00
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	2.00 Units	117.00	No Sales Tax (Sales)	$ 234.00
MOUNT IN PB LIGHT CHANNEL				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	2.00 Units	117.00	No Sales Tax (Sales)	$ 234.00
1 EACH SIDE OF PB USING WEDGE				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	6.00 Units	117.00	No Sales Tax (Sales)	$ 702.00
3 EACH RUNNING BOARD USING WEDGE				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	2.00 Units	117.00	No Sales Tax (Sales)	$ 234.00
DS AND PS CARGO SIDE WINDOWS USING L BRACKETS				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	6.00 Units	117.00	No Sales Tax (Sales)	$ 702.00
FOR SPOILER BRACKET				
416309-RBW FLUSH MOUNT LIGHTHEAD R/W/B	10.00 Units	67.00	No Sales Tax (Sales)	$ 670.00
416302 GROMMET KIT	1.00 Units	14.00	No Sales Tax (Sales)	$ 14.00
ICSPL13-AW	1.00 Units	156.00	No Sales Tax (Sales)	$ 156.00
MOUNTED TO CENTER BAR OF PB				

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MPSM6-TA21RS TAHOE SPOILER BRACKET	1.00 Units	149.00	No Sales Tax (Sales)	$ 149.00
MPSM6U-FPIU20SMW MICROPULSE WEDGE KIT	4.00 Units	11.00	No Sales Tax (Sales)	$ 44.00
MPSM6-LB MICROPULSE L BRACKET	2.00 Units	14.00	No Sales Tax (Sales)	$ 28.00
			Subtotal	$ 9,029.00
EXTERIOR				
WES36-4045 2025 Chevrolet Tahoe Push Bumper Elite	1.00 Units	850.00	No Sales Tax (Sales)	$ 850.00
WES36-4045PB 20-22 TAHOE POLICE PURSUIT VEHICLE PIT BAR ELITE	1.00 Units	545.00	No Sales Tax (Sales)	$ 545.00
WES36-4045W 21-22 TAHOE POLICE PURSUIT VEHICLE WING WRAP ELITE	1.00 Units	378.00	No Sales Tax (Sales)	$ 378.00
WES36-4045WC 2025 Chevrolet Tahoe Push Bumper Elite Wire Cover	1.00 Units	57.00	No Sales Tax (Sales)	$ 57.00
			Subtotal	$ 1,830.00
K9 TRANSPORT				
HS-K9-C26-B HAVIS standard black K9 Transport	1.00 Units	3,902.00	No Sales Tax (Sales)	$ 3,902.00
HS-K9-A-336 Havis Remote Pager Kit for Hot-N-Pop	1.00 Units	825.00	No Sales Tax (Sales)	$ 825.00
HS-K9-A-104 Havis K9 Transport & Window Guard Option	1.00 Units	594.00	No Sales Tax (Sales)	$ 594.00
HS-K9-A-201 Havis K9 Transport Hot-N-Pop Unit	1.00 Units	2,947.00	No Sales Tax (Sales)	$ 2,947.00
HS-K9-A-306 Havis K9 Transport Engine Stall Option	1.00 Units	259.00	No Sales Tax (Sales)	$ 259.00
WES36-6015W2 PUSH BUMPER LIGHT CHANNEL 33.1 INCH WHELEN 2 HOLE BLACK	1.00 Units	55.00	No Sales Tax (Sales)	$ 55.00
			Subtotal	$ 8,582.00
STORAGE				
Z-CUSTOM-MIDLAND TRUCK VAULT CUSTOM K9 CARGO BOX FOR MIDLAND PD	1.00 Units	3,683.00	No Sales Tax (Sales)	$ 3,683.00

Remit to; P.O. Box 735, Millican, Texas 77866

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			Subtotal	$ 3,683.00
MISC.				
GRAPHICS			No Sales Tax (Sales)	$ 1,536.00
TINT - 2 2 FRONT WINDOWS AND EYEBROW	1.00 Units	300.00	No Sales Tax (Sales)	$ 300.00
			Subtotal	$ 1,836.00
CUSTOMER SUIPPLIED				
MOTOROLA APX 6500, ANTENNA X6, HAVIS DOCK, CRADLEPOINT, COAX				
			Subtotal	$ 0.00
LABOR, SHIPPING, SHOP SUPPLIES				
LABOR			No Sales Tax (Sales)	$ 8,619.00
SHIPPING			No Sales Tax (Sales)	$ 1,500.00
SHOP SUPPLIES			No Sales Tax (Sales)	$ 285.00
WIRING HARNESS			No Sales Tax (Sales)	$ 385.00
PROGRAMMING FEE			No Sales Tax (Sales)	$ 250.00
DISPOSAL			No Sales Tax (Sales)	$ 100.00
INSPECT			No Sales Tax (Sales)	$ 200.00
DEALER PREP			No Sales Tax (Sales)	$ 150.00
DELIVERY	1.00 Units	730.00	No Sales Tax (Sales)	$ 730.00
66.30				
			Subtotal	$ 12,219.00

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United States

Untaxed Amount	$ 38,841.00
Tax	$ 0.00
Total	$ 38,841.00

SEWELL
FAMILY OF COMPANIES

SEWELL CHEVROLET		**QUOTE #:**	2500693BH
		DATE:	30-Sep
COOP:	BUYBOARD 724-23	**SALES PERSON:**	BILLY HUGHES
PRODUCT DESCRIPTION:	2026 CHEVY TAHOE 2WD PPV	**EMAIL:**	billy.hughes@teamsewell.com
		CONTACT:	LIZ THORNTON
END USER:	CITY OF MIDLAND	**PHONE #:**	
BUILD:	PATROL - Admin	**EMAIL:**	

BID SERIES:			**BASE PRICE:**	$ 56,500.00	
CODE:	OPTIONS:	BID PRICE:	CODE:	OPTIONS:	BID PRICE
CC10706	26 TAHOE 2WD PPV	INCL.		INFOTAINMENT SYSTEM	INCL.
	5.3L ECOTTEC 3 V8 ENGINE	INCL.		POWER WINDOWS/SEATS/MIRROR	INCL.
9C1	POLICE PACKAGE VEHICLE	INCL.		AC/HEAT AND CRUISE CONTROL	INCL.
6N5	REAR WINDOW SWITCH INACTIVE	INCL.		REMOTE START AND KEYLESS ENTR	INCL.
6N6	DOOR LOCKS & HANDLES INOP	INCL.		EXTRA KEYS	INCL.
RC1	SKID PLATES	INCL.			
V76	RECOVERY HOOKS	INCL.			

EXTERIOR COLOR:	BLACK
INTERIOR COLOR:	JET BLACK

ADDITIONAL ITEMS:	**FLEET ORDER**		
EQUIPMENT VENDOR:	**PRO-FIT OUTFITTERS S00737**		$ -
EQUIPMENT VENDOR:			**$ 17,443.33**
REGISTRATION, INSPECTION, PAPERWORK, POSTAGE COST:			$ -
DELIVERY COST $1.75 PER MILE	414 MILES		254
SUB TOTAL:			724.5
QUANTITY:	5		$ 74,921.83
CO OP FEE:	BUYBOARD. 724-23		$ 374,609.15
TOTAL:			$ 400
			$ 375,009.15

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

City of Midland, Liz Thornton
300 North Loraine Street
Midland TX 79701
United States

Quotation # S00737

Quotation Date: 09/15/2025

Expiration: 10/15/2025

Salesperson: Bary Bedford

VINs: None

DESCRIPTION	QUANTITY	UNIT PRICE	TAXES	AMOUNT
2025 BLACK TAHOE ADMIN X6				
			Subtotal	$ 0.00
CONSOLE				
425-6735 2025+ TAHOE CONSOLE WITH LOCKING LID STORAGE	6.00 Units	645.00	No Sales Tax (Sales)	$ 3,870.00
425-6613 Federal Signal Pathfinder, PF200S17B/PF400S17B (R) - 4" Faceplate	6.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6295 Motorola XTL 5000 O5 Remote Head/APX 7500 O5/APX6500/4500 Remote Head 3" Faceplate	6.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6049 Blank Faceplate - 1" Faceplate	6.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6701 USB-A/USB-C and 12V Power Outlets x2 in 2" Faceplate	6.00 Units	85.00	No Sales Tax (Sales)	$ 510.00
425-1485 4" Utility Box - Faceplate Mount	6.00 Units	45.00	No Sales Tax (Sales)	$ 270.00
425-6051 Blank Faceplate - 2" Faceplate	6.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6729 ABS Dual Cup Holder Faceplate Mount (4")	6.00 Units	48.00	No Sales Tax (Sales)	$ 288.00

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[MMSU-1] MMSU-1	6.00 Units	38.00	No Sales Tax (Sales)	$ 228.00
425-1849 Side Mount Arm Rest (Works with 425-6726, 425-6491, 425-6500, 425-6569,425-6678)	6.00 Units	99.00	No Sales Tax (Sales)	$ 594.00
			Subtotal	$ 5,760.00
ELECTRONICS				
CG-X CHARGEGUARD	6.00 Units	94.00	No Sales Tax (Sales)	$ 564.00
B0CNS2GHRK	6.00 Units	21.00	No Sales Tax (Sales)	$ 126.00
HKN6168B REMOTE HEAD CABLE	6.00 Units	87.00	No Sales Tax (Sales)	$ 522.00
HKN4192C Motorola DC Power Cable 20' 20amp power cable	6.00 Units	62.00	No Sales Tax (Sales)	$ 372.00
HKN6188B Cable, Ch Power And Speaker	6.00 Units	74.00	No Sales Tax (Sales)	$ 444.00
HY0061 WIZACE 10FT SMA FEMALE TO MALE CABLE	6.00 Units	26.00	No Sales Tax (Sales)	$ 156.00
			Subtotal	$ 2,184.00
EMERGENCY LIGHTING				
SIFMJS-TAH21-P3 FRONT ILS TRIO 21+ THAOE	6.00 Units	1,041.00	No Sales Tax (Sales)	$ 6,246.00
SIFMJH-TAH21-PF1 REAR INTERIOR BAR TAHOE	6.00 Units	986.00	No Sales Tax (Sales)	$ 5,916.00
PF200S17B PATHFINDER	6.00 Units	1,177.00	No Sales Tax (Sales)	$ 7,062.00
ES100C SPEAKER 100W	6.00 Units	405.00	No Sales Tax (Sales)	$ 2,430.00
ESB-U ES100C BAIL MOUNT BRACKET	6.00 Units	52.00	No Sales Tax (Sales)	$ 312.00
MPSM6-GRL2 MICROPULSE BEHIND THE GRILLE BRACKET TAHOE	6.00 Units	38.00	No Sales Tax (Sales)	$ 228.00

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MPSM6-LPV1 FED SIG KIT,DUAL MNT,LP VERT,ADJ,MPS	6.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
MPSMW9-TAH21MIR UNDER MIRROR BRACKETS TAHOE	6.00 Units	45.00	No Sales Tax (Sales)	$ 270.00
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	36.00 Units	117.00	No Sales Tax (Sales)	$ 4,212.00
GRILLE AND LP				
MPSW9-RBW MICROPULSE WIDE ANGLE TRIO RBW	12.00 Units	152.00	No Sales Tax (Sales)	$ 1,824.00
UNDER MIRROR				
MPSM6-LB MICROPULSE L BRACKET	12.00 Units	14.00	No Sales Tax (Sales)	$ 168.00
REAR CARGO SIDE WINDOWS				
PFSYNC-1 SYNC MODULE	1.00 Units	263.00	No Sales Tax (Sales)	$ 263.00
EXPMOD24 EXPANSION MODULE	1.00 Units	227.00	No Sales Tax (Sales)	$ 227.00
OBDCABLE20-GMCAN PBD CABLE	1.00 Units	130.00	No Sales Tax (Sales)	$ 130.00
			Subtotal	$ 29,288.00
STORAGE				
C-CHTAHM2-21N-TR-PPZC11649E Tahoe Custom C11649E Custom TruckVault	6.00 Units	3,918.00	No Sales Tax (Sales)	$ 23,508.00
			Subtotal	$ 23,508.00
CUSTOMER SUPPLIED PARTS				
RADIO, ANTENNA				
			Subtotal	$ 0.00
MISC				
TINT - 2 2 FRONT WINDOWS AND EYEBROW	6.00 Units	300.00	No Sales Tax (Sales)	$ 1,800.00
			Subtotal	$ 1,800.00
LABOR, SHIPPING, SHOP SUPPLIES				

ProFit Outfitters
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United States

LABOR			No Sales Tax (Sales)	$ 26,520.00
SHIPPING			No Sales Tax (Sales)	$ 4,800.00
SHOP SUPPLIES			No Sales Tax (Sales)	$ 1,110.00
WIRING HARNESS			No Sales Tax (Sales)	$ 1,710.00
PROGRAMMING FEE			No Sales Tax (Sales)	$ 1,500.00
INSPECT			No Sales Tax (Sales)	$ 1,200.00
DEALER PREP			No Sales Tax (Sales)	$ 900.00
DELIVERY	6.00 Units	730.00	No Sales Tax (Sales)	$ 4,380.00
34.00				
			Subtotal	$ 42,120.00

Untaxed Amount	$ 104,660.00
Tax	$ 0.00
Total	$ 104,660.00

Remit to; P.O. Box 735, Millican, Texas 77866

info@profitoutfitters.com www.ProFitOutfitters.com

SEWELL
FAMILY OF COMPANIES

SEWELL CHEVROLET		**QUOTE #:**	2500693BH
		DATE:	30-Sep
COOP:	BUYBOARD 724-23	**SALES PERSON:**	BILLY HUGHES
PRODUCT DESCRIPTION:	2026 CHEVY TAHOE 2WD PPV	**EMAIL:**	billy.hughes@teamsewell.com
		CONTACT:	LIZ THORNTON
END USER:	CITY OF MIDLAND	**PHONE #:**	
BUILD:	RECRUITING BUILD	**EMAIL:**	

BID SERIES:			**BASE PRICE:**	$ 56,500.00	
CODE:	OPTIONS:	BID PRICE:	CODE:	OPTIONS:	BID PRICE
CC10706	26 TAHOE 2WD PPV	INCL.		INFOTAINMENT SYSTEM	INCL.
	5.3L ECOTTEC 3 V8 ENGINE	INCL.		POWER WINDOWS/SEATS/MIRROR	INCL.
9C1	POLICE PACKAGE VEHICLE	INCL.		AC/HEAT AND CRUISE CONTROL	INCL.
6N5	REAR WINDOW SWITCH INACTIVE	INCL.		REMOTE START AND KEYLESS ENTR	INCL.
6N6	DOOR LOCKS & HANDLES INOP	INCL.		EXTRA KEYS	INCL.
RC1	SKID PLATES	INCL.			
V76	RECOVERY HOOKS	INCL.			

EXTERIOR COLOR:	BLACK
INTERIOR COLOR:	JET BLACK

ADDITIONAL ITEMS:	**FLEET ORDER**	
EQUIPMENT VENDOR:	**PRO-FIT OUTFITTERS S00734**	**$ -**
EQUIPMENT VENDOR:		**$ 24,170.00**
REGISTRATION, INSPECTION, PAPERWORK, POSTAGE COST:		**$ -**
DELIVERY COST $1.75 PER MILE	414 MILES	254
SUB TOTAL:		724.5
QUANTITY:	1	$ 81,648.50
CO OP FEE:	BUYBOARD. 724-23	$ 81,648.50
TOTAL:		$ 400
		$ 82,048.50

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

City of Midland, Liz Thornton
300 North Loraine Street
Midland TX 79701
United States

Quotation # S00734

Quotation Date:
09/15/2025

Expiration:
10/15/2025

Salesperson:
Bary Bedford

VINs: None

DESCRIPTION	QUANTITY	UNIT PRICE	TAXES	AMOUNT
2025 BLACK TAHOE RECRUITING				
			Subtotal	$ 0.00
CONSOLE				
425-6735 2025+ TAHOE CONSOLE WITH LOCKING LID STORAGE	1.00 Units	645.00	No Sales Tax (Sales)	$ 645.00
425-6613 Federal Signal Pathfinder, PF200S17B/PF400S17B (R) - 4" Faceplate	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6295 Motorola XTL 5000 O5 Remote Head/APX 7500 O5/APX6500/4500 Remote Head 3" Faceplate	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6049 Blank Faceplate - 1" Faceplate	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6701 USB-A/USB-C and 12V Power Outlets x2 in 2" Faceplate	1.00 Units	85.00	No Sales Tax (Sales)	$ 85.00
425-1485 4" Utility Box - Faceplate Mount	1.00 Units	45.00	No Sales Tax (Sales)	$ 45.00
425-6051 Blank Faceplate - 2" Faceplate	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
425-6729 ABS Dual Cup Holder Faceplate Mount (4")	1.00 Units	48.00	No Sales Tax (Sales)	$ 48.00

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

[MMSU-1] MMSU-1	1.00 Units	38.00	No Sales Tax (Sales)	$ 38.00
425-1849 Side Mount Arm Rest (Works with 425-6726, 425-6491, 425-6500, 425-6569,425-6678)	1.00 Units	99.00	No Sales Tax (Sales)	$ 99.00
			Subtotal	$ 960.00
ELECTRONICS				
B0CNS2GHRK	1.00 Units	21.00	No Sales Tax (Sales)	$ 21.00
HKN6168B REMOTE HEAD CABLE	1.00 Units	87.00	No Sales Tax (Sales)	$ 87.00
HKN4192C Motorola DC Power Cable 20' 20amp power cable	1.00 Units	62.00	No Sales Tax (Sales)	$ 62.00
HKN6188B Cable, Ch Power And Speaker	1.00 Units	74.00	No Sales Tax (Sales)	$ 74.00
HY0061 WIZACE 10FT SMA FEMALE TO MALE CABLE	1.00 Units	26.00	No Sales Tax (Sales)	$ 26.00
			Subtotal	$ 270.00
EMERGENCY LIGHTING				
VALR51J-P1BL	1.00 Units	2,717.00	No Sales Tax (Sales)	$ 2,717.00
HKB-TAH21-HP TAHOE HOOK KIT	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
PF200S17B PATHFINDER	1.00 Units	1,177.00	No Sales Tax (Sales)	$ 1,177.00
ES100C SPEAKER 100W	1.00 Units	405.00	No Sales Tax (Sales)	$ 405.00
DFC-SB-ES100C	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00
RBKIT2-COMPACT RUMBLER COMPACT KIT	1.00 Units	456.00	No Sales Tax (Sales)	$ 456.00
RBC2-TAH21ND RUMBLER BRAKET 21+ TAHOE	1.00 Units	0.00	No Sales Tax (Sales)	$ 0.00

ProFit Outfitters
22424 FM 159
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OBDCABLE20-GMCAN PBD CABLE	1.00 Units	130.00	No Sales Tax (Sales)	$ 130.00
PFSYNC-1 SYNC MODULE	1.00 Units	263.00	No Sales Tax (Sales)	$ 263.00
PFSPLTR-4 1 TO 4 SPLITTER	1.00 Units	33.00	No Sales Tax (Sales)	$ 33.00
EXPMOD24 EXPANSION MODULE	3.00 Units	227.00	No Sales Tax (Sales)	$ 681.00
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	2.00 Units	117.00	No Sales Tax (Sales)	$ 234.00
MOUNT IN PB LIGHT CHANNEL				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	2.00 Units	117.00	No Sales Tax (Sales)	$ 234.00
1 EACH SIDE OF PB USING WEDGE				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	6.00 Units	117.00	No Sales Tax (Sales)	$ 702.00
3 EACH RUNNING BOARD USING WEDGE				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	2.00 Units	117.00	No Sales Tax (Sales)	$ 234.00
DS AND PS CARGO SIDE WINDOWS USING L BRACKETS				
MPS63U-RBW TRIO MICROPULSE RED/BLUE/WHITE	6.00 Units	117.00	No Sales Tax (Sales)	$ 702.00
FOR SPOILER BRACKET				
416309-RBW FLUSH MOUNT LIGHTHEAD R/W/B	10.00 Units	67.00	No Sales Tax (Sales)	$ 670.00
416302 GROMMET KIT	1.00 Units	14.00	No Sales Tax (Sales)	$ 14.00
ICSPL13-AW	1.00 Units	156.00	No Sales Tax (Sales)	$ 156.00
MOUNTED TO CENTER BAR OF PB				
MPSM6-TA21RS TAHOE SPOILER BRACKET	1.00 Units	149.00	No Sales Tax (Sales)	$ 149.00
MPSM6U-FPIU20SMW MICROPULSE WEDGE KIT	4.00 Units	11.00	No Sales Tax (Sales)	$ 44.00

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

MPSM6-LB MICROPULSE L BRACKET	2.00 Units	14.00	No Sales Tax (Sales)	$ 28.00
			Subtotal	$ 9,029.00
EXTERIOR				
WES36-4045 2025 Chevrolet Tahoe Push Bumper Elite	1.00 Units	850.00	No Sales Tax (Sales)	$ 850.00
WES36-4045PB 20-22 TAHOE POLICE PURSUIT VEHICLE PIT BAR ELITE	1.00 Units	545.00	No Sales Tax (Sales)	$ 545.00
WES36-4045W 21-22 TAHOE POLICE PURSUIT VEHICLE WING WRAP ELITE	1.00 Units	378.00	No Sales Tax (Sales)	$ 378.00
WES36-4045WC 2025 Chevrolet Tahoe Push Bumper Elite Wire Cover	1.00 Units	57.00	No Sales Tax (Sales)	$ 57.00
WES36-6015W2 PUSH BUMPER LIGHT CHANNEL 33.1 INCH WHELEN 2 HOLE BLACK	1.00 Units	55.00	No Sales Tax (Sales)	$ 55.00
			Subtotal	$ 1,885.00
MISC.				
GRAPHICS			No Sales Tax (Sales)	$ 1,536.00
TINT - 2 2 FRONT WINDOWS AND EYEBROW	1.00 Units	300.00	No Sales Tax (Sales)	$ 300.00
			Subtotal	$ 1,836.00
CUSTOMER SUIPPLIED				
MOTOROLA APX 6500, ANTENNA X1 COAX				
			Subtotal	$ 0.00
LABOR, SHIPPING, SHOP SUPPLIES				
LABOR			No Sales Tax (Sales)	$ 6,890.00
SHIPPING			No Sales Tax (Sales)	$ 1,200.00
SHOP SUPPLIES			No Sales Tax (Sales)	$ 285.00
WIRING HARNESS			No Sales Tax (Sales)	$ 385.00

ProFit Outfitters
22424 FM 159
Navasota TX 77868
United States

PROGRAMMING FEE			No Sales Tax (Sales)	$ 250.00
DISPOSAL			No Sales Tax (Sales)	$ 100.00
INSPECT			No Sales Tax (Sales)	$ 200.00
DEALER PREP			No Sales Tax (Sales)	$ 150.00
DELIVERY	1.00 Units	730.00	No Sales Tax (Sales)	$ 730.00
53.00				
			Subtotal	$ 10,190.00

Untaxed Amount	$ 24,170.00
Tax	$ 0.00
Total	$ 24,170.00

SEWELL
FAMILY OF COMPANIES

SEWELL FAMILY OF COMPANIES		**QUOTE #:**	2500821BH
		DATE:	10-Oct
COOP:	BUYBOARD 724-23	**SALES PERSON:**	BILLY HUGHES
PRODUCT DESCRIPTION:	2025 F150 XLT 4WD SUPERCREW	**EMAIL:**	billy.hughes@teamsewell.com
		CONTACT:	LIZ THORNTON
END USER:	CITY OF MIDLAND	**PHONE #:**	
ADDRESS:	CSO TRUCKS	**EMAIL:**	

BID SERIES:			**BASE PRICE:**	$ 53,500.00	
CODE:	OPTIONS:	BID PRICE:	CODE:	OPTIONS:	BID PRICE
W3L	25 F150 XLT SUPERCREW 4WD	INCL.		INFOTAINMENT SYSTEM	INCL.
	3.5L V6 ECOBOOST	INCL.		POWER WINDOWS/SEATS	INCL.
	FRONT LICENSE PLATE KIT	INCL.		AC/HEAT AND CRUISE CONTROL	INCL.
17R	REAR DOOR CONTROLS INOP	INCL.		KEYLESS ENTRY/	INCL.
18B	BLACK PLATFROM RUNNING BOARDS	INCL.		SPOTLIGHT DRIVER SIDE	INCL.
67T	INTEGRATED TRAILER BRAKE CONTROL	INCL.			

EXTERIOR COLOR:	BLACK
INTERIOR COLOR:	BLACK

ADDITIONAL ITEMS:	**GOVERNMENT ORDER**	**$ -**
EQUIPMENT VENDOR:	**AEP QTE 0042259**	**$ 19,418.00**
EQUIPMENT VENDOR:		**$ 84.00**
REGISTRATION, INSPECTION, PAPERWORK, POSTAGE COST:		254
DELIVERY COST $1.75 PER MILE	0 MILES	0
SUB TOTAL:		$ 73,256.00
QUANTITY:	4	$ 293,024.00
CO OP FEE:	BUYBOARD 724-23	$ 400
TOTAL:		**$ 293,424.00**

Quotation

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QTE0042259	

American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder CSO Blu		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	FORD	F150 Responder	BLACK	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
		(2x) 2026 F150 Responder CSO Upfits for Midland PD Agency: Midland PD Contact: Liz Thornton Phone: 432.528.3589 Dealer: Sewell Ford Contact: Billy Hughes Phone: 940.867.1537 (Front Doors need wrapped white) (add MPD graphics to front doors) - Front Grille Emergency Lighting Blue/Amber (SoundOff)			
4.00	LIGH00365 / EMPS2001N-M	mpower® Fascia 4" stud mount Blue / Amber	130.5400	N	522.16
4.00	LEDS03364 / PMP2BKDGAJ	90 deg Adjustable Mounting Bracket for mPower LED QSF097780 - Overhead Emergency Lightbar Blue/Amber (SoundOff)	9.6600	N	38.64
2.00	INST05526 / Parts	nFORCE® nxt Lightbar 54" blue/amber QSF097780	2,497.0000	N	4,994.00

Quotation continued on next page ...

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American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder CSO Blu		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	FORD	F150 Responder	BLACK	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
		- Running Board / Side Vehicle Lighting (SoundOff)			
16.00	LIGH00365 / EMPS2001N-M	mpower® Fascia 4" stud mount Blue / Amber	130.5400	N	2,088.64
		note: 4 lights per running board, 8 per truck			
		- Rear Bumper Lighting Blue/Amber (SoundOff)			
4.00	LIGH00365 / EMPS2001N-M	mpower® Fascia 4" stud mount Blue / Amber	130.5400	N	522.16
2.00	BKRT00028 / PMP2BRK2LPV	Soundoff 4" Mpower license plate bracket, vertical	29.5300	N	59.06
		- Light Controller (SoundOff)			
2.00	SIRE00579 / ETCPMP801	Soundoff (8) button controller	163.1700	N	326.34
		- Power Management / Distribution (SoundOff)			
2.00	PATC00224 / MI0001	Mini Patrol Power, Gen1, Universal	519.0100	N	1,038.02
		- Activate Headlight / Taillight Flasher			
		- Center Console / Pedestal with docking station (HAVIS)			

Quotation continued on next page ...

Quotation

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American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder CSO Blu		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	FORD	F150 Responder	BLACK	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
2.00	CONS01874 / C-VSW-2400-F150-1	24" Vehicle-Specific Console for 2021+ Ford F-150 Responder	669.9500	N	1,339.90
2.00	INST05526 / Parts	Docking Station For Getac S410 Notebook With Triple Pass-Thr	1,034.7500	N	2,069.50
2.00	COMP00616 / C-HDM-214	8.5" HD Telescoping pole, side mount PB 2012-09-01	138.5100	N	277.02
2.00	CONS01454 / C-MD-112	11" Slide Out Locking Swing Arm W/ Motion Adapter	276.2900	N	552.58
2.00	FACE00216 / C-EB25-XTL-1P	Havis Shield Faceplate for Motorola Radio XTL2500.	24.7900	N	49.58
2.00	CONS01623 / CUP2-1001	Self-Adjusting Dual Cup Holder	51.0300	N	102.06
2.00	VACC02761 / C-ARM-1001	VSX Internal Mount Armrest with Lockable Accessory Pocket, 7	239.3800	N	478.76
2.00	CONS01940 / C-LP1-USB	Lighter Plug Outlet W/ 1 USB Cut Outs	47.0300	N	94.06
2.00	FACE00893 / C-AHW-45	4.5" Accessory Holder for 3.3"W Section of Wide Consoles	18.2500	N	36.50
2.00	FACE00228 / C-FP-4	Havis-Shields 4" blank faceplate PB 2012-09-01	11.2300	N	22.46

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Quotation

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American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder CSO Blu		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	FORD	F150 Responder	BLACK	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
		- Bed Cover (CarID Trifold)			
2.00	VACC03330 / TR26029	UnderCover® - Triad Hard Folding Tonneau Cover	989.3900	N	1,978.78
		- Weather Guard Storage (Grainger)			
2.00	STOR01291 / 13R548	WeatherGuard Truck or Van Storage Drawer	2,268.7300	N	4,537.46
		- CSM (customer supplied materials)			
		APX 8500 Motorola Radio			
		Getac S410 Laptop			
		Install GPS equipment			
		Graphics provided by MPD			
		- Vehicle Graphics / Door Wrap by 575 Designs			
2.00	GRAP90001 / Graphics	Graphics Install by 575 Designs	270.0000	N	540.00
2.00	GRAP90001 / Graphics	Wrap front doors white by 575 Designs	465.0000	N	930.00

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American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder CSO Blu		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	FORD	F150 Responder	BLACK	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
		- Window Tinting 20% Front 20% Rear			
2.00	TINT90001 / Window Tint	All window tinting	350.0000	N	700.00
		- Installation / Shop supplies / Shipping			
108.00	LABO90060 / LABOR	EVT Tech Installation Labor	125.0000	N	13,500.00
2.00	INST05440 / AEP-Misc	Shop Supplies	95.0000	N	190.00
		Shipping		N	1,850.00

Thank you for the opportunity to earn your business

Terms & Conditions:

- **ESTIMATES VALID FOR 30 DAYS**
- Orders will be invoiced upon notification of completion
- Returns subject to 25% restocking fee. No returns on special order items.
- Credit Card payments accepted for payments of orders/invoicing totaling $10,000 or less only.

SIGNATURE (not required if PO/contract is issued) _____

Parts	**22,017.68**
Labor / Services	**14,970.00**
Trans / Trip / Fee	**0.00**
Shipping	**1,850.00**
Order Discount	**0.00**
Subtotal	**38,837.68**
Total sales tax	**0.00**
Total order	**38,837.68**

SEWELL
FAMILY OF COMPANIES

SEWELL FAMILY OF COMPANIES		**QUOTE #:**	2400820BH
		DATE:	10-Oct
COOP:	BUYBOARD 724-23	**SALES PERSON:**	BILLY HUGHES
PRODUCT DESCRIPTION:	2025 FORD PIU INTERCEPTOR	**EMAIL:**	billy.hughes@teamsewell.com
		CONTACT:	LIZ THORNTON
END USER:	CITY OF MIDLAND	**PHONE #:**	
ADDRESS:	UNMARKED UNITS	**EMAIL:**	

BID SERIES:			**BASE PRICE:**	$ 48,500.00	
CODE:	OPTIONS:	BID PRICE:	CODE:	OPTIONS:	BID PRICE
K8A	25 FORD INTERCEPTOR PPV AWD	INCL.		INFOTAINMENT SYSTEM	INCL.
	3.3L V6 ENGINE	INCL.		POWER WINDOWS/SEATS	INCL.
	FRONT LICENSE PLATE KIT	INCL.		AC/HEAT AND CRUISE CONTROL	INCL.
68G	REAR DOOR LOCKS INOP	INCL.		BACK UP CAMERA	INCL.
76D	DEFLECTOR PLATE	INCL.		BLUETOOTH	INCL.

EXTERIOR COLOR:	BLACK
INTERIOR COLOR:	BLACK

ADDITIONAL ITEMS:	**FLEET STOCK UNITS NAVASOTA**	$ -
EQUIPMENT VENDOR:	**AEP 42251**	**$ 8,494.84**
EQUIPMENT VENDOR:		
REGISTRATION, INSPECTION, PAPERWORK, POSTAGE COST:		254
DELIVERY COST $1.75 PER MILE	416 MILES	728
SUB TOTAL:		$ 57,976.84
QUANTITY:	5	$ 289,884.20
CO OP FEE:	BUYBOARD. 724-23	$ 400
TOTAL:		**$ 290,284.20**

Quotation

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American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(5x) Unmarked PIU red/blue packag		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	Ford	PIU		Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
		*** (5x) Unmarked 2026 PIU red/blue package *** Agency: City of Midland Contact: Liz Thornton Phone: 432.528.3589 Dealership: Sewell Contact: Billy Phone: 940.867.1537			
		- Front Interior Lightbar Red/Blue			
5.00	INST05526 / Parts	nFORCE® Interior LED Lightbar red/blue	647.8500	N	3,239.25
		QSF097613			
		- Rear Interior Lightbar Red/Blue			
5.00	INST05526 / Parts	nFORCE® Interior LED Lightbar Rear red/blue	647.8500	N	3,239.25
		QSF097613			
		- HAVIS Center Console / Controller / Siren Speakers			
5.00	CONS01768 / C-VSX-1800-INUT	VSX Console with Front Bin for 2020-2021 Ford Interceptor	577.3700	N	2,886.85

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American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(5x) Unmarked PIU red/blue packag		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	Ford	PIU		Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
5.00	VACC02761 / C-ARM-1001	VSX Internal Mount Armrest with Lockable Accessory Pocket, 7	248.5900	N	1,242.95
5.00	SIRE00644 / ETSA482RSR	nERGY® 400 Series Remote Siren w/ Knob Control / Dual Tone	670.3300	N	3,351.65
5.00	BKRT00197 / C-EBX-SO-1	VSX Equipment Bracket, Front Tray Siren Light Control,Sound	24.2400	N	121.20
5.00	CONS01691 / CUP2-1004	Self-Adjusting Double Cup Holder, 4"	48.8400	N	244.20
5.00	FACE00181 / C-FP-05	Havis 0.5" FACEPLATE BLANK PB 2012-09-01	9.9800	N	49.90
5.00	FACE00211 / C-FP-3	Havis Shield 3" Blank Face Plate. PB 2012-09-01	12.8300	N	64.15
10.00	SPEA00247 / ETSS100J	100J Series Composite Speaker w/Universal Bracket, 100-Watt	195.8500	N	1,958.50
10.00	BKRT00082 / ETSSVBK01	100N/100J single speaker behind grille brkt,20-24 PIU,2 max - Power Management	31.7500	N	317.50
5.00	PATC00224 / MI0001	Mini Patrol Power, Gen1, Universal	519.0100	N	2,595.05

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Quotation

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American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(5x) Unmarked PIU red/blue packag		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	Ford	PIU		Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
		- Window Tint			
5.00	TINT90001 / Window Tint	All window tinting	488.7500	N	2,443.75
		note: 5% Rear 20% Front			
		- Installation / Shop Supplies / Shipping			
160.00	LABO90060 / LABOR	Installation Labor	125.0000	N	20,000.00
5.00	INST05440 / AEP-Misc	Shop Supplies	95.0000	N	475.00
		Shipping		N	245.00

Thank you for the opportunity to earn your business

Terms & Conditions:

- **ESTIMATES VALID FOR 30 DAYS**
- Orders will be invoiced upon notification of completion
- Returns subject to 25% restocking fee. No returns on special order items.
- Credit Card payments accepted for payments of orders/invoicing totaling $10,000 or less only.

SIGNATURE (not required if PO/contract is issued) _____

Parts	**22,229.20**
Labor / Services	**20,000.00**
Trans / Trip / Fee	**0.00**
Shipping	**245.00**
Order Discount	**0.00**
Subtotal	**42,474.20**
Total sales tax	**0.00**
Total order	**42,474.20**

SEWELL
FAMILY OF COMPANIES

SEWELL FAMILY OF COMPANIES		**QUOTE #:**	2500821BH
		DATE:	10-Oct
COOP:	BUYBOARD 724-23	**SALES PERSON:**	BILLY HUGHES
PRODUCT DESCRIPTION:	2025 F150 XLT 4WD SUPERCREW	**EMAIL:**	billy.hughes@teamsewell.com
		CONTACT:	LIZ THORNTON
END USER:	CITY OF MIDLAND	**PHONE #:**	
ADDRESS:	RANGE TRUCKS	**EMAIL:**	

BID SERIES:			**BASE PRICE:**	$ 53,500.00	
CODE:	OPTIONS:	BID PRICE:	CODE:	OPTIONS:	BID PRICE
W3L	25 F150 XLT SUPERCREW 4WD	INCL.		INFOTAINMENT SYSTEM	INCL.
	3.5L V6 ECOBOOST	INCL.		POWER WINDOWS/SEATS	INCL.
	FRONT LICENSE PLATE KIT	INCL.		AC/HEAT AND CRUISE CONTROL	INCL.
17R	REAR DOOR CONTROLS INOP	INCL.		KEYLESS ENTRY/	INCL.
18B	BLACK PLATFROM RUNNING BOARDS	INCL.		SPOTLIGHT DRIVER SIDE	INCL.
67T	INTEGRATED TRAILER BRAKE CONTROL	INCL.			

EXTERIOR COLOR:	BLACK
INTERIOR COLOR:	BLACK

ADDITIONAL ITEMS:	**GOVERNMENT ORDER**	
EQUIPMENT VENDOR:	**AEP QTE 0042260**	
EQUIPMENT VENDOR:		
REGISTRATION, INSPECTION, PAPERWORK, POSTAGE COST:		
DELIVERY COST $1.75 PER MILE	0 MILES	
SUB TOTAL:		
QUANTITY:	**2**	
CO OP FEE:	BUYBOARD 724-23	
TOTAL:		

$	-
$	**11,308.52**
	254
	0
$	65,062.52
$	130,125.04
$	400
$	**130,525.04**

Quotation

Date	Page
Oct 7, 2025	1
Order Number	
QTE0042260	

American Emergency Products

1110 South FM 1788, Unit 70
Midland, TX 79706
Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder Range T		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	Ford	F150 Responder	Black	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
		*** (2x) 2026 F150 Responder Range Trucks for MPD ***			
		Agency: Midland Police Department Contact: Liz Thornton Phone: 432.528.3589 Dealership: Sewell Contact: Billy Hughes Phone: 940.867.1537			
		(Unmarked - Red/Blue Package)			
		- Interior Visor Emergency Lighting Red/Blue-SoundOff Signal			
2.00	INST05526 / Parts	nFORCE® Interior LED Lightbar Red/Blue	857.8100	N	1,715.62
		QSF097806			
		- Headache Rack with Emergency Lighting Red/Blue			
2.00	TRUC00326 / 11908-52-01	Weather Guard Headache Rack, Half Bar, Aluminum, Black	1,193.4000	N	2,386.80
4.00	LEDS03388 / EMPS2STS4J	mPOwer Fascia LED, Stud Mount, 12-LED, Red/Blue	130.5400	N	522.16
		- Siren/Controller/Speaker/Havis Console			

Quotation continued on next page ...

Quotation

Date	Page
Oct 7, 2025	2
Order Number	
QTE0042260	

American Emergency Products

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US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder Range T		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	Ford	F150 Responder	Black	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
2.00	CONS01874 / C-VSW-2400-F150-1	24" Vehicle-Specific Console for 2021+ Ford F-150 Responder	669.9500	N	1,339.90
4.00	CONS01819 / C-AHW-80	8" Accessory Holder For 3.3"W Section Of Wide Consoles	19.2500	N	77.00
4.00	CONS01770 / C-FPW-2	Filler Plate for Wide VSW Consoles, 2"	6.4200	N	25.68
4.00	FACE00871 / C-FPW-05	1/2" Filler Plate for Wide VSW Consoles	5.8500	N	23.40
2.00	FACE00342 / C-EB35-S38-1P	3.5" (1 pc) equipment mounting bracket for Sound Off ETSA38 PB 2012-09-01	28.4300	N	56.86
2.00	FACE00216 / C-EB25-XTL-1P	Havis Shield Faceplate for Motorola Radio XTL2500.	24.7900	N	49.58
2.00	CONS01691 / CUP2-1004	Self-Adjusting Double Cup Holder, 4"	48.8400	N	97.68
2.00	CONS00602 / C-AP-1395-L	Console, accessory, box, internal mount, 13" mounting PB 2012-09-01	207.4200	N	414.84
2.00	FACE00183 / C-FP-1	Havis 1" blank faceplate PB 2012-09-01	9.9800	N	19.96
2.00	SIRE00671 / ETSA484CSR	nERGY 400 Series Console Siren w/ knob control	518.4800	N	1,036.96

Quotation continued on next page ...

Quotation

Date	Page
Oct 7, 2025	3
Order Number	
QTE0042260	

American Emergency Products

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Midland, TX 79706
Remit to: PO Box 62380
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Sold To:

Sewell Ford
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Odessa, TX 79765
US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder Range T		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	Ford	F150 Responder	Black	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
2.00	SPEA00247 / ETSS100J	100J Series Composite Speaker w/Universal Bracket, 100-Watt note: mount speaker behind grille - Storage / Tool Box Single Lid Crossover	200.3000	N	400.60
2.00	STOR01366 / C63LPAB	RKI® C63LPAB - C-Series Low Profile Single Lid Crossover Too note:carid (fits short wheel base) - Power Management / Distribution	1,120.4900	N	2,240.98
2.00	PATC00224 / MI0001	Mini Patrol Power, Gen1, Universal - Window Tint	519.0100	N	1,038.02
2.00	TINT90001 / Window Tint	All window tinting - Installation / Shop Supplies / Shipping	288.0000	N	576.00
78.00	LABO90060 / LABOR	EVT Tech Installation Labor	125.0000	N	9,750.00
2.00	INST05440 / AEP-Misc	Shop Supplies	95.0000	N	190.00

Quotation continued on next page ...

Quotation

Date	Page
Oct 7, 2025	4
Order Number	
QTE0042260	

American Emergency Products

1110 South FM 1788, Unit 70
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Remit to: PO Box 62380
Midland, TX 79711

Sold To:

Sewell Ford
4400 Parks Legado Road
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US

Ship To:

American Emergency Products Texas
Unit #70
1110 S FM 1788
Midland, Texas, 79706
US

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
(2x) 2026 F150 Responder Range T		SEW11201	RH	Oct 7, 2025		NET30

Year	Make	Model	Color	State Contract #
2026	Ford	F150 Responder	Black	Buyboard#698-23

Qty. Ord.	Item / Vendor Part Number	Description	Unit Price	Tax	Extended Price
		Shipping		N	655.00

Thank you for the opportunity to earn your business

Terms & Conditions:

- **ESTIMATES VALID FOR 30 DAYS**
- Orders will be invoiced upon notification of completion
- Returns subject to 25% restocking fee. No returns on special order items.
- Credit Card payments accepted for payments of orders/invoicing totaling $10,000 or less only.

SIGNATURE (not required if PO/contract is issued) _____

Parts	12,212.04
Labor / Services	9,750.00
Trans / Trip / Fee	0.00
Shipping	655.00
Order Discount	0.00
Subtotal	22,617.04
Total sales tax	0.00
Total order	22,617.04

City Council Meeting

Item Number: 11.
Meeting Date: October 28, 2025
To: City Council
From: Erika Munoz, Assistant General Services Director
Subject: RESOLUTION APPROVING THE PURCHASE OF A ONE-YEAR RENEWAL OF THE PALO ALTO NETWORKS CORTEX AND FIREWALL SECURITY SYSTEMS FROM CDW GOVERNMENT LLC THROUGH THE INTERLOCAL PURCHASING SYSTEM FOR A TOTAL COST OF $229,395.27; AND AUTHORIZING PAYMENT FOR SAID PURCHASE

Purpose:
Resolution approving the one-year renewal of Palo Alto Networks Cortex and Firewall security systems from CDW-Government LLC through TIPS 230105 for a total cost of $229,395.27.

Recommended Action:
Approve

Fiscal Impact:
Funds are available in the ITSD Technology Fund Operating Budget.

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
Staff recommends approving the one-year renewal of Palo Alto Networks Cortex and Firewall security systems from CDW-Government LLC through TIPS 23010. 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. Please see the attached memo from Gorgees Eskander, Chief Information Officer, for additional information.

Therefore, please consider a resolution approving the one-year renewal of Palo Alto Networks Cortex and Firewall security systems from CDW-Government LLC through TIPS 230105 for a total cost of $229,395.27.

Attachments:
A. Palo Alto Cortex and Firewalls Renewal memo
B. RESOLUTION - TIPS - Palo Alto Networks Cortex Renewal Reso
C. EXHIBIT A - Midland TX 251013A Exh to Reso

D. Midland TX 251013A

Erika Munoz, General Services	Created/Initiated - 10/16/2025
Regina Stephenson, General Services	Approved - 10/16/2025
Christy Weakland, Finance	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/20/2025
Jose Ortiz, City Manager	Approved - 10/22/2025
Morris Williams, City Manager	Approved - 10/22/2025
Jan Hamilton, City Secretary	Final Approval - 10/22/2025

City Council Agenda Item

MEETING DATE: **October 13, 2025**

TO: Erika Munoz, Assistant General Services Director

FROM: Gorgees Eskander, Chief Information Officer

SUBJECT: Consider a resolution approving the one-year renewal of Palo Alto Networks Cortex and Firewall security systems for a total cost of $229,395.27 from CDW-Government LLC via TIPS 230105.

Purpose:
Consider a resolution approving the one-year renewal of Palo Alto Networks Cortex and Firewall security systems for a total cost of $229,395.27 from CDW-Government LLC via TIPS 230105.

Discussion:
This renewal continues the City's investment in the technology that protects our network, data, and systems from cyber threats. Palo Alto Networks provides the City's primary firewalls and cybersecurity platform, which monitor, detect, and block unauthorized access attempts, malware, and other online attacks before they reach critical City systems.

These systems safeguard essential City operations such as police, fire, utilities, permitting, finance, and other public services that rely on secure and reliable technology every day. Renewing this agreement ensures that our cybersecurity tools remain current, supported, and effective against new and emerging threats.

This investment supports the City Council's strategic goal of protecting City operations through Smart and Secure Technology.

The total cost of the one-year renewal is $229,395.27 and includes all licenses, updates, and technical support. Funding is available in the ITSD Technology Fund.

RESOLUTION NO. _____

RESOLUTION APPROVING THE PURCHASE OF A ONE-YEAR RENEWAL OF THE PALO ALTO NETWORKS CORTEX AND FIREWALL SECURITY SYSTEMS FROM CDW GOVERNMENT LLC THROUGH THE INTERLOCAL PURCHASING SYSTEM FOR A TOTAL COST OF $229,395.27; AND AUTHORIZING PAYMENT FOR SAID PURCHASE

WHEREAS, The Interlocal Purchasing System ("TIPS") is a cooperative purchasing agency with which the City of Midland (the "City") participates with on purchases through a cooperative purchasing program in accordance with Tex. Loc. Gov't Code § 271.102; and

WHEREAS, CDW Government LLC has submitted a total proposed cost to the City of $229,329.27 for the purchase of a one-year renewal of the Palo Alto Networks Cortex and firewall security systems through TIPS, as shown on the quote attached hereto as Exhibit "A" and incorporated herein for all purposes; and

WHEREAS, the City Council finds the price proposed by CDW Government LLC through TIPS, for the purchase of said renewal to be fair and reasonable; and

WHEREAS, the City Council finds it to be in the public interest to purchase said renewal from CDW Government LLC through TIPS;

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 renewal of the Palo Alto Networks Cortex and firewall security systems from CDW Government LLC through TIPS for a total cost of $229,329.27.

SECTION TWO. That funding shall be available in the ITSD Technology Fund Operating Budget.

SECTION THREE. That the City Comptroller is hereby authorized and directed to pay CDW Government LLC for said renewal 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

			$	229,395.27
Customer:	City of Midland	Contract: TIPS 230105 Tech Solutions, Products, and Services(230105)	Quote Number:	251013A
Contact:	Gorgees Eskander		Quote Date:	October 13, 2025
Address:	601 N Loraine		Prepared By:	Alyssa McArthur-Guzman
	Midland TX		Phone:	(877)621-3156
Phone:			Email:	alysmca@cdwg.com

Qty	PART NUMBER	DESCRIPTION	UNIT COST	EXT. COST
1	PAN-SVC-PREMUSG-220	For US Government accounts only. Premium	$255.37	$ 255.37
	-R	support renewal, PA-220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 012801131822		
1	PAN-SVC-PREMUSG-220 -R	For US Government accounts only. Premium	$255.37	$ 255.37
		support renewal, PA-220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 012801176139		
1	PAN-PA-5220-DNS-HA2-R	DNS Security subscription for device in an HA pair	$7,686.47	$ 7,686.47
		renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017478		
1	PAN-PA-5220-ADVURLHA2-R	Subscription Advanced URL Filtering, 1-year, PA-	$11,529.70	$ 11,529.70
		5220, HA Pair Renewal		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017478		
1	PAN-PA-5220-PAA-HA2-R	Prisma Access Agent subscription for device in an	$7,868.47	$ 7,868.47
		HA pair renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017478		
1	PAN-PA-5220-AWF-HA2-R	Advanced WildFire subscription for device in an	$11,529.70	$ 11,529.70
		HA pair renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017478		
1	PAN-SVC-PREMUSG-5220-R	For US Government accounts only. Premium	$12,617.40	$ 12,617.40
		support renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		

Exhibit "A"

		Serial #: 013201017478		
1	PAN-PA-5220-TP-HA2-R	Threat prevention subscription for device in an HA	$7,686.47	$ 7,686.47
		pair renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017478		
1	PAN-PA-5220-DNS-HA2-R	DNS Security subscription for device in an HA pair	$7,686.47	$ 7,686.47
		renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
	PAN-PA-5220-ADVURLHA2-R	Serial #: 013201017511		
1		Subscription Advanced URL Filtering, 1-year, PA-	$11,529.70	$ 11,529.70
		5220, HA Pair Renewal		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017511		
1	PAN-PA-5220-PAA-HA2-R	Prisma Access Agent subscription for device in an	$7,686.47	$ 7,686.47
		HA pair renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017511		
1	PAN-PA-5220-AWF-HA2-R	Advanced WildFire subscription for device in an	$11,529.70	$ 11,529.70
		HA pair renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017511		
1	PAN-SVC-PREMUSG-5220-R	For US Government accounts only. Premium	$12,617.40	$ 12,617.40
		support renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017511		
1	PAN-PA-5220-TP-HA2-R	Threat prevention subscription for device in an HA	$7,686.47	$ 7,686.47
		pair renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017511		
1	PAN-SVC-PREMUSG-3220-R	For US Government accounts only. Premium	$4,542.76	$ 4,542.76
		support renewal, PA-3220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 016201039541		
1	PAN-PA-3220-ADVURL-R	Subscription Advanced URL Filtering, 1-year,	$2,792.87	$ 2,792.87
		Renewal, PA-3220		
		Start Date: 04/19/2026		
		End Date: 12/31/2026		
		Serial #: 016201039541		

1	PAN-PA-3220-ATP-R	Advanced Threat Prevention subscription renewal,	$2,792.87	$ 2,792.87
		PA-3220		
		Start Date: 04/19/2026		
		End Date: 12/31/2026		
		Serial #: 016201039541		
1	PAN-PA-3220-DNS-HA2-R	DNS Security subscription for device in an HA pair	$1,730.75	$ 1,730.75
		renewal, PA-3220		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048402		
1	PAN-PA-3220-TP-HA2-R	Threat prevention subscription for device in an HA	$1,730.75	$ 1,730.75
		pair renewal, PA-3220		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048402		
1	PAN-PA-3220-AWF-HA2-	Advanced WildFire subscription for device in an	$2,586.68	$ 2,586.68
	R	HA pair renewal, PA-3220		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048402		
1	PAN-PA-3220-PAA-HA2-R	Prisma Access Agent subscription for device in	$1,822.34	$ 1,822.34
		HA pair renewal, PA-3220		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048402		
1	PAN-PA-3220-ADVURLHA2-R	Subscription Advanced URL Filtering, 1-year, PA-	$2,724.06	$ 2,724.06
		3220, HA Pair Renewal		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048402		
1	PAN-SVC-PREMUSG-3220-R	For US Government accounts only. Premium	$3,643.32	$ 3,643.32
		support renewal, PA-3220		
		Start Date: 01/27/2026		
		End Date: 12/31/2026		
		Serial #: 016201048402		
1	PAN-PA-3220-DNS-HA2-R	DNS Security subscription for device in an HA	$1,730.75	$ 1,730.75
		renewal, PA-3220		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048423		
1	PAN-PA-3220-TP-HA2-R	Threat prevention subscription for device in an	$1,730.75	$ 1,730.75
		pair renewal, PA-3220		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048423		
1	PAN-PA-3220-AWF-HA2-R	Advanced WildFire subscription for device in an	$2,586.68	$ 2,586.68

		HA pair renewal, PA-3220		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048423		
1	PAN-PA-3220-PAA-HA2-R	Prisma Access Agent subscription for device in	$1,822.34	$ 1,822.34
		HA pair renewal, PA-3220		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048423		
1	PAN-PA-3220-ADVURLHA2-R	Subscription Advanced URL Filtering, 1-year, PA-	$2,724.06	$ 2,724.06
		3220, HA Pair Renewal		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048423		
1	PAN-SVC-PREMUSG-3220-R	For US Government accounts only. Premium	$3,643.32	$ 3,643.32
		support renewal, PA-3220		
		Start Date: 01/27/2026		
		End Date: 12/31/2026		
		Serial #: 016201048423		
1	PAN-LGS-1TB-1YR-R	Cortex Data Lake with 1TB of storage, 1-year	$13,649.07	$ 13,649.07
		renewal, includes Premium Support		
		Start Date: 10/16/2025		
		End Date: 10/15/2026		
		Serial #: 01790010379		
1	PAN-SVC-PREMUSG-220R-R	For US Government accounts only. Premium	$734.32	$ 734.32
		support renewal, PA-220R		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 019101008080		
1200	PAN-XDR-ADV-EP	Cortex XDR Pro for 1 endpoint, includes 30 days of data retention and standard success	$22.12	$ 26,539.35
1200	PAN-XDR-HOST-INST	Host Insights add-on for Cortex XDR	$4.34	$ 5,211.46
1200	PAN-XDR-XTH	Extended Threat Hunting (enhanced visibility) add-on for Cortex XDR ProEP/Cloud (price per Endpoint). Includes 30 days of data retention.	$7.60	$ 9,120.06
100	PAN-XDR-PRO-GB	Cortex XDR Pro for daily ingested GB. Includes 30 days of ingested data retention, 180 days of alerts and incidents retention and standard success	$173.72	$ 17,371.55
60	PAN-EDU-TRAINING-100	Training Credit - To be redeemed with Authorized Training Partners (ATPs).	$0.00	$ -
			FREIGHT:	**$ -**
			GRAND TOTAL:	**$ 229,395.27**

Corporate Headquarters:
Will Call & Third Party Pickup
200 North Milwaukee Ave.
Vernon Hills, IL 60061

Please remit payment to:
CDW Government
75 Remittance Drive, Suite 1515
Chicago, IL 60675-1515

			$ 229,395.27	
Customer:	City of Midland	Contract: TIPS 230105 Tech Solutions, Products, and Services(230105)	Quote Number:	251013A
Contact:	Gorgees Eskander		Quote Date:	October 13, 2025
Address:	601 N Loraine		Prepared By:	Alyssa McArthur-Guzman
	Midland TX		Phone:	(877)621-3156
Phone:			Email:	alysmca@cdwg.com

Qty	PART NUMBER	DESCRIPTION	UNIT COST	EXT. COST
1	PAN-SVC-PREMUSG-220	For US Government accounts only. Premium	$255.37	$ 255.37
	-R	support renewal, PA-220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 012801131822		
1	PAN-SVC-PREMUSG-220 -R	For US Government accounts only. Premium	$255.37	$ 255.37
		support renewal, PA-220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 012801176139		
1	PAN-PA-5220-DNS-HA2-R	DNS Security subscription for device in an HA pair	$7,686.47	$ 7,686.47
		renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017478		
1	PAN-PA-5220-ADVURLHA2-R	Subscription Advanced URL Filtering, 1-year, PA-	$11,529.70	$ 11,529.70
		5220, HA Pair Renewal		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017478		
1	PAN-PA-5220-PAA-HA2-R	Prisma Access Agent subscription for device in an	$7,868.47	$ 7,868.47
		HA pair renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017478		
1	PAN-PA-5220-AWF-HA2-R	Advanced WildFire subscription for device in an	$11,529.70	$ 11,529.70
		HA pair renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017478		
1	PAN-SVC-PREMUSG-5220-R	For US Government accounts only. Premium	$12,617.40	$ 12,617.40
		support renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		

		Serial #: 013201017478		
1	PAN-PA-5220-TP-HA2-R	Threat prevention subscription for device in an HA	$7,686.47	$ 7,686.47
		pair renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017478		
1	PAN-PA-5220-DNS-HA2-R	DNS Security subscription for device in an HA pair	$7,686.47	$ 7,686.47
		renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
	PAN-PA-5220-ADVURLHA2-R	Serial #: 013201017511		
1		Subscription Advanced URL Filtering, 1-year, PA-	$11,529.70	$ 11,529.70
		5220, HA Pair Renewal		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017511		
1	PAN-PA-5220-PAA-HA2-R	Prisma Access Agent subscription for device in an	$7,686.47	$ 7,686.47
		HA pair renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017511		
1	PAN-PA-5220-AWF-HA2-R	Advanced WildFire subscription for device in an	$11,529.70	$ 11,529.70
		HA pair renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017511		
1	PAN-SVC-PREMUSG-5220-R	For US Government accounts only. Premium	$12,617.40	$ 12,617.40
		support renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017511		
1	PAN-PA-5220-TP-HA2-R	Threat prevention subscription for device in an HA	$7,686.47	$ 7,686.47
		pair renewal, PA-5220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 013201017511		
1	PAN-SVC-PREMUSG-3220-R	For US Government accounts only. Premium	$4,542.76	$ 4,542.76
		support renewal, PA-3220		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 016201039541		
1	PAN-PA-3220-ADVURL-R	Subscription Advanced URL Filtering, 1-year,	$2,792.87	$ 2,792.87
		Renewal, PA-3220		
		Start Date: 04/19/2026		
		End Date: 12/31/2026		
		Serial #: 016201039541		

1	PAN-PA-3220-ATP-R	Advanced Threat Prevention subscription renewal,	$2,792.87	$ 2,792.87
		PA-3220		
		Start Date: 04/19/2026		
		End Date: 12/31/2026		
		Serial #: 016201039541		
1	PAN-PA-3220-DNS-HA2-R	DNS Security subscription for device in an HA pair	$1,730.75	$ 1,730.75
		renewal, PA-3220		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048402		
1	PAN-PA-3220-TP-HA2-R	Threat prevention subscription for device in an HA	$1,730.75	$ 1,730.75
		pair renewal, PA-3220		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048402		
1	PAN-PA-3220-AWF-HA2-	Advanced WildFire subscription for device in an	$2,586.68	$ 2,586.68
	R	HA pair renewal, PA-3220		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048402		
1	PAN-PA-3220-PAA-HA2-R	Prisma Access Agent subscription for device in	$1,822.34	$ 1,822.34
		HA pair renewal, PA-3220		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048402		
1	PAN-PA-3220-ADVURLHA2-R	Subscription Advanced URL Filtering, 1-year, PA-	$2,724.06	$ 2,724.06
		3220, HA Pair Renewal		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048402		
1	PAN-SVC-PREMUSG-3220-R	For US Government accounts only. Premium	$3,643.32	$ 3,643.32
		support renewal, PA-3220		
		Start Date: 01/27/2026		
		End Date: 12/31/2026		
		Serial #: 016201048402		
1	PAN-PA-3220-DNS-HA2-R	DNS Security subscription for device in an HA	$1,730.75	$ 1,730.75
		renewal, PA-3220		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048423		
1	PAN-PA-3220-TP-HA2-R	Threat prevention subscription for device in an	$1,730.75	$ 1,730.75
		pair renewal, PA-3220		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048423		
1	PAN-PA-3220-AWF-HA2-R	Advanced WildFire subscription for device in an	$2,586.68	$ 2,586.68

		HA pair renewal, PA-3220		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048423		
1	PAN-PA-3220-PAA-HA2-R	Prisma Access Agent subscription for device in	$1,822.34	$ 1,822.34
		HA pair renewal, PA-3220		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048423		
1	PAN-PA-3220-ADVURLHA2-R	Subscription Advanced URL Filtering, 1-year, PA-	$2,724.06	$ 2,724.06
		3220, HA Pair Renewal		
		Start Date: 03/28/2026		
		End Date: 12/31/2026		
		Serial #: 016201048423		
1	PAN-SVC-PREMUSG-3220-R	For US Government accounts only. Premium	$3,643.32	$ 3,643.32
		support renewal, PA-3220		
		Start Date: 01/27/2026		
		End Date: 12/31/2026		
		Serial #: 016201048423		
1	PAN-LGS-1TB-1YR-R	Cortex Data Lake with 1TB of storage, 1-year	$13,649.07	$ 13,649.07
		renewal, includes Premium Support		
		Start Date: 10/16/2025		
		End Date: 10/15/2026		
		Serial #: 01790010379		
1	PAN-SVC-PREMUSG-220R-R	For US Government accounts only. Premium	$734.32	$ 734.32
		support renewal, PA-220R		
		Start Date: 11/04/2025		
		End Date: 12/31/2026		
		Serial #: 019101008080		
1200	PAN-XDR-ADV-EP	Cortex XDR Pro for 1 endpoint, includes 30 days of data retention and standard success	$22.12	$ 26,539.35
1200	PAN-XDR-HOST-INST	Host Insights add-on for Cortex XDR	$4.34	$ 5,211.46
1200	PAN-XDR-XTH	Extended Threat Hunting (enhanced visibility) add-on for Cortex XDR ProEP/Cloud (price per Endpoint). Includes 30 days of data retention.	$7.60	$ 9,120.06
100	PAN-XDR-PRO-GB	Cortex XDR Pro for daily ingested GB. Includes 30 days of ingested data retention, 180 days of alerts and incidents retention and standard success	$173.72	$ 17,371.55
60	PAN-EDU-TRAINING-100	Training Credit - To be redeemed with Authorized Training Partners (ATPs).	$0.00	$ -
			FREIGHT:	**$ -**
			GRAND TOTAL:	**$ 229,395.27**

Corporate Headquarters:
Will Call & Third Party Pickup
200 North Milwaukee Ave.
Vernon Hills, IL 60061

Please remit payment to:
CDW Government
75 Remittance Drive, Suite 1515
Chicago, IL 60675-1515

City Council Meeting

Item Number: 12.
Meeting Date: October 28, 2025
To: City Council
From: Erika Munoz, Assistant General Services Director
Subject: RESOLUTION APPROVING THE PURCHASE OF A TWO-YEAR RENEWAL OF WIRELESS SERVICES FROM VERIZON WIRELESS THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES FOR A TOTAL COST OF $943,731.12; AND AUTHORIZING PAYMENT FOR SAID PURCHASE

Purpose:
Resolution approving the two-year renewal of Verizon Wireless services from Verizon Wireless through DIR Contract #DIR-TELE-CTSA-003 for a total estimated cost of $943,731.12.

Recommended Action:
Approve

Fiscal Impact:
Funds are available in the ITSD Technology Fund Operating Budget.

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
Staff is recommending approving the two-year renewal of Verizon Wireless services for City of Midland personnel. Based on service area coverage, pricing, customer references, customer support and deployment, staff recommends awarding the cellular services to Verizon Wireless through DIR Contract #DIR-TELE-CTSA-003. Please refer to the memo from Gorgees Eskander, Chief Information Officer, for further discussion concerning this purchase.

Therefore, please consider a resolution approving the two-year renewal of Verizon Wireless services from Verizon Wireless through DIR Contract #DIR-TELE-CTSA-003 for a total estimated cost of $943,731.12.

Attachments:
A. Verizon Wireless Renewal memo
B. RESOLUTION - DIR - Verizon Wireless Services Renewal Reso
C. EXHIBIT A - Midland Price Summary Exh to Reso
D. Midland Price Summary

Erika Munoz, General Services	Created/Initiated - 10/16/2025
Regina Stephenson, General Services	Approved - 10/16/2025
Christy Weakland, Finance	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/20/2025
Jose Ortiz, City Manager	Approved - 10/22/2025
Morris Williams, City Manager	Approved - 10/22/2025
Jan Hamilton, City Secretary	Final Approval - 10/22/2025

City Council Agenda Item

MEETING DATE: **October 13, 2025**

TO: Erika Munoz, Assistant General Services Director

FROM: Gorgees Eskander, Chief Information Officer

SUBJECT: Consider a resolution approving the two-year renewal of Verizon Wireless services for a total estimated cost of $943,731.12 from Verizon Wireless via DIR Contract #DIR-TELE-CTSA-003.

Purpose:
Consider a resolution approving the two-year renewal of Verizon Wireless services for a total estimated cost of $943,731.12 from Verizon Wireless via DIR Contract #DIR-TELE-CTSA-003.

Discussion:
This renewal provides wireless connectivity for the City's operations, including Police, Fire, Public Works, Utilities, and other departments that rely on mobile communication for daily service delivery. Verizon Wireless supports over 1,200 devices used by City employees, including smartphones, tablets, hotspots, and network routers that keep field teams connected to City systems and services in real time.

Reliable communication is critical for first responders and field personnel who depend on mobile data for dispatching, reporting, safety checks, and coordination across departments. The renewal ensures uninterrupted service, consistent coverage, and reliable connectivity for day-to-day operations as well as emergency response situations.

The total estimated cost for the two-year term is $943,731.12 and includes all monthly access fees for smartphones, tablets, hotspots, routers, and basic phones.

Funding is available in the ITSD Technology Fund

RESOLUTION NO. _____

RESOLUTION APPROVING THE PURCHASE OF A TWO-YEAR RENEWAL OF WIRELESS SERVICES FROM VERIZON WIRELESS THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES FOR A TOTAL COST OF $943,731.12; AND AUTHORIZING PAYMENT FOR SAID PURCHASE

WHEREAS, The Texas Department of Information Resources ("DIR") is a cooperative purchasing agency with which the City of Midland (the "City") participates with on purchases through a cooperative purchasing program in accordance with Tex. Loc. Gov't Code § 271.102; and

WHEREAS, Verizon Wireless has submitted a total proposed cost to the City of $943,731.12 for the purchase of a two-year renewal of wireless services through the DIR, as shown on the quote attached hereto as Exhibit "A" and incorporated herein for all purposes; and

WHEREAS, the City Council finds the price proposed by Verizon Wireless through the DIR, for the purchase of said renewal to be fair and reasonable; and

WHEREAS, the City Council finds it to be in the public interest to purchase said renewal from Verizon Wireless through the DIR;

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 two-year renewal of wireless services from Verizon Wireless through the DIR for a total cost of $943,731.12.

SECTION TWO. That funding shall be available in the ITSD Technology Fund Operating Budget.

SECTION THREE. That the City Comptroller is hereby authorized and directed to pay Verizon Wireless for said renewal 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

verizon

Wireless Service Price Summary
Date: 09/26/2025

Please review your custom Pricing Proposal below. This offer is valid for a period of 90 days. For questions, please contact your Verizon Wireless Sales Contact.

Customer Name:	**City of Midland**
Address:	**601 N Lorraine**
City, State, Zip:	**Midland TX. 79701**
Attention:	**Gorgees Eskander**

Verizon Wireless Sales Contact:	**Minerva DeSchepper**
Phone:	**915-497-8300**
Email:	**Minerva.DeSchepper@verizonwireless.com**

WIRELESS SERVICE

PRICE PLAN/FEATURE	Monthly Allowance	Number of Lines	Monthly Access fee	Minutes Per Line	Overage	Total Estimated Monthly Service Cost	
Smartphone - 58099	Unlimited	465	$32.99	Unlimited	NA	$15,340.35	
Tablet - 73944	Unlimited	409	$20.00	Unlimited	NA	$8,180.00	
Hotspots - 20312	Unlimited	87	$37.99	Unlimited	NA	$3,305.13	
Routers - 53913	Unlimited	325	$37.99	Unlimited	NA	$12,346.75	
Basic - 96378	Unlimited	10	$14.99	Unlimited	NA	$149.90	
New Routers (5G) - 70998 (Suspended)	Unlimited	50	$40.00	Unlimited	NA	$2,000.00	Replacing Routers under 4G Plan
					*TOTAL MONTHLY ACCESS (Does not include fees, surcharges or any applicable taxes)	$39,322.13	
					*TOTAL ANNUAL ACCESS *(Does not include fees, surcharges or any applicable taxes)*	$471,865.56	
					*TOTAL 2 Year ACCESS *(Does not include fees, surcharges or any applicable taxes)*	$943,731.12	

** Information contained in this document is provided for review purposes only and shall not be duplicated, used, or disclosed in whole or in part for any purpose other than to evaluate this document. The Wireless Service Price Proposal is subject to the terms and conditions of the State of Texas DIR Contract #DIR-TELE-CTSA-003. While the data contained in this spreadsheet response was compiled from reliable sources, the information may be subject to errors and omissions. Verizon Wireless reserves the right to make any corrections necessary for accuracy and completeness. In the event of any ambiguities or inconsistencies between the information in this Wireless Service Price Proposal and the State Contract attached hereto, the State Contract shall prevail. Taxes and surcharges may apply as provided under the Agreement.*

Exhibit "A"

verizon

Wireless Service Price Summary
Date: 09/26/2025

Please review your custom Pricing Proposal below. This offer is valid for a period of 90 days. For questions, please contact your Verizon Wireless Sales Contact.

Customer Name:	**City of Midland**
Address:	**601 N Lorraine**
City, State, Zip:	**Midland TX. 79701**
Attention:	**Gorgees Eskander**

Verizon Wireless Sales Contact:	**Minerva DeSchepper**
Phone:	**915-497-8300**
Email:	**Minerva.DeSchepper@verizonwireless.com**

WIRELESS SERVICE

PRICE PLAN/FEATURE	Monthly Allowance	Number of Lines	Monthly Access fee	Minutes Per Line	Overage	Total Estimated Monthly Service Cost	
Smartphone - 58099	Unlimited	465	$32.99	Unlimited	NA	$15,340.35	
Tablet - 73944	Unlimited	409	$20.00	Unlimited	NA	$8,180.00	
Hotspots - 20312	Unlimited	87	$37.99	Unlimited	NA	$3,305.13	
Routers - 53913	Unlimited	325	$37.99	Unlimited	NA	$12,346.75	
Basic - 96378	Unlimited	10	$14.99	Unlimited	NA	$149.90	
New Routers (5G) - 70998 (Suspended)	Unlimited	50	$40.00	Unlimited	NA	$2,000.00	Replacing Routers under 4G Plan
					*TOTAL MONTHLY ACCESS (Does not include fees, surcharges or any applicable taxes)	$39,322.13	
					*TOTAL ANNUAL ACCESS *(Does not include fees, surcharges or any applicable taxes)*	$471,865.56	
					*TOTAL 2 Year ACCESS *(Does not include fees, surcharges or any applicable taxes)*	$943,731.12	

** Information contained in this document is provided for review purposes only and shall not be duplicated, used, or disclosed in whole or in part for any purpose other than to evaluate this document. The Wireless Service Price Proposal is subject to the terms and conditions of the State of Texas DIR Contract #DIR-TELE-CTSA-003. While the data contained in this spreadsheet response was compiled from reliable sources, the information may be subject to errors and omissions. Verizon Wireless reserves the right to make any corrections necessary for accuracy and completeness. In the event of any ambiguities or inconsistencies between the information in this Wireless Service Price Proposal and the State Contract attached hereto, the State Contract shall prevail. Taxes and surcharges may apply as provided under the Agreement.*

City Council Meeting

Item Number: 13.
Meeting Date: October 28, 2025
To: City Council
From: Erika Munoz, Assistant General Services Director
Subject: RESOLUTION AUTHORIZING THE PURCHASE OF AN ESTIMATED ANNUAL SUPPLY OF ALUMINUM SULFATE AND LIQUID COPPER SULFATE PENTAHYDRATE (19.8%) NEEDED FOR THE TREATMENT OF DRINKING WATER FOR FISCAL YEAR 2026 FROM CHAMELEON INDUSTRIES FOR A TOTAL COST OF $1,310,000.00; AND AUTHORIZING PAYMENT FOR SAID PURCHASE

Purpose:
Resolution awarding the purchase of an estimated annual supply of 2,000 dry tons of aluminum sulfate and 20,000 gallons of liquid copper sulfate pentahydrate (19.8%) for the treatment of drinking water for Fiscal Year 2026 from Chameleon Industries, for a total cost of $1,310,000.00.

Recommended Action:

Fiscal Impact:
Funding is available in the FY2026 Utilities Fund operating budget.

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
The City Manager approved specifications and authorized advertisement for bids for an estimated annual supply of chemicals for the treatment of the City's drinking water. Request for bid were sent to four hundred fifty-three (453) vendors, and sixty-three (63) bid requests were viewed. We received three (3) bids. Staff recommends awarding each chemical to the respective low or sole bidder. Please see the attached memo from Raymond Saddler, Water Purification Plant Superintendent, for more information.

Therefore, please consider a resolution awarding the purchase of an estimated annual supply of 2,000 dry tons of aluminum sulfate and 20,000 gallons of liquid copper sulfate pentahydrate (19.8%) for the treatment of drinking water for Fiscal Year 2026 from Chameleon Industries, for a total cost of $1,310,000.00.

Attachments:
A. Chemical ReBid Supporting Memo 2025-2026

B. RESOLUTION - Annual Supply Treatment of Drinking Water_Rebid
C. Bid Tab 26000002R Annual Chemicals for the Water Purification Plant
D. Bid Tab 26000002R Annual Chemicals for the Water Purification Plant

Erika Munoz, General Services	Created/Initiated - 10/16/2025
Regina Stephenson, General Services	Approved - 10/16/2025
Christy Weakland, Finance	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/21/2025
Jose Ortiz, City Manager	Approved - 10/21/2025
Morris Williams, City Manager	Approved - 10/21/2025
Jan Hamilton, City Secretary	Final Approval - 10/21/2025

INTEROFFICE MEMORANDUM

TO: Regina Stephenson, Director of General Services

FROM: Raymond Saddler, Operations Manager Water Purification & Production Plant

SUBJECT: Drinking water treatment chemicals for FY2026

DATE: October 15, 2025

The recommendation for the drinking water treatment chemicals this year are as follows:

Items 1: for Aluminum Sulfate should be awarded to the Low Bidder **Chameleon Industries**.

Item 2: for Liquid Copper Sulfate Pentahydrate 19.8% Molluscicide should be Awarded to the Sole/Low Bidder. **Chameleon Industries**

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE PURCHASE OF AN ESTIMATED ANNUAL SUPPLY OF ALUMINUM SULFATE AND LIQUID COPPER SULFATE PENTAHYDRATE (19.8%) NEEDED FOR THE TREATMENT OF DRINKING WATER FOR FISCAL YEAR 2026 FROM CHAMELEON INDUSTRIES FOR A TOTAL COST OF $1,310,000.00; AND AUTHORIZING PAYMENT FOR SAID PURCHASE

WHEREAS, the City Manager approved the specifications and authorized the advertisement for bids for 2,000 dry tons of aluminum sulfate and 20,000 gallons of liquid copper sulfate pentahydrate (19.8%) for the treatment of drinking water for fiscal year 2026; and

WHEREAS, Bid No. 26000002R was opened on October 15, 2025, with the lowest and/or most advantageous bids being submitted by Chameleon Industries as shown on the bid tabulation attached hereto as Exhibit "A" and incorporated herein for all purposes; and

WHEREAS, the City Council finds the prices proposed by Chameleon Industries to be fair and reasonable; and

WHEREAS, the City Council finds it to be in the public interest to authorize the purchase of said chemicals from Chameleon Industries;

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 above-referenced chemicals from Chameleon Industries for a total cost of $1,310,000.00.

SECTION TWO. That funding shall be available in the FY2026 Utilities Fund operating budget.

SECTION THREE. That the City Comptroller is hereby authorized and directed to pay Chameleon Industries for said chemicals 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

26000002R Annual Chemicals for the Water Purification Plant

Bid Opening: October 15, 2025									
				CHEMTRADE CHEMICALS US LLC		Chameleon Industries		H&E USA CHEMICALS	
			Total Cost	$1,286,000.00		$1,310,000.00		$1,200,000.00	
#	Items	QuantityRequired	Units	UnitPrice	TotalCost	UnitPrice	TotalCost	UnitPrice	TotalCost
#0-1	Aluminum Sulfate to be delivered and unloaded FOB to the City of Midland Water Purification Plant located at 5000 N. Midland Drive with the freight prepaid and included in the bid	2000	dry tons	$643	$1,286,000.00	$475	$950,000.00	$600	$1,200,000.00
#0-2	Liquid Copper Sulfate Pentahydrate 19.8% Molluscicide to be delivered and unloaded FOB at 5000 North Midland Drive with freight prepaid and included in bid.	20000	gallons	No Bid	No Bid	$18	$360,000.00	No Bid	No Bid

Bid Summary

453 Bid Requests were sent

63 Bid Requests were issued

3 Bids are listed above

2 NO BIDS were received

58 Bidders did not respond

26000002R Annual Chemicals for the Water Purification Plant

Bid Opening: October 15, 2025									
				CHEMTRADE CHEMICALS US LLC		Chameleon Industries		H&E USA CHEMICALS	
			Total Cost	$1,286,000.00		$1,310,000.00		$1,200,000.00	
#	Items	QuantityRequired	Units	UnitPrice	TotalCost	UnitPrice	TotalCost	UnitPrice	TotalCost
#0-1	Aluminum Sulfate to be delivered and unloaded FOB to the City of Midland Water Purification Plant located at 5000 N. Midland Drive with the freight prepaid and included in the bid	2000	dry tons	$643	$1,286,000.00	$475	$950,000.00	$600	$1,200,000.00
#0-2	Liquid Copper Sulfate Pentahydrate 19.8% Molluscicide to be delivered and unloaded FOB at 5000 North Midland Drive with freight prepaid and included in bid.	20000	gallons	No Bid	No Bid	$18	$360,000.00	No Bid	No Bid

Bid Summary

453 Bid Requests were sent

63 Bid Requests were issued

3 Bids are listed above

2 NO BIDS were received

58 Bidders did not respond

Exhibit "A"

City Council Meeting

Item Number: 14.
Meeting Date: October 28, 2025
To: City Council
From: Sara Harris, Executive Director | Midland Development Corporation
Subject: MOTION AUTHORIZING THE EXECUTION OF AN ECONOMIC DEVELOPMENT AGREEMENT WITH THE MIDLAND DEVELOPMENT CORPORATION IN THE AMOUNT OF $1,668,754.00 FOR THE CONSTRUCTION OF CERTAIN WATER INFRASTRUCTURE IMPROVEMENTS LOCATED ON AND ADJACENT TO STATE HIGHWAY LOOP 250 AND TODD ROAD AS AUTHORIZED BY TEXAS LOCAL GOVERNMENT CODE § 501.103

Purpose:
The Board of Directors of the Midland Development Corporation approved at a regular meeting on October 6, 2025 a resolution authorizing the execution of an economic development agreement with the City of Midland in the amount of $1,668,754.00 providing for the construction of certain water infrastructure improvements located on and adjacent to State Highway Loop 250 and Todd Road as authorized by Texas Local Government Code § 501.103; and authorizing payment for said agreement.

Recommended Action:
Approve

Fiscal Impact:
$1,668,754.00

Strategic Priority:
STRONG ECONOMY WITH MORE QUALITY JOBS

Discussion:
Commits $1,668,754.00 to the City of Midland for the construction and installation of water main infrastructure improvements at Loop 250 and Todd Drive. This project will provide municipal water access to new commercial and industrial developments in east Midland and is part of the MDC's commitment of 35% of its fiscal year 2024-2025 revenues to infrastructure.

Attachments:
A. Todd & Loop 250 Water EDA

Sara Harris, City Manager — Created/Initiated - 10/9/2025
Jose Ortiz, City Manager — Approved - 10/9/2025

Morris Williams, City Manager	Approved - 10/17/2025
Christy Weakland, Finance	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/20/2025
Morris Williams, City Manager	Approved - 10/21/2025
Jose Ortiz, City Manager	Approved - 10/21/2025
Jan Hamilton, City Secretary	Final Approval - 10/21/2025

ECONOMIC DEVELOPMENT AGREEMENT

THIS AGREEMENT is entered into by and between the **MIDLAND DEVELOPMENT CORPORATION** ("*MDC*"), an Economic Development Corporation existing under the authority of Chapter 504 of the Texas Local Government Code, and the **CITY OF MIDLAND, TEXAS** ("*City*"), a home-rule municipal corporation.

I.
Recitals

A. MDC and City desire to set forth the terms and conditions upon which a maximum of One Million Six Hundred Sixty-Eight Thousand Seven Hundred and Fifty-Four and 00/100 Dollars ($1,668,754.00) will be provided to City as consideration for its construction, installation, removal, and replacement of certain proposed and existing water main infrastructure improvements located on and adjacent to Loop 250 and Todd Road (the "*Project*").

B. The Project will facilitate commercial and industrial development in the City of Midland.

C. The MDC Board of Directors (the "*Board*") and the City Council of the City of Midland, Texas (the "*Council*") find that the purpose of this Agreement qualifies as an infrastructure improvement project under Section 501.103 of the Texas Local Government Code, and is therefore eligible for MDC funding.

D. The Board and the Council find that the Project and expenditures therefor are required or suitable for infrastructure necessary to promote or develop new or expanded business enterprises within the City of Midland.

E. The Board and the Council find that this Agreement does not constitute a direct incentive to or expenditure on behalf of a business enterprise as described in Tex. Loc. Gov't Code § 501.158.

NOW, THEREFORE, in consideration of the promises and of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, MDC and City hereby agree as follows:

II.
MDC Funding

A. **Incentive Funds.** As consideration for City's construction of the Project, MDC agrees to provide incentive funding to City in an amount equal to One Million Six Hundred Sixty-Eight Thousand Seven Hundred Fifty-Four and 00/100 Dollars ($1,668,754.00) (the "*Incentive Funds*").

B. **Payment of Incentive Funds.** Within six (6) months following MDC's receipt of written notice from City that City has completed the project, MDC shall pay to City one hundred percent (100%) of the Incentive Funds.

III.
Obligations of City

A. **The Project.** City agrees to cause the following activities to occur in furtherance of the Project: construction, installation, removal, and replacement of certain proposed and existing water main infrastructure improvements located on and adjacent to Loop 250 and Todd Road. A depiction of the Project scope is contained in **Exhibit A**, which is attached hereto and incorporated herein for all purposes.

B. **Completion.** Upon completion of the Project, City shall certify such to MDC in accordance with Section VII.B.

C. **Repayment of Incentive Funds.** If City fails to provide for the completion of the Project by December 31, 2027 (the "*Construction Completion Date*"), then City agrees to repay all Incentive Funds to MDC. Any repayable Incentive Funds shall be repaid, without interest, within thirty (30) days following City's receipt of written notice from MDC that any portion of the Incentive Funds are due to be repaid pursuant to this Section.

D. **Extensions.** The Construction Completion Date may be extended administratively upon a written request from City to MDC for an extension of the time allowed to complete the construction of the Project, and MDC providing to City written approval of such request.

IV.
Term

Upon execution by the parties, this Agreement becomes effective on October 28, 2025 (the "*Effective Date*") and shall terminate when the requirements set forth in Sections II and III are completed, or when terminated by mutual agreement of the parties, or when terminated as provided herein.

V.
Law

The parties acknowledge the statutory limitations on the Incentive Funds and their use under Chapters 501 and 504 of the Texas Local Government Code. The parties acknowledge and agree that the Incentive Funds herein granted shall be utilized solely for purposes consistent with Chapters 501 and 504 of the Texas Local Government Code.

VI.
Documents

Prior to any payment by MDC, City shall deliver to MDC an executed copy of this Agreement.

VII.
Special Conditions

A. **Financial Commitment.** Notwithstanding any provision hereof which might be interpreted otherwise, MDC's total financial commitment during the term of this Agreement shall not exceed One Million Six Hundred Sixty-Eight Thousand Seven Hundred and Fifty-Four and 00/100 Dollars ($1,668,754.00) in the aggregate.

B. **Certification.** As to any certification required under this Agreement, City shall provide a letter from the City Manager. E-mail is an acceptable form of certification under this Agreement.

C. **Payments.** Payments to be made to City under Section II shall be made upon a written request from City and completion of all necessary supporting documentation. The payment request and documentation should be directed to MDC Executive Director, 200 North Loraine Street, Suite 610, Midland, Texas 79701.

VIII.
General Terms

A. **Entire Agreement.** This Agreement embodies the complete agreement of the parties hereto, superseding all oral or written, previous and contemporary agreements between the parties relating to matters in this Agreement; and except as otherwise provided herein, this Agreement cannot be modified or amended without a written agreement of the parties.

B. **No Third-Party Beneficiary.** The parties' approval of the 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.

C. **Legal Relationship.** The parties are not, and shall not be considered as, joint venturers, partners, or agents of each other; and neither shall have the power to bind nor obligate the other, except as set forth in this Agreement. The parties agree not to represent to anyone that they are agents of one another or have any authority to act on behalf of one another. It is mutually understood and agreed that nothing in this Agreement is intended or shall be construed as in any way creating or establishing any partnership, joint venture, or agency between MDC and City. Further, it is specifically understood and agreed that nothing in this Agreement is intended or shall be construed as creating a "Community of Pecuniary Interest" or "An Equal Right of Control," which would give rise to vicarious liability.

D. **Terminations.** This Agreement may be terminated by mutual agreement of the parties, or by either party upon the failure of the other party to fulfill an obligation as set forth herein if the default is not cured within thirty (30) days after written notice from the other party.

E. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.

F. **Venue.** The obligations of the parties to this Agreement are deemed to have been performed in Midland County, Texas, and if legal action is necessary to enforce same, exclusive venue shall be in Midland County, Texas. All payments under this Agreement are deemed to have taken place in Midland County, Texas. The obligations and undertakings of each of the parties to this Agreement shall be deemed to have been performed in Midland County, Texas.

G. **Legal Construction.** In case one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

H. **Law.** This Agreement is subject to all applicable state and federal laws, and the parties agrees that they will comply in all material respects with all such applicable laws, regulations, orders and rules of the State of Texas and other such governmental agencies. This Agreement shall be governed by and construed in

accordance with the laws and court decisions of the State of Texas.

I. **Assignment.** This Agreement shall be binding upon the parties hereto and their successors and assigns. This Agreement may not be assigned by City without the prior written consent of MDC.

J. **Notices.** All notices to either party required under this Agreement shall be sent by certified U.S. mail, postage prepaid, addressed to such party at the addresses shown below. All notices shall be deemed given on the date so deposited in the mail, unless otherwise provided herein. Either party hereto may change the address below by sending written notice of such change to the other in the manner provided herein.

If to MDC:	**If to City:**
MDC Executive Director 200 N. Loraine St., Suite 610 Midland, Texas 79701	City Manager City of Midland P.O. Box 1152 Midland, Texas 79702

K. **Amendment.** This Agreement may be amended by written instrument executed by both parties expressly stating the intention to amend this Agreement.

L. **Payments.** All payments to either party required under this Agreement shall be sent by certified U.S. mail, postage prepaid, addressed to such party at the addresses shown below. All payments shall be deemed given on the date so deposited in the mail, unless otherwise provided herein. Either party hereto may change the address below by sending written notice of such change to the other in the manner provided herein.

If to MDC:	**If to City:**
MDC Executive Director 200 N. Loraine St., Suite 610 Midland, Texas 79701	City Manager City of Midland P.O. Box 1152 Midland, Texas 79702

M. MDC and City hereby agree and acknowledge that this Agreement is supported by good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties.

N. This Agreement shall not be effective until approved by the Council.

IN WITNESS WHEREOF, MDC and City have executed this Agreement on the _____day of_____, 2025.

MIDLAND DEVELOPMENT CORPORATION

P. Lourcey Sams, Chairman

ATTEST:

Elvie Brown, Secretary

CITY OF MIDLAND, TEXAS

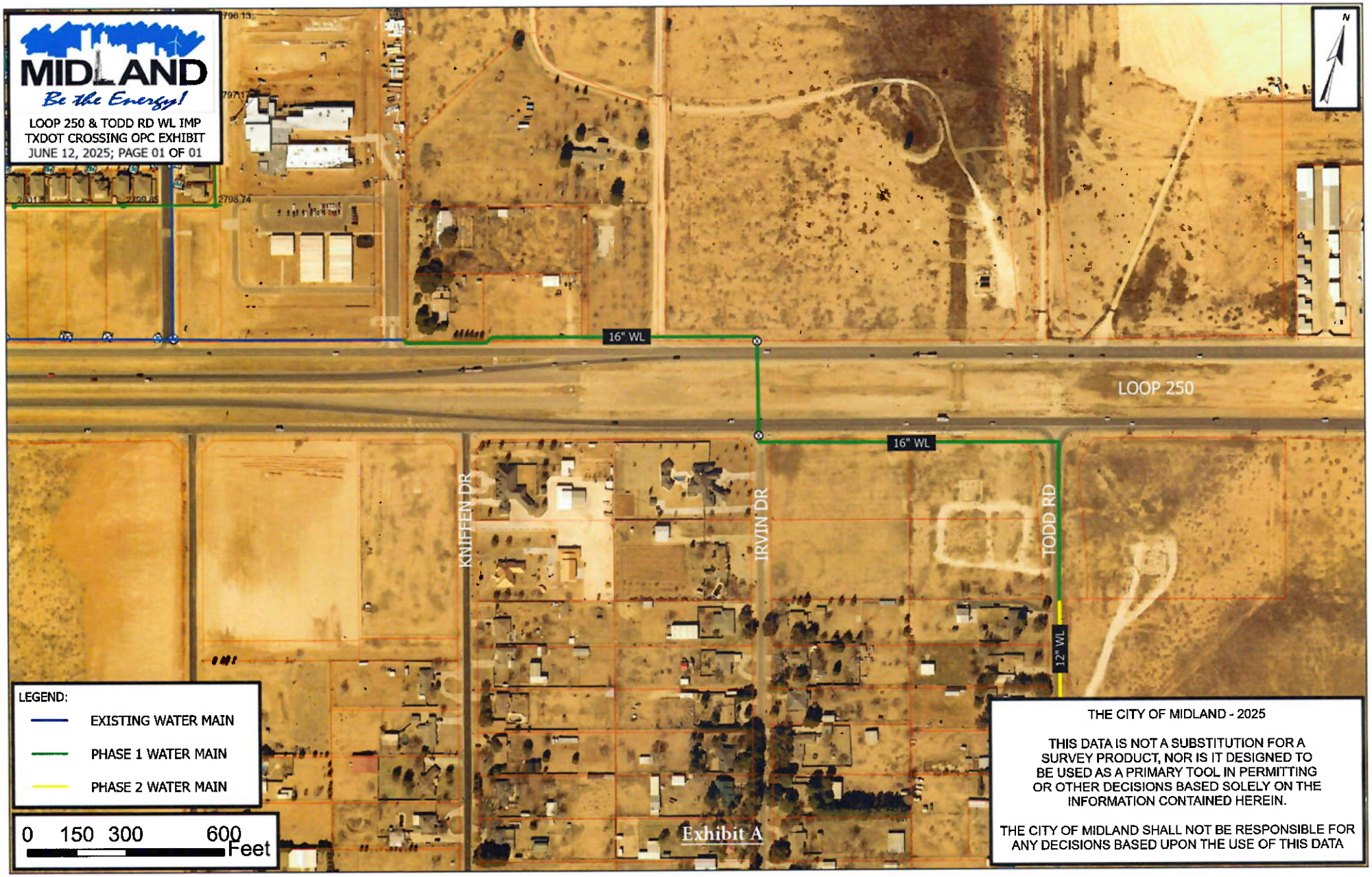
_____

Lori Merritt Blong, Mayor

ATTEST:

_____

Marcia Bentley-German, City Secretary


MIDLAND
Be the Energy!
LOOP 250 & TODD RD WL IMP
TXDOT CROSSING OPC EXHIBIT
JUNE 12, 2025; PAGE 01 OF 01
796.13
797.17
2798.74
16" WL
LOOP 250
16" WL
KNIFFEN DR
IRVIN DR
TODD RD
12" WL
LEGEND:
EXISTING WATER MAIN
PHASE 1 WATER MAIN
PHASE 2 WATER MAIN
0 150 300 600 Feet
Exhibit A
THE CITY OF MIDLAND - 2025
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

COST ESTIMATE
CITY OF MIDLAND
PROJECT: U24-02 LOOP 250 & TODD RD WL IMP
DATE: JUNE 12, 2025

Project Description
Loop 250 & Todd Rd. Waterline Improvements - New water main to be constructed by trenching along Loop 250, bored across TxDOT right-of-way, and trenched along Todd Road.

Base Bid Items:

Item	Description	Quantity	Unit	Unit Price	Amount
Miscellaneous Items					
1	Mobilization	6	MO	$5,000.00	$30,000.00
2	Bore Pit	2	EA	$20,000.00	$40,000.00
3	Receiving Pit	2	EA	$20,000.00	$40,000.00
4	36" Bore For Casing Pipe	360	LF	$500.00	$180,000.00
5	36" PVC Pipe Casing, SDR 26 ASTM D2241	360	LF	$582.50	$209,700.00
6	Erosion/Sediment Control	6	MO	$1,000.00	$6,000.00
7	Traffic Control	6	MO	$10,000.00	$60,000.00
8	Job Site Safety	6	MO	$5,000.00	$30,000.00
9	Seeding & Stabilization	985	SY	$15.00	$14,775.00
10	Spray Watering	1	LS	$9,000.00	$9,000.00
11	Material Mark-up	N/A	%		N/A
12	Labor Mark-up (Regular Work Hours)	N/A	%		N/A
13	Equipment Rental Mark-up (Non-Standard Equipment Only)	N/A	%		N/A
	TOTAL MISCELLANEOUS BASE BID:				**$619,475.00**
Demolition Items					
1	Removal & Disposal of Existing Unclassified Pavement	32	SY	$30.00	$960.00
2	Removal & Disposal of Existing Concrete Curb & Gutter	8	LF	$50.00	$400.00
	TOTAL DEMOLITION BASE BID:				**$960.00**
Water Items					
1	16" AWWA C-900 DR18, PVC, Water Main	2804	LF	$205.00	$574,820.00
2	16" Gate Valve & Vault (MJxMJ/FL)	2	EA	$33,077.50	$66,155.00
3	Ductile Iron Fittings	4216	LBS	$10.00	$42,160.00
4	Connect to Existing Water Main	1	EA	$3,000.00	$3,000.00
5	Open Trenching of Water Main	2487	LF	$20.00	$49,740.00
6	Open Trenching of Water Main (10'-12' Deep)	144	LF	$50.00	$7,200.00
	TOTAL WATER BASE BID:				**$743,075.00**

Paving Items					
1	Pavers Driveway Repair	8	SY	$80.00	$640.00
2	2" Type C HMAC Asphalt Pavement Repair (PG64-22)	85	SY	$51.00	$4,335.00
3	2" Type D HMAC Asphalt Pavement Repair (PG70-22)	85	SY	$39.00	$3,315.00
4	Bituminous Prime Coat (MC-30, 0.20 Gal / SY)	17	GAL	$2.00	$34.00
5	Tack Coat (MC-30, 0.10 Gal / SY)	8.5	GAL	$4.00	$34.00
6	Flowable Fill / 2-Sack Backfill	85	SY	$130.00	$11,050.00
7	6" Base Rock Pavement Repair (Flexible Base)	85	SY	$86.00	$7,310.00
8	Concrete Curb & Gutter Repair	8	LF	$50.00	$400.00
	TOTAL PAVING BASE BID:				**$27,118.00**
Contingency					
1	Contingency	20%		$1,390,628.00	$278,125.60
	TOTAL CONTINGENCY:				**$278,125.60**
				TOTAL BASE BID:	**$1,668,753.60**

City Council Meeting

Item Number: 15.
Meeting Date: October 28, 2025
To: City Council
From: Sara Harris, Executive Director | Midland Development Corporation
Subject: MOTION APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND KIMLEY-HORN AND ASSOCIATES, INC. IN THE AMOUNT OF $2,099,100.00 FOR PROFESSIONAL SERVICES RELATED TO THE CONSTRUCTION OF AN INTERCHANGE AT THE INTERSECTION OF COUNTY ROAD 1250 AND STATE HIGHWAY 191

Purpose:
The Board of Directors of the Midland Development Corporation approved at a regular meeting on October 6, 2025 a resolution authorizing the execution of a professional services agreement with Kimley-Horn and Associates, Inc., in the amount of $2,099,100.00 for professional services related to the construction of an interchange at the intersection of County Road 1250 and State Highway 191; and authorizing payment for said agreement.

Recommended Action:
Approve

Fiscal Impact:
$2,099,100.00

Strategic Priority:
STRONG ECONOMY WITH MORE QUALITY JOBS

Discussion:
Authorizes $2,099,100.00 to design the interchange at SH 191 and CR 1250 to TXDOT specifications. Upon completion, these plans will be donated to TXDOT. The mechanism of providing local funding for crucial TXDOT projects has successfully accelerated many prior projects, most recently the interchange at Todd Road and Loop 250, which was moved forward to 2025 from 2031 thanks to MDC funding its design. TXDOT's estimated construction cost for this project is $35,000,000.00.
This project is part of the MDC’s commitment of 35% of its fiscal year 2024-2025 revenues to infrastructure.

Attachments:
A. CR 1250 SH 191 Kimley-Horn Professional Services Agreement

Sara Harris, City Manager	Created/Initiated - 10/9/2025
Jose Ortiz, City Manager	Approved - 10/9/2025
Morris Williams, City Manager	Approved - 10/17/2025
Christy Weakland, Finance	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/20/2025
Morris Williams, City Manager	Approved - 10/21/2025
Jose Ortiz, City Manager	Approved - 10/21/2025
Jan Hamilton, City Secretary	Final Approval - 10/21/2025

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is made and effective the 28th day of October, 2025, by and between the MIDLAND DEVELOPMENT CORPORATION ("*MDC*"), and Kimley-Horn and Associates, Inc. ("*COMPANY*"). MDC and COMPANY are at times individually referred to as a "*Party*" and collectively referred to as the "*Parties*."

ARTICLE I. PURPOSE

The purpose of this Agreement is to state the terms and conditions under which COMPANY shall perform engineering services to provide plans, specifications, and estimate for the interchange at County Road 1250 and State Highway 191 (the "*Services*") for MDC. The Services are more specifically set forth in **Exhibit A**, which is attached hereto and incorporated herein for all purposes.

ARTICLE II. SERVICES TO BE PERFORMED

COMPANY shall provide the Services in a manner consistent with the same level of skill and care as other professionals that perform similar services for similar projects in approximately the same region and at approximately the same point in time. COMPANY represents that any employee who performs the Services shall be fully qualified and competent to perform the Services.

ARTICLE III. FINANCIAL CONSIDERATIONS

MDC agrees to pay COMPANY an amount not to exceed Two Million, Ninety-Nine Thousand, One Hundred Dollars and 00/100 ($2,099,100.00) for the performance of the Services. MDC agrees to pay COMPANY according to the schedule set forth in **Exhibit A** upon presentation of a monthly invoice. The monthly invoice shall set forth all service fees for the month and those expenses described in **Exhibit A** that COMPANY incurs during the previous month for which COMPANY receives advanced written approval from the MDC Executive Director. All additional and/or reimbursable expenses must be approved by the MDC Executive Director prior to incurring such expenses.

Within thirty (30) days of the date COMPANY's invoice is received by MDC, MDC shall pay the full amount of such invoice; provided, however, that if MDC objects to any portion of an invoice, MDC shall notify COMPANY of MDC's objection and the grounds therefor within fifteen

Exhibit A

(15) days of the date of receipt of the invoice, and the Parties shall immediately make every effort to settle the disputed portion of the invoice. Notwithstanding the foregoing, MDC shall pay every portion of the invoice that is not in dispute within the 30-day period for payment.

ARTICLE IV. TERM

The term of this Agreement shall be from October 28th, 2025 until December 31, 2027, unless the Services are completed sooner or the Agreement is terminated as provided below.

ARTICLE V. TERMINATION AT WILL

MDC may terminate this Agreement at will, for any or no reason, upon giving COMPANY at least one hundred eighty (180) days' written notice. The Parties understand and agree that it is in MDC's sole and absolute discretion to cancel this Agreement during the term set forth in Article IV without penalty to MDC. COMPANY has no expectation and has received no guarantees that this Agreement will not be terminated during the Agreement's term. The Parties have bargained for the flexibility of terminating this Agreement upon tender of the requisite notice at any time during this Agreement's term. All work and services under the Agreement shall be suspended upon termination of the Agreement becoming effective.

ARTICLE VI. ASSIGNMENT

COMPANY shall not, either directly or indirectly, assign all or any part of this Agreement, or any interest, right or privilege herein, without obtaining MDC's prior written consent. The issue of whether to grant such consent shall be in the sole and absolute discretion of MDC.

ARTICLE VII. OWNERSHIP AND CONFIDENTIALITY OF DOCUMENTS AND OTHER WORK PRODUCT

All reports, information and other data ("*Instruments of Service*") given to, prepared or assembled by COMPANY under this Agreement, and any other related document or item shall become the sole and exclusive property of MDC. The Instruments of Service shall be promptly delivered, without restriction, to MDC and such other persons or entities as MDC may designate; provided, however, that COMPANY may make copies of the Instruments of Service for its files.

ARTICLE VIII. INDEPENDENT CONTRACTOR

COMPANY shall perform the Services as an independent contractor and not as an officer,

agent, servant or employee of MDC. COMPANY shall have exclusive control of and the exclusive right to control the details of the Services and all persons performing the same. COMPANY shall be solely responsible for the acts and omissions of its officers, agents, employees, contractors and subcontractors. The Parties acknowledge and agree that the doctrine of *respondeat superior* shall not apply as between MDC and COMPANY, its officers, agents, employees, contractors and subcontractors. Nothing in this Agreement shall be construed as creating a partnership or joint enterprise between MDC and COMPANY. No person performing the Services shall be considered an officer, agent, servant or employee of MDC. Further, it is specifically understood and agreed that nothing in this Agreement is intended nor shall be construed as creating a "Community of Pecuniary Interest" or "An Equal Right of Control" that would give rise to vicarious liability. COMPANY is an independent contractor under this Agreement and shall assume all rights, obligations, and liabilities applicable to it as an independent contractor. MDC does not have the power to direct the order in which the services are performed. MDC shall not have the right to control the means, methods or details of COMPANY'S work. COMPANY shall assume exclusive responsibility for performing the Services, and is entirely free to perorm the Services in its own way.

ARTICLE IX. INSURANCE

During the term of this Agreement, COMPANY shall 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 policy shall be on a per project aggregate, including completed operations, and shall be on a claims-occurred basis. This policy shall name MDC as an additional insured and waive subrogation in favor of MDC.

The Business Automobile Liability policy shall cover any vehicle 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 Services. This policy shall name MDC as an additional insured and waive subrogation in favor of MDC.

The Workers' Compensation policy shall inure to the benefit of employees injured during the course and scope of their employment by COMPANY pursuant to this Agreement. The Workers' Compensation policy shall waive all rights of subrogation in favor of MDC.

All insurance policies required by this Agreement shall (i) provide for a waiver of subrogation in favor of MDC, and (ii) name MDC as an additional insured on a claims-occurred basis (except for the Workers' Compensation policy). Prior to any reduction or termination of the insurance policies referenced herein, COMPANY shall ensure that its insurance provider submits written notice to MDC no later than thirty (30) days prior to the reduction or termination of such coverage.

COMPANY shall contractually require all contractors, subcontractors, and sub-subcontractors that perform the Services 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 MDC and that name the MDC as an additional insured on a claims-occurred basis (except Workers' Compensation).

Prior to the execution of the Agreement, COMPANY shall provide one or more certificates of insurance specifically stating that requirements of this Article have been met, which shall be subject to the approval of MDC. MDC shall not be required to provide any insurance pursuant to this Agreement.

By executing this Agreement, COMPANY certifies that the certificate of insurance provided pursuant to this Article 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 and this Agreement is the sole and exclusive responsibility of COMPANY.

Notwithstanding any contrary provision contained herein, the Executive Director, in his/her sole and absolute discretion, modify the insurance requirements contained in this Article.

ARTICLE X. ATTORNEY FEES

BY EXECUTING THIS AGREEMENT, COMPANY AGREES TO WAIVE AND DOES HEREBY KNOWINGLY, CONCLUSIVELY, VOLUNTARILY AND INTENTIONALLY WAIVE ANY CLAIM IT HAS OR MAY HAVE IN THE FUTURE AGAINST MDC, REGARDING THE AWARD OF ATTORNEY FEES, WHICH ARE IN ANY WAY RELATED TO THIS AGREEMENT OR THE CONSTRUCTION, INTERPRETATION, OR BREACH OF THIS AGREEMENT. COMPANY SPECIFICALLY AGREES THAT IF COMPANY BRINGS OR COMMENCES ANY LEGAL ACTION OR PROCEEDING RELATED TO THIS AGREEMENT, THE CONSTRUCTION, INTERPRETATION, VALIDITY OR BREACH OF THIS AGREEMENT (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 FEES TO WHICH COMPANY MIGHT OTHERWISE BE ENTITLED.

COMPANY AGREES THAT THIS IS A VOLUNTARY AND INTENTIONAL RELINQUISHMENT AND ABANDONMENT OF A PRESENTLY-EXISTING KNOWN RIGHT. COMPANY ACKNOWLEDGES THAT IT UNDERSTANDS ALL TERMS AND CONDITIONS OF THIS AGREEMENT. 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 OF GOVERNMENTAL IMMUNITY.

COMPANY IS RELYING ON ITS OWN JUDGMENT AND HAD THE OPPORTUNITY TO DISCUSS THIS AGREEMENT WITH COMPETENT LEGAL COUNSEL PRIOR TO ITS EXECUTION. THE PROVISIONS OF THIS ARTICLE SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

ARTICLE XI. GOVERNMENTAL IMMUNITY

By executing this Agreement, MDC is not waiving its right of governmental immunity. CITY is retaining its immunity from suit. MDC is not granting consent to be sued by legislative resolution or action. **THERE IS NO WAIVER OF GOVERNMENTAL IMMUNITY.**

ARTICLE XII. NO THIRD-PARTY BENEFICIARY

MDC'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.

ARTICLE XIII. RELEASE

NOTWITHSTANDING ANY CONTRARY PROVISION CONTAINED HEREIN, COMPANY HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES MDC AND ITS AGENTS, BOARD MEMBERS, EMPLOYEES, AND OFFICERS FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES, OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH COMPANY HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF AGREEMENT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKINGS CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS, OR CITY'S NEGLIGENCE. THE PROVISIONS OF THIS ARTICLE SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

ARTICLE XIV. GENERAL PROVISIONS

A. Waiver. No waiver by MDC of a breach of any covenant, condition, or restriction of this Agreement shall be construed or held to be a waiver of any succeeding or preceding breach of the same or any other covenant, condition, or restriction contained in this Agreement.

B. Governing Law and Venue. The laws of the State of Texas shall govern, construe and enforce all rights and duties of the Parties, including, but not limited to, tort claims and any contractual claims or disputes arising from or relating in any way to the subject matter of this Agreement, without regard to conflict of laws and rules that would direct application of the laws of another jurisdiction. 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 shall be deemed to have occurred in Midland County, Texas. Exclusive venue for any claim, suit, or other action arising from or connected in any way to this Agreement shall be in Midland County, Texas.

C. Notice. Any notice or demand made regarding this Agreement shall be made in writing and delivered, either in person or by certified or registered mail, at the addresses provided below. Notice by mail shall be complete upon deposit of the paper, postage prepaid, in a post office or official depository under the care and custody of the United States Postal Service.

If to MDC: Midland Development Corporation
200 North Loraine Street, Suite 610
Midland, Texas 79701

If to COMPANY: Kimley-Horn and Associates, Inc.
4411 98th Street, Suite 300
Lubbock, Texas 79424

The parties hereto may change the above-designated addresses by giving notice pursuant to the terms of this Section.

D. Severability. If one or more of the provisions contained in this Agreement are held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be construed as if the invalid, illegal, or unenforceable provision were never contained herein.

E. Use of Language. Words in the singular shall be held to include the plural, unless the context otherwise requires.

F. Amendments, Modifications, Alterations. No amendment, modification, or alteration of this Agreement shall be binding unless such is evidenced in writing, dated subsequent to the date of this Agreement, and duly executed by the Parties.

G. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed as original, and all of which shall constitute one and the same instrument.

H. Federal Wage Requirements. 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 Agreement, and all terms and requirements under said statutes and regulations are made terms and conditions of this Agreement, to which the Parties have agreed to be bound.

I. 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 Agreement, COMPANY or its legal representative shall give the Executive Director written notice (consisting of one (1) original and seven (7) copies of such notice attached to a copy of this Agreement) of such duly-verified damages within one hundred fifty (150) days after the same has been sustained. The discovery rule does not apply to the giving of such 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 will settle, the physical and mailing addresses of COMPANY at the time and date the claim was presented, 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. COMPANY's failure to so notify the Executive Director within the time and manner provided herein shall exonerate, excuse and except MDC from any liability whatsoever. MDC is under no obligation to provide notice to COMPANY that COMPANY'S notice is insufficient. MDC reserves the right to request additional information regarding the claim. Said additional information shall be supplied within thirty (30) days after COMPANY's receipt of such 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 contrary provision contained herein, COMPANY's failure to comply with the requirements herein 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 of whether MDC has actual or constructive notice or knowledge of said claim or alleged damages. COMPANY agrees that the requirements of this entire Agreement are reasonable.

J. Prompt Pay Act. The Parties agree that Texas Government Code, Chapter 2251, Payment for Goods and Services does not waive the MDC's governmental immunity.

K. Compliance. COMPANY shall comply with Texas Government Code § 2252.908, *et seq.*, as amended, and Texas Local Government Code § 176.006, *et seq.*, as amended.

L. Anti-Boycott Statutes. To the extent that Tex. Gov't Code §§ 2271.002 and 2274.002 apply to this Agreement, COMPANY hereby verifies that:

- COMPANY does not boycott Israel and will not boycott Israel during the term of

this Agreement;

- COMPANY does not boycott energy companies and will not boycott energy companies during the term of this Agreement; and
- 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 Agreement against any firearm entity or firearm trade association.

If Tex. Gov't Code § 2270.002 does not apply to this Agreement, such verification is not required, and COMPANY shall be deemed to have not made such verification.

M. Records Retention and Production of Information. To the extent that this Agreement is a contract described by Tex. Gov't Code § 552.371, COMPANY shall: (i) preserve all contracting information related to the Agreement as provided by the records retention requirements applicable to CITY for the duration of the contract; (ii) promptly provide to MDC any contracting information related to the Agreement that is in the custody or possession of COMPANY on request of MDC; and (iii) on completion of the Agreement, either (a) provide at no cost to MDC all contracting information related to the Agreement that is in the custody or possession of COMPANY, or (b) preserve the contracting information related to the Agreement as provided by the records retention requirements applicable to MDC.

N. Public Information. To the extent that this Agreement is a contract described by Tex. Gov't Code § 552.371, COMPANY agrees as follows in accordance with Tex. Gov't Code § 552.372(b): The requirements of Subchapter J, Chapter 552, Government Code, may apply to this contract, and the contractor or vendor agrees that the contract can be terminated if the contractor or vendor knowingly or intentionally fails to comply with a requirement of that subchapter.

O. Conflict of Terms. If a conflict of terms or language exists between: (i) any of the provisions of this Agreement; and (ii) any of the provisions contained in any exhibit(s) attached to this Agreement, precedence shall be given to the provisions of this Agreement. For the avoidance of any doubt, the provisions contained in this Agreement 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 Agreement that imposes an additional express or implied obligation on MDC is hereby made void and of no force or effect. MDC's sole and exclusive obligations under this Agreement are contained in the provisions of this

Agreement that precede the signature page(s), which evidences the Parties' execution and acceptance hereof.

P. Iron or Steel Products Statute. Company agrees that all iron or steel products produced through a manufacturing process and used in the project that is the subject of this Agreement shall be produced in the United States in accordance with Government Code § 2252.202, *et seq.*, as amended.

Q. Interpretation. By executing this Agreement, the Parties acknowledge and agree that this Agreement shall not be interpreted or construed against any Party solely because such Party or its legal counsel drafted this Agreement. The Parties have read, understood, and approve of the language and terms set forth herein.

[Signature Page(s) Follows]

EXECUTED IN DUPLICATE the day and year first above mentioned.

THE CITY OF MIDLAND, TEXAS

P. Lourcey Sams, Chairman

ATTEST:

Elvie Brown, Secretary

COMPANY:

By: Scott R Arnold

Name: Scott R. Arnold

Title: Vice President

STATE OF TEXAS §
§
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, on this 9 day of OCTOBER, 2025 personally appeared, SCOTT R ARNOLD, an officer of KIMLEY-HORN AND ASSOCIATES, INC., 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 9 day of OCTOBER, 2025.

VICKY BREWER
Notary Public, State of Texas
Comm. Expires 05-16-2026
Notary ID 129821969

Vicky Brewer
Notary Public, State of TEXAS

SH 191 at CR 1250 Interchange and Ramp Reversal PS&E
FROM: SH 349
TO: SH 158

PART 1.0 PROJECT UNDERSTANDING

A. Project Description

The ENGINEER shall provide engineering services required for the preparation of plans, specifications, and estimates (PS&E) and related documents, for SH 191 at CR 1250 mainlanes, entrance/exit ramps, ramp reversals, grade separation, safety illumination, and intersection improvements, located in Midland, Texas (CITY). These services consist of preparing roadway, ramp and bridge design, retaining wall design, hydrologic and hydraulic (H&H) design, traffic control design, traffic signal design, supplemental survey, subsurface utility engineering test holes, geotechnical data collection, signing and pavement markings, and safety illumination at intersections and ramp locations.

Currently, SH 191 is grade separated at CR 1275 and SH 158 with double bridge structures and two lanes in each direction. SH 191 mainlanes exist from SH 349 to SH 158. A diamond configuration of ramps exists at CR 1275. This project will design a grade separated overpass over the proposed intersection of CR 1250, midway between CR 1275 and SH 158, and design a pair of entrance and exit ramps at CR 1250 in an X-configuration (4 ramps). This project will reverse the existing 4 ramps at CR 1275 from diamond configuration to X-configuration, reverse 2 ramps west of SH 158 from diamond configuration to X-configuration, and reverse 2 ramps east of SH 349 from diamond configuration to X-configuration. The ENGINEER will perform H&H analysis and drainage design necessary for the improvements. The ENGINEER will design the intersection configuration at CR 1250, U-Turns, CR 1250 approaches, two signalized intersections at CR 1250, and safety illumination at the CR 1250 intersection and the 12 proposed ramp locations.

B. Design Criteria

The ENGINEER shall prepare all work in accordance with the latest version of applicable TxDOT (State) procedures, specifications, manuals, guidelines, standard drawings, and standard specifications or previously approved special provisions and special specifications, which include: the PS&E Preparation Manual, Roadway Design Manual, Hydraulic Design Manual, the Texas Manual on Uniform Traffic Control Devices (TMUTCD), Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges, (latest Edition), and other State approved manuals. When design criteria are not identified in State manuals, the ENGINEER shall notify the CITY and State and refer to the American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Street, (latest Edition). In addition, the ENGINEER shall follow the State's District guidelines in developing the Plan, Specification, and Estimate (PS&E) package. The ENGINEER shall prepare each PS&E package in a form suitable for letting through the State's construction contract bidding and awarding process.

C. Right of Entry and Coordination

If applicable, the ENGINEER shall notify the CITY and State and secure permission to enter private property to perform any engineering or geotechnical activities needed off the State right-of-way. In pursuance of the CITY and State's policy with the public, the ENGINEER shall not commit acts which would result in damage to private property, and the ENGINEER shall make every effort to comply with the wishes and address the concerns of affected private property owners. The ENGINEER shall contact each property owner prior to any entry onto the owner's property and shall request concurrence from the CITY and State prior to each entry.

The ENGINEER shall notify the CITY and State and coordinate with adjacent engineers on all controls at project interfaces. The ENGINEER shall document the coordination effort, and each engineer shall provide written concurrence regarding the agreed project controls and interfaces. In the event the

ENGINEER and the other adjacent engineers are unable to agree, the ENGINEER and each adjacent engineer shall meet jointly with the CITY and State for resolution. The CITY and/or State will have authority over the ENGINEER's disagreements, and the CITY and State's decision will be final.

PART 2.0 SCOPE OF SERVICES

ENGINEER will provide the services specifically set forth below.

TASK 1 – DATA COLLECTION

1.1. Data Collection is not included in this scope of work. ENGINEER will utilize City of Midland Task Order No. 19 – "SH 191 at CR 1250 PS&E – Data Collection and Project Management" for scope of work identified in Task Order No. 19.

TASK 2 – DESIGN SURVEY

2.1. ENGINEER will utilize survey data provided by TxDOT from the SH 191 Schematic project from SH 349 to SH 158 completed in 2024.

2.2. ENGINEER will perform a supplemental topographic survey to include recent construction and developments within the project limits on an as-needed basis.

2.3. ENGINEER shall tie into any existing on-site or adjacent control along the project corridor and establish new control as needed. Control is to be set at intervisible intervals of 1000 feet at approximately 8 locations. Horizontal and vertical datum shall be based on existing TxDOT control along the corridor.

TASK 3 – GEOTECHNICAL BORINGS AND INVESTIGATIONS

3.1 The ENGINEER and subconsultant shall determine the location of proposed soil borings for bridge design and retaining walls in accordance with the latest edition of the State's Geotechnical Manual. The CITY and State will review and provide comments for a boring layout submitted by the ENGINEER showing the general location and depths of the proposed borings. Once the ENGINEER receives the CITY and State's review comments then subconsultant shall perform soil borings (field work), soil testing and prepare the boring logs in accordance with the latest edition of the State's Geotechnical Manual and State District's procedures and design guidelines.

A. All geotechnical work will be performed in accordance with the latest version of the State's Geotechnical Manual. All testing shall be performed in accordance with the latest version of the State's Manual of Test Procedures. American Society for Testing Materials (ASTM) test procedures can be used only in the absence of the State's procedures. All soil classification should be done in accordance with the Unified Soil Classification System.

B. The subconsultant shall perform retaining wall analyses consisting of settlement analysis, computation of the factor of safety for bearing capacity, global stability, overturning and sliding. In addition, the subconsultant shall develop allowable bearing pressure, passive earth pressure, friction factor, settlement analysis (consolidation report) and lateral earth pressure for the retaining walls.

C. The subconsultant shall perform soil borings, testing and analysis which will consist of slope stability analysis, settlement analysis, and foundation design recommendations for retaining walls, bridges, embankments, and any temporary soil retaining systems.

D. The ENGINEER shall provide a signed, sealed and dated geotechnical report from subconsultant which contains soil boring locations, boring logs, laboratory test results, generalized subsurface conditions, ground water conditions, analyses and recommendations for settlement and slope stability of the earthen embankments and retaining walls, skin friction tables and design capacity

curves including skin friction and point bearing for bridge foundations. The skin friction tables and design capacity curves will be present for piling and drilled shaft foundation.

E. The subconsultant shall sign, seal and date soil boring sheets to be used in the PS&E package. The preparation of soil boring sheets will be in accordance with a State's District standards.

F. Foundation Studies: The ENGINEER shall coordinate with the CITY and State to determine the location of soil borings to be drilled within the project limits.
   a. Bridges - by advancing five (5) borings to an estimated depth of seventy-five (75) feet below existing grade at the selected boring locations. The borings are proposed to be located at the proposed crossing of CR 1250 and SH 191.
   b. Retaining Walls – by advancing eight (8) borings to an estimated depth of thirty (30) feet below existing grade at each selected boring location, advancing four (4) borings to an estimated depth of twenty-five (25) feet below existing grade at each selected boring location, advancing four (4) borings to an estimated depth of twenty (20) feet below existing grade at each selected boring location and advancing three (3) borings to an estimated depth of fifteen (15) feet below existing grade at each selected boring location. The spacing for borings is proposed at roughly two hundred (200) foot intervals along the proposed retaining wall alignments on both sides of the proposed CR 1250 bridge.
   c. Traffic Signal – by advancing two (2) borings to an estimated depth of twenty (20) feet below existing grade.

G. The ENGINEER shall incorporate soil boring data sheets prepared, signed, sealed, and dated by the subconsultant. The soil boring sheets shall be in accordance with latest edition of the TxDOT Geotechnical Manual - LRFD and the State's requirements.

H. The subconsultant shall follow applicable stat traffic control standards when performing geotechnical field operations.

I. The ENGINEER will use State standard details to prepare foundation designs for traffic signals, large guide signs, and illumination assemblies.

TASK 4 – SUBSURFACE UTILITY ENGINEERING

4.1 SUE Scope Understanding

ENGINEER will utilize SUE data and Utility Conflict Matrix provided by TxDOT from the SH 191 Schematic project from SH 349 to SH 158 completed in 2024. The SUE Scope of Work will include Quality Level "A" SUE, along with the necessary Quality Level "B" SUE to determine the Quality Level "A" SUE test hole locations.

4.2 Project SUE Scope

A. The scope of this proposal consists of Quality Level "A" SUE with the necessary Quality Level "B" SUE to determine Quality Level "A" SUE test hole locations. Utilities to be designated include gas, telecommunications, electric, traffic signals, storm, water, and sanitary sewer. Overhead inventory is to be included. Designating will be performed within the following limits:

B. Twenty-eight (28) QL "A" test holes will be included in the budget. Test hole locations will be determined by the ENGINEER and subcontractor. To lay out test holes, Subcontractor will attempt to designate the target utility 5-feet on either side of the proposed test holes. Subcontractor will have all designating marks and test holes surveyed using project control point data provided by the ENGINEER.

4.3 Utility Engineering Investigation.

Consists of utility investigations subsurface and above ground prepared in accordance with AASHTO standards [ASCE C-1 38-02 (http://www.fhwa.dot.gov/programadmin/asce.cfm)] and Utility Quality Levels as follows.

A. Utility Quality Levels are defined in cumulative order (least to greatest) as follows:

1. Quality Level D - Existing Records: Utilities are plotted from review of existing records available.
2. Quality Level C - Surface Visible Feature Survey: Quality level "D" information from existing records is correlated with surveyed surface-visible features. Includes Quality Level D information. If there are variances in the designated work area of Level D, a new schematic or plan layout will be necessary to identify the limits of the proposed project and the limits of the work area required for the work authorization; including highway stations, limits within existing or proposed right of way, additional areas outside the proposed right of way, and distances or areas to be included along existing intersecting roadways.
3. Quality Level B - Designate: Two-dimensional horizontal mapping. This information is obtained through the application and interpretation of appropriate non-destructive surface geophysical methods. Utility indications are referenced to established survey control. Incorporates quality levels C and D information to produce Quality Level B. If there are variances in the designated work area of Level D, a new schematic or plan layout will be necessary to identify the limits of the proposed project and the limits of the work area required for the work authorization; including highway stations, limits within existing or proposed right of way, additional areas outside the proposed right of way, and distances or areas to be included along existing intersecting roadways.
4. Quality Level A - Locate (Test Hole): Three-dimensional mapping and other characterization data. This information is obtained through exposing utility facilities through test holes and measuring and recording (to appropriate survey control) utility/environment data. Incorporates quality levels B, C and D information to produce Quality Level A.

4.4 Subsurface Utility Locate (Test Hole) Service (Quality Level A)

A. Locate means to obtain precise horizontal and vertical position, material type, condition, size, and other data that may be obtainable about the utility facility and its surrounding environment through exposure by non-destructive excavation techniques that ensures the integrity of the utility facility. Subsurface Utility Locate (Test Hole) Services (Quality Level A) are inclusive of Quality Levels B, C, and D.

B. The ENGINEER shall:

1. Review requested test hole locations and advise the CITY and State in the development of an appropriate locate (test hole) work plan relative to the existing utility infrastructure and proposed highway design elements.
2. Coordinate with utility owner inspectors as may be required by law or utility owner policy.
3. Neatly cut and remove existing pavement material, such that the cut not to exceed 0.10 square meters (1.076 square feet) unless unusual circumstances exist.
4. Measure and record the following data on an appropriately formatted test hole data sheet that has been sealed and dated by the ENGINEER:
   a. Elevation of top and/or bottom of utility tied to the datum of the furnished plan.
   b. Identify a minimum of two benchmarks utilized. Elevations shall be within an accuracy of 15mm (.591 inches) of utilized benchmarks.
   c. Elevation of existing grade over utility at test hole location.
   d. Horizontal location referenced to project coordinate datum.
   e. Outside diameter of pipe or width of duct banks and configuration of non-encased multi-conduit systems.
   f. Utility facility material(s).

g. Utility facility condition.

h. Pavement thickness and type.

i. Coating/Wrapping information and condition.

j. Unusual circumstances or field conditions.

5. Excavate test holes in such a manner as to prevent any damage to wrappings, coatings, cathodic protection, or other protective coverings and features. Water excavation can only be utilized with written approval from the appropriate State District Office.

6. Be responsible for any damage to the utility during the locating process. In the event of damage, the ENGINEER shall stop work, notify the appropriate utility facility owner, the CITY, State, and appropriate regulatory agencies. The regulatory agencies include but are not limited to the Railroad Commission of Texas and the Texas Commission on Environmental Quality. The ENGINEER shall not resume work until the utility facility owner has determined the corrective action to be taken. The ENGINEER shall be liable for all costs involved in the repair or replacement of the utility facility.

7. Back fill all excavations with appropriate material, compact backfill by mechanical means, and restore pavement and surface material. The ENGINEER shall be responsible for the integrity of the backfill and surface restoration for a period of three years. Install a marker ribbon throughout the backfill.

8. Furnish and install a permanent above ground marker (as specified by the State, directly above the center line of the utility facility.

9. Provide complete restoration of work site and landscape to equal or better condition than before excavation. If a work site and landscape is not appropriately restored, the ENGINEER shall return to correct the condition at no extra charge to the CITY and State.

10. Plot utility location position information to scale and provide a comprehensive utility plan signed and sealed by the responsible ENGINEER. This information shall be provided in the latest version of Micro Station or Geopak format used by the State. The electronic file will be delivered on CD or DVD. When requested by the CITY and State, the Locate information will be overlaid on the State's design plans.

11. Return plans, profiles, and test hole data sheets to the CITY and State. If requested, conduct a review of the findings with the CITY and State.

12. Close-out permits as required.

TASK 5 – ROADWAY DESIGN

5.1 Geometric Design

A. The State shall provide available SH 191 Schematic electronic files and related documents for the proposed CR 1250 overpass to CITY and ENGINEER. The ENGINEER will progress the provided schematic design information to a 60% milestone submittal package.

B. Preliminary Geometric Layout (intentionally omitted).

5.2 Roadway Design

A. The ENGINEER shall use Bentley's OpenRoads 3D Design technology in the design and preparation of the roadway plan sheets.

B. The ENGINEER shall provide roadway plan and profile drawings using CADD standards as required by the State. The drawings will consist of a planimetric file of existing features and files of the proposed improvements. The roadway base map will contain line work that depicts existing surface features. Existing major subsurface and surface utilities will be shown if

requested by the CITY and State. Existing and proposed right-of-way lines will be shown. Plan and Profile will be shown on separate or same sheets (this depends upon the width of pavement) for main lanes.

1. The plan view shall contain the following design elements:
   a. Calculated roadway centerlines for mainlanes, bridges, and cross streets, as applicable. Horizontal control points will be shown. The alignments will be calculated using OpenRoads horizontal geometry tools.
   b. Pavement edges for all improvements (mainlanes, bridges, and cross streets, as applicable.)
   c. Lane and pavement width dimensions.
   d. Proposed structure locations, lengths, and widths.
   e. Direction of traffic flow on all roadways. Lane lines and arrows indicating the number of lanes will also be shown.
   f. Drawing scale shall be 1" =100'
   g. Control of access line, ROW lines, and easements.
   h. Begin and end super elevation transitions and cross slope changes.
   i. Limits of riprap, block sod, and seeding.
   j. Existing utilities and structures.
   k. Benchmark information.
   l. Radii call outs, curb location, Concrete Traffic Barrier (CTB), guard fence, crash safety items and American with Disabilities Act Accessibility Guidelines (ADAAG) compliance items.
2. The profile view shall contain the following design elements:
   a. Calculated profile grade for proposed mainlanes (cite direction), bridges, and cross streets, if applicable. Vertical curve data, including "K" values, will be shown. The profiles will be calculated using OpenRoads vertical geometry tools.
   b. Existing and proposed profiles along the proposed centerline of the mainlanes.
   c. Water surface elevations at cross culvert for the design year and 100-year storms, if applicable.
   d. Calculated vertical clearances at grade separations and overpasses, considering the appropriate super elevation rate, superstructure depth, and required clearance.
   e. The location of interchanges, mainlanes, and grade separations (shall include cross sections of any proposed or existing roadway, structure, or utility crossing).
   f. Drawing vertical scale to be 1" =10'.

5.3 Typical Sections

A. The ENGINEER shall prepare typical sections for all proposed and existing roadways and structures. Typical sections will consist of width of travel lanes, shoulders, outer separations, border widths, curb offsets, and ROW. The typical section will also consist of Proposed Profile Grade line (PGL), centerline, pavement design, longitudinal joints, side slopes, sodding or seeding limits, concrete traffic barriers and sidewalks, if required, station limits, common proposed and existing structures including retaining walls, existing pavement removal, riprap, and limits of embankment and excavation.

5.4 Mainlane Design

A. The ENGINEER shall provide the design of SH 191 mainlanes with full shoulders. The design will be consistent with the current TxDOT Roadway Design Manual.

5.5 Ramp Design

A. The ENGINEER shall provide the design of four (4) proposed ramps, with two (2) being just west of CR 1250, and two (2) being just east of CR 1250. The ENGINEER shall provide the design of four (4) ramp reversals, with two (2) being just east of CR 1275 and two (2) being just west of SH 158. The design will be consistent with the current TxDOT Roadway Design Manual.

5.6 Cross Streets

A. The ENGINEER shall provide an intersection layout detailing the pavement design and drainage design at the intersection of CR 1250. The layout will consist of the horizontal and vertical alignments, curb returns, geometrics, transition length, stationing, pavement, drainage details, and ADAAG compliance items. The ENGINEER shall design for full pavement width to the ROW and provide a transition to the existing roadway.

5.7 Cut and Fill Quantities

A. The ENGINEER shall develop an earthwork analysis to determine cut and fill quantities and provide final design cross sections at 100-foot intervals. Cross sections will be delivered in standard OpenRoads Designer format on 11"x17" sheets or roll plots and electronic files. The ENGINEER shall provide all criteria and input files used to generate the design cross sections. Cross sections and quantities will also consist of existing pavement removals. Annotation shall consist of at a minimum existing and proposed ROW, side slopes (front & back), and profiles.

B. The ENGINEER shall submit a PDF set of drawings at the 60%, 90%, 100%, and Final submittals, respectively.

5.8 Plan Preparation

A. The ENGINEER shall prepare roadway plans, profiles, and typical sections for the proposed improvements. This scope of services and the corresponding cost proposal are based on the ENGINEER preparing plans to construct freeway main lanes, ramps, bridges, and cross streets at intersections. The roadway plans will consist of the types and be organized in the sequence as described in the PS&E Preparation manual.

5.9 Pavement Design

A. The State shall provide the mainlane pavement design and submit to CITY and ENGINEER for use in the project design.

5.10 Pedestrian and Bicycle Facilities

A. The ENGINEER shall coordinate with the State to incorporate pedestrian and bicycle facilities at the intersection of CR 1250 as required. All pedestrian and bicycle facilities will be designed in accordance with the latest ADAAG, the Texas Accessibility Standards (TAS), the most current state roadway design manual, and the AASHTO Guide for the Development of Bicycle Facilities.

TASK 6 – DRAINAGE DESIGN AND REPORT

6.1. Data Collection.

A. The ENGINEER shall provide the following data collection services:

1. Conduct field inspections to observe current conditions and the outfall channels, the cross-drainage structures, drainage easements, and land development projects that contribute flow to the tributary. Document field inspections with digital photos.
2. Collect available applicable data including Geographic Information System (GIS) data and maps, site survey data, construction plans, previous reports and studies, and readily available rainfall history for the area. Sources of data collected will include, but are not limited to, the State, County, and Federal Emergency Management Agency (FEMA).
3. Collect available Flood Insurance Rate Maps (FIRMs), Flood Insurance Study (FIS) study data, and models.
4. Review survey data and coordinate any additional surveying needs with CITY and State.
5. Meet with local government officials to obtain historical flood records. Interview residents or local government employees to obtain additional high-water information if available. Obtain frequency of road closure and any additional high-water information from the District Maintenance office.

6.2. Cross Drainage Structure.

A. The ENGINEER shall provide the following services:

1. Determine drainage areas and flows for cross culvert drainage systems.
2. Determine the sizing of the drainage crossing. The scope consists of extending, adjusting, or replacing non-bridge-class culvert crossing or crossings as specified in this Work Authorization. Develop designs that minimize the interference with the passage of traffic or cause damage to the highway and local property in accordance with the State's Hydraulic Design Manual, District criteria and any specific guidance provided by the State. Cross drainage design shall be performed using HY-8 or HEC RAS

6.3. Temporary Drainage Facilities

A. The ENGINEER shall develop plans for all temporary drainage facilities necessary to allow staged construction of the project and to conform with the phasing of adjacent construction projects without significant impact to the hydraulic capacity of the area. Drainage area maps are not required for temporary drainage.

6.4. Plans, Specifications and Estimates (PS&E) Development for Hydraulics.

A. The ENGINEER shall provide the following services:

1. Prepare the PS&E package in accordance with the applicable requirements of the State's specifications, standards, and manuals, including the PS&E Preparation Manual. The PS&E will consist of the following sheets and documents, as appropriate:
   - Hydrologic Data Sheets
   - Hydraulic Data Sheets
   - Culvert Layout Sheets
   - Storm Drain Plan/Profile Sheets, if applicable
   - Roadway Plan & Profile Sheets including profile grade line of parallel ditches, if applicable.
   - All other relevant sheets
2. Prepare culvert cross sections and identify each cross-section's station location.
3. Identify areas requiring trench protection, excavation, shoring, and de-watering.

4. Prepare drainage area maps.
5. If applicable, prepare plan and profile sheets for storm drain systems and outfall ditches.
6. Select any necessary standard details from State or District's list of standards for items such as inlets, manholes, junction boxes, and end treatments.
7. Prepare drainage details for outlet protection, outlet structures, and utility accommodation structures.
8. Identify pipe strength requirements.
9. Prepare drainage facility quantity summaries.
10. Identify potential utility conflicts and, if feasible, design to mitigate or avoid those identified conflicts
11. Consider pedestrian facilities, utility impacts, driveway grades, retaining wall and concrete traffic barrier drainage impacts.
12. Prepare Hydraulic Data Sheets for any bridge or cross drainage structures at the outfall channel and indicate site location (e.g., station and name of creek or bayou), if applicable.
13. Develop layouts for the following:
    - Subsurface drainage at retaining walls.
    - Outfall channels within existing ROW

6.5. Drainage Report

A. The ENGINEER shall prepare a Drainage Report in accordance with the State's Hydraulic Design Manual and the District's drainage report requirements. The report will consist of supporting calculations and model files that justify the design presented in the plans. The drainage report will be submitted to the State only.

TASK 7 – BRIDGE DESIGN

7.1 Bridge Layout

A. The ENGINEER shall prepare a bridge layout plan sheet for each bridge. The ENGINEER shall determine the location of each soil boring needed for foundation design in accordance with the *Geotechnical Manual*.

B. Prior to preparation of each bridge layout, the ENGINEER shall prepare a comparative cost analysis of bridge structures to determine: (1) the optimum bridge beams for vertical clearance roadway, (2) the optimum bridge structure versus roadway embankment, pavement, soil stabilization, and retaining walls.

C. The ENGINEER shall submit each bridge layout early in the plan preparation process to obtain approval from the CITY and State. The ENGINEER shall comply with all relevant sections of the latest edition of the State's *LRFD Bridge Design Manual, Bridge Project Development Manual, Bridge Detailing Guide, and AASHTO LRFD Bridge Design Specifications and respective checklists*. Each bridge layout sheet will consist of bridge typical sections, structural dimensions, abutment and bent locations, superstructure, and substructure types. The ENGINEER shall locate and plot all soil borings and utilities, show proposed retaining walls, and, for staged construction, indicate limits of existing bridge for removal and reconstruction.

D. The bridge layout will consist of the following:

1. Plan View
    a. Horizontal curve data
    b. Bearing of centerline

c. Bridge and culvert skew angles
d. Control Stations at the beginning and end of structures
e. Dimensioned widths of bridge or culvert, roadway, rail, and shoulders
f. Type and limits of riprap
g. Location of profile grade line
h. Direction of flow
i. North arrow
j. Roadway functional class
k. Design Speed
l. Traffic data
m. Existing and proposed structure numbers
n. Cross-slope and superelevation data
o. Traffic flow directional arrows
p. Railing type
q. Bent stations and bearings
r. Retaining wall locations
s. Approach pavement crown width
t. Typical bridge section showing beam type and spacing
u. Joint and seal type and spacing
v. Locations of soil borings
w. Phased construction
x. Any other information required in the State's Bridges and Structures Operation and Planning Manual, Bridge Design Manual, and Bridge Detailing Manual.

2. Profile View
   a. Profile grade
   b. Vertical curve data
   c. Finished roadway elevation at beginning and end of bridge
   d. Overall structure length
   e. Type and overall length of railing
   f. Existing and proposed ground lines clearly labeled
   g. Profile view grid elevations and stations
   h. Station of structure compatible with grid stations
   i. Applicable standard titles
   j. Type of riprap
   k. Type of foundation; number, size, and length of foundation elements
   l. Length and type of span unit
   m. Bent numbers

n. Bearing seat elevations

o. Soil bore data

p. Fixed or expansion condition at each beam end

q. Column heights

r. Any other information required in the State's Bridges and Structures Operation and Planning Manual, Bridge Design Manual, and Bridge Detailing Manual.

7.2 Bridge Detail Summary.

A. The ENGINEER shall prepare total bridge quantities, estimates, and summary sheets for each bridge or bridge class culvert.

7.3 Bridge Structural Details.

A. The ENGINEER shall prepare each structural design and develop detailed structural drawings of all required details in compliance with above-listed manuals and guidelines. The ENGINEER shall assemble and complete all applicable State Standard Details sheets.

B. Additionally, the ENGINEER shall:

1. Perform calculations for design of bridge abutments and bents (only applicable for non-standard bridge.)
2. Perform calculations for bridge slab design (only applicable for non-standard bridge.)
3. Perform calculations to determine elevations of bridge substructure and super structure elements.
4. Perform calculations for bridge girder design (only applicable for non-standard bridge.)
5. Prepare necessary foundation details and plan sheets.
6. Prepare plan sheets for abutment and bent design (only applicable for non-standard bridge.)
7. Prepare plan sheets for additional abutment and bent details (only applicable for non-standard bridge.)
8. Prepare framing plan and slab plan sheets (only applicable for non-standard bridge.)
9. Compute and prepare tables for slab and bearing seat elevations, dead load deflections, etc. (only applicable for non-standard bridge.)
10. Design beams and prepare beam design tables (only applicable for non-standard bridge.)
11. Prepare special provisions and special specifications in accordance with the above-listed manuals and guidelines.

TASK 8 – RETAINING WALLS

8.1 Retaining Walls and Miscellaneous Structures

A. The ENGINEER shall develop each retaining wall design and determine the location of each soil boring needed for the foundation design of each retaining wall in accordance with the *Geotechnical Manual*. Prior to preparation of retaining wall layouts, the ENGINEER shall prepare a comparative cost analysis of different types of retaining walls versus roadway embankment, pavement, soil stabilization, retaining wall type, and available ROW to determine optimum selection based on economics, construction time duration, ROW encroachments (need for construction easements), and construction feasibility. The Engineer shall submit the retaining wall layouts to the State for approval early in the plan preparation process. The ENGINEER shall incorporate all necessary information from above-referenced manuals and

respective checklists into the retaining wall layouts. For stage construction, the ENGINEER shall indicate the limits of existing retaining walls for removal and reconstruction and determine limits of temporary retaining walls to be shown on the TCP.

B. The approximate limits of each retaining wall shall be based on Station or length. The ENGINEER shall notify the CITY and State the type of retaining walls that will be used for Cut and Fill location.

C. The ENGINEER shall provide layouts (scale 1" =100'), elevations, quantity estimate, summary of quantities, typical cross sections, and structural details of all retaining walls within the project.

D. If applicable, the State will provide architectural standard drawings. The ENGINEER shall incorporate architectural standard drawings into design details. The specific requirements for each item are as follows:

1. Layout Plan
    a. Designation of reference line
    b. Beginning and ending retaining wall stations
    c. Offset from reference line
    d. Horizontal curve data
    e. Total length of wall
    f. Indicate face of wall
    g. All wall dimensions and alignment relations (alignment data as necessary)
    h. Soil boring locations
    i. Drainage, signing, and lightning , etc. that is mounted on or passing through the wall.
    j. Subsurface drainage structures or utilities which could be impacted by wall construction.
2. Elevation:
    a. Top of wall elevations
    b. Existing and finished ground line elevations
    c. Vertical limits of measurement for payment
    d. Type, limits, and anchorage details of railing (only if Traffic Railing foundation standard is not being used on this project)
    e. Top and bottom of wall profiles plotted at correct station & elevation.
    f. Underdrains
    g. Any soil improvement, if applicable.
    h. Drainage, signing, lighting etc. as noted above.
    i. Drainage structures and utilities as noted above.
3. Sectional View:
    a. Reinforced volume
    b. Underdrain location
    c. Soil improvements, if applicable

4. General Guidelines for Retaining Walls

   a. For retaining wall submittals, the ENGINEER shall check State's Bridge Division website for current requirements.

TASK 9 – TRAFFIC CONTROL

9.1 Traffic Control Plan, Detour, Sequence of Construction.

A. The ENGINEER shall prepare Traffic Control Plans (TCP) including TCP typical sections, for the project. If requested by the State, the ENGINEER shall complete Form 2229-Significant Project Procedures along with Page 4 of Form 1002, specifically titled Accelerated Construction Procedures. A detailed TCP will be developed in accordance with the latest edition of the TMUTCD. The ENGINEER shall implement the current Barricade and Construction (BC) standards and TCP standards as applicable. The ENGINEER shall interface and coordinate phases of work, including the TCP, with adjacent engineers. The ENGINEER shall:

1. Provide a written narrative of the construction sequencing and work activities per phase and determine the existing and proposed traffic control devices (regulatory signs, warning signs, guide signs, route markers, construction pavement markings, barricades, flag personnel, temporary traffic signals, etc.) to be used to handle traffic during each construction sequence. The ENGINEER shall show temporary roadways and detours required to maintain lane continuity throughout the construction phasing. If temporary shoring is required, prepare layouts, and show the limits on the applicable TCP.
2. Develop each TCP to provide continuous, safe access to each adjacent property during all phases of construction and to preserve existing access. The ENGINEER shall notify the CITY and State in the event existing access will be eliminated and will receive approval from the CITY and State prior to any elimination of existing access.
3. Design temporary drainage to replace existing drainage disturbed by construction activities or to drain detour pavement. The ENGINEER shall show horizontal and vertical location of culverts and required cross sectional area of culverts.
4. Prepare each TCP in coordination with the CITY and State. The TCP will show interim signing for every phase of construction. Interim signing will consist of regulatory, warning, construction, route, and guide signs. The ENGINEER shall interface and coordinate phases of work, including the TCP, with adjacent ENGINEERs, which are responsible for the preparation of the PS&E for adjacent projects.
5. Maintain continuous access to abutting properties during all phases of the TCP. The ENGINEER shall develop a list of each abutting property along its alignment. The ENGINEER shall prepare exhibits for and attend meetings with the public, as requested by the CITY and State.
6. Make every effort to prevent detours and utility relocations from extending beyond the proposed Right-of-way lines. If it is necessary to obtain additional permanent or temporary easements and Right-of-Entry, the ENGINEER shall notify the CITY and State in writing of the need and justification for such action. The ENGINEER shall identify and coordinate with all utility companies for relocations required.
7. Describe the type of work to be performed for each phase of sequence of construction and any special instructions (e.g., storm drain, culverts, bridges, railing, illumination, signals, retaining walls, signing, paving surface sequencing or concrete placement, ROW restrictions, and utilities) that the contractor should be made aware to include limits of construction, obliteration, and shifting or detouring of traffic prior to the proceeding phase.

8. The TCP will consist of the work limits, the location of channelizing devices, positive barriers, location and direction of traffic, work area, stations, pavement markings, and other information deemed necessary for each phase of construction.

TASK 10 - SIGNING, PAVEMENT MARKINGS, SIGNALIZATION, AND SAFETY LIGHTING

10.1 Signing.

A. The ENGINEER shall prepare drawings, specifications, and details for all signs. The ENGINEER shall coordinate with the CITY and State for overall temporary, interim, and final signing strategies and placement of signs outside contract limits. The ENGINEER shall:

1. Prepare sign detail sheets for large guide signs showing dimensions, lettering, shields, borders, and corner radii, and shall provide a summary of large and small signs to be removed, relocated, or replaced.
2. Designate the shields to be attached to guide signs.
3. Illustrate and number the proposed signs on plan sheets.
4. Select each sign foundation from State Standards.

10.2 Pavement Marking.

A. The ENGINEER shall detail both permanent and temporary pavement markings and channelization devices on plan sheets. The ENGINEER shall coordinate with the CITY and State for overall temporary, interim, and final pavement marking strategies. The ENGINEER shall select Pavement markings from the latest State standards.

B. The ENGINEER shall provide the following information on sign and pavement marking layouts:

1. Roadway layout.
2. Center line with station numbering.
3. Designation of arrow used on exit direction signs.
4. Culverts and other structures that present a hazard to traffic.
5. Location of utilities.
6. Existing signs to remain, to be removed, to be relocated or replaced.
7. Proposed signs (illustrated, numbered and size).
8. Proposed overhead sign bridges to remain, to be revised, removed, relocated, or replaced.
9. Proposed overhead sign bridges, indicating location by plan.
10. Proposed markings (illustrated and quantified) which will consist of pavement markings, object markings and delineation.
11. Quantities of existing pavement markings to be removed.
12. Proposed delineators, object markers, and mailboxes.
13. The location of interchanges, mainlanes, grade separations, frontage roads and ramps.
14. The number of lanes in each section of proposed highway and the location of changes in numbers of lanes.
15. Right-of-way limits.
16. Direction of traffic flow on all roadways.

10.3 Traffic Warrant Studies. (Intentionally omitted)

10.4 Signalization.

A. The ENGINEER shall design and prepare two (2) Traffic Signal Plans for the intersection of SH 191 and CR 1250. The ENGINEER shall confirm the power source for all signals and coordinate with the appropriate utility agency. Traffic Signal Plans will be signed and sealed by a Texas Registered Professional ENGINEER. The ENGINEER shall develop all quantities, general notes, specifications, and incorporate the appropriate agency standards required to complete construction. Traffic signal poles, fixtures, signs, and lighting will be designed in accordance with the Green Ribbon Report's recommendations and standards.

B. The ENGINEER shall provide the following information in the Traffic Signal Plans:

1. Plan Development
    a. Estimate and quantity sheet
        i. List of all bid items
        ii. Bid item quantities
        iii. Specification item number
        iv. Paid item description and unit of measure
    b. Basis of estimate sheet (list of materials)
    c. General notes and specification data.
    d. Condition diagram
        i. Highway and intersection design features and ROW
        ii. Roadside development
        iii. Traffic control including illumination
    e. Plan sheet(s)
        i. Existing traffic control that will remain (signs and markings)
        ii. Existing utilities
        iii. Proposed highway improvements
        iv. Proposed installation
        v. Proposed additional traffic controls
        vi. Proposed illumination attached to signal poles or stand alone
            i. Proposed power pole source
    f. Notes for plan layout
    g. Phase sequence diagram(s)
        i. Signal locations
        ii. Signal indications
        iii. Phase diagram
        iv. Signal conductors termination chart
        v. Signal sequence table
        vi. Flashing operation (normal and emergency)
        vii. Preemption operation (when applicable)

viii. Contact responsible Agency to obtain interval timing, cycle length and offset

h. Construction detail sheets(s)

i. Poles (State standard sheets)

ii. Detectors

iii. Pull Box and conduit placement on signal layout

iv. Controller Foundation standard sheet

v. Electrical chart

vi. Conduit chart

vii. Signal pole and signal head chart

viii. Controller, Radar Presence Detector (RPD), and Radar Advance Detection Devices (RADD) chart

ix. Accessible Pedestrian Signals (APS) message chart

x. Minimum pedestrian timing chart

xi. Signal head and ped pole details

xii. Traffic signal pole foundation

i. Marking details (when applicable)

j. Aerial or underground interconnect details (when applicable)

2. General Requirements

a. Contact local utility company

i. Confirm power source

b. Prepare governing specifications and special provisions list

c. Prepare project estimate

3. Summary of Quantities

a. Small signs tabulation

b. Large signs tabulation including all guide signs

4. Sign Detail Sheets

a. All signs except route markers

b. Design details for large guide signs

c. Dimensioning (letters, shields, borders, etc.)

d. Designation of shields attached to guide signs

10.5 Safety Lighting.

A. The ENGINEER shall perform field work and analysis necessary to design illumination plans for safety lighting at the following locations:

- Two proposed entrance/exit ramps on SH 191 east of SH 349 overpass.
- Four proposed entrance/exit ramps on SH 191 at the CR 1275 overpass.
- SH 191 at CR 1250 Interchange.
- Four proposed entrance/exit ramps on SH 191 at the new CR 1250 overpass.
- Two proposed entrance/exit ramps on SH 191 west of SH 158 overpass.

B. The ENGINEER shall:
   1. Perform field work that may include but not be limited to taking measurements, locating utilities, locating existing illumination equipment, identifying existing conditions, and taking digital photos of the locations.
   2. Perform a kickoff meeting with the State and City representatives to discuss the design needs and requirements for the proposed illumination improvements.
   3. Prepare layouts for safety and/or ramp/underpass illumination design according to current State specifications and TxDOT District format.
   4. Prepare illumination plans in accordance with the applicable requirements of the State's Specifications and Manuals (latest revision) as provided by the State and available on the State's website.
   5. Provide copies of the illumination design layouts.
   6. Contact the local utility company to confirm electrical power for illumination equipment and identify conflicts with overhead and underground utility lines. Obtain a meter address from the State or local jurisdiction. Identify utility company, contact person, and phone number on plans.
   7. Perform revisions to the plans due to any comments received from the State.
   8. Verify that proposed illumination work meets the requirements of the National Electrical Code and the TxDOT Highway Illumination Manual.

C. The ENGINEER shall provide the following information in the Illumination Plans:
   1. Layout
      a. Estimate and quantity sheet
         i. List of all bid items
         ii. Bid item quantities
         iii. Specification item number
         iv. Paid item description and unit of measure
      b. Basis of estimate sheet (list of materials)
      c. General notes and specification data.
      d. Condition diagram
         i. Highway and intersection design features
         ii. Roadside development
         iii. Traffic control including illumination
      e. Plan Sheet(s)
         i. Existing traffic control that will remain (signs and markings)
         ii. Existing utilities
         iii. Proposed illumination for the locations specified above
         iv. Proposed installation for the locations specified above
         v. Proposed electrical conductor summary table(s)
         vi. Proposed power pole source
      f. Notes for plan layout
      g. Electrical sheet(s)
         i. Electrical panel schedule
         ii. One-line wiring diagram(s)
      h. Construction detail sheet(s)
         i. Poles (State standard sheets)
         ii. Fixtures
         iii. Pull Box and conduit layout
         iv. Electrical service sheets
      i. Aerial or underground interconnect details (when applicable)
   2. General Requirements
      a. Contact local utility company
         i. Confirm power source
      b. Prepare governing specifications and special provisions list
      c. Prepare project estimate

3. The Engineer shall not be responsible for the following, but not be limited to:
   a. Photometric analysis of roadway lighting exterior to the project limits;
   b. Photometric analysis of parking lot lighting exterior to the project limits;
   c. 3D renderings; and
   d. Structural calculations for light pole bases.

TASK 11 - MISCELLANEOUS DESIGN

11.1 Storm Water Pollution Prevention Plan (SW3P)

A. The ENGINEER shall develop SW3P, on separate sheets from, but in conformance with the TCP, to minimize potential impact to receiving waterways. The SW3P will consist of text describing the plan, quantities, type, phase, and locations of erosion control devices and any required permanent erosion control.

11.2 Compute and Tabulate Quantities

A. The ENGINEER shall provide the summaries and quantities within all formal submittals.

11.3 Miscellaneous Structure Details

A. The ENGINEER shall provide the necessary details required to supplement standard details.

11.4 Estimate

A. The ENGINEER shall independently develop and report quantities necessary to construct the contract in standard State bid format at the specified milestones and Final PS&E submittals. The ENGINEER shall prepare each construction cost estimates using Estimator or any approved method. The estimate shall be provided at each milestone submittal or in TxDOT CONNECT format at the 90%, 100%, and Final PS&E submittals per State's District requirement.

11.5 Contract Time Determination.

A. The ENGINEER shall prepare a detailed contract time estimate to determine the approximate time required for construction of the project in calendar and working days (based on the State standard definitions of calendar and working days) at the 90%, 100%, and Final PS&E milestones. The schedule will consist of tasks, subtasks, critical dates, milestones, deliverables, and review requirements in a format which depicts the interdependence of the various items and adjacent construction packages. The ENGINEER shall assist the CITY and State in interpreting the schedule.
B. The ENGINEER shall coordinate meetings with TxDOT Midland Area Office for contract time determination review at 90% and 100% PS&E submittals.

11.6 Specifications and General Notes.

A. The ENGINEER shall identify necessary standard specifications, special specifications, special provisions, and the appropriate reference items. The ENGINEER shall prepare General Notes from the District's *Master List of General Notes*, Special Specifications and Special Provisions for inclusion in the plans and bidding documents. The ENGINEER shall provide General Notes, Special Specifications and Special Provisions in the required format.

11.7 Constructability Review.

A. The ENGINEER shall provide an internal Independent Quality Review of the constructability PS&E sets.

B. The ENGINEER shall perform constructability reviews at major project design milestones (60%, 90%, 100%, and Final PS&E) to identify potential constructability issues and options that would provide substantial time savings during construction. The constructability review will be

performed for all roadway and structural elements such as Sequence of Work/Traffic Control, Drainage (Temporary and Permanent), SW3P, Environmental Permits, Issues and Commitments (EPIC) addressed, identify Utility conflicts; ensuring accuracy and appropriate use of Items, Quantities, General Notes, Standard and Special Specifications, Special Provisions, Contract Time/Schedule, Standards; and providing detailed comments in an approved format. Reviews will be captured in a Constructability Log identifying areas of concern and potential conflict. The ENGINEER shall provide the results of all Constructability reviews and recommendations to the CITY and State at major project design milestone submittals.

C. The ENGINEER shall coordinate constructability review meetings with TxDOT Midland Area Office for constructability review at major project design milestones (60%, 90%, 100%, and Final PS&E).

TASK 12 - CONTRACT MANAGEMENT AND ADMINISTRATION

12.1 Contract Management and Administration is not included in this scope of work. ENGINEER will utilize City of Midland Task Order No. 19 – "SH 191 at CR 1250 PS&E – Data Collection and Project Management" for scope of work identified in Task Order No. 19.

TASK 13 – UTILITY COORDINATION

13.1 Utility Coordination

The ENGINEER shall provide utility adjustment coordination services including utility coordination meetings with individual utility companies, communication, and coordination with franchise utilities.

A. Utility Coordination

The ENGINEER shall perform utility coordination and liaison activities with involved utility owners, their consultants, and the State to achieve timely project notifications, formal coordination meetings, conflict analysis, and conflict resolution.

1. The ENGINEER shall provide initial project notification letters (NOPC) and U-NORA letters to all affected utility companies, owners, and other concerned parties.
2. The ENGINEER shall provide the State and all affected utility companies and owners a utility contact list for each project with all information such as:
    a. Owner's Name
    b. Contact Person
    c. Telephone Numbers
    d. Emergency Contact Number
    e. E-mail addresses
    f. All pertinent information concerning their respective affected utilities and facilities, including, at a minimum: size, number of poles, material, and other information that readily identifies the facilities of the utility company.
3. The ENGINEER shall utilize the utility conflict matrix (UCM) provided by TxDOT from the SH 191 Schematic project from SH 349 to SH 158 completed in 2024.
4. The ENGINEER shall assist the State in providing Utility layouts and exhibits
5. The ENGINEER shall advise utility companies and owners of the general characteristics of the Project and illustrate the project footprint for mark-up of the utility facility locations that occupy the project area.

13.2 Utility Engineering

Utility engineering includes the identification of utility conflicts, coordination, compliance with the UAR, and resolution of utility conflicts. The Engineer shall coordinate all activities with the CITY and State to facilitate the orderly progress and timely completion of the State's design phase.

A. Coordination Of Engineering Activities

1. Utility Layout

The ENGINEER must utilize the layout of existing utilities as prepared, if available, and determine the following:

a. Facilities in conflict with the proposed project that are to be relocated

b. Facilities to be abandoned in place

c. Facilities to remain in service and in place as a result roadway design adjustments and meeting the current UAR

B. Individual Meetings with Utility Companies

To facilitate utility conflict identification and resolution, the ENGINEER shall:

1. Establish contact with all existing utilities within and adjacent to the project limits and set up utility coordination meetings to discuss concepts and options for construction.

2. Assist the State in coordinating utility relocations.

TASK 14 – RIGHT-OF-WAY DEDICATION DOCUMENTS

14.1 The ENGINEER will prepare a metes and bounds description and sketch showing the location and dimensions for four (4) proposed right-of-way dedications. Dedication language will either be the unaltered standard language provided by the local jurisdiction, or as agreed to by the Grantor and Grantee and provided complete to the ENGINEER. The CITY will file the document.

TASK 15 – Bidding Phase Support

15.1 Project Addendums – The ENGINEER will issue up to 5 project addendums as required.

15.2 Questions – The ENGINEER will answer contractor questions as required.

DELIVERABLES

The ENGINEER shall submit the following deliverables to the CITY and State:

1. Plan Development
   a. Preliminary Bridge Layout Review (PBLR) Submittal
      i. PDF set of 11" x 17" bridge and retaining wall layouts for the State District Bluebeam review.
      ii. External stability analysis for retaining walls.
      iii. One set of a roll format TCP phasing layout, one copy of the pdf of plan sheets for TCP concept, and significant project procedures form (State Form 2229) to present at the TCAT for the State review.
      iv. Plan and profile sheets of the roadway immediately before and after the bridge

v. Form 1002 for bridge work type: New

b. 60% Review Submittal

i. Estimate of construction cost.

ii. Engineer's internal QA and QC marked up set.

iii. Preliminary marked-up General Notes, list of Specifications, and list of Special Provisions

iv. Form 1002 and Design Exceptions with existing and proposed typical sections, location map and design exception exhibits.

v. One set of a roll format TCP phasing layout, one copy of the .pdf of plans sheets for TCP concept, and significant project procedures form (State Form 2229) to present at the TCAT for the State review.

vi. Preliminary 3D corridor model, in the most current format, created using Bentley's OpenRoads tools, and with detail to verify the design of the 60% plan sheets.

vii. Preliminary Title Sheet

viii. Preliminary Index of Sheets including Standards

ix. Preliminary Existing and Proposed Typical Sections

x. Preliminary Summary Sheets

xi. Preliminary Traffic Control Plan Sheets

xii. Preliminary Survey Control Data Sheets

xiii. Preliminary Removal Layouts

xiv. Preliminary Plan & Profile Sheets for all Alignments

xv. Preliminary Intersection Layouts

xvi. Preliminary Illuminations Sheets

xvii. Preliminary Miscellaneous Roadway Details

xviii. Preliminary Drainage Area Maps

xix. Preliminary Culvert Computations

xx. Preliminary Culvert Layouts

xxi. Preliminary Hydraulic Computations

xxii. Soil Borings

xxiii. Preliminary Retaining Wall Layouts

xxiv. Approved Bridge Layouts (from PBLR)

xxv. Preliminary Utility Layout Sheets

xxvi. Preliminary Signing, Delineation & Pavement Marking Layouts

xxvii. Preliminary SWP3 Layouts and EPIC Sheet

xxviii. Roadway Cross-Sections (scale 1" =20' horizontally and vertically)

c. 90% Review Submittal

i. Address 60% comments.

ii. Estimate of construction cost.

iii. New Special Specifications and Special Provisions with Form 1814, if applicable.

iv. Engineer's internal QA and QC marked up set.

v. TxDOT supporting documents and forms.

vi. A detailed 3D corridor model, in the most current format, created using Bentley's OpenRoads tools, and with detail to verify the design of the 90% plan sheets. The level of detail of the surface and subsurface features will be at the direction of the State.

vii. New Special Specifications and Special Provisions with Form 1814, if applicable.

viii. Updated Title Sheet with Index of Sheets

ix. Final Existing and Proposed Typical Sections

x. Final Summary Sheets

xi. Final Traffic Control Plan Sheets

xii. Final Control Data Sheets

xiii. Final Removal Layouts

xiv. Final Plan & Profile Sheets

xv. Final Intersection Layouts

xvi. Final Illuminations Sheets

xvii. Final Miscellaneous Roadway Details

xviii. Final Drainage Area Maps

xix. Final Culvert Computations

xx. Final Culvert Layouts

xxi. Final Hydraulic Computations

xxii. Final Retaining Wall Layouts

xxiii. Final Bridge Sheets

xxiv. Final Utility Layout Sheets

xxv. Final Signing, Delineation, & Pavement Marking Layouts

xxvi. Final SWP3 Layouts and EPIC Sheet

xxvii. Final Roadway Cross-Sections (scale 1" =20), if changed

xxviii. Opinion of Probable Construction Cost, marked-up General Notes, Specification Data Sheet, Special Provisions, Special Specifications

xxix. Preliminary Contract Time Determination

d. 100% Review Submittal

i. Revised supporting documents from 90% review comments.

ii. Engineer's internal QA and QC marked up set.

iii. A final 3D corridor model, in the most current format, created using Bentley's OpenRoads tools. The level of detail of the surface and subsurface features will be at the direction of the State.

iv. A final 3D earthwork model, if applicable, in .XML created using Bentley's OpenRoads tools. The level of detail of the surface and subsurface features will be at the direction of the State.

v. All applicable sheets from the 90% review.

vi. Final Roadway Cross-Sections (scale 1" =20), if changed

vii. Updated Construction Cost Estimate, marked-up General Notes, Specification Data Sheet, Special Provisions, Special Specifications

viii. Updated Contract Time Determination

e. Final PS&E (Sealed) Submittal

i. Final supporting documents from 100% review comments.

ii. Engineer's internal QA and QC marked up set.

iii. A final 3D corridor model, in the most current format, created using Bentley's OpenRoads tools. The level of detail of the surface and subsurface features will be at the direction of the State.

iv. A final 3D earthwork model, if applicable, in XML format created using Bentley's OpenRoads tools.

v. Final sealed PS&E plans

vi. Final Roadway Cross-Sections (scale 1" =20), if changed

vii. Final Construction Cost Estimate, marked-up General Notes, Specification Data Sheet, Special Provisions, Special Specifications

viii. Final Contract Time Determination

A. Electronic Copies

1. The Engineer shall furnish the State with final plans via Box.com in the current graphics format used by the State, PDF format, and in the District's File Management System (FMS) format.

2. The Engineer shall also furnish the State with cross-section information via Box.com in DGN format.

3. The Engineer shall provide the Primavera (P6) XER file, for contract time determination.

B. Calculations

1. The Engineer shall provide the following:

a. All quantity and non-structural design calculations.

b. Engineering design calculations, load rating calculations, analysis, input calculations, quantities, geometric designs (ORD files), etc. relating to the project's structural elements. Project structural elements consisting of bridges, retaining walls, overhead sign foundations, high-mast illumination foundations, non-standard culverts, custom headwalls, and drainage appurtenances.

c. Submit element normally bound using a PDF format.

C. Archiving File for Bridge Design Calculations and Notes

1. The Engineer shall scan the design notes (or convert electronic files) and submit a single PDF file for each bridge. In the case of a single design done for twin structures, submit the same notes under two separate NBI numbers.

   a. Refer to *Figure 6: Guidance for Calculation Retention* in the Bridge Division's *Quality Control and Quality Assurance Guide* at http.//ftp.dot.state.tx.us/pub/txdot-info/library/pubs/bus/bridge/qa_qc_guide.pdf for the design elements that are required and how to assemble the PDF file.

   b. Additionally, the file should contain:

      i. Completed Quality Control Cover Sheet from the Quality Control and Quality Assurance Guide at http.//ftp.dot.state.tx.us/pub/txdot-info/library/pubs/bus/bridge/qa_qc_guide.pdf

      ii. The Engineer is allowed to use their own cover sheet if it is similar to the Quality Control Coversheet from the Quality Control and Quality Assurance Guide.

      iii. Bridge layout at the time of the original design

      iv. Load rating calculations.

      v. Communication directly related to the included elements

   c. Do not include bridge geometry runs (BGS, Geomath, spreadsheets, etc.).

2. Name the file using the following naming convention:

   a. Design notes: NBI_DN_yyyy—mm, with yyyy-mm being the year and month the PDF file is submitted (ex. 1234567890abcde_DN_2015-06)

   b. Change Orders: NBI_CO_yyyy—mm, with yyyy-mm being the year and month the PDF file is submitted (ex. 1234567890abcde_CO_2015-06

3. Send the Archiving File PDF of bridge design notes to the State's project manager, who will submit to the State's Bridge Management Group. The files will become part of the permanent bridge file in the State's bridge inspection database management system.

ADDITIONAL SERVICES

Services not specifically identified in the Scope of Services above shall be considered additional and shall be performed on an individual basis upon authorization by the CITY. Such services shall include, but are not limited to, the following:

A. Environmental Documentation
B. Public Involvement or Public Outreach
C. Schematic Design
D. Traffic Projections
E. Traffic Warrant Studies
F. Traffic Intersection Analysis
G. Pavement Design
H. Signal warrants or signal timing
I. Existing water or sanitary sewer relocations
J. Landscape or Irrigation design
K. Bid Phase Services or Construction Contract Administration
L. Construction Phase Services

PART 3.0 CITY, MDC, AND STATE RESPONSIBILITIES

Subject to availability, the services to be provided or performed by the CITY, Midland Development Corporation (MDC), or State will include, but not be limited to, the following items:

1. Name, address, and phone number of the CITY'S project manager.
2. Records available that would assist in the completion of the work described in PART 2.0.
3. Review, and coordination of review by the State, of recommendations offered by the ENGINEER and approval or rejection of any or all work performed under this contract.
4. Review of progress of work and final acceptance of all documents.
5. Processing of all periodic payment requests submitted by ENGINEER and payment processing by MDC.
6. Assistance in the coordination and scheduling of site visits.
7. Available horizontal control points, benchmark elevations and descriptions for vertical control in the project area.
8. Available existing Right-of-Way (ROW) maps of state and municipal highway facilities in the project corridor.
9. Available interface data for any projects adjacent to the project corridor.
10. Current average bid prices for construction, maintenance, and operation costs.
11. Assistance as necessary in obtaining the required data and information from other local, regional, state, and federal agencies.
12. Timely reviews of deliverables in accordance with Part 4.0 (Period of Service)
13. Authorizations and decisions necessary for the ENGINEER to maintain the project work schedule.
14. Examples of acceptable format for the deliverables required by the work authorizations.

PART 4.0 PERIOD OF SERVICE:

The term of this contract commences on the effective date and continues without interruption for a term of 18 months. If the ENGINEER determines that additional time is required to complete the Services, the MDC may, but is not obligated to, at their discretion, execute an agreement to grant additional time so long as the amount of consideration does not increase. Deliverables will be submitted to the CITY, MDC, and State by the ENGINEER according to the following schedule:

Task	Deliverable	Period of Service
1	Data Collection	Through end of project
2	Survey	TBD
3	Geotechnical	TBD
4	Subsurface Utility Engineering (SUE)	TBD
5-14	Roadway Design	2025-2026
	PBLR Submittal	TBD
	60% Review Submittal	TBD
	90% Review Submittal	TBD
	100% Review Submittal	TBD
	Final PS&E Submittal	TBD

PART 5.0 PAYMENTS TO ENGINEER

The ENGINEER will perform the services described in Part 2.0 - Tasks 1 - 15 for a total fee of **2,099,100.00**. Individual task amounts are informational only. The ENGINEER reserves the right to reallocate amounts among tasks as necessary. All permitting, application, and similar project fees will be paid directly by the CITY.

TASK DESCRIPTION	Prime Provider KHA	Sub Provider SURVEY	Sub Provider GEOTECH	Sub Provider SUE	Total Cost
LUMP SUM ITEMS					
1. Data Collection	$ -	$ -	$ -	$ -	$ -
3. Geotechnical Borings and Investigations	$ 15,000.00	$ -	$ 246,900.00	$ -	$ 261,900.00
5. Roadway Design	$ 413,700.00	$ -	$ -	$ -	$ 413,700.00
6. Drainage Design and Report	$ 148,100.00	$ -	$ -	$ -	$ 148,100.00
7. Bridge Design	$ 146,700.00	$ -	$ -	$ -	$ 146,700.00
8. Retaining Walls	$ 59,200.00	$ -	$ -	$ -	$ 59,200.00
9. Traffic Control	$ 209,400.00	$ -	$ -	$ -	$ 209,400.00
10. Signing, Pavement Markings, Signalization, and Safety Lighting	$ 273,200.00	$ -	$ -	$ -	$ 273,200.00
11. Miscellaneous Design	$ 303,100.00	$ -	$ -	$ -	$ 303,100.00
12. Contract Management and Administration	$ -	$ -	$ -	$ -	$ -
13. Utility Coordination	$ 58,700.00	$ -	$ -	$ -	$ 58,700.00
14. Right-of-Way Dedication Documents	$ 15,100.00	$ -	$ -	$ -	$ 15,100.00
15. Bid Phase Support	$ 26,600.00	$ -	$ -	$ -	$ 26,600.00
LUMP SUM SUBTOTAL	$ 1,668,800.00	$ -	$ 246,900.00	$ -	$ 1,915,700.00
Expenses + 10% Sub Markup	$ 37,090.00				$ 37,090.00
LUMP SUM TOTAL	$ 1,705,890.00	$ -	$ 246,900.00	$ -	$ 1,952,790.00
HOURLY NOT-TO-EXCEED ITEMS					
2. Design Survey	$ 19,700.00	$ 25,000.00	$ -	$ -	$ 44,700.00
4. Subsurface Utility Engineering	$ 18,700.00	$ -	$ -	$ 73,100.00	$ 91,800.00
HOURLY NOT-TO-EXCEED SUBTOTAL	$ 38,400.00	$ 25,000.00	$ -	$ 73,100.00	$ 136,500.00
Expenses + 10% Sub Markup	$ 9,810.00				$ 9,810.00
HOURLY NOT-TO-EXCEED TOTAL	$ 48,210.00	$ 25,000.00	$ -	$ 73,100.00	$ 146,310.00
CONTRACT TOTAL	$ 1,754,100.00	$ 25,000.00	$ 246,900.00	$ 73,100.00	$ 2,099,100.00

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed.

For the hourly, not-to-exceed tasks, labor fee will be billed on an hourly basis according to our then-current rates. As to these tasks, direct reimbursable expenses such as express delivery services, fees, travel, and other direct expenses will be billed at cost plus 10%. A percentage of labor fee (4.6%) will be added to each invoice to cover certain other expenses as to these tasks such as telecommunications, in-house reproduction, postage, supplies, and project related computer time. Administrative time related to the project may be billed hourly.

Payment will be due 30 days of your receipt of the invoice and should include the invoice number and the ENGINEER's project number.

City Council Meeting

Item Number: 16.
Meeting Date: October 28, 2025
To: City Council
From: Marcia Bentley-German, City Governance Officer
Subject: RESOLUTION AUTHORIZING THE APPOINTMENT OF NICHOLAS TOULET-CRUMP TO THE POSITION OF CITY ATTORNEY OF THE CITY OF MIDLAND, TEXAS; ESTABLISHING AN ADVISORY COMMITTEE COMPRISED OF MAYOR LORI MERRITT BLONG, COUNCILMAN JACK LADD, AND COUNCILMAN BRIAN STUBBS FOR THE PURPOSE OF NEGOTIATING AN EMPLOYMENT AGREEMENT WITH NICHOLAS TOULET-CRUMP; AND AUTHORIZING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT WITH NICHOLAS TOULET-CRUMP

Purpose:

Recommended Action:
Approve

Fiscal Impact:

Strategic Priority:
TRANSPARENT & CONSISTENT COMMUNICATION

Discussion:

Attachments:
A. RESOLUTION - Nicholas Toulet - City Attorney Agreement Reso

Marcia Bentley-German, City Secretary	Created/Initiated - 10/17/2025
Marcia Bentley-German, City Secretary	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/20/2025
Jose Ortiz, City Manager	Approved - 10/21/2025
Morris Williams, City Manager	Approved - 10/21/2025
Jan Hamilton, City Secretary	Final Approval - 10/21/2025

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE APPOINTMENT OF NICHOLAS TOULET-CRUMP TO THE POSITION OF CITY ATTORNEY OF THE CITY OF MIDLAND, TEXAS; ESTABLISHING AN ADVISORY COMMITTEE COMPRISED OF MAYOR LORI MERRITT BLONG, COUNCILMAN JACK LADD, AND COUNCILMAN BRIAN STUBBS FOR THE PURPOSE OF NEGOTIATING AN EMPLOYMENT AGREEMENT WITH NICHOLAS TOULET-CRUMP; AND AUTHORIZING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT WITH NICHOLAS TOULET-CRUMP

WHEREAS, the City Council finds it to be in the public interest to authorize the appointment of Nicholas Toulet-Crump to the position of City Attorney of the City of Midland, Texas; and

WHEREAS, the City Council finds it to be in the public interest to establish an advisory committee comprised of Mayor Lori Merritt Blong, Councilman Jack Ladd, and Councilman Brian Stubbs for the purpose of negotiating an employment agreement with Nicholas Toulet-Crump; and

WHEREAS, the City Council finds it to be in the public interest to authorize the Mayor to execute an employment agreement with Nicholas Toulet-Crump;

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

SECTION ONE. That the appointment of Nicholas Toulet-Crump to the position of City Attorney of the City of Midland, Texas, is hereby approved.

SECTION TWO. That an advisory committee comprised of Mayor Lori Merritt Blong, Councilman Jack Ladd, and Councilman Brian Stubbs is hereby established for the purpose of negotiating an employment agreement with Nicholas Toulet-Crump.

SECTION THREE. That the Mayor is hereby authorized and directed to execute, on behalf of the City of Midland, Texas, an employment agreement with Nicholas Toulet-Crump for said position.

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 FORM ONLY:

_____
Nicholas Toulet-Crump, Interim City Attorney

City Council Meeting

Item Number: 17.
Meeting Date: October 28, 2025
To: City Council
From: Beatriz Quezada, Planner
Subject: MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, A PRELIMINARY PLAT OF SIMA DEVELOPMENT ADDITION, BEING A PLAT OF A 35.98-ACRE TRACT OF LAND OUT OF SECTION 22, BLOCK 39, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF SOUTH STATE HIGHWAY 349, APPROXIMATELY 1270 FEET NORTH OF WEST COUNTY ROAD 137)

Purpose:
Details of Request:

Luchini & Mertz Land Surveying Co., on behalf of, ADICIO Capital LLC, is requesting to plat a 35.98-acre tract of land located 4900 South State Highway 349 in order to prepare the property for a retail development.

Recommended Action:
Directional/Informational

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Current Zoning:

Extraterritorial Jurisdiction

This request has been routed to all respective departments for internal review. The comments are below.

BUILDING CODE: (Approved)

ETJ, no jurisdiction

ADDRESSING: (Approved)

County Plat - To be addressed by MECD

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 Comment's. [For Applicant's Information Only.]

PAVING: Rankin Highway (SH 349) Frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required [For Applicants Information Only]

WATER: Deferral Request has been submitted and currently under review. [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: Deferral Request has been submitted and currently under review. [For Applicant's Information Only.]

DRAINAGE: Drainage report has been submitted and currently under review. FEMA Firm data is incorrect on plat face. Propose plat is located within a FEMA floodplain. Show delineation of floodplain boundary on plat. [Reference Midland City Code 11-2-3(D)8]

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)

Please confirm northwest corner. Warren Road Subdivision shows that there is a diagonal for

the alley. Make boundary solid (southern call) Confirm northwestern corner with City Surveyor.

CRMWD: (Approved)

We do not have any comments on this plat.

HEALTH DEPARTMENT: (Approved)

Yes, the health department will review application from the 3 proposed lot of SIMA Development Addition, PLAT OF A 35 ACRE TRACT OF LAND CITY AND COUNTY OF MIDLAND COUNTY TEXAS IN SECTION 22, BLOCK 39 T-2-S, T&P RR CO SURVEY the lot 1 is 14 acres, lot 2 is 15 acres, lot 3 is 6 acres, 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.

Midland County (Approved with Conditions)

Flood plain permits are required for any construction or modifications in the FEMA defined flood plain.

PLANNING: (Directional/Informational)

Layout, names and widths of streets with curve data, alleys and easements. [11-2-3(D)4(g)]

Layout, numbers and approximate dimensions of lots and blocks. [11-2-3(D)4(h)]

The owner's phone number. [11-2-3(A)1(a)(2)]

CADD file (at final) [11-2-3(H)3(h)]

Legal description should match the one provided [Information]

Texas Secretary of State has Nathan R Cullum as an agent. Please confirm. Please add Caliche Now LLC to the Owner’s Certificate if CEO is able to sign for both LLC. [Information]

Should this preliminary plat be approved, staff recommends that it be subject to the below 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-25-2400, Combined Files
B. CC - - SIMA Development Addition Preliminary Plat 36 acres

Beatriz Quezada, Development Services	Created/Initiated - 10/16/2025
Landon Ochoa, Development Services	Approved - 10/17/2025
Elizabeth Triggs, Development Services	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/20/2025
Morris Williams, City Manager	Approved - 10/21/2025
Jose Ortiz, City Manager	Approved - 10/21/2025
Jan Hamilton, City Secretary	Final Approval - 10/21/2025

MIDLAND Planning Division

Preliminary Plat Application

For Office Use Only
SUB-____-_____
P-____-_____

Subdivision Name: SIMA Development Addition
(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: Jimmy Berndt
Phone #: (432) 684-6728
Email: jimmyb@luchinimertz.com

Address:	City:	State:	Zip:
2805 W. Kentucky Ave.	Midland	TX	79701

Property Owner
Print Name: ADICIO Capital
Phone #:
Email: jal@calichenow.com

Address:	City:	State:	Zip:
3000 N. Garfield Street, Suite 140	Midland	TX	79705

Developer: (If different from property owner)
Print Name:
Phone #:
Email:

Address:	City:	State:	Zip:

Representative (If different from applicant or property owner)
Print Name: Luchini & Mertz
Phone #: (432) 684-6728
Email: zekeb@luchinimertz.com

Address:	City:	State:	Zip:
2805 W. Kentucky Ave.	Midland	TX	79701

Reason for Platting (Please be specific)
Client is platting property in preparation for a retail development, a site plan is provided for reference.

Plat Information
Total Acreage: 36

Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☒ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 3
Number of Multi-Family Dwelling Units: 0

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:
Applicant (printed):	
Property Owner (signature):	Date: 9.25.25
Property Owner (printed): Angel Villarreal	

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 _____ 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 25th day of September, 2025, to certify which witness my hand and seal of office.

Traci McBride
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

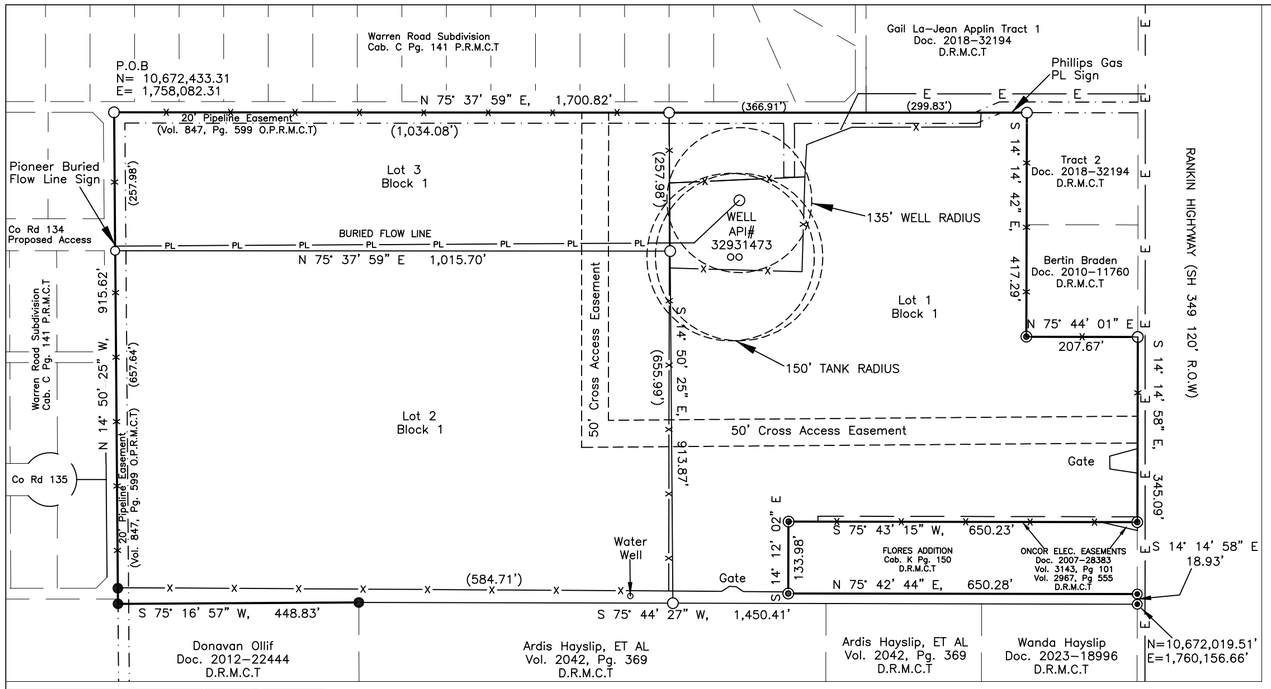
TRACI MCBRIDE
Notary Public, State of Texas
Comm. Expires 10-30-2028
Notary ID 132757202

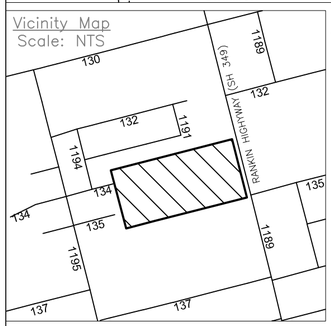
For Office Use Only

- ☑ Property Owner Authorization
- ☑ Application Fee / ☐ Paying online
  Check# Invoice
- ☑ Digital and Physical Copies of Plat
- ☐ Deferral Letter (if applicable. Due at final submittal)
- ☐ Groundwater Availability Certification Forms (if applicable)

Planner Notes:
Send application on Thursday, was not process
no groundwater

Signature: Beatriz Quezada | Date: 9/25/25





LEGEND

- = FOUND ¾" IRON PIPE
- = FOUND ¾" IRON PIPE
- = FOUND ½" IRON ROD "ASB"
- = EXISTING BOUNDARY LINE
- = PLAT BOUNDARY LINE

D.R.M.C.T = DEED RECORDS MIDLAND COUNTY TEXAS

P.R.M.C.T = PLAT RECORDS MIDLAND COUNTY TEXAS

0 200 400

Scale: 1"= 200'

Notes:

1. The installation of public improvements may be required by the City of Midland as such time as: the 6.44 acre tract is re-platted into more than four tract or the property is rezoned for a more intensive use.
2. 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.
3. According to the FEMA Flood Insurance Rate Map 48329C0203F, dated September 16, 2005 shows this property not to lie in a Special Flood Hazard Area.
4. Approval of a site plan by th City of Midland may be required before these lot(s) may be developed and before a building permit may be obtained.
5. All bearings and coordinates are based on the Texas Coordinate System of 1983, Central Zone.
6. Survey Reconstruction filed in the Office of Luchini and Mertz Land Surveying Company.
6. Lots 1, 2 & 3 Share Cross Access Easement as per Site Plan

This plat has been checked for accessibility of utilities:

_____
Oncor Electric Delivery Company

_____
AT&T Texas

_____
ATMOS Energy

_____
OPTIMUM

_____
ASTOUND

PROFESSIONAL LAND SURVEYORS
Well Locations
Pipelines
LUCHINI & MERTZ
Boundary Surveys

SIMA DEVELOPMENT ADDITION

35.98 Acre Tract
Located in Section 22, Block 39,
T-2-S, T. & P. RR. Co. Survey
Midland County, Texas

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, ADICIO CAPITAL, LLC IS THE RECORD OWNER OF A 35.98 ACRE TRACT OF LAND SITUATED IN SECTION 22, BLOCK 39, T-2-S, T & P RR CO. SURVEY, COUNTY OF MIDLAND, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING a total of 35.98 acres described as Tract 1 (6.38 acres), Tract 2 (10.00 acres) save and except a 2.00 acre tract as described in Document 2006-25264 Deed Records Midland County Texas and Tract 3 (21.62 acres), as described in Volume 904, Page 52 Deed Records Midland County Texas and being more particularly described as follows;

BEGINNING at a ¾" iron rod (N=10,672,433.31', E=1,758,082.31') found at the Northwest corner of said Tract 3 and at an interior corner of The Warren Road Subdivision as recorded in Cabinet C, Page 141 Plat Records Midland County, located in Section 22, Block 39, from whence the Northwest corner of said Section 22 bears North 77°42'43" West a distance of 3,828.97 feet;

THENCE North 75°37'59" East along the South line of said Warren Road Subdivision passing the Northeast corner of said Tract 3 and the Northwest corner of said Tract 1 at a distance of 1,035.02 feet and continuing for a total distance of 1,700.82 feet to a ¾" iron rod found at the Northeast corner of said Tract 1 and being the Northeast corner of this;

THENCE South 14°14'42" East along the East line of said Tract 1 a distance of 417.20 feet to a ½" iron rod found on the North line of said Tract 2 and being the Southwest corner of a 1.00 acre tract to Jackie and Bertin Braden as recorded in document 2010-11760 Deed Records Midland County Texas and being an interior corner of this;

THENCE North 75°44'01" East along the North line of said Tract 2 a distance of 207.67 feet to a ¾" Iron pipe found on the West Right of Way of State Highway 349 and being the Northeast corner of said Tract 2;

THENCE South 14°14'58" East along said West Right of Way of State Highway 349 a distance of 345.09 feet to a ½" iron rod found at the Northeast corner of The Flores Addition as recorded in Cabinet K, Page 150 Plat Records Midland County Texas and being a corner of this;

THENCE South 75°43'15" West along the North line of said Flores Addition a distance of 650.23 feet to a ½" iron rod found at the Northwest corner of said Flores Addition and being an interior corner of this;

THENCE South 14°12'02" East along the West line of said Flores Addition a distance of 133.98 feet to a ½" iron rod found at the Southwest corner of said Flores addition and being an interior corner of this;

THENCE North 75°42'44" East a distance of 650.28 feet to a ½" iron rod found at the Southeast corner of said Flores Addition and being on the West Right of Way of State Highway 349;

THENCE South 14°14'42" East a distance of 18.93 feet to a ½" iron rod found at the Southeast corner of this from whence the Southeast corner of a 1 ac tract to Wanda Hayslip as recorded in Document 2023-18996 Deed Records Midland County Texas bears South 14°14'58" East a distance of 150.00 feet

THENCE North 75°44'27" West passing the common corner of said Tract 2 and said Tract 3 at a distance of 873.18 feet continuing for a total distance of 1,450.41 feet to an iron rod with plastic cap marked "ASB" found at a point of deflection for this tract and being the Northwest corner of 3 acre tract to Ardis D. Hayslip as described in Volume 2042, Page 369 Deed Records Midland County Texas;

THENCE North 75°16'57" West to a distance of 448.83 feet to an iron rod with plastic cap marked "ASB" found at the Southeast corner of this;

THENCE North 14°50'25" West along the West line of said Tract 3 passing an iron rod with plastic cap marked "ASB" at a distance of 8.90 feet found at the Southeast corner of said Warren Road Development, passing an iron rod with plastic cap marked "ASB" at a distance of 29.21 feet continuing for a total distance of 915.62 feet to the Point of Beginning containing 35.98 acres of land more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

That, Angel Villarreal does here by adopt this plat designating the herein above described property as SIMA DEVELOPMENT ADDITION, an addition to the City of Midland, Texas, and hereby dedicate to the public use forever the streets, alleys and easements shown thereon. WITNESS our hands at Midland, Texas, this the_____day of _____, 2025.

_____
Adrian Villarreal (CEO) ADICIO CAPITAL, LLC

CERTIFICATE OF APPROVAL

For approval by the commission:
This is to certify that the above and foregoing plat of SIMA DEVELOPMENT ADDITION was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this _____ day of _____2025.

_____
Abraham Bejil – Chair

_____
Landon Ochoa– Secretary

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF MIDLAND
This plat was acknowledged before me on _____
by Adrian Villarreal (CEO) ADICIO CAPITAL, LLC / CALICHE NOW LLC

_____
Notary Public, State of Texas

SURVEYOR'S CERTIFICATE
KNOWN ALL BY THESE PRESENTS:
THAT I, JEFFREY SUITER, 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 PLACED 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 AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

SIMA DEVELOPMENT ADDITION

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

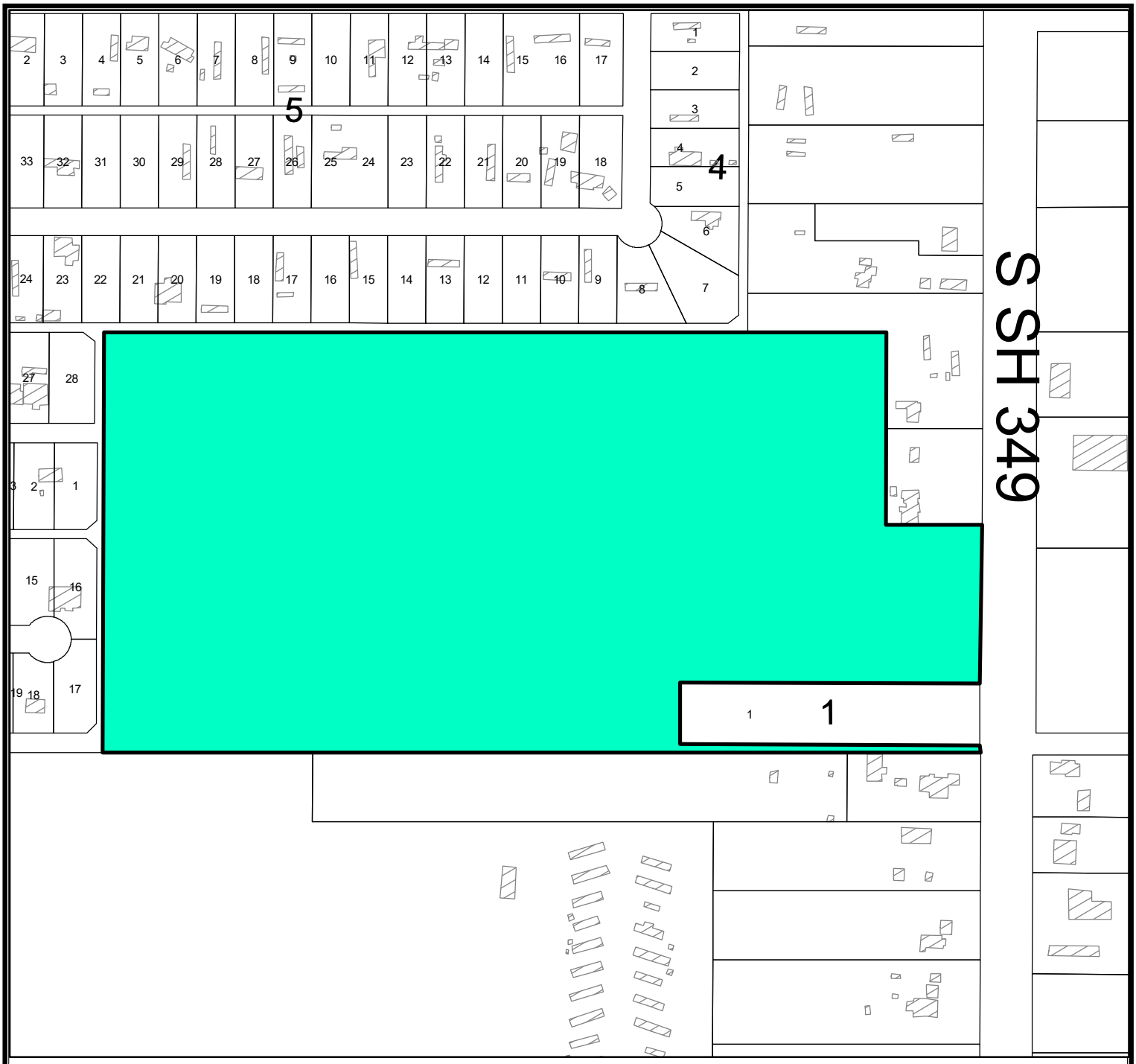
No._____ CABINET_____

DATE_____ PAGE_____

Angel Villarreal 3000 N Garfield St. Midland, Texas 79705

Job Number: 250122PS -- Angel Villarreal Drawn By: JB 9-4-2025

Luchini & Mertz: 2805 W. Kentucky -- Midland, Texas -- (432) 684-6728 -- Firm# 10086500



Location Map

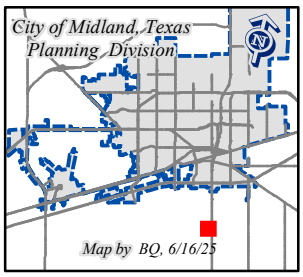
SUB-25-0863 **Scale: 1" = 2,000'**

Proposed plat of SIMA Development Addition, being a 35.98-acre tract of land located in Section 22, Block 39, T-2-S, T&P RR. Co. Survey, Midland County, Texas.

Generally located on the west side of South State Highway 349, approximately 1270 feet north of West County Road 137. (Extraterritorial Jurisdiction)

LEGEND

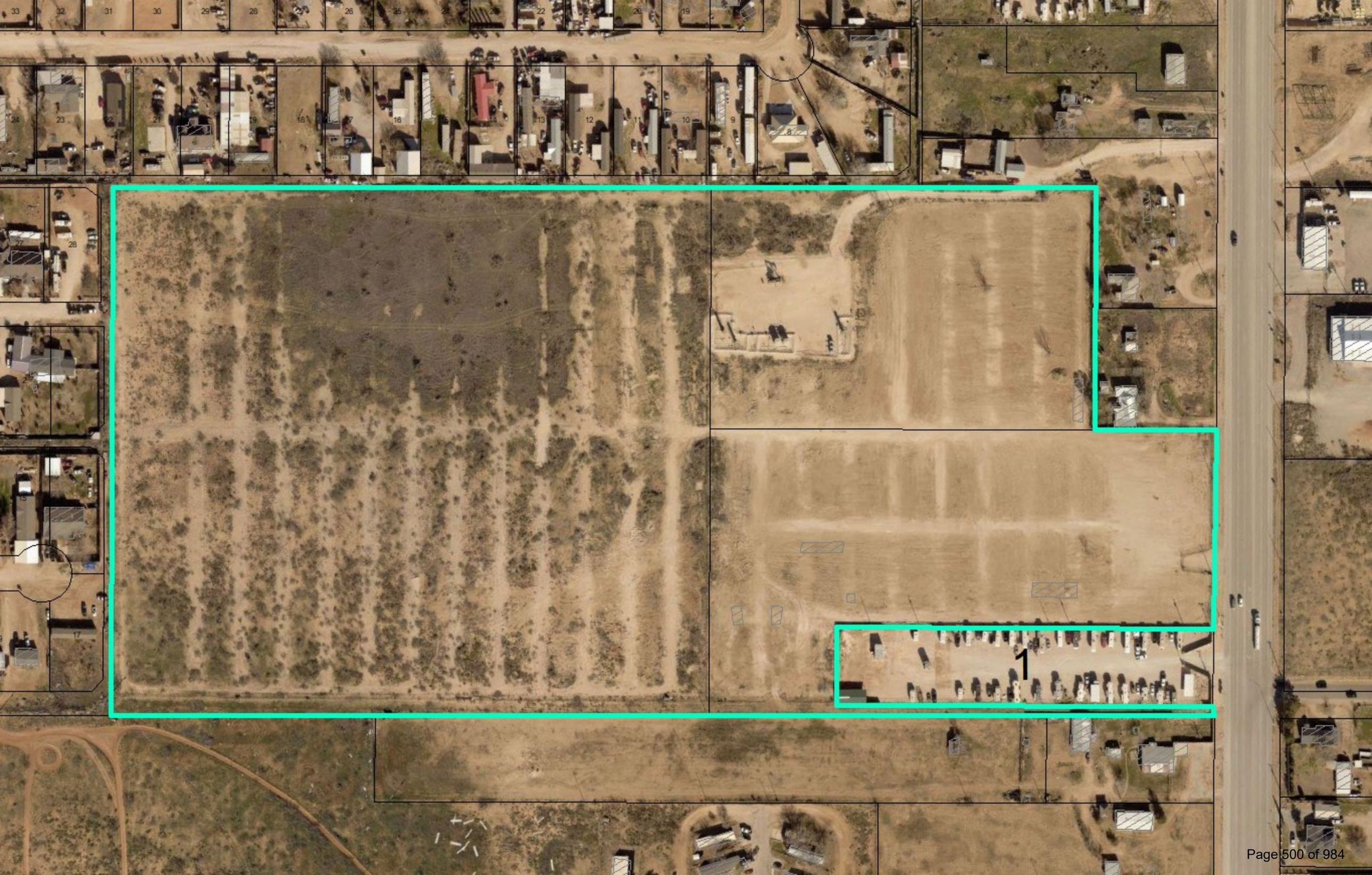
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©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.

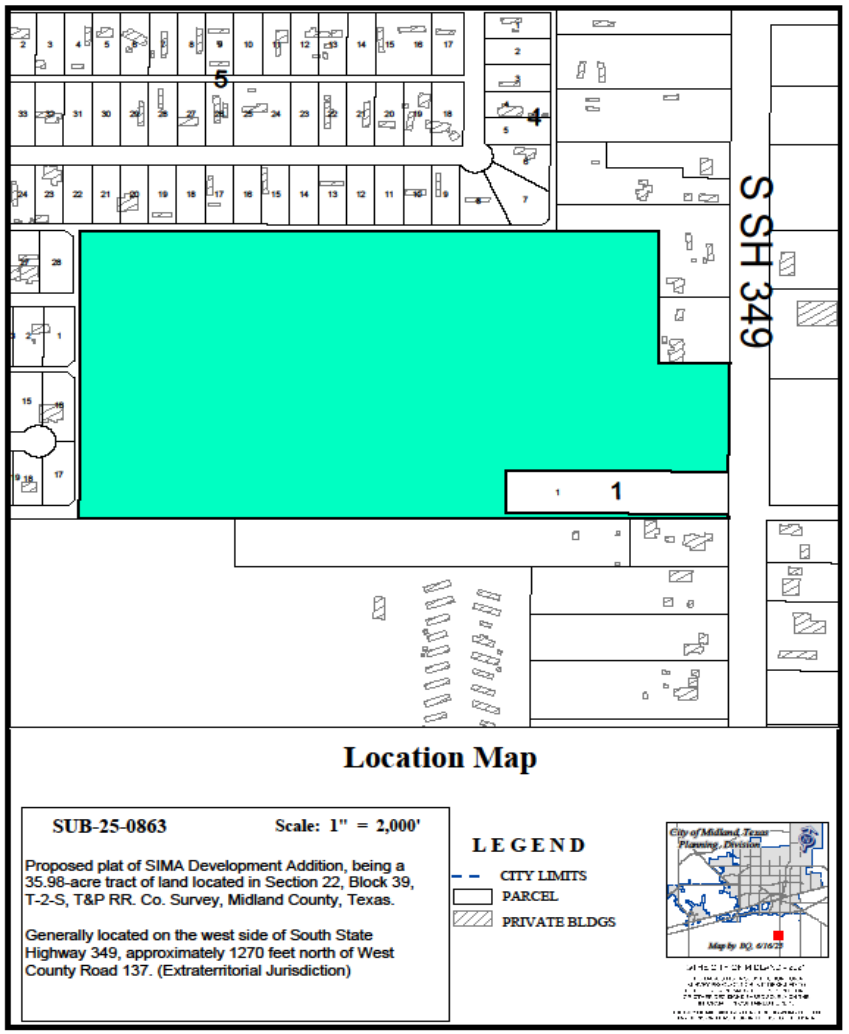
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.


1

MIDLAND
Be the Energy!
ITEM
PRELIMINARY PLAT
SIMA DEVELOPMENT ADDITION
Visit Our Website
MIDLANDTEXAS.GOV

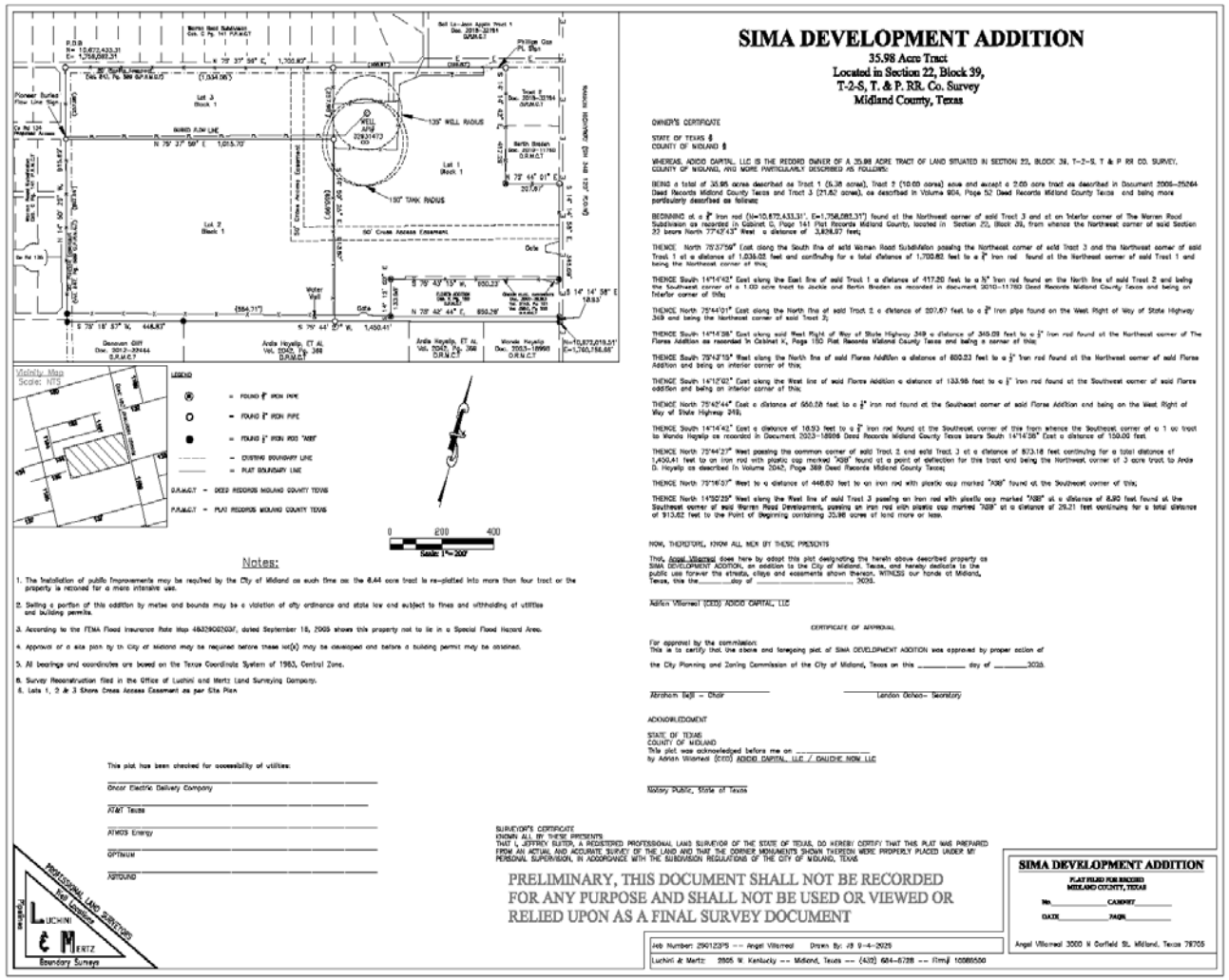
APPLICATION SUMMARY

- **Property Owner:** ADICIO Capital LLC & Caliche Now LLC
- **Representative:** Zeke Bryand, Luchini & Mertz Land Surveying Co.
- **Location:** 4900 South State Highway 349 (Extraterritorial Jurisdiction)
- **Reason for Request:** to plat the property for retail development



PLAT DETAILS

- **Acreage:** 35.98 acres
- **Number of Existing Lots:** 0
- **Number Proposed Lots:** 3

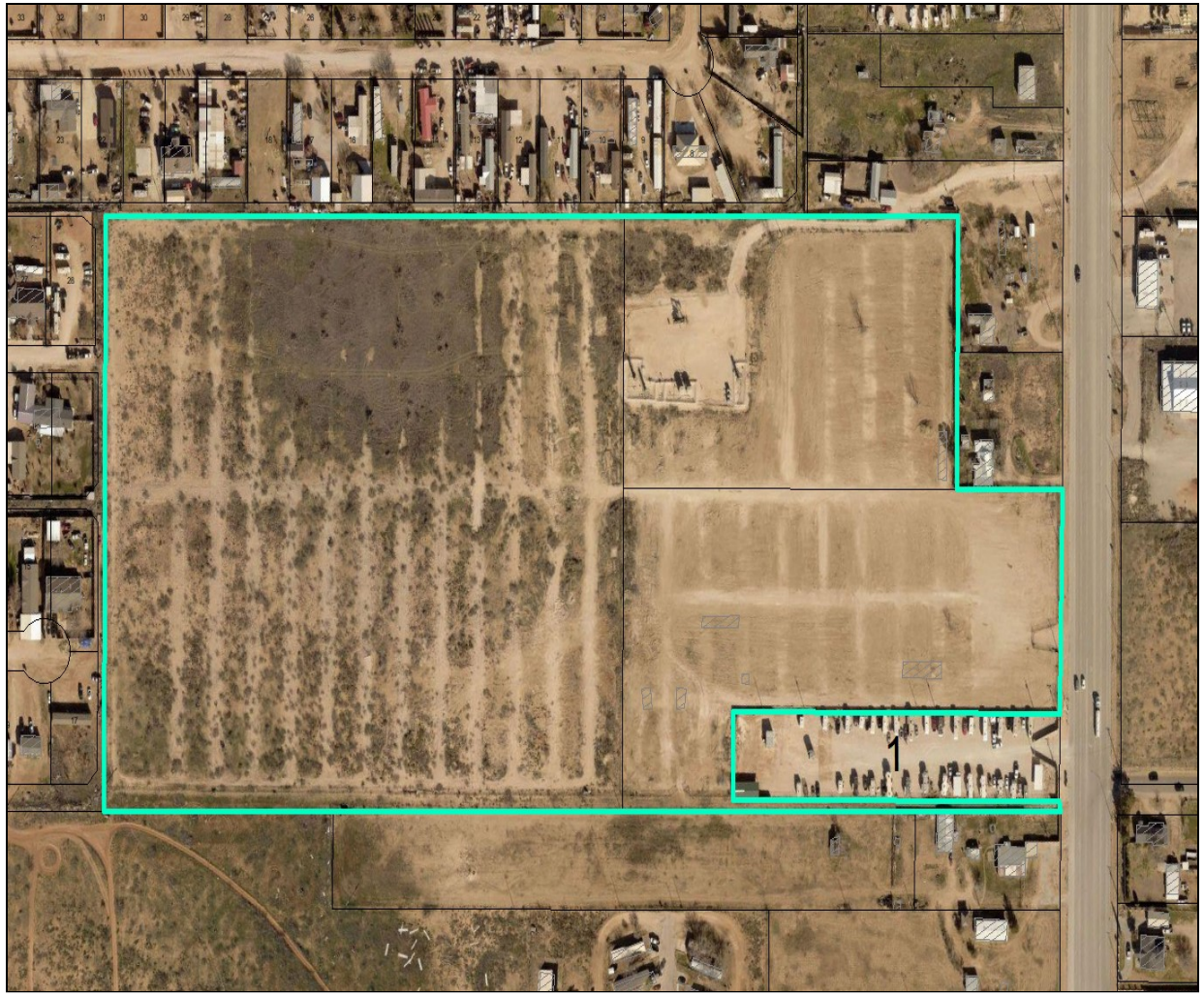


SIMA DEVELOPMENT ADDITION
35.98 Acre Tract
Located in Section 22, Block 39,
T-2-S, T. & P. RR. Co. Survey
Midland County, Texas

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

LAND USE

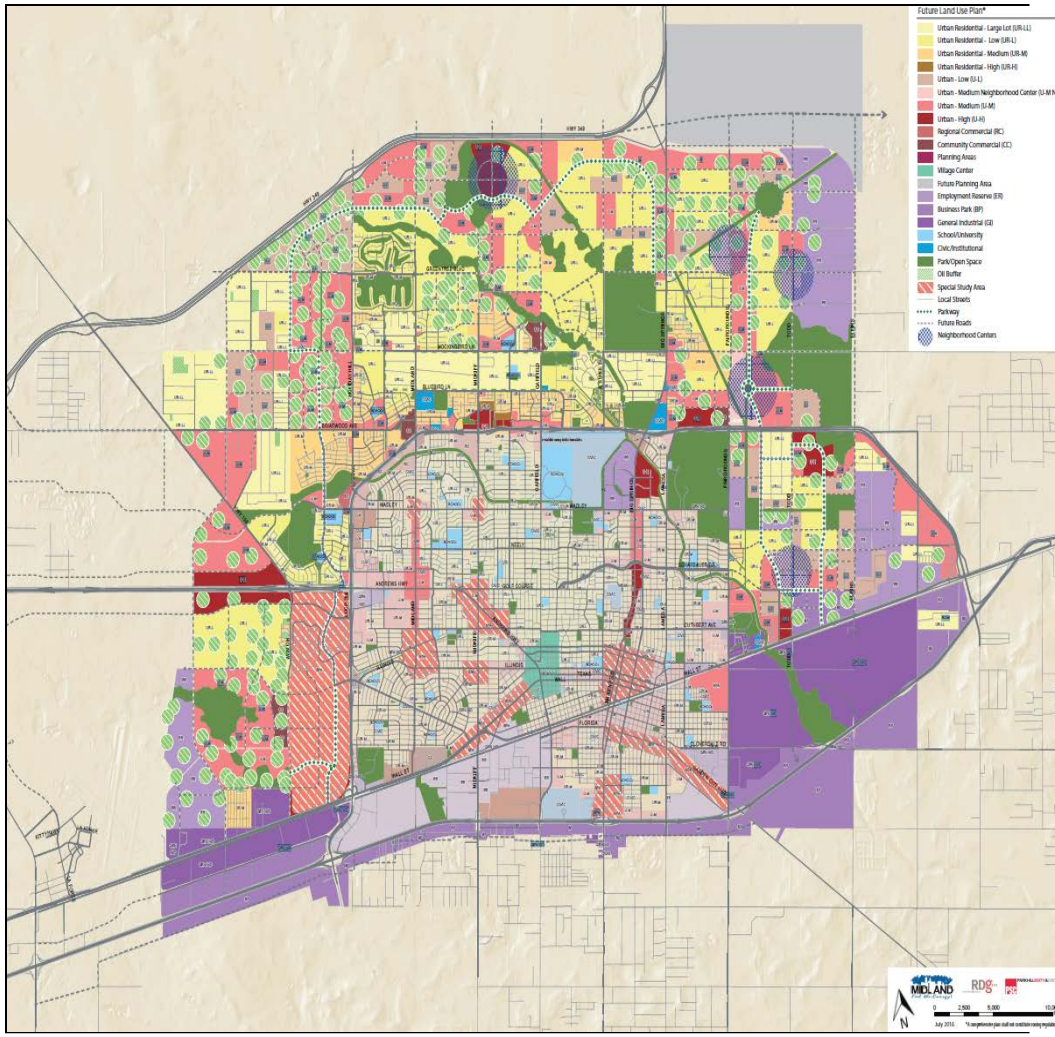
- **Current Use:** Vacant
- **Surrounding Uses:**
  - **North/West:** Residential
  - **South:** Vacant
  - **East:** Warehouse
- **Proposed Use:** Retail Development



MIDLAND
Be the Energy!

COMPREHENSIVE PLAN

- **TCT Land Use Designation:** Not designated.



STAFF'S REPORT

- Should the Council approve of 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)]

B. 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]

STAFF'S REPORT

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 filling 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: 18.
Meeting Date: October 28, 2025
To: City Council
From: Lori Elliott, Planner
Subject: MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, A PRELIMINARY PLAT OF THE PATCH ADDITION, BEING A PLAT OF A 148.76-ACRE TRACT OF LAND OUT OF SECTION 24, BLOCK 40, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF SOUTH COUNTY ROAD 1232 AND WEST COUNTY ROAD 140)

Purpose:
Maverick Engineering, on behalf of The Patch Investment Group, LLC, is requesting to plat a 148.76-acre tract of land located at 3610 South County Road 1232 into 39 lots for future industrial development.

Recommended Action:
Informational/Directional

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Details of Request:

Maverick Engineering, on behalf of The Patch Investment Group, LLC, is requesting to plat a 148.76-acre tract of land located at 3610 South County Road 1232 into 39 lots for future industrial development.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

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.

SURVEYOR: (Approved)

No comments.

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: Antelope Road is sub-standard, construct to City Standards for entire platted frontage or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

WATER: None existing. Construct water to City standards along entire platted frontage, or request a deferral based on located in the South Midland Utility District. [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: None existing. Construct wastewater to City standards along entire platted frontage or request a deferral. [Reference Midland City Code Sect. 11-2-3(G)1 & 11-2-4(A)2(a)]

DRAINAGE: Drainage letter has been approved for platting purposes. [For Applicant’s Information Only.]

EASEMENTS: Show existing and proposed. [For Applicant’s Information Only.]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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.] 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)

Roads will need County Road names.

MIDLAND COUNTY PUBLIC WORKS: (Approved)

Flood plain permits required for any fill or construction in the FEMA defined flood plain.

CRMWD: (Approved)

We do not have any comments on this plat.

HEALTH DEPARTMENT: (Approved)

Yes, the health department will review application from the 39 proposed lot of The Patch Addition, PLAT OF A 148.76 ACRE TRACT OF LAND OUT OF SECTION 24, BLOCK 40, T-2-S, T. & P. RR. CO. SURVEY the lots are 3 acre and above 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: (Informational/Directional)

Should this preliminary plat be approved, staff recommends that it be subject to the below conditions.

Conditions:

A. All certificates must be written as detailed in Section 11-2-3 Platting Procedures by 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 therefore. [11-2-3(D)11(a)(6)]

C. Public improvements must be completed or a request for a deferral letter must be submitted by Final Plat submittal. [11-2-3(G)1]

D. 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:

Proposed Preliminary Plat
Application
Location Map
Aerial Photo
PowerPoint Presentation

Attachments:

A. The Patch Addition, Combined
B. P&Z, - -, The Patch Addition Prelim

Lori Elliott, Development Services	Created/Initiated - 10/14/2025
Landon Ochoa, Development Services	Approved - 10/17/2025
Elizabeth Triggs, Development Services	Approved - 10/17/2025
Christy Weakland, Finance	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/20/2025
Jose Ortiz, City Manager	Approved - 10/21/2025
Morris Williams, City Manager	Approved - 10/21/2025
Jan Hamilton, City Secretary	Final Approval - 10/21/2025

MIDLAND Planning Division	**Preliminary Plat Application**	**For Office Use Only** SUB-____-_____ P-____-_____

Subdivision Name: THE PATCH ADDITION
(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:		Phone #: Email:	
Address:	City:	State:	Zip:

Property Owner Print Name: THE PATCH INVESTMENT GROUP, LLC		Phone #: 432-238-2101 Email: brandon@goldsandsdev.com	
Address: 4507 S COUNTY ROAD 1232	City: MIDLAND	State: TX	Zip: 79706

Developer: (If different from property owner) Print Name:		Phone #: Email:	
Address:	City:	State:	Zip:

Representative (If different from applicant or property owner) Print Name: MAVERICK ENGINEERING		Phone #: 432-262-0999 Email: amellen@maverick-eng.com	
Address: 1909 W WALL STREET SUITE K	City: MIDLAND	State: TX	Zip: 79701

Reason for Platting (Please be specific)
INDUSTRIAL DEVELOPMENT

Plat Information	Total Acreage: 148.76
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☒ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: 39	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:
Applicant (printed):	
Property Owner (signature): Signed by: Brandon Adams	Date: 9/23/2025
Property Owner (printed): Brandon Adams	

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 The Patch Investment Group 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 24 day of September, 2025, to certify which witness my hand and seal of office.

_____
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

SAVANNAH DAVIS
Notary Public, State of Texas
Comm. Expires 05-20-2028
Notary ID 134907724

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# 5570	☐ Groundwater Availability Certification Forms (if applicable)

Planner Notes:
GAW was sent already, but it was 90 pages. Used to be called Tawbac Addition

RECEIVED

Signature: Beverly Bell | Date: SEP 24 2025

Initial: _____

Docusign Envelope ID: A4FEB1EE-7259-4618-8C2F-3A92EF5C32BA

MIDLAND Planning Division	**Preliminary Plat Application**	**For Office Use Only** SUB-____-_____ P-____-_____

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(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:		Phone #: Email:	
Address:	City:	State:	Zip:

Property Owner Print Name: TAWBAC LLC		Phone #: 432-238-2101 Email: rjstroud2954@gmail.com	
Address: PO BOX 2954	City: MIDLAND	State: TX	Zip: 79702

Developer: (If different from property owner) Print Name:		Phone #: Email:	
Address:	City:	State:	Zip:

Representative (If different from applicant or property owner) Print Name: MAVERICK ENGINEERING		Phone #: 432-262-0999 Email: amellen@maverick-eng.com	
Address: 1909 W WALL STREET SUITE K	City: MIDLAND	State: TX	Zip: 79701

Reason for Platting (Please be specific)
INDUSTRIAL DEVELOPMENT

Plat Information	Total Acreage: 148.76
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☒ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: 39	Number of Multi-Family Dwelling Units:

Request Type: ☒ Initial Preliminary Plat ☐ Preliminary Plat Amendment
(If preliminary plat amendment, submit markup showing proposed changes)

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☒ Yes ☐ No
(If yes, the deferral request must be submitted to the Planning Division by final plat submittal)

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If yes, please call the Senior Engineering Manager at (432) – 685 – 7284 to discuss.

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Will this subdivision utilize groundwater as its water supply? ☒ Yes ☐ No

Submittal and Fees

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  - 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.
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  - Plats larger than 50 acres - $500
- Preliminary plat
  - PDF and JPEG
  - 1 FOLDED copy
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Signatures (by property owner only – authorized agent must sign affidavit below)

Applicant (signature):	Date:
Applicant (printed):	
Property Owner (signature):	Date: 9/23/2025
Property Owner (printed): JOHN PHILLIP STROUD	

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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 Tombac LLC 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) Andrew L. Wells

Subscribed and sworn to before me, this 24 day of September, 2025, to certify which witness my hand and seal of office.

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

SAVANNAH DAVIS
Notary Public, State of Texas
Comm. Expires 05-20-2028
Notary ID 134907724

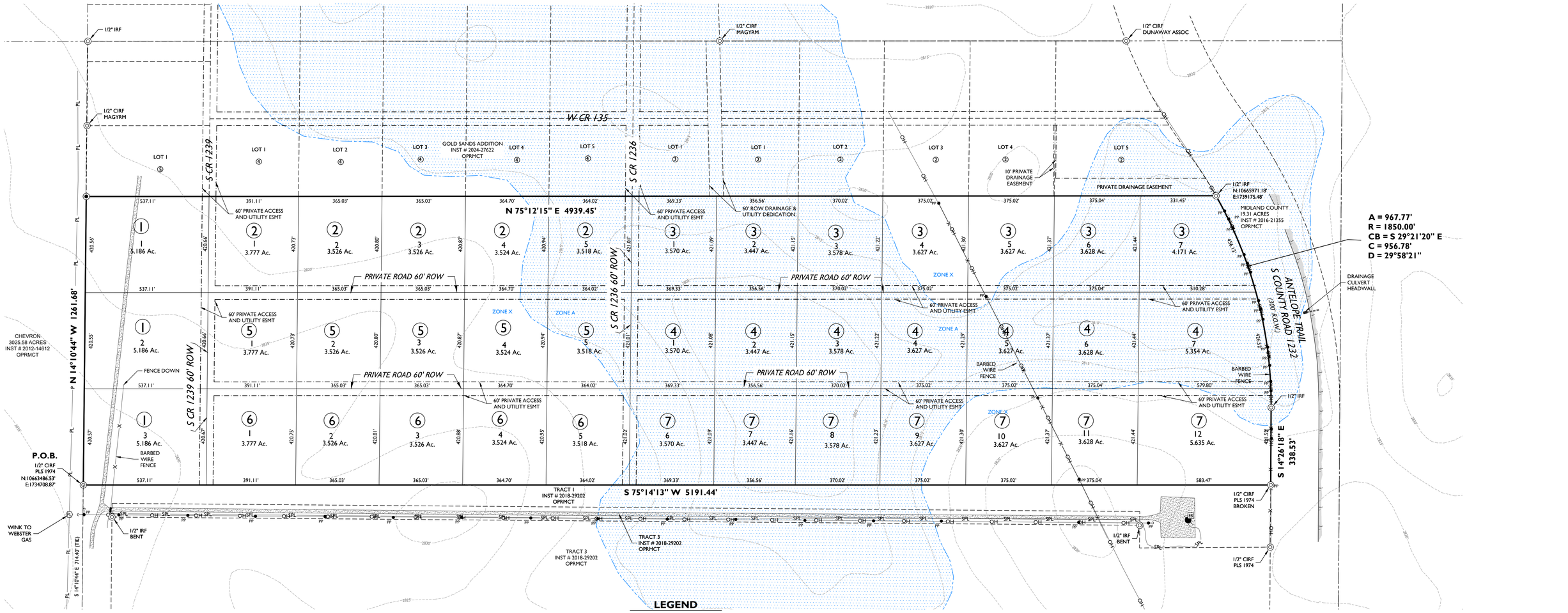
For Office Use Only	
☑ Property Owner Authorization	☐ Digital and Physical Copies of Plat
☑ Application Fee / ☐ Paying online	☐ Deferral Letter (if applicable. Due at final submittal)
Check# 5510	☐ Groundwater Availability Certification Forms (if applicable)
Planner Notes: GW was sent already	
	RECEIVED
Signature:	Date: SEP 24 2025

Initial: _____

PRELIMINARY PLAT

THE PATCH ADDITION

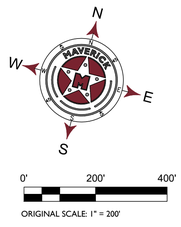
BEING A 148.76-ACRE TRACT OF LAND OUT OF SECTION 24, BLOCK 40,
T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS



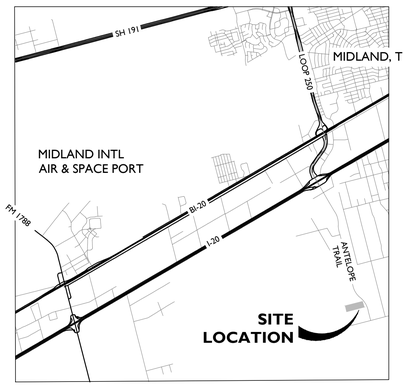
LEGEND

- SET 1/2-INCH IRON ROD W/RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
- FOUND MONUMENT AS NOTED
- ELECTRIC BOX
- GUY ANCHOR
- POWER POLE
- PIPELINE MARKER
- PLUGGED OIL WELL
- BOUNDARY LINE
- PROPERTY LINES
- EASEMENT LINE
- EDGE OF ASPHALT
- FENCE
- OVERHEAD ELECTRIC LINE
- UNDERGROUND PIPELINE
- SURFACE PIPELINE
- PAVEMENT
- FLOOD PLAIN
- GRAVEL / DIRT ROAD

O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
P.R.M.C.T.	PLAT RECORDS, MIDLAND CO., TX
D.R.M.C.T.	DEED RECORDS, MIDLAND CO., TX



ORIGINAL SCALE: 1" = 200'



VICINITY MAP

N.T.S.

FIELD NOTE DESCRIPTION

FIELD NOTE DESCRIPTION OF A 138.387 ACRE TRACT, SITUATED IN SECTION 24, BLOCK 40, TOWNSHIP 2 SOUTH, TEXAS AND PACIFIC RAILWAY COMPANY SURVEY, MIDLAND COUNTY, TEXAS AND BEING A PORTION OF A CALLED "TRACT 2" DESCRIBED IN A WARRANTY DEED RECORDED AS DOCUMENT NUMBER 2018-29202 IN THE OFFICIAL PUBLIC RECORDS (OPR) OF SAID MIDLAND COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

***BEGINNING** AT N.(Y):10663486.53, E.(X):1734708.86, A ONE HALF INCH IRON ROD WITH A PLASTIC CAP MARKED "PLS 1974" FOUND FOR THE NORTHWEST CORNER OF A CALLED TRACT 1 IN DOCUMENT NUMBER 2018-29202 IN SAID "OPR", IN THE EAST LINE OF A CALLED 3025.58 ACRE TRACT IN DOCUMENT NUMBER 2012-14612, CALLED TO BE ON THE WEST LINE OF SAID SECTION 24, FROM WHICH A ONE AND ONE QUARTER INCH GALVANIZED IRON PIPE FOUND AND ACCEPTED AS THE SOUTHWEST CORNER OF SAID SECTION 24, BEARS S.14°10'44"W., 714.40 FEET FOR THE SOUTHWEST CORNER HEREOF;*

***THENCE** N.14°10'44"W., ALONG SAID SECTION LINE 420.57 FEET TO A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK FIRM# 10194514" (RPC), SET FOR THE SOUTHWEST CORNER OF THE PROPOSED LOT 2, BLOCK 1, OF THE YET UNRECORDED "THE PATCH" ADDITION FOR THE WEST NORTHWEST CORNER HEREOF;*

THENCE N.75°13'35"E., ALONG SAID LOT 2, 537.11 FEET TO AN "RPC" SET FOR THE SOUTHEAST CORNER OF SAID LOT 2 FOR AN INTERIOR CORNER HEREOF;

***THENCE** N.14°10'44"W., ALONG SAID LOT 2 AND LOT 1, BLOCK 1, TO A POINT FOR THE SOUTHEAST CORNER OF LOT 1, BLOCK 5, GOLDEN SANDS ADDITION, AS SHOWN ON A PLAT RECORDED AS DOCUMENT NUMBER 2024-27622 IN THE PLAT RECORDS OF SAID MIDLAND COUNTY FOR THE NORTH NORTHWEST CORNER HEREOF;*

***THENCE** N.75°12'15"E., ALONG SAID GOLDEN SANDS ADDITION, 4402.34 FEET TO A ONE HALF INCH IRON ROD FOUND AT A POINT OF DEFLECTION RIGHT FOR A CURVE TO THE RIGHT HAVING A RADIUS OF 1850.00 FEET AND A CHORD BEARING AND DISTANCE OF S.29°21'20"E., 956.78 FEET AT THE SOUTHEAST CORNER OF LOT 5, BLOCK 2 OF SAID GOLDEN SANDS ADDITION, IN THE WEST LINE OF A CALLED 19.31 ACRE TRACT (ANTELOPE TRAIL) AS DESCRIBED IN DOCUMENT NUMBER 2016-21355 OF SAID "OPR" FOR THE NORTHEAST CORNER HEREOF;*

***THENCE** ALONG THE ARC OF SAID CURVE CONVEX TO THIS TRACT 967.77 FEET TO A ONE HALF INCH IRON ROD FOUND AT THE POINT OF TANGENCY HEREOF;*

***THENCE** S.14°26'18"E., ALONG SAID ANTELOPE TRAIL, 338.53 FEET TO A ONE HALF INCH IRON ROD WITH A PLASTIC CAP MARKED "PLS 1974" FOUND FOR THE NORTHEAST CORNER OF SAID TRACT 1 FOR THE SOUTHEAST CORNER HEREOF;*

***THENCE** S.75°14'13"W., ALONG SAID "TRACT 1" 5191.44 FEET TO THE POINT OF BEGINNING, CONTAINING 138.387 ACRES OF LAND.*

PROPERTY OWNER

TAWBAC LLC
P.O. BOX 2954
MIDLAND, TEXAS 79702
DEED INSTRUMENT # 2018-29202
PHONE # (432) 238-2101

THE PATCH INVESTMENT GROUP, LLC
4507 S COUNTY ROAD 1232
MIDLAND, TX 79706
DEED INSTRUMENT#2025-

MAVERICK
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

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

DATE _____

THE PATCH ADDITION

SHEET 1 OF 2

Drawing : F:\2025\250114-AJ CONSTRUCTION-TAWBAC TRACT\DRAWINGS\PLAT\250114 THE PATCH PRELIM PLAT.DWG Last Saved By: SDavis on 9/23/25

SKETCH PLAT

THE PATCH ADDITION

A 148.76 ACRE TRACT OF LAND OUT OF SECTION 24, BLOCK 40, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS THE PATCH INVESTMENT GROUP, LLC, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 24, BLOCK 40, T-2-S, T&P. RR. CO. SURVEY, MIDLAND COUNTY, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT THE PATCH INVESTMENT GROUP, LLC, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS THE PATCH ADDITION, AN ADDITION TO THE MIDLAND COUNTY, TEXAS, AND, HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS AND EASEMENTS SHOWN THEREON.

WITNESS MY HAND AT MIDLAND, TEXAS THIS THE_____DAY OF _____, 2025.

_____

BY:_____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

THIS PLAT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2025

BY_____.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS TAWBAC LLC, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 24, BLOCK 40, T-2-S, T&P. RR. CO. SURVEY, MIDLAND COUNTY, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT TAWBAC LLC, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS THE PATCH ADDITION, AN ADDITION TO THE MIDLAND COUNTY, TEXAS, AND, HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS AND EASEMENTS SHOWN THEREON.

WITNESS MY HAND AT MIDLAND, TEXAS THIS THE_____DAY OF _____, 2025.

_____

BY:_____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

THIS PLAT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2025

BY_____.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

_____
ATMOS ENERGY

BY: _____

_____
AT&T

BY: _____

_____
OPTIMUM

BY: _____

_____
ASTOUND BROADBAND

BY: _____

_____
ONCOR ELECTRIC DELIVERY

BY: _____

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°57'44.73" AND A COMBINED SCALE FACTOR OF 0.999883304 AT NGS ARP 2 MAF.
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.
4. LOCATION OF BURIED UTILITIES AND PIPELINES, IF ANY, IS APPROXIMATE BASED UPON OBSERVED EXISTING SIGNAGE, CITY OF MIDLAND GIS AND VISUAL EVIDENCE, OR BY ONE-CALL 811 SITE MARKINGS AT THE TIME OF THIS SURVEY. DUE CARE IS RECOMMENDED: CALL 1-800-DIG-TESS FOR LOCATES PRIOR TO ANY CONSTRUCTION OR EXCAVATION.
5. FENCES ARE ON OR WITHIN 0.5' OF THE PROPERTY LINE UNLESS OTHERWISE NOTED OR SHOWN HEREON.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C0200F, DATED SEPTEMBER 16, 2005, PORTIONS OF THIS PROPERTY ARE WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN." OTHER PORTIONS ARE WITHIN ZONE "A" DESIGNATED AS AREAS WITH A 1% ANNUAL CHANCE OF FLOODING AND A 26% CHANCE OF FLOODING OVER THE LIFE OF A 30-YEAR MORTGAGE. BECAUSE DETAILED ANALYSES ARE NOT PERFORMED FOR SUCH AREAS; NO DEPTHS OR BASE FLOOD ELEVATIONS ARE SHOWN WITHIN THESE ZONES.

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF MAVERICK CIVIL & SURVEY, LLC..

DEVELOPMENT NOTES

1. 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. 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.
3. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
   (1) THE REPRESENTED LOTS ARE REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR :
   (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
4. DECLARATION OF RESTRICTIVE COVENANTS REGARDING THIS DEVELOPMENT FILED IN INSTRUMENT NO. ___ -_____DATED, _____ / _____ / _____, MIDLAND COUNTY, TEXAS.
5. 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 INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASED.
6. _____ ACRE DRAINAGE EASEMENT DEDICATED HEREBY IS RESERVED FOR A PRIVATE RETENTION BASIN FOR STORM WATER RUNOFF ORIGINATING FROM _____ HEREOF, AND _____, AS FILED IN _____, PLAT RECORDS OF MIDLAND COUNTY, TEXAS. COMPLY WITH APPROVED DRAINAGE PLAN TITLED "_____ DRAINAGE LETTER," SEALED BY _____ P.E., AND APPROVED BY THE CITY OF MIDLAND ON _____, OR ANY REVISIONS, CORRECTIONS, AMENDMENTS, OR REPLACEMENTS OF THIS DRAINAGE ANAYLSIS THAT ARE APPROVED BY THE CITY OF MIDLAND.
7. THIS PROPERTY IS IN THE MIDLAND INTERNATIONAL AIR AND SPACE PORT AOZ-4 ZONE. SEE NOTE BELOW.

AOZ-4 AIRPORT OVERLAY DISTRICT (NOTE PER 11-11-11 A (2)

ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE, OR ENLARGE AN EXISTING STRUCTURE OR ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE AOZ-4 MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTION 11-11-8, 11-11-9, AND TABLE 1 OF THIS CHAPTER OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.

DRAINAGE EASEMENT DEDICATED WITH THIS PLAT

1. THE CITY OF MIDLAND AND ITS EMPLOYEES, CONTRACTORS, AGENTS, SUCCESSORS, AND ASSIGNS, SHALL HAVE THE FREE AND UNINTERRUPTED RIGHT OF PASSAGE IN, ON, UPON, OVER, UNDER, ACROSS, ALONG AND THROUGH THE PROPERTY DESCRIBED HEREIN FOR THE PURPOSE OF ESTABLISHING, LAYING, CONSTRUCTING, RECONSTRUCTING, INSTALLING, REALIGNING, MODIFYING, REPLACING, IMPROVING, ALTERING, OPERATING, MAINTAINING, ACCESSING, INSPECTING, REPAIRING, RELOCATING AND REMOVING DRAINAGE IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, THE RIGHT TO CUT AND TRIM BUSHES AND TREES TOGETHER WITH THE RIGHT OF INGRESS, EGRESS AND REGRESS FOR SUCH PURPOSES IN, ON, UPON, OVER, UNDER, ACROSS, ALONG AND THROUGH THE PROPERTY DESCRIBED HEREIN.
2. DEVELOPER MAY NOT CONSTRUCT ANY BUILDING ON THE PROPERTY DESCRIBED HEREIN OR DO ANY DAMAGE, DESTROY OR IN ANY WAY MATERIALLY INTERFERE WITH THE CITY'S MAINTENANCE OF THE PROPERTY. DEVELOPER COVENANTS AND AGREES FOR ITSELF, ITS LEGAL REPRESENTATIVES, SUCCESSORS AND/OR ASSIGNS THAT NO BUILDING, ROOF EAVES OR CURBS AND GUTTERS OF ANY KIND WILL BE PLACED ON THE PROPERTY DESCRIBED HEREIN. WRITTEN PERMISSION FOR ABOVE GROUND APPURTENANCES MUST BE OBTAINED FROM THE CITY OF MIDLAND, PRIOR TO INSTALLATION.
3. THE CITY OF MIDLAND SHALL HAVE THE RIGHT TO MITIGATE DEFICIENCIES IN THE FUNCTION OF THE STORMWATER FACILITY, AND TO BE REIMBURSED BY THE PROPERTY OWNER, IF THE CITY FINDS IT NECESSARY FOR PUBLIC HEALTH AND SAFETY.
4. THE MAINTENANCE OF ANY STORMWATER FACILITY IN THIS EASEMENT IS THE RESPONSIBILITY OF THE PROPERTY OWNER. PROPERTY OWNER AGREES TO MAINTAIN THE FACILITY IN WORKING ORDER, WITH INSPECTIONS AND CORRECTIVE ACTION MADE AT LEAST ANNUALLY. REPORTS OF SUCH INSPECTIONS AND MAINTENANCE SHALL BE KEPT FOR INSPECTION BY THE CITY OF MIDLAND STORMWATER ADMINISTRATOR ON REQUEST, OR MAY BE FORWARDED TO THE CITY ENGINEER'S OFFICE.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, GREGORY W. SHOULTS, 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.

_____
GREGORY W. SHOULTS, R.P.L.S. #6335
MAVERICK ENGINEERING (TBPELS FIRM #10194514)
1909 W. WALL STREET, SUITE, K
MIDLAND, TX 79701

MIDLAND PLATS WITH DEDICATED BASINS

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

CERTIFICATE OF APPROVAL

FOR APPROVAL BY COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF THE PATCH ADDITION, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

_____DAY OF_____ 2025.

_____
ABRAHAM BEJIL , CHAIRMAN

_____
LANDON OCHOA, SECRETARY

PROPERTY OWNER

TAWBAC LLC
P.O. BOX 2954
MIDLAND, TEXAS 79702
DEED INSTRUMENT # 2018-29202
PHONE # (432) 238-2101

THE PATCH INVESTMENT GROUP, LLC
4507 S COUNTY ROAD 1232
MIDLAND, TX 79706
DEED INSTRUMENT#2025-

MAVERICK
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

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

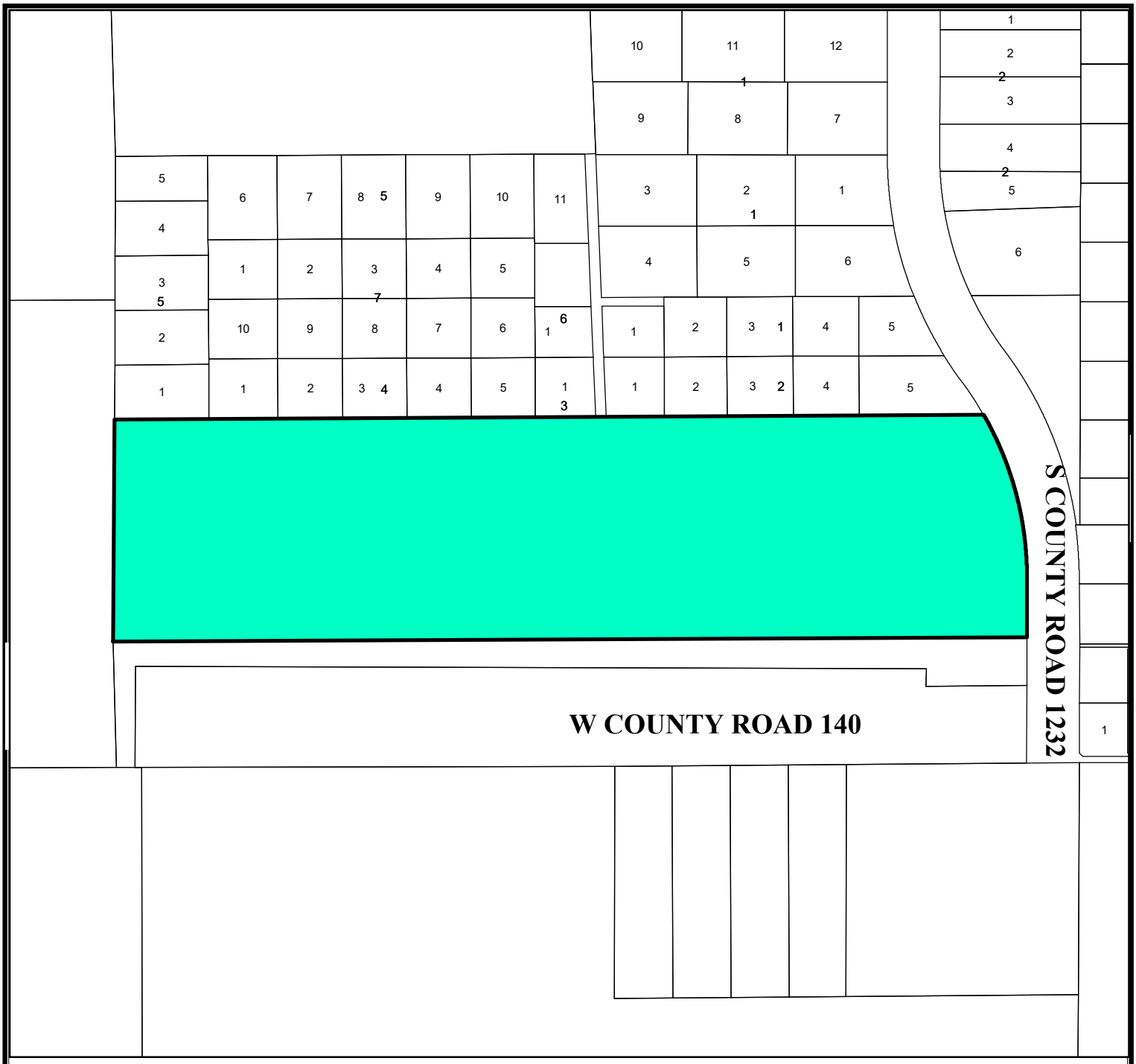
NO. _____

DATE _____

THE PATCH ADDITION

SHEET 2 OF 2

Drawing : F:\2025\250114-AJ CONSTRUCTION-TAWBAC TRACT\DRAWINGS\PLAT\250114 THE PATCH PRELIM PLAT.DWG Last Saved By: SDavis on 9/8/25



Location Map

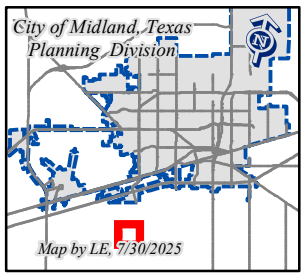
SUB-25-0874 **Scale: 1" = 9,746'**

Proposed plat of The Patch Addition, being a 148.76-acre tract of land out of Section 24, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Generally located at the northwest corner of the intersection of South County Road 1232 and West County Road 140. (Extraterritorial Jurisdiction)

L E G E N D

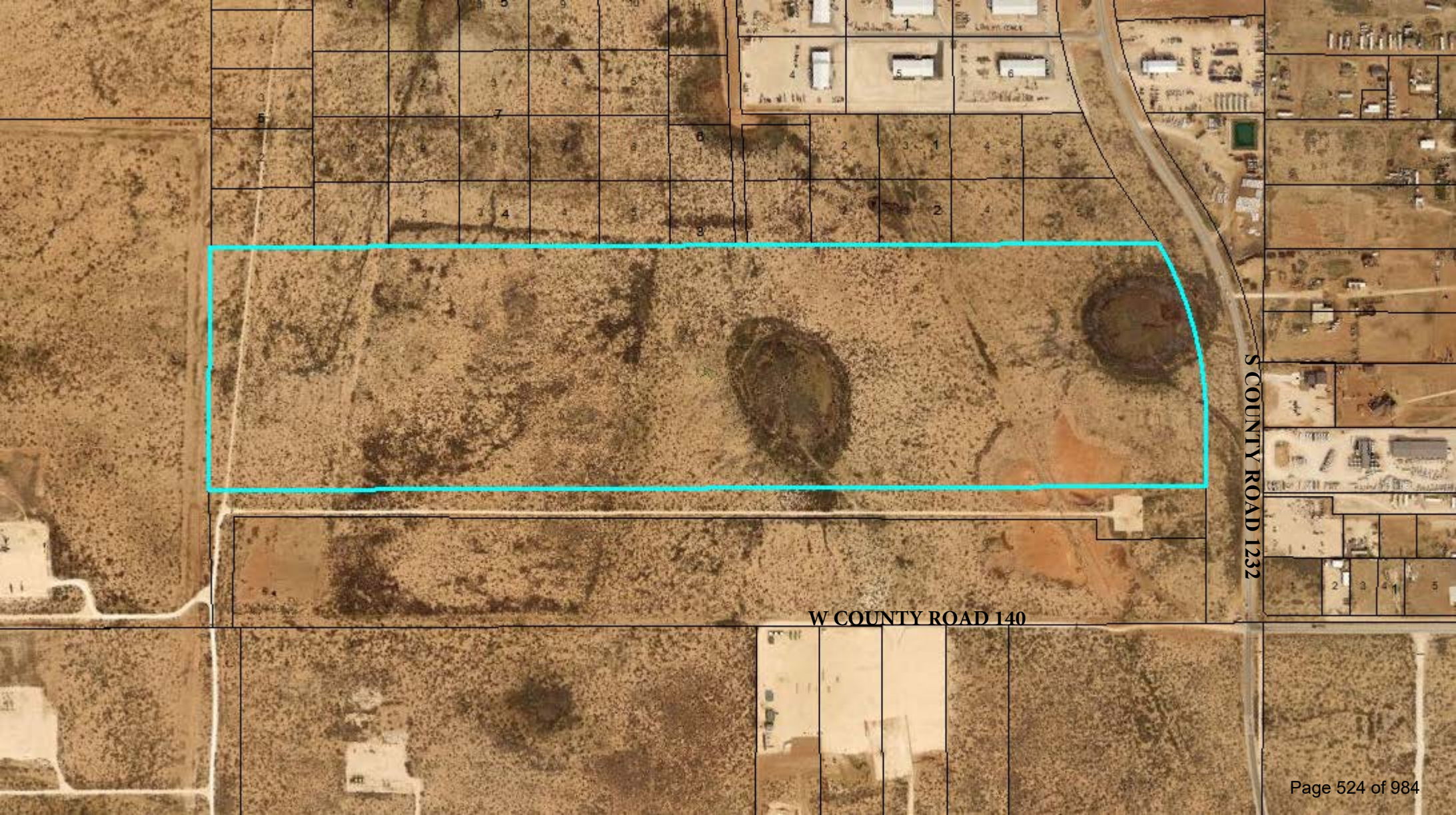
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS

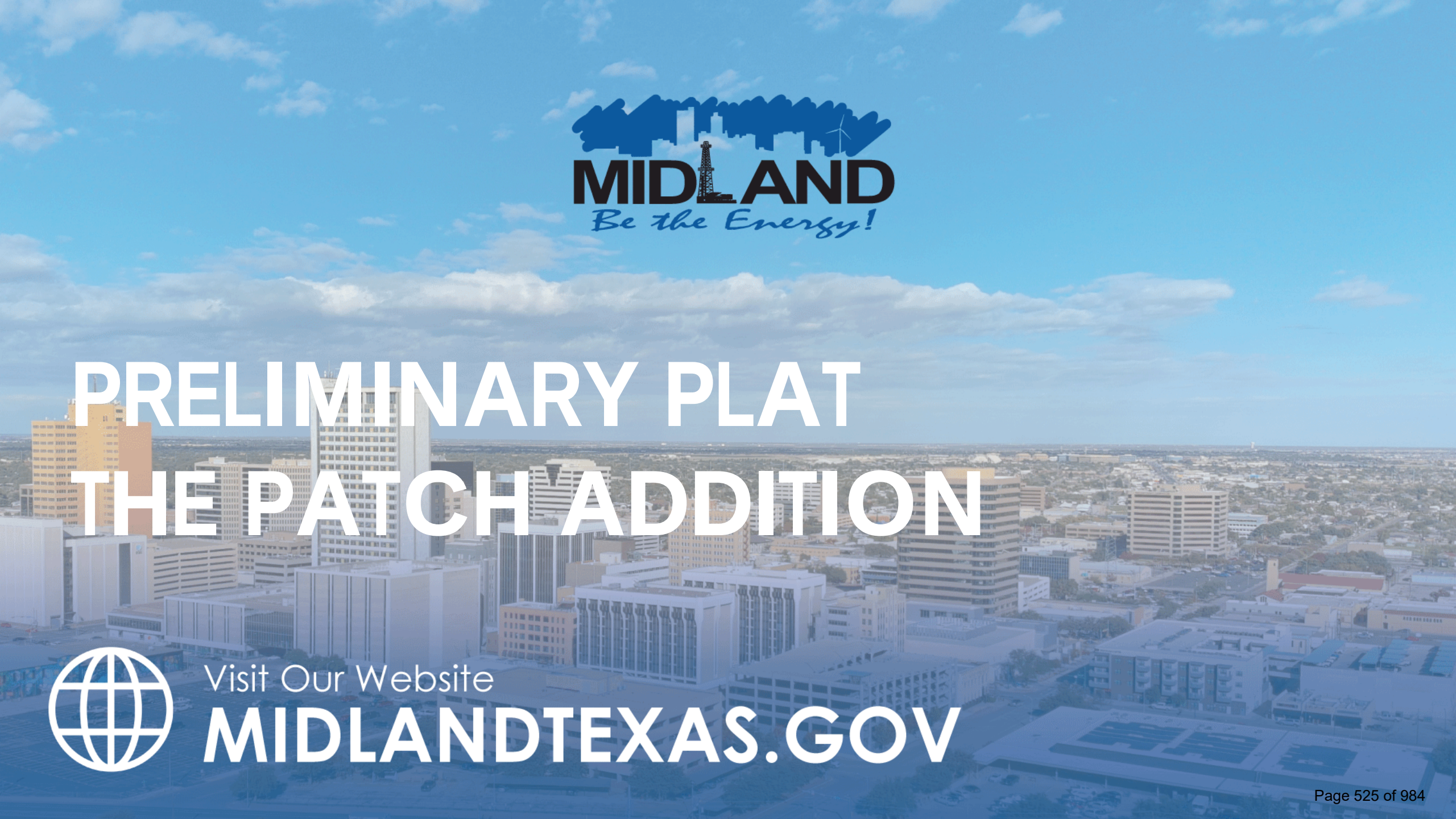


©THE CITY OF MIDLAND - 2021

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.

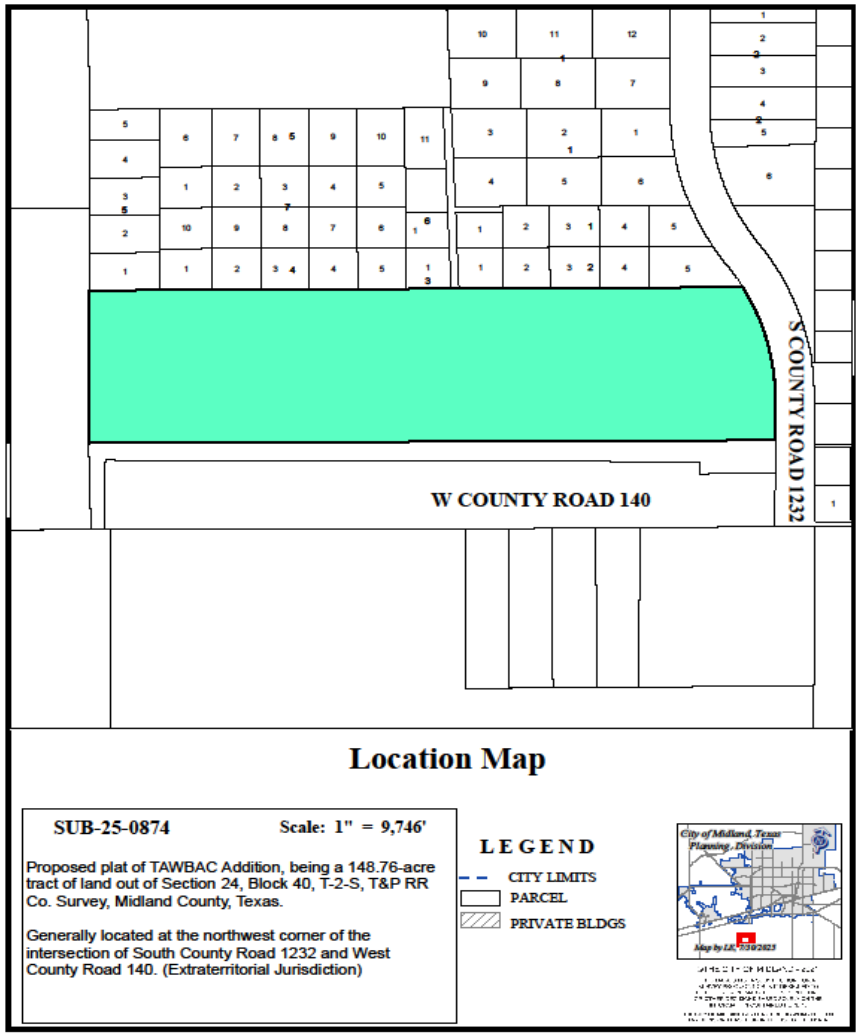
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.


S COUNTY ROAD 1232
W COUNTY ROAD 140


MIDLAND
Be the Energy!
PRELIMINARY PLAT
THE PATCH ADDITION
Visit Our Website
MIDLANDTEXAS.GOV

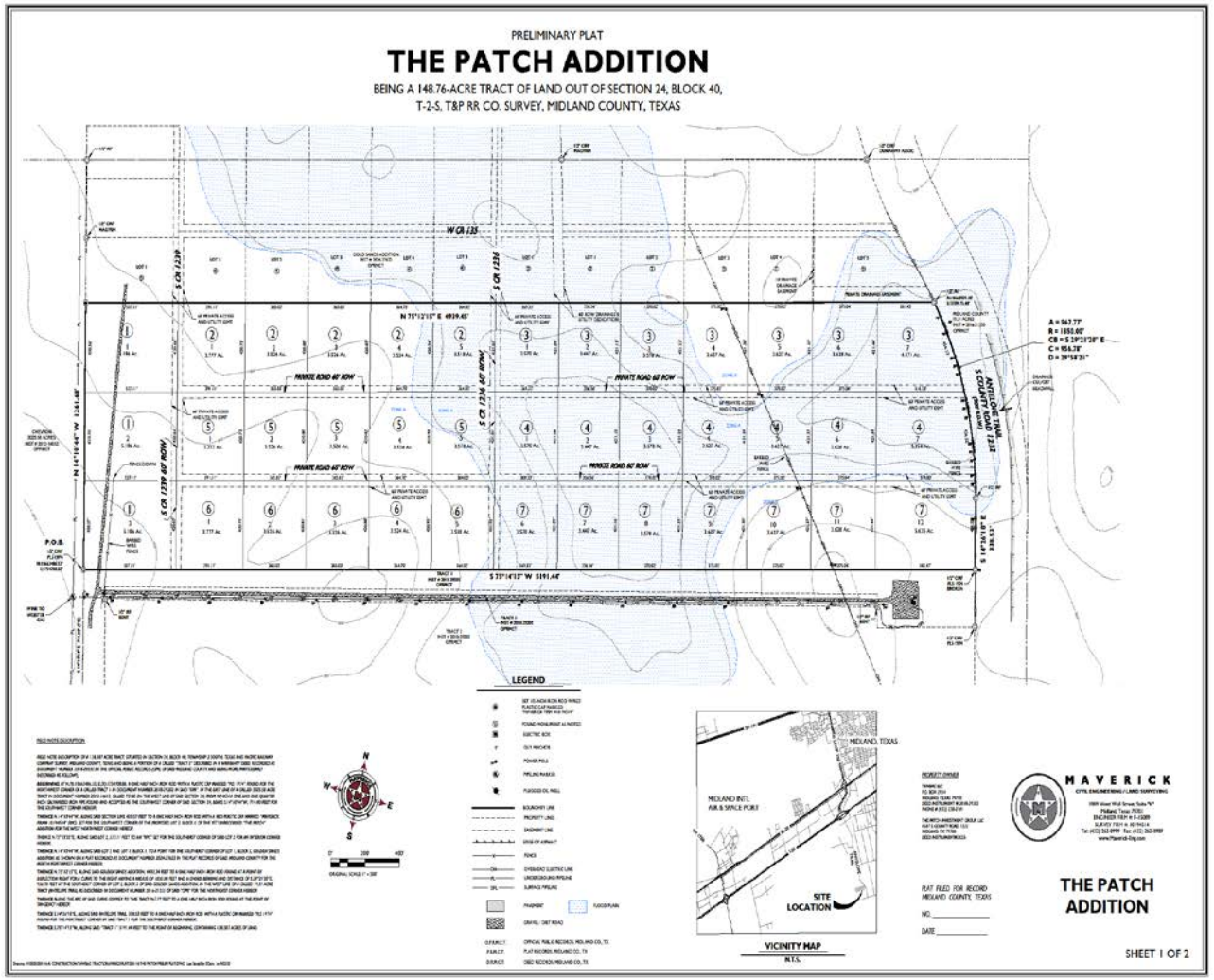
APPLICATION SUMMARY

- **Property Owner:** The Patch Investment Group, LLC, and TAWBAC, LLC
- **Representative:** Andrew Mellen, with Maverick Engineering
- **Location:** 3610 South County Road 1232
- **Reason for Request:** future industrial development



PLAT DETAILS

- **Acreage:** 148.76 acres
- **Number of Existing Lots:** 0
- **Number Proposed Lots:** 39



MIDLAND
Be the Energy!

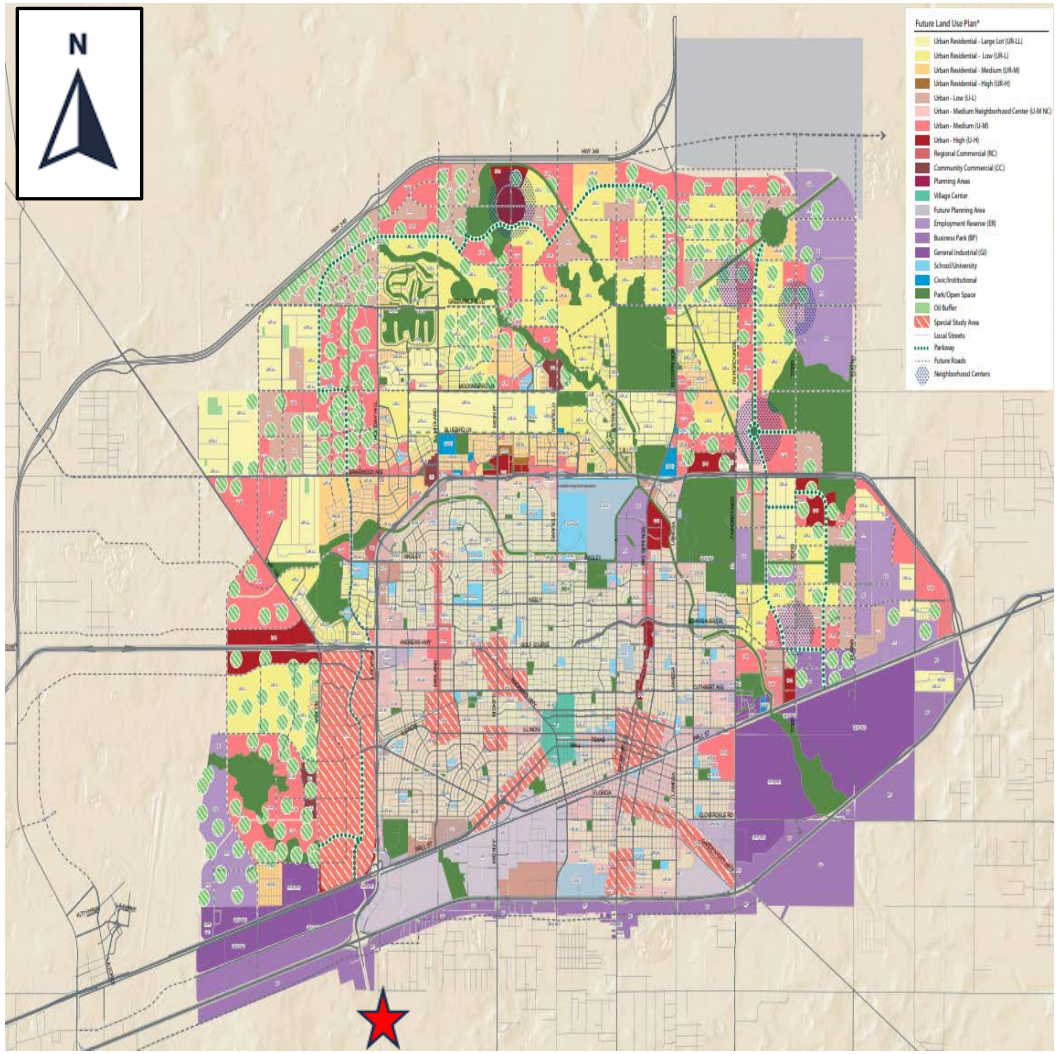
LAND USE

- **Current Use:** Vacant land
- **Surrounding Uses:**
  - **North:** Industrial and vacant land
  - **South/West:** Vacant land
  - **East:** Industrial
- **Proposed Use:** Future industrial development

MIDLAND
Be the Energy!

COMPREHENSIVE PLAN

- **Land Use Designation:** Not designated in the Tall City Tomorrow Comprehensive Plan



STAFF'S REPORT

- Should this preliminary plat be approved, staff recommends that it be subject to the below conditions.

A. All certificates must be written as detailed in Section 11-2-3 Platting Procedures by 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 therefore. [11-2-3(D)11(a)(6)]

STAFF'S REPORT

D. 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])(1)]

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.

City Council Meeting

Item Number: 19.
Meeting Date: October 28, 2025
To: City Council
From: Britton Murry, Senior Planner
Subject: MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, AN AMENDED PRELIMINARY PLAT OF MOCKINGBIRD RIDGE, BEING A PLAT OF A 302.39-ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH FAIRGROUNDS ROAD AND FIREWHEEL ROAD)

Purpose:
Maverick Engineering, on behalf of Betenbough Homes, LLC, is requesting to amend their preliminary plat of a 302.39-acre tract of land located on the east side of North Fairgrounds Road which consists 1,291 lots for future residential development.

Recommended Action:
Approve

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:

Current Zoning:

PD, Planned Development District for a Housing Development

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 street information needs to be revised please: 1) In phase 20, Eagle Ridge needs to have a suffix added, preferably Drive or Avenue. 2) In phase 24, Flats Court is a duplicate street name. Please assign a new unique name. 3) In phase 21, Trejo Drive is a duplicate street name. Please assign a new unique name. 4) In phase 22, Trail Drive cannot have "Trail" as the street name. Trail and Drive are both suffix/street types. Please assign a new unique name. In addition to a POB, please add a 2nd pair of coordinates.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Okay as shown. [For Applicant’s Information Only.]

ROW: Refer to transportation's comments. [For Applicant’s Information Only.]

PAVING: Internal paving improvements have not been submitted/accepted. Construct roads shown to City Standards for entire platted frontage. Per City code, the developer is required for 1/3 the cost/construction of Fairgrounds, based on maximum 20-meters (68-foot) width including C & G arterial construction standards. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

WATER: Water improvements have not been submitted/accepted. Construct to City standards along entire platted frontage, serving all lots with looped system. [Reference City Code Section 11-2-3(G)1]

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: Sewer improvements have not been submitted/accepted. Construct to City standards along entire platted frontage, serving all lots within the subdivision and to adjacent lot lines along exterior roadways. [Reference City Code Section 11-2-3(G)1]

DRAINAGE: Show compliance with Mockingbird Ridge Phase 15-26 Drainage Study, prepared by Maverick Engineering and approved by City on 10/14/2025. [Reference City Code Sect. 11-2-3(D)8]

EASEMENTS: Show existing and proposed. [For Applicant’s Information Only.]

SIDEWALKS: Required with building permit. [For Applicant’s Information Only.]

TRANSPORTATION: (Approved)

STREET NAME AND TRAFFIC CONTROL SIGN FEE – Due at Final Plat submittal at a rate of $650 per intersection. The fee will be assessed based on the number of intersections included in each Final Plat phase. [Reference City Code Section 11-2-5(C)3(t).] 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.] No objections to plat. [For the Applicant's information only.]

FIRE: (Approved)

No comments or objections.

OIL AND GAS: (Approved)

PHASE 25 & 26 • Tank battery identified on the plat needs the radius changed from 500' to 150'. • Well Stimson Burley B #1 identified on the plat; remove 500' radius, keep 135'.

GIS: (Approved)

Northern call encroaches into existing plats. (Lone Star Trails II, Sec 16, Sec 13, Sec 8, Sec 6) Please check calls. Phases will be reviewed as they are received, individually. Please check chord length of C2, C12 in table. Street names under review.

CRMWD: (Approved)

We do not have any comments on this plat.

PLANNING: (Approved with Conditions)

Change the year in the acknowledgement to 2025 [Informational]

Change the year in the certificate of approval to 2025 [Informational]

Change the year in the owner's certificate to 2025 [Informational]

Change the chairman to Abraham Bejil for the certificate of approval [Informational]

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]

Add to Certificate of Approval: "For approval by the commission" [Midland City Code 11-2-3(H)3(m)(3)]

Staff recommends approval of the amended Preliminary Plat of Mockingbird Ridge, subject to the following conditions.

Conditions:

A. All certificates must be written as detailed in Section 11-2-3 Platting Procedures by Final Plat submittal. [11-2-3(H)3(m)(1)]

B. Public improvements must be completed or a request for a deferral letter must be submitted by Final Plat submittal. [11-2-3(G)1]

C. 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)].

D. 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-25-2398, Combined Documents
B. CC - - Mockingbird Ridge Prelim

Britton Murry, Development Services	Created/Initiated - 10/15/2025
Landon Ochoa, Development Services	Approved - 10/16/2025
Elizabeth Triggs, Development Services	Approved - 10/16/2025
Christy Weakland, Finance	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/20/2025
Jose Ortiz, City Manager	Approved - 10/21/2025
Morris Williams, City Manager	Approved - 10/21/2025
Jan Hamilton, City Secretary	Final Approval - 10/21/2025

MIDLAND
Planning Division

Preliminary Plat Application

For Office Use Only
SUB-____-_____
P-____-_____

Subdivision Name: MOCKINGBIRD RIDGE
(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:		Phone #: Email:	
Address:	City:	State:	Zip:

Property Owner Print Name: BETENBOUGH HOMES LLC		Phone #: 432-262-0999 Email: brettb@betenbough.com	
Address: 6305 82ND STREET	City: LUBBOCK	State: TX	Zip: 79424

Developer: (If different from property owner) Print Name:		Phone #: Email:	
Address:	City:	State:	Zip:

Representative (If different from applicant or property owner) Print Name: MAVERICK ENGINEERING		Phone #: Email: amellen@maverick-eng.com	
Address: 1909 W WALL STREET SUITE K	City: MIDLAND	State: TX	Zip: 79701

Reason for Platting (Please be specific)
DEVELOPMENT

Plat Information — Total Acreage: 302.39

Type: ☒ Single-Family Residential ☐ Multi-Family Residential
☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1291 — 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:
Applicant (printed):	
Property Owner (signature): Abe Fuentez	Date: 9/18/2025
Property Owner (printed): Abe Fuentez	

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 Betenbough Homes LLC or authorized by Abe Fuentez, 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) Andrew L. Kelley

Subscribed and sworn to before me, this 18 day of September, 2025, to certify which witness my hand and seal of office.

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

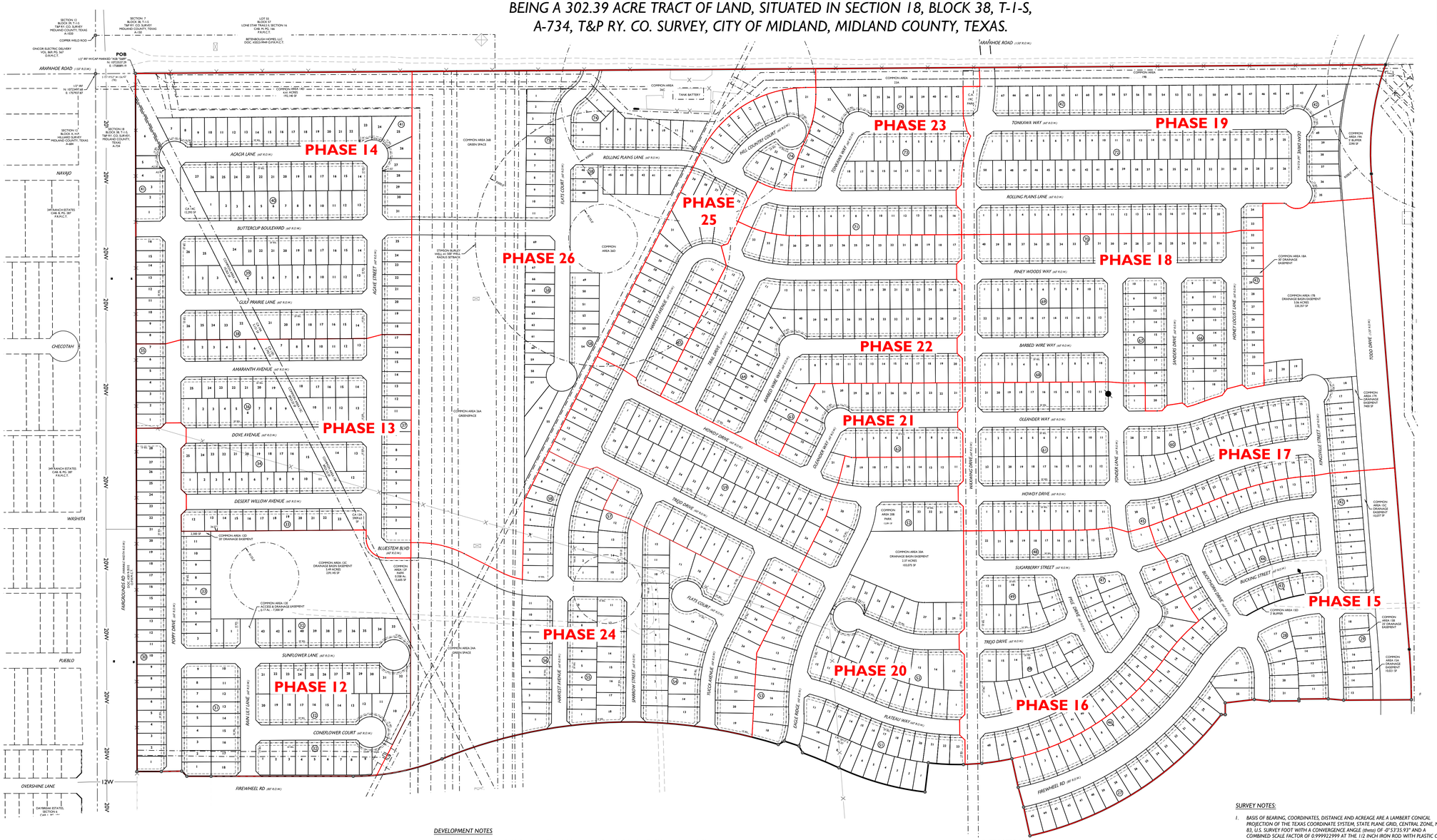
SAVANNAH DAVIS
Notary Public, State of Texas
Comm. Expires 05-20-2028
Notary ID 134907724

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# 5541	☐ Groundwater Availability Certification Forms (if applicable)
Planner Notes:	
Signature:	**Date:**

PRELIMINARY PLAT

MOCKINGBIRD RIDGE

BEING A 302.39 ACRE TRACT OF LAND, SITUATED IN SECTION 18, BLOCK 38, T-1-S, A-734, T&P RY. CO. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS.


ARAPAHOE ROAD (132' R.O.W.)
POB
PHASE 14
PHASE 13
PHASE 12
PHASE 26
PHASE 25
PHASE 24
PHASE 23
PHASE 22
PHASE 21
PHASE 20
PHASE 19
PHASE 18
PHASE 17
PHASE 16
PHASE 15
ACACIA LANE
BUTTERCUP BOULEVARD
GULF PRAIRIE LANE
AMARANTH AVENUE
DOVE AVENUE
DESERT WILLOW AVENUE
BLUESTEM BLVD
SUNFLOWER LANE
CONEFLOWER COURT
FIREWHEEL RD.
ROLLING PLAINS LANE
HILL COUNTRY COURT
FLATS COURT
TONKAWA WAY
TONKAWA LANE
PINEY WOODS WAY
BARBED WIRE WAY
OLEANDER WAY
HOWDY DRIVE
THIRD DRIVE
SUGARBERRY STREET
TREJO DRIVE
PLATEAU WAY
EAGLE RIDGE
YUCCA AVENUE
SAVANNA STREET
HARVEST AVENUE
TRAIL DRIVE
SANDERS DRIVE
HONEY LOCUST LANE
KNOXVILLE STREET
BUCKING STREET
BUCKING DRIVE
PAINT DRIVE
TODD DRIVE
MOCKINGBIRD LN
FAIRGROUNDS RD
BIG SPRING ST
LOOP 250
NAVAJO
CHEYENNE
COMANCHE
APACHE
CHEROKEE
WASHITA
PUEBLO
OVERSHINE LANE
DAYBREAK ESTATES
CAB. A, PG. 387
P.R.M.C.T.
349 RANCH ESTATES
CAB. B, PG. 387
P.R.M.C.T.
ONCOR ELECTRIC DELIVERY
VOL. 869, PG. 567
O.P.R.M.C.T.
COPPER MESA ROAD
LOT 55
BLOCK 38
LONE STAR RANCH, A-1
CAB. M, PG. 106
P.R.M.C.T.
BETENBOUGH HOMES, LLC
DOC. #2023-9949 O.P.R.M.C.T.
COMMON AREA 1A
4.61 ACRES
192,140 SF
COMMON AREA 3A
GREENSPACE
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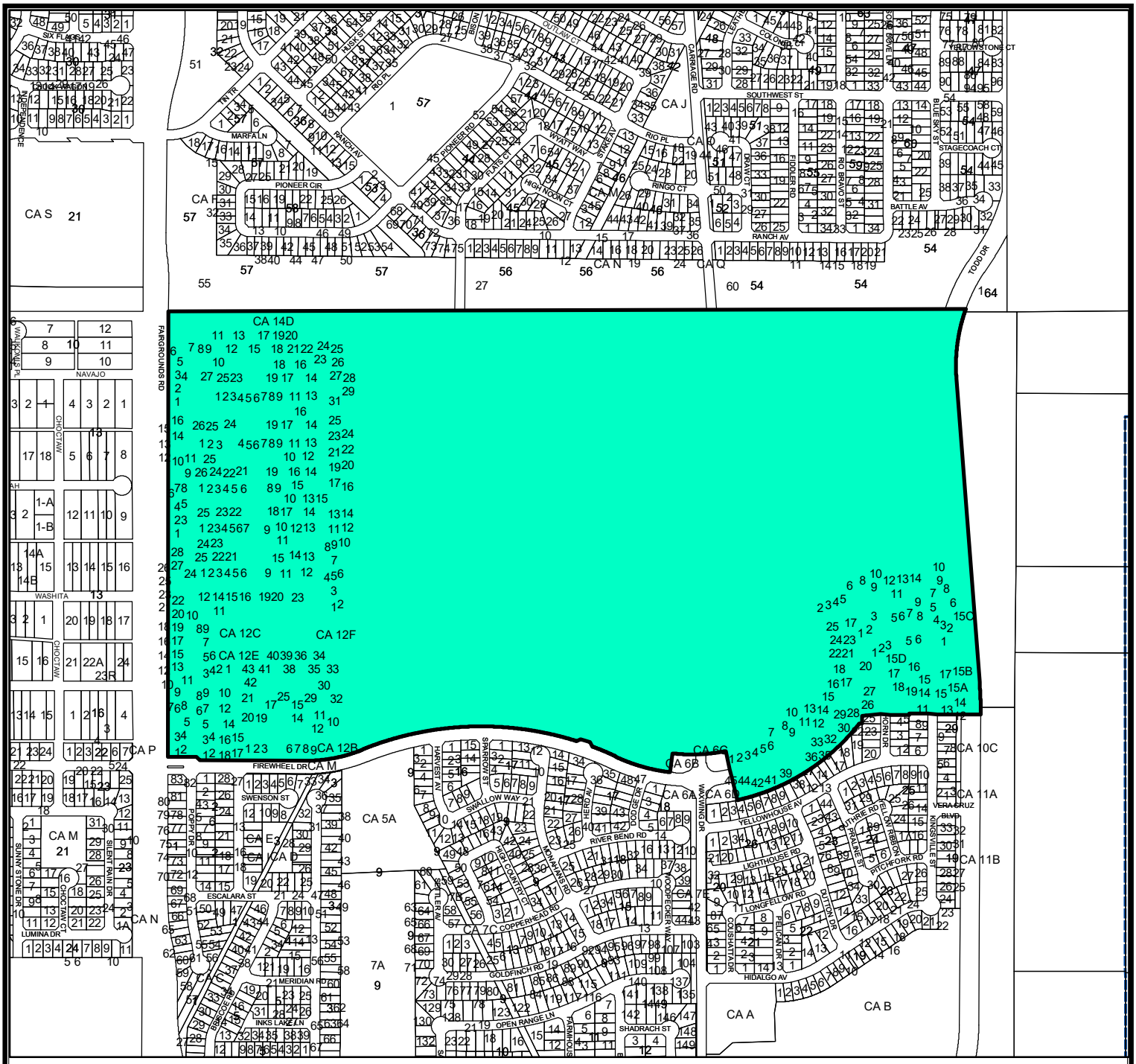


Location Map

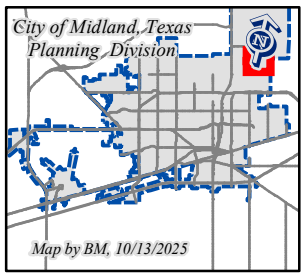
SUB-24-0761 **Scale: 1" = 877'**

Proposed Plat of Mockingbird Ridge, being a plat of a 302.39-acre tract of land out of Section 18, Block 38, T-1-S, A-734, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located at the northeast corner of the intersection of North Fairgrounds Road and Firewheel Road. (Council District 1)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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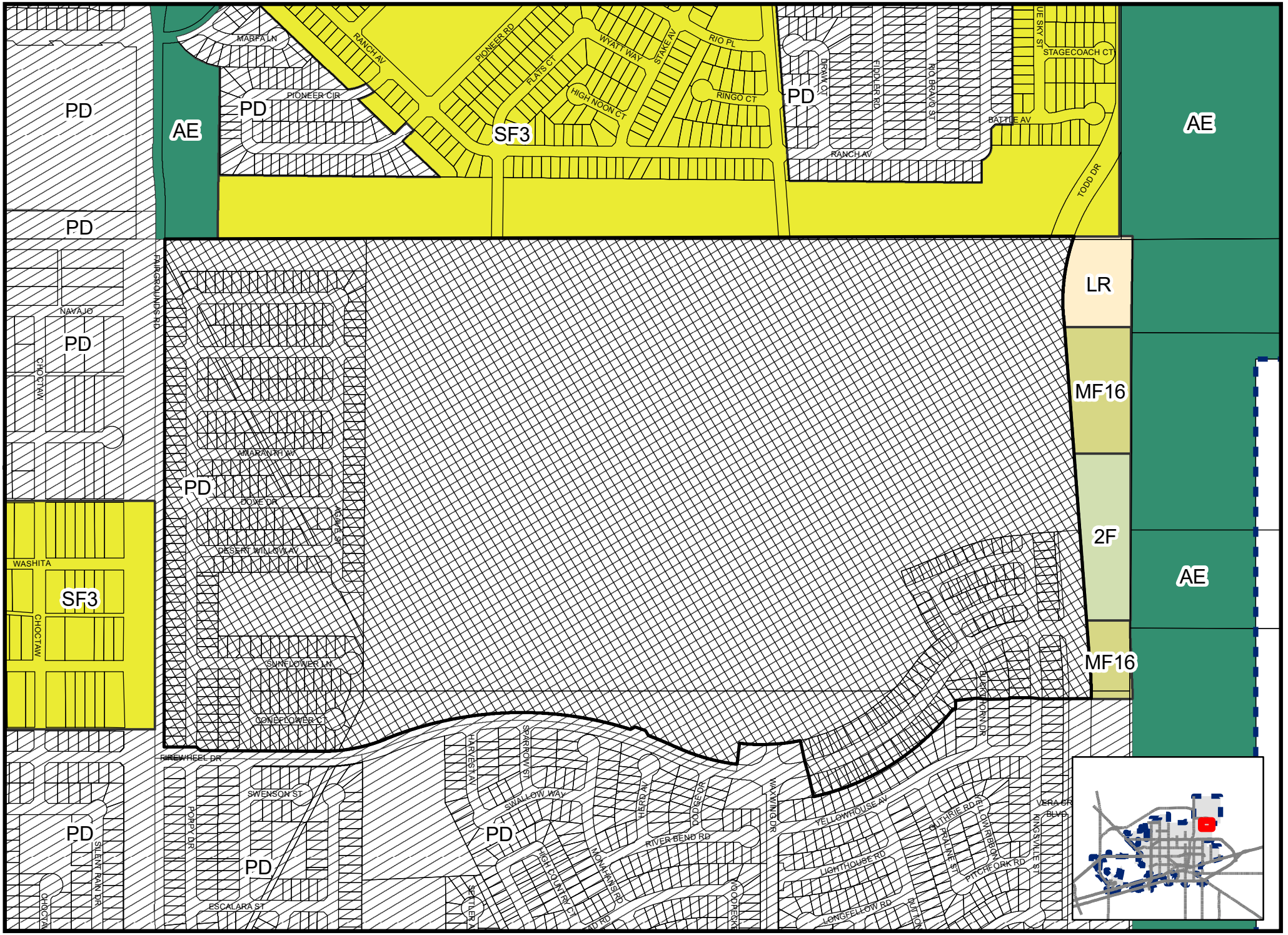
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Map by BM, 8/4/2025

SUB-24-0761

Scale: 1" = 646'

ZONING MAP

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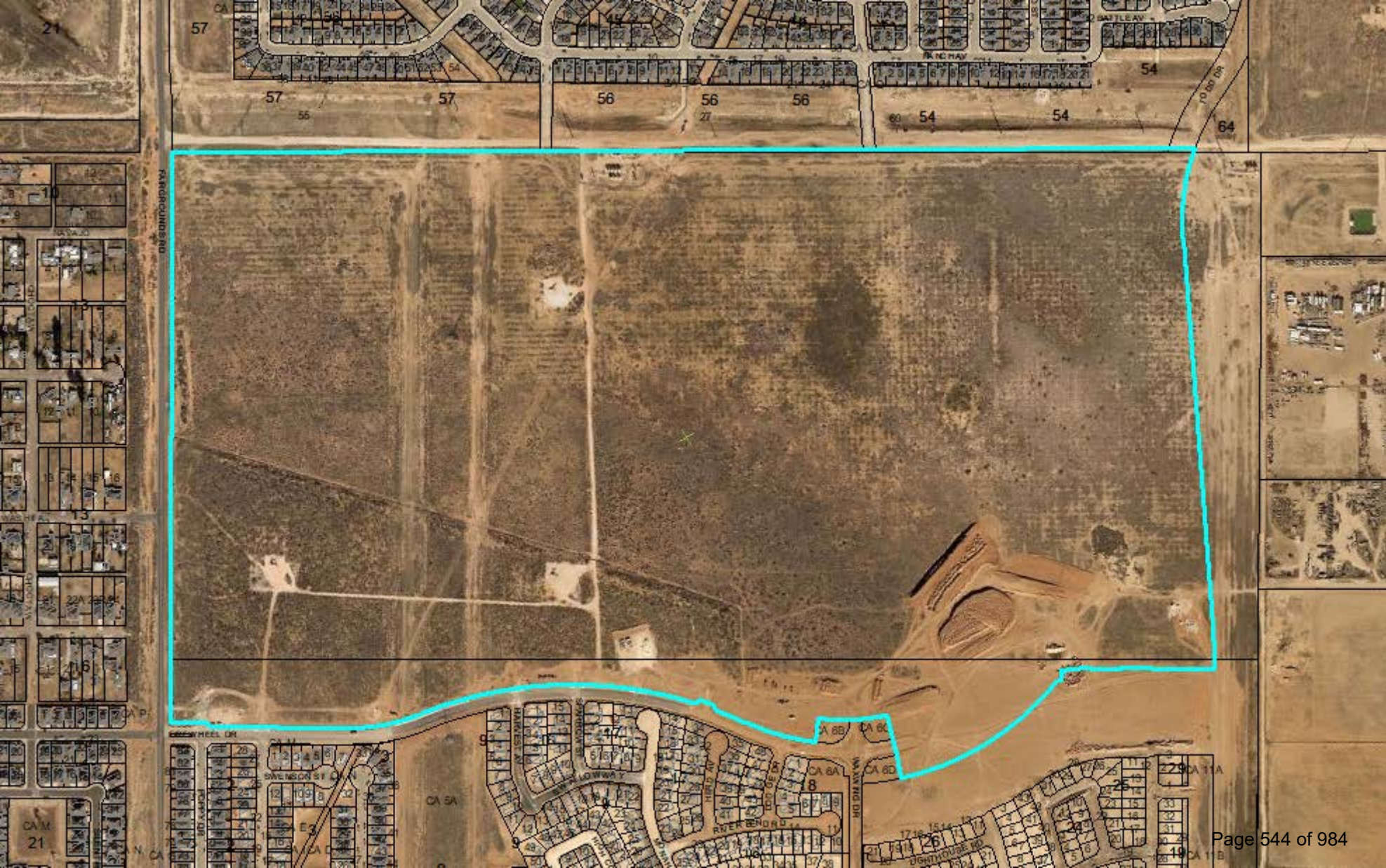
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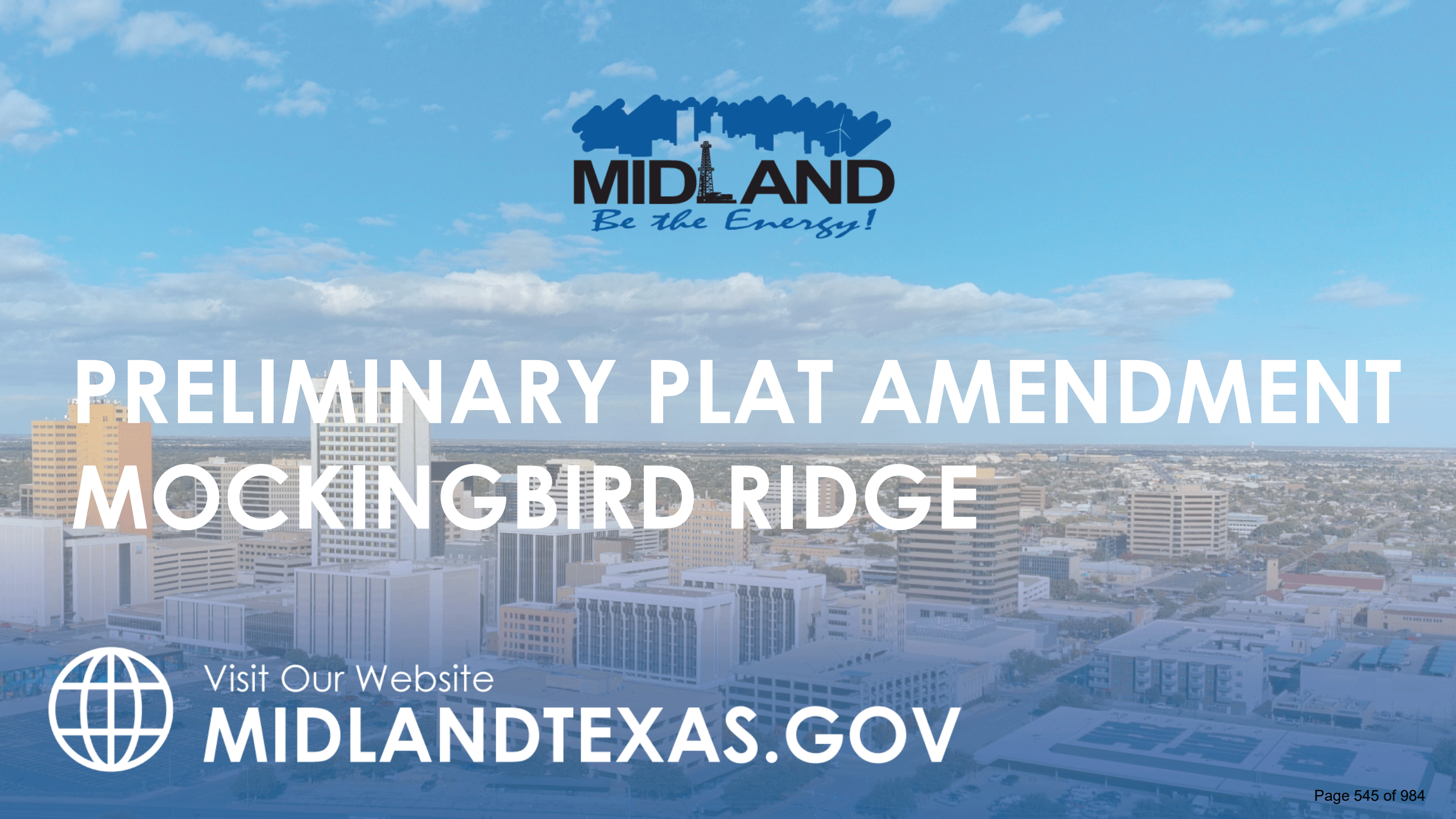
RIVER BEND RD
LIGHTHOUSE RD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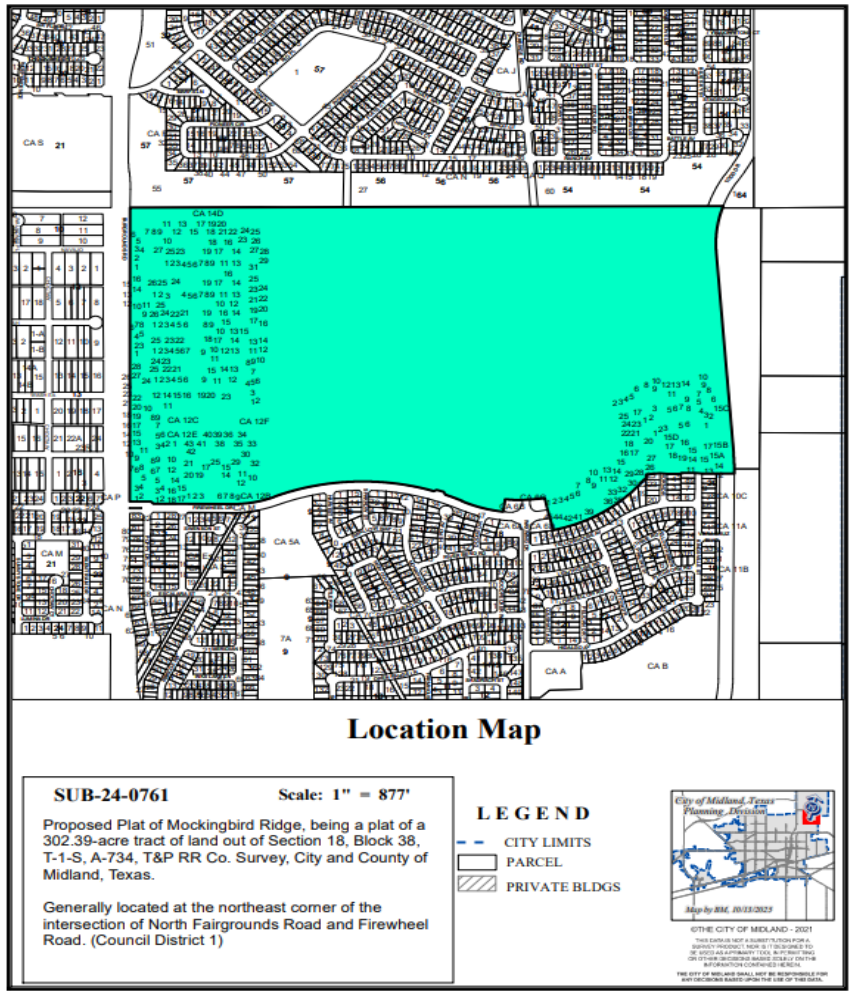
PRELIMINARY PLAT AMENDMENT
MOCKINGBIRD RIDGE
Visit Our Website
MIDLANDTEXAS.GOV

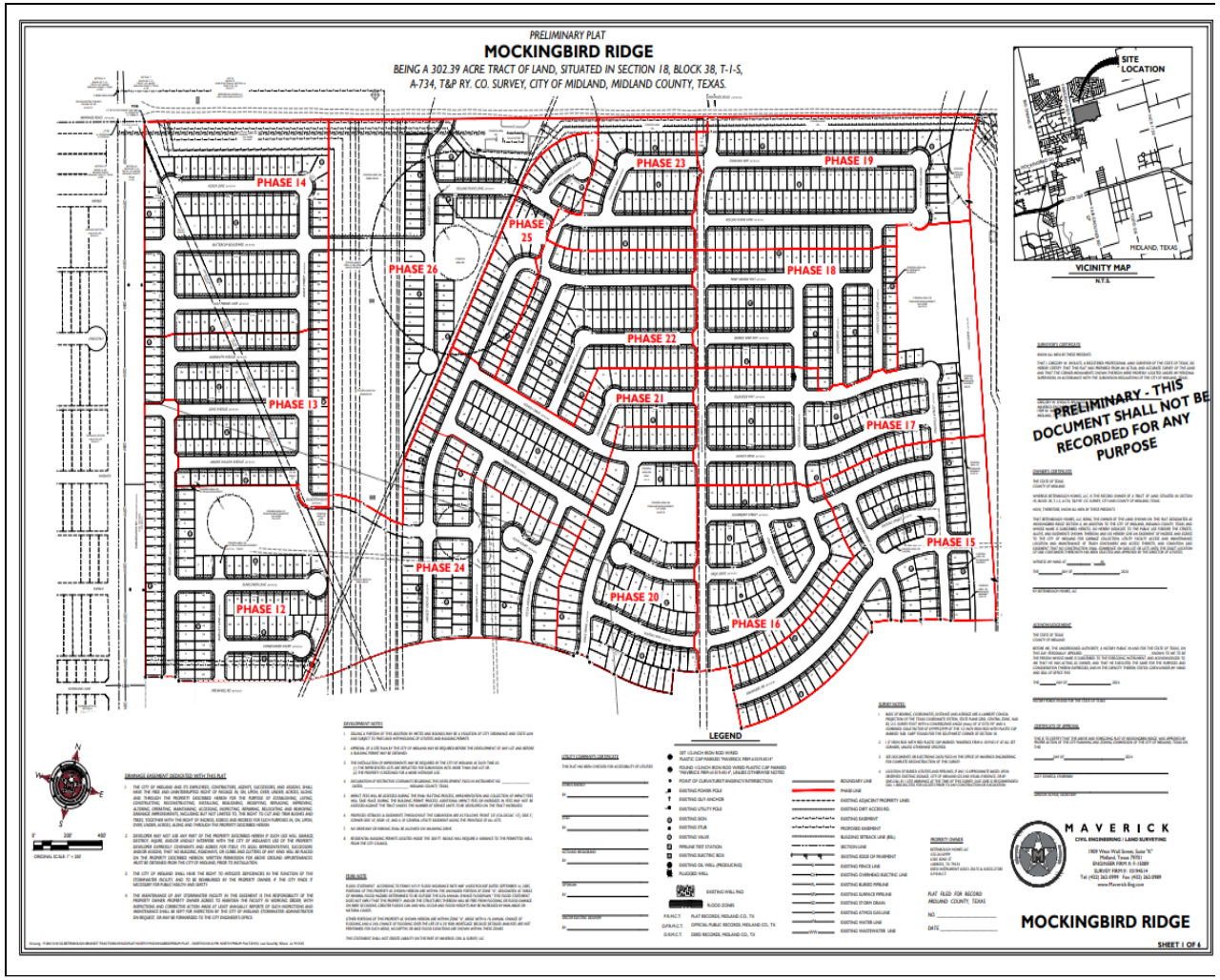
APPLICATION SUMMARY

- **Developer/Property Owner:** Betenbough Homes, LLC
- **Representative:** Andrew Mellen, with Maverick Engineering
- **Location:** Generally located at the northeast corner of the intersection of North Fairgrounds Road and Firewheel Road. (Council District 1)
- **Reason for Request:** Platting for future residential development



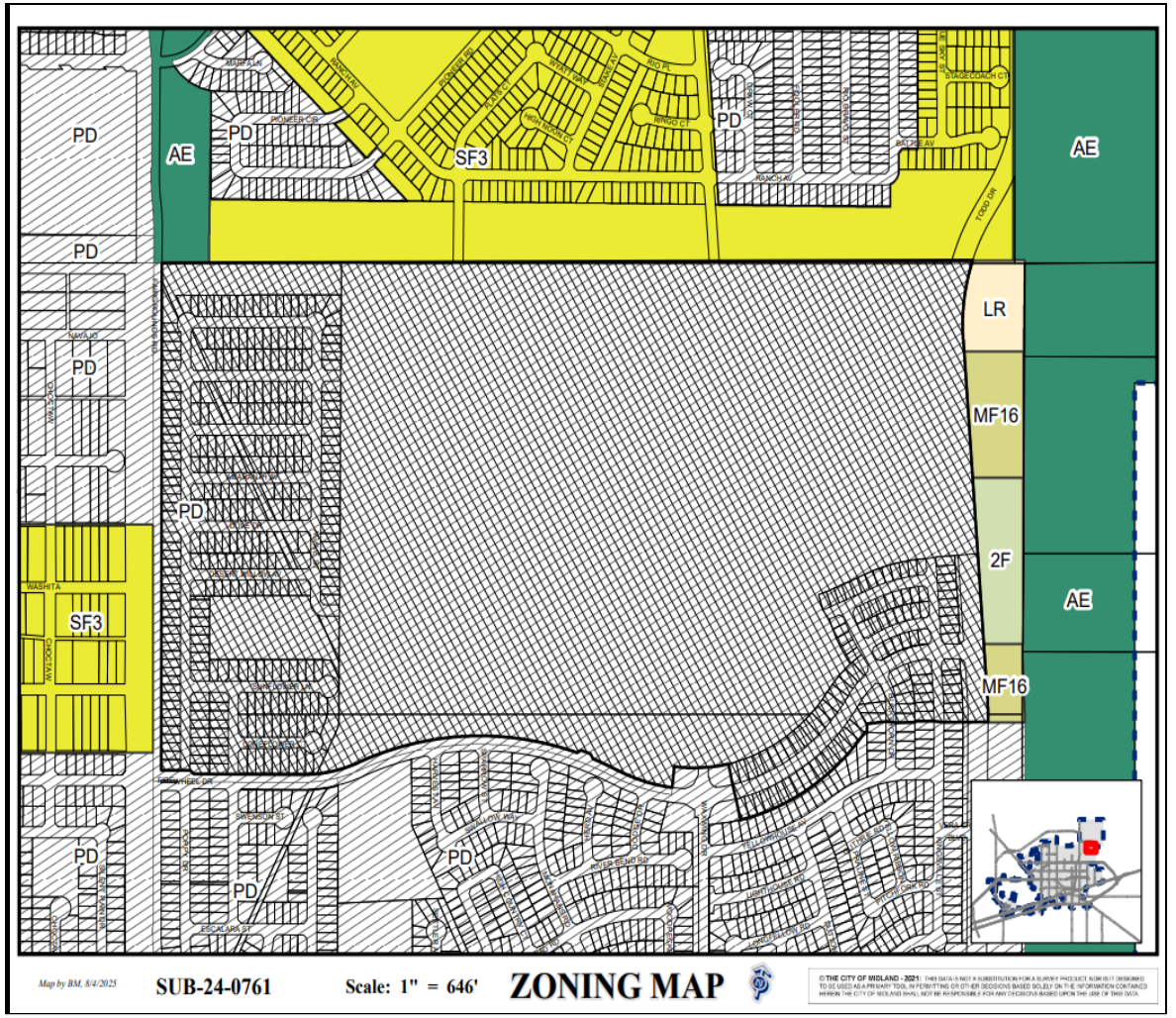
PLAT DETAILS

- **Acreage:** 302.39 acres
- **Number of Existing Lots:** 0
- **Number Proposed Lots:** 1,291



ZONING

- **Current Zoning:** PD, Planned Development District for a Housing Development
- **Surrounding Zoning:**
  - **North:** SF-3, Single-Family Dwelling District and AE, Agricultural Estate District
  - **South/West:** PD, Planned Development District for a Housing Development
  - **East:** LR, Local Retail District, MF-16, Multiple Family Dwelling District, and 2F, Two-Family Dwelling District



LAND USE

- **Current Use:** Vacant Land
- **Surrounding Uses:**
  - **North/South/East/West:** Single-Family Housing and Vacant Land
- **Proposed Use:** Single-Family Housing

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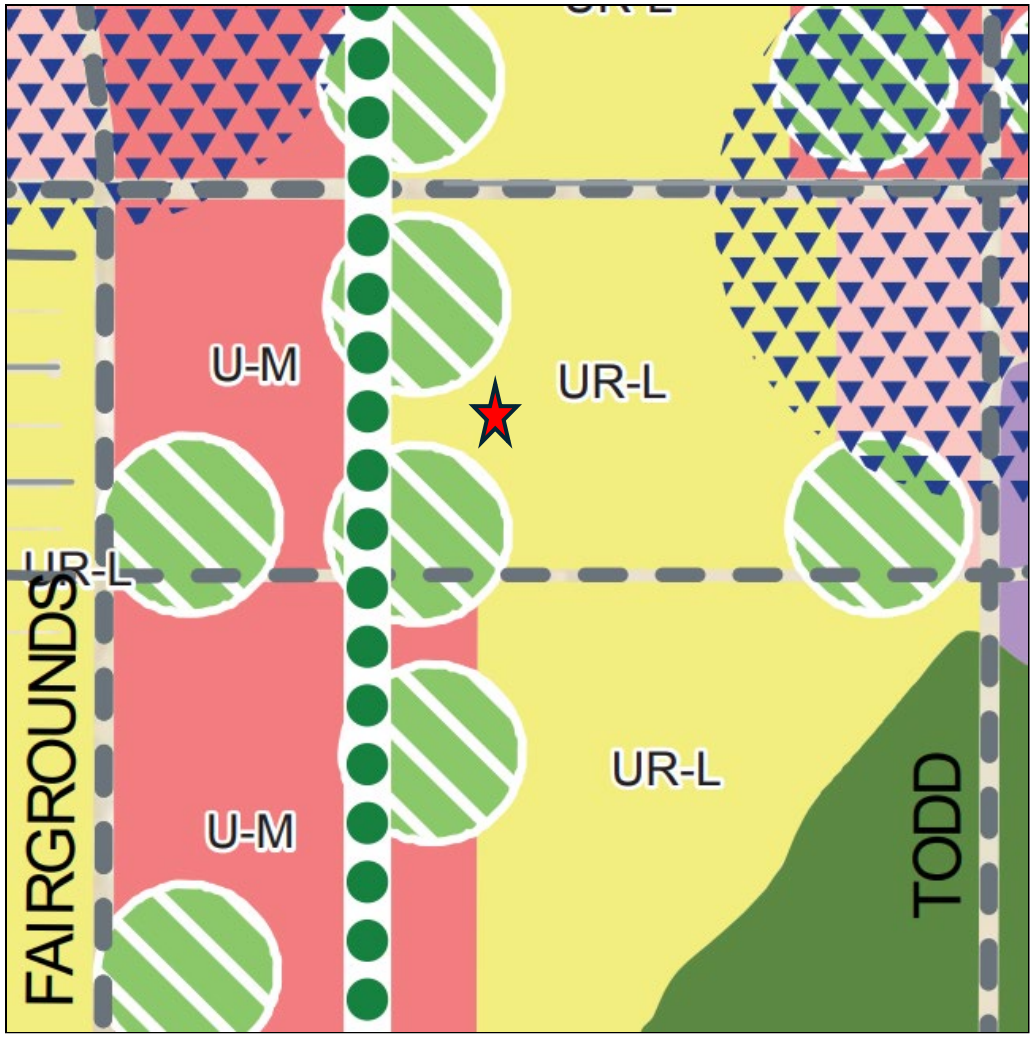
COMPREHENSIVE PLAN

- **Land Use Designation:** Urban-Medium (U-M) and Urban Residential-Low (UR-L)
- **Supported Uses:** Supporting uses include a mix of residential use, schools, churches, and low-dense commercial.
- The request is compatible with the *Tall City Tomorrow Comprehensive Plan.*



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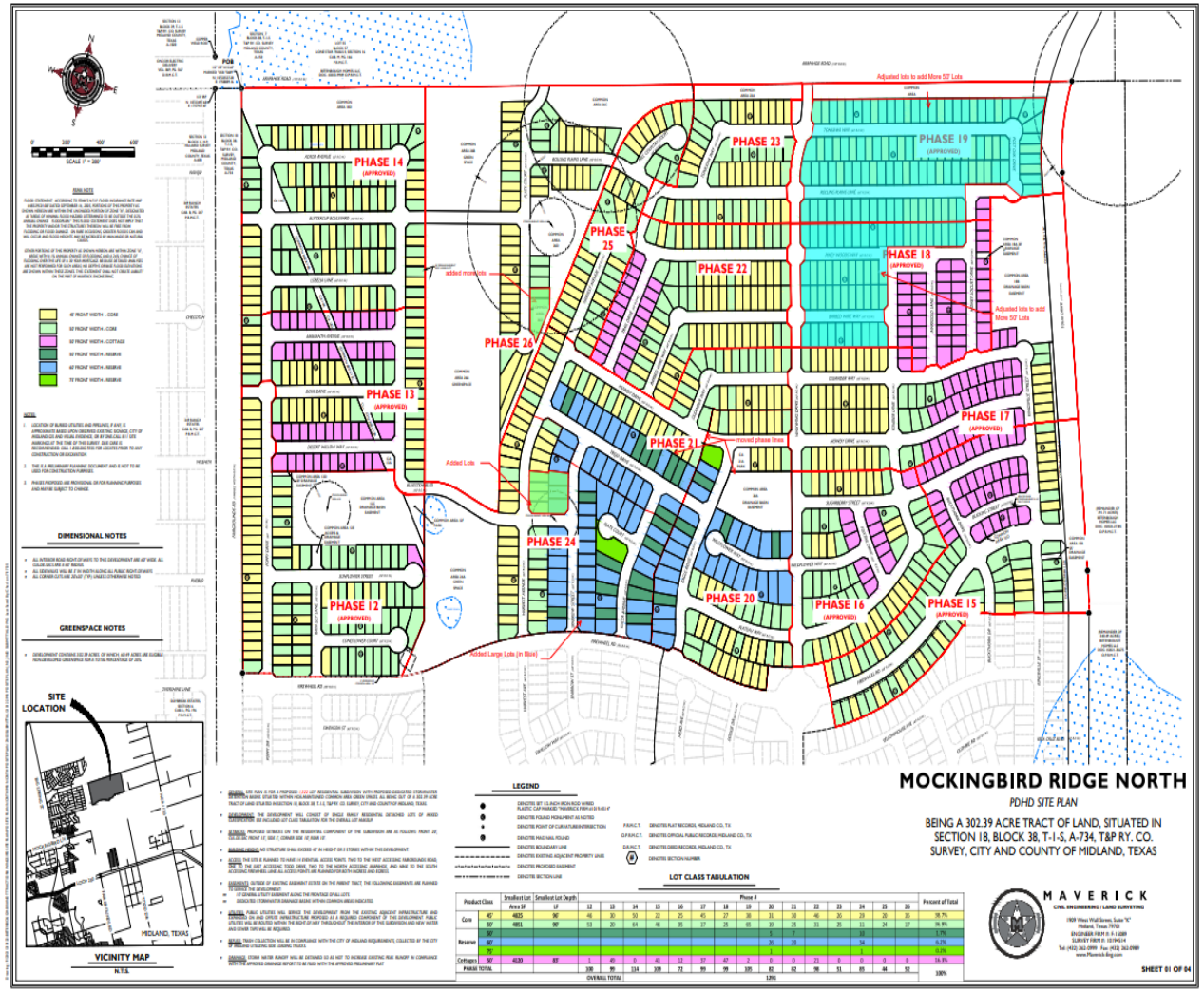
RELATED ITEMS

- A zone change request for this property to change from PD, Planned Development District for a Housing Development to an Amended PD, Planned Development District for a Housing Development was approved by City Council on August 26, 2025.

CHANGES

- Some roads, lots, & block have been reconfigured
- A new class (reserve) has been added
  - Present in southern portion of Mockingbird
- Phase lines have been adjusted to include the new layouts of the lots



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STAFF'S RECOMMENDATION

- The Planning & Zoning Commission approved the original preliminary plat on September 3, 2024.
- City Council approved the original preliminary plat on September 24, 2024.
- The Planning & Zoning Commission approved the amended preliminary plat on October 20, 2025.
- Staff recommends approval of this request with the following conditions:

STAFF'S RECOMMENDATION

A. All certificates must be written as detailed in Section 11-2-3 Platting Procedures by Final Plat submittal. [11-2-3(H)3(m)(1)]
B. 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

C. 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)].

D. 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: 20.
Meeting Date: October 28, 2025
To: City Council
From: John Simmons, Right of Way Manager
Subject: MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE AMENDMENT (25-329-028) WITH HUGH BRINSON PIPELINE, LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 30, BLOCK 36, T-3-S, T&P RR CO. SURVEY, MIDLAND AND GLASSCOCK COUNTIES, TEXAS

Purpose:
This ROW License is an Amendment to Right of Way License 25-329-018 and will provide applicants an additional 2,019.85' of a 25' wide right of way for an additional access road for the ongoing construction of the 36" Gas Utility pipeline being built on City-owned Sprayberry Farm property

This Right-of-Way License is proposed for an initial (10) year period, paid in advance, and shall automatically renew at the end of the initial term and each successive term for additional terms of 10 years.

Recommended Action:
Motion authorizing the execution of a Right-of-Way License (25-329-028) with Hugh Brinson Pipeline LLC., regarding City-owned property described as Section 30, T-3-S T&P RR Co. Survey, in Midland and Glasscock Counties, Texas.

Fiscal Impact:
Additional Road Right of Way to be collected:

Road (111.29 rods x $80.00) $8,903.20

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
This right-of-way runs north–south and will allow additional access for the construction and continued access to the large Gas Utility Line in the Sprayberry Farm area and is over 2 miles from COM infrastructure. The pipeline is a common carrier, natural gas utility line and will be

buried a minimum of thirty-six inches (36”) deep. The road will allow access to the pipeline with valve connections and maintenance.

Certificates of Insurance are on file.

City Secretary to record all documents in Midland County and Glasscock County.

Attachments:

A. Amendment_Vedral_Signed
B. Exhibit A
C. Council Map Hugh_Spraberry_101025
D. COI THE CITY OF MIDLAND 9.24.25

John Simmons, Utilities	Created/Initiated - 10/15/2025
Carl Craigo, Utilities	Approved - 10/16/2025
Linda Ochoa, Legal	Approved - 10/21/2025
Jose Ortiz, City Manager	Approved - 10/22/2025
Morris Williams, City Manager	Approved - 10/22/2025
Jan Hamilton, City Secretary	Final Approval - 10/22/2025

AMENDMENT TO THE RIGHT OF WAY LICENSE
BETWEEN HUGH BRINSON PIPELINE, LLC,
THE CITY OF MIDLAND, TEXAS

THIS AMENDMENT is made effective this __ day of _____, 2025, by and between Hugh Brinson Pipeline, LLC ("Company"), and the City of Midland ("City"), a home-rule municipality.

WHEREAS, Company and City entered into that certain Right of Way License made effective June 25, 2025 (the "License"), for the right to enter upon certain City-owned property for the purpose of placing, constructing, operating, repairing, maintaining, replacing and removing two pipelines, an access road, and a surface site on and across City's property which was approved by the Midland City Council by Motion No. 065-2025; and

WHEREAS, the License has been in full force and effect since its effective date and has not been allowed to lapse; and

WHEREAS, Company and City desire to make certain amendments to the License as set forth below;

W I T N E S S E T H:

For and in consideration of the execution of this Amendment and the mutual promises and covenants of the parties hereto, it is mutually promised, understood and agreed as follows:

a. The License is hereby amended so as to supplement the original exhibits (referred to in the License as **Exhibits A and B**) with **Exhibits A and B** attached hereto and incorporated herein for all purposes.

b. Section II(A) of the License is hereby amended to read in its entirety as follows:

A. License Fee. A license fee in the amount of ONE MILLION FOUR HUNDRED NINETY-ONE THOUSAND NINE HUNDRED SIXTY-THREE and 30/100 Dollars ($1,491,963.30) ("License Fee") shall be due and payable on or prior to the Commencement Date.

c. Section III(A) of the License is hereby amended to read in its entirety as follows:

A. Permitted Use. Licensor does hereby grant unto Licensee, the right to enter upon the Property, being fifty (50) feet in width of the pipeline, road, and surface site locations as shown on **Exhibits A and B** attached hereto and incorporated herein for the purpose of placing, constructing, operating, repairing, maintaining, replacing and removing, thereon, along the herein described pipeline locations, two pipelines, not to exceed forty-two (42) inches and thirty-six (36) inches in diameter, for the transportation of natural gas, liquefied minerals (including without limitation, condensate, whether obtained from oil or gas wells), natural gas liquids

or other mineral solutions, two (2) twenty-five (25) foot wide access roads, and a fifty (50) foot by fifty (50) foot surface site and to have the right of ingress and egress at convenient points for such purpose. Licensor does hereby grant unto Licensee temporary workspace and temporary access roads for purposes consistent with the furtherance of this License as described in **Exhibits A and B**. Licensee shall provide Licensor with a complete as-built survey within ninety (90) days of completion of the pipeline(s) and facilities described herein. If the Licensee fails to timely provide the as-built survey, Grantee shall thereafter have thirty (30) days following its actual receipt of written notice from Grantor of such survey not being received to remit any such survey, and the parties hereto agree that any such survey received during the 30-day cure period will be deemed timely remitted.

d. A one-time application fee in the amount of One Thousand and 00/100 Dollars ($1,000.00) shall be due and payable by Licensee to Licensor contemporaneously with the execution of this Amendment.

e. The License, inclusive of this Amendment, is hereby ratified and affirmed by Company and City, and the License shall in all respects remain in full force and effect in accordance with its provisions and as amended above.

EXECUTED by the duly authorized officials as of the day and year first above written.

[Signature Page Follow]

CITY OF MIDLAND:

Lori Merritt Blong, Mayor

ATTEST:

Marcia Bentley-German, City Secretary

HUGH BRINSON PIPELINE, LLC

Mark Vedral – Sr. Director of Right of Way

THE STATE OF Texas §
§
COUNTY OF Harris §

BEFORE ME, Laurie Benton, a notary public, on this day personally appeared Mark Verdal known to me to be the person and official whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of said company for the purposes and consideration therein expressed and, in the capacity, therein stated.

GIVEN UNDER MY AND SEAL OF OFFICE this the 17th day of October, 2025.

LAURIE JO BENTON
My Notary ID # 174965
Expires October 6, 2027

Notary Public, in and for
The State of Texas

My Commission Expires: 10/6/27

EXHIBIT "A"

Written: October 2, 2025

ME-TX-MD-039.000_AR
Field Notes for Hugh Brinson Pipeline, LLC
Hugh Brinson Pipeline Project
City of Midland, Texas
1.05 Acre Access Road

GENERAL DESCRIPTION

A certain 25-foot wide tract or parcel of land situated in Section 30, Block 36, Township 3 South, T&P Railroad Company Survey, Abstract 957, Midland County, Texas and being a portion of a called 662.60 acre tract, Tract Five, Section 30, acquired by the City of Midland, Texas, as per deed recorded in Volume 20, Page 534 of the Official Public Records of Midland County, Texas, Volume 1508, Page 593 of the Official Public Records of Glasscock County, Texas and further described in the Corrected Field Notes in Volume B, Page 107 of the Deed Records of Glasscock County, Texas and being shown on a plat prepared by Hunt, Guillot & Associates, L.L.C., drawing number ME-TX-MD-039.000_AR dated September 30, 2025, the centerline of which is more particularly described as follows to wit:

ACCESS ROAD CENTERLINE DESCRIPTION

COMMENCING at a found 1 inch iron pipe lying on the west line of said called 662.60 acre tract, Tract Five, Section 30, and marking the northeast corner of a called 368.78 acre tract, Section 25, acquired by Margaret Dragisic Floyd, as per deed recorded in Volume 1825, Page 402 of the Official Public Records of Midland County, Texas;

Thence proceed, South 14 degrees 03 minutes 17 seconds East, a distance of 716.35 feet to a point on the west line of said called 662.60 acre tract, Tract Five, Section 30, being common with the east line of said called 368.78 acre tract, Section 25, for the **POINT OF BEGINNING**;

Thence proceed, North 76 degrees 31 minutes 00 seconds East, a distance of 51.59 feet;

Thence proceed, North 81 degrees 44 minutes 57 seconds East, a distance of 230.69 feet;

Thence proceed, South 13 degrees 45 minutes 26 seconds East, a distance of 1,279.54 feet;

Thence proceed, South 76 degrees 06 minutes 54 seconds West, a distance of 274.44 feet to the **POINT OF TERMINATION** on the west line of said called 662.60 acre tract, Tract Five, Section 30, being common with the east line of said called 368.78 acre tract, Section 25, from which the aforementioned found 1 inch iron pipe bears North 13 degrees 19 minutes 54 seconds West, a distance of 2,019.85 feet.

The above described Access Road contains 1.05 acres and 1,836.26 linear feet or 111.29 rods.

Bearing Source: North, Bearings, Distances and Coordinates are based on UTM Zone 14, NAD 83 Datum, U.S. Survey Foot, derived from GPS Observations, processed through OPUS [NAD_83(2011)(EPOCH:2010.0000], survey performed by Hunt, Guillot & Associates, L.L.C.

I, Richard L. Walker II, Registered Professional Land Surveyor No. 5831-Texas, do hereby certify that the above field notes were prepared from an actual field survey made on the ground and under my direction and supervision within the month of December, 2023.

Date: 10/03/2025

Richard L. Walker II, R.P.L.S. Texas No. 5831
Hunt, Guillot & Associates, L.L.C.
21 Rivers Drive - Suite 130
Hattiesburg, MS 39401
601-779-6805
TBPELS Firm No. 10193865

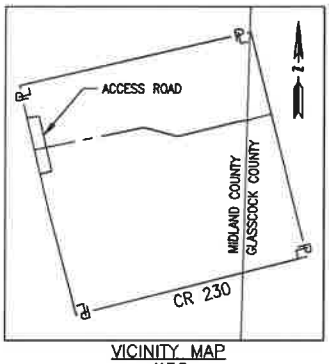
LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
TWS	TEMPORARY WORK SPACE
TEMP.	TEMPORARY
CONC.	CONCRETE
MON.	MONUMENT
FND.	FOUND
A	ABSTRACT
D.R.M.C.T.	DEED RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS, GLASSCOCK COUNTY, TEXAS
D.R.G.C.T.	DEED RECORDS, GLASSCOCK COUNTY, TEXAS

	ACCESS ROAD	1.05 ACRES
	LINEAR FEET	1,836.26'
	RODS	111.29

EXHIBIT "B"

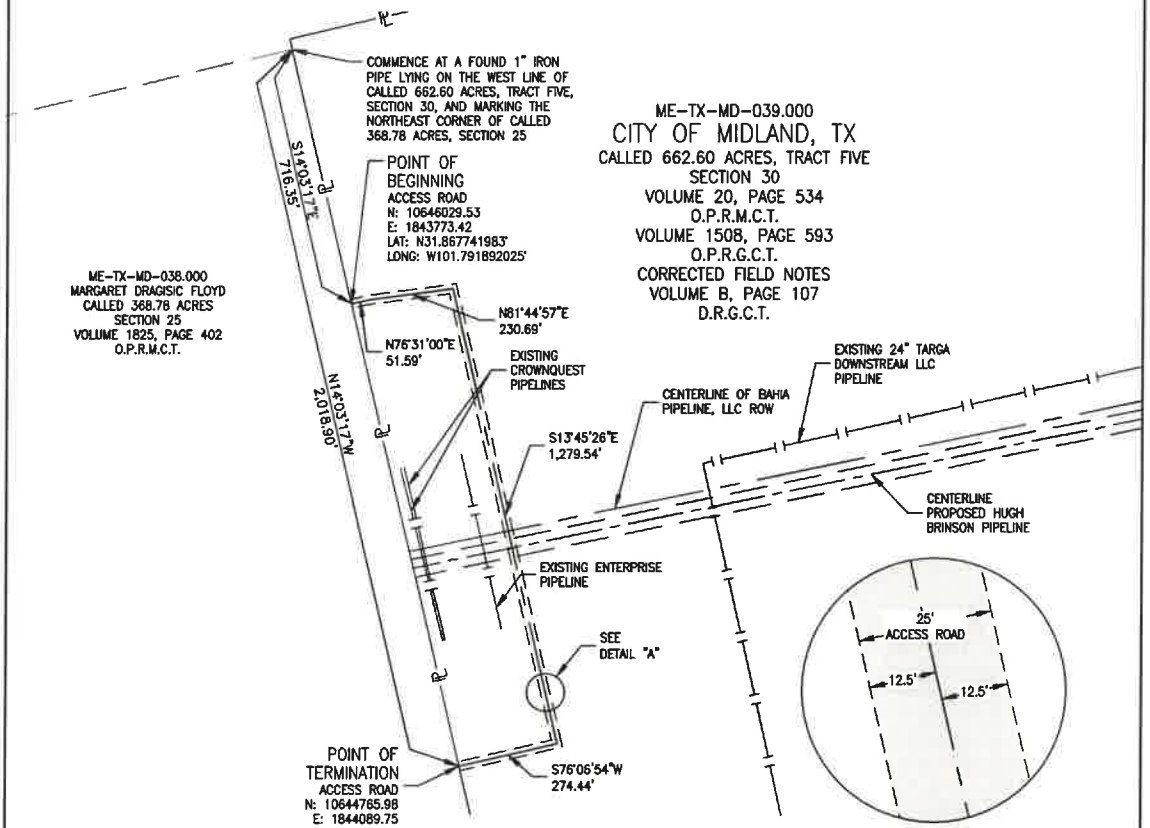
ACCESS ROAD
LYING WITHIN AND BEING A PART OF
SECTION 30, BLOCK 36, T-3-S
T&P R.R. CO. SURVEY, A-957
MIDLAND COUNTY, TEXAS
T&P R.R. CO. SURVEY, A-1241
GLASSCOCK COUNTY, TEXAS



VICINITY MAP
N.T.S.

0 200' 400'
SCALE: 1" = 400'

SHEET 3 OF 3



DETAIL "A"
N.T.S.

NOTES:
1. NORTH, BEARINGS, DISTANCES AND COORDINATES ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83 DATUM, U.S. SURVEY FOOT, DERIVED FROM GPS OBSERVATIONS, PROCESSED THROUGH OPUS [NAD_83(2011)(EPOCH:2010.0000)] SURVEY PERFORMED BY HUNT, GUILLOT & ASSOCIATES, LLC.
2. INFORMATION DEPICTED HEREON IS BASED ON A SURVEY CONDUCTED FOR THE PURPOSE OF ESTABLISHING A BASELINE FOR MAPPING SELECTED TOPOGRAPHIC FEATURES AND LOCATING NECESSARY LINES FOR ENGINEERING DESIGN AND RIGHT-OF-WAY ACQUISITION ON DEEDS SUPPLIED BY CLIENT.
3. THIS IS A RIGHT-OF-WAY DRAWING AND IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY.
4. TITLE RESEARCH PERFORMED BY WOOD.
5. TEMPORARY WORKSPACE LIES ADJACENT AND CONTIGUOUS TO THE RIGHT-OF-WAY UNLESS OTHERWISE NOTED. THE SIDE LINES OF SAID RIGHT-OF-WAY LENGTHEN OR SHORTEN TO INTERSECT PROPERTY LINES, FOREIGN PIPELINES, WATER BODIES AND OTHER FEATURES THAT ARE NOT PERPENDICULAR TO THE BASELINE.
6. A FIELDNOTE DESCRIPTION ACCOMPANIES THIS PLAT.

I, RICHARD L. WALKER II, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5831-TEXAS, DO HEREBY CERTIFY THAT THE ABOVE FIELD NOTES WERE PREPARED FROM AN ACTUAL FIELD SURVEY MADE ON THE GROUND AND UNDER MY DIRECTION AND SUPERVISION WITHIN THE MONTH OF DECEMBER, 2023

10/03/2025
RICHARD L. WALKER II — DATE:
RPLS NO. 5831
PHONE: (601) 779-6805

STATE OF TEXAS REGISTERED RICHARD L WALKER II 5831 PROFESSIONAL LAND SURVEYOR

HUNT, GUILLOT & ASSOCIATES, LLC
21 RIVERS DRIVE - SUITE 130
HATTIESBURG, MISSISSIPPI 39401
PHONE: 601-779-6805
FIRM LICENSE NO.
TX 10193865

NO.	DATE		DRWN	CHK'D	APP'D
C	10/03/25	RE-ISSUED FOR ACQUISITION	WCP	CPD	RLW
B	10/02/25	ISSUED FOR ACQUISITION	WCP	CPD	RLW
A	09/30/25	ISSUED FOR REVIEW	WCP	CPD	RLW

HUGH BRINSON PIPELINE
MIDLAND COUNTY, TEXAS
GLASSCOCK COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY WCP	DATE 09/30/25	APPROVED BY	
CHECKED BY CPD	DATE 09/30/25		
APPROVED BY RLW	DATE 09/30/25	PROJECT MANAGER / PROJECT ENGINEER	
PROJ. ID. 8.M24001.00.0	SCALE AS NOTED	ME-TX-MD-039.000_AR	

EXHIBIT "A"

MDL-TX-MID-058.000
Field Notes for Hugh Brinson Pipeline, LLC
Midland Lateral Pipeline
THE CITY OF MIDLAND, TEXAS
3.08 Acre Right-of-Way

GENERAL DESCRIPTION

A certain 50-foot wide tract or parcel of land situated in Section 3, Block 37, Township 3 South, T&P Railroad Company Survey, Abstract 129, Midland County, Texas; said section 3 having been acquired by The City of Midland, Texas, as per deed recorded in Volume 760, Page 465 of the Deed Records of Midland County, Texas, and being shown on a plat prepared by Hunt, Guillot & Associates, L.L.C., drawing number MDL-TX-MID-058.000 with latest revision date of April19, 2025, the centerline of which is more particularly described as follows to wit:

RIGHT-OF-WAY CENTERLINE DESCRIPTION

COMMENCING at a found Railroad Spike marking the Northwest Corner of Section 4, Block 37, Township 2 South;

Thence, proceed North 76 degrees 03 minutes 51 seconds East, along the North line of said Section 4, Block 37, and the North line of a certain tract acquired by The City of Midland, Texas, as per deed recorded in Volume 760, Page 466 of the Official Public Records of Midland County, Texas, a distance of 5,308.97 feet to the Northwest corner of said Section 3, Block 37; Thence, proceed North 75 degrees 54 minutes 57 seconds East along the North line of said Section 3, Block 37, and the South line of Section 4, Block 37 being the South line of the residue of a called 640 acres, acquired by Texas Ten Two Ltd, under Instrument Number 2016-35758 of the Official Public Records of Midland County, Texas, a distance of 37.89 feet for the **POINT OF BEGINNING;**

Thence, proceed South 14 degrees 20 minutes 45 seconds East, a distance of 556.82 feet;

Thence, proceed South 22 degrees 39 minutes 20 seconds East, a distance of 213.12 feet;

Thence, proceed South 15 degrees 09 minutes 20 seconds East, a distance of 1,706.23 feet;

Thence, proceed South 06 degrees 56 minutes 43 seconds East, a distance of 39.34 feet;

Thence, proceed South 01 degrees 15 minutes 50 seconds West, a distance of 39.26 feet;

Thence, proceed South 09 degrees 28 minutes 22 seconds West, a distance of 39.26 feet;

Thence, proceed South 17 degrees 40 minutes 55 seconds West, a distance of 39.26 feet;

Thence, proceed South 25 degrees 53 minutes 28 seconds West, a distance of 48.82 feet to the **POINT OF TERMINATION** on the West line of said Section 3, Block 37 and West line of the above referenced The City of Midland, Texas Tract, being common with the East line of said Section 4, Block 37, from which the Point of Commencement bears North 77 degrees 28 minutes 07 seconds West, a distance of 5,961.79 feet.

The above described Right-of-Way contains 3.08 acres and is 2,682.11 linear feet or 162.55 rods in length.

Bearing Source: North, Bearings, Distances and Coordinates are based on the Texas Coordinate System of 1983, Central Zone, U.S. Survey Foot, derived from GPS Observations,

processed through OPUS [NAD_83(2011)(EPOCH:2010.0000)], survey performed by Hunt, Guillot & Associates, L.L.C.

I, J. Walter Ballard, Registered Professional Land Surveyor No. 6317-Texas, hereby certify that the above field notes were prepared from an actual field survey made on the ground and under my direction and supervision within the month of January, 2025.

Date: 05/14/2025

J. Walter Ballard, R.P.L.S. Texas No. 6317
Hunt, Guillot & Associates, L.L.C.
603 E Reynolds Drive
Ruston, LA 71270
318-255-6825
TBPELS Firm No. 10193865

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE
AND TEMPORARY ACCESS ROADS
LYING WITHIN AND BEING A PART OF
SECTION 3, BLOCK 37, T-3-S
T&P RR CO SURVEY, A-129
MIDLAND COUNTY, TEXAS

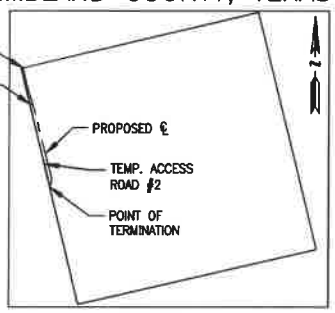
SCALE: 1" = 300'

SHEET 3 OF 6

LEGEND

INST. NO.	INSTRUMENT NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
TWS	TEMPORARY WORK SPACE
TEMP.	TEMPORARY
CONC.	CONCRETE
MON.	MONUMENT
FND.	FOUND
A	ABSTRACT
D.R.M.C.T.	DEED RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS

	RIGHT-OF-WAY	3.08 ACRES
	TEMP. WORKSPACE	5.93 ACRES
	LINEAR FEET	2,682.11'
	RODS	162.55
	TEMP. ACCESS ROADS	0.50 ACRES
	LINEAR FEET	1,713.99'
	RODS	103.88



VICINITY MAP
N.T.S.

MDL-TX-MID-056.000
TEXAS TEN TWO LTD.
RESIDUE CALLED 640 ACRES
INST. NO. 2016-35758
O.P.R.M.C.T.

SECTION 46

SECTION 45

FOUND 3" STEEL FENCE CORNER MARKING THE NORTHWEST CORNER OF SECTION 3, BLOCK 37

N76°03'51"E
5,308.97'

POINT OF COMMENCEMENT
FOUND RAILROAD SPIKE MARKING THE NORTHWEST CORNER OF SECTION 4, BLOCK 37

N75°54'57"E
37.89'

POINT OF BEGINNING
C/L ROW
N: 10663428.26
E: 1822926.86

T-2-S
T-3-S

CENTERLINE OF 50' ROW

EXISTING FENCE

70' X 496'

S14°20'45"E
556.82'

EXISTING 10" NUSTAR PERMIAN TRANS AND STG, LLC PIPELINE

TWS #1
0.30 ACRES

EXISTING FOREIGN PIPELINE

120' X 326'

SEE SHEET 6
FOR DETAIL D-1

S22°39'20"E
213.12'

TWS #2
5.63 ACRES

SEE SHEET 5 FOR TEMP.
ACCESS ROAD #1 DETAILS

SEE SHEET 6
FOR DETAIL D-2

SEE
DETAIL "A"

S15°09'20"E
1,706.23'
(CONTINUED ON
SHEET 4)

EXISTING 10" NUSTAR PERMIAN
TRANS AND STG, LLC PIPELINE

70' X 494'

SEE SHEET 5 FOR TEMP.
ACCESS ROAD #2 DETAILS

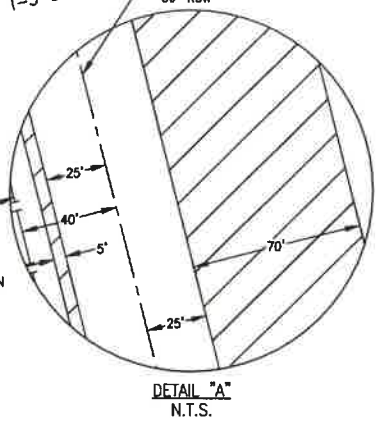
120' X 150'

EXISTING
FENCE

5' X 2,635'

70' X 605'

MATCHLINE "A"



DETAIL "A"
N.T.S.

MDL-TX-MID-059.000
THE CITY OF MIDLAND, TEXAS
SECTION 4, BLOCK 37
VOLUME 760, PAGE 466
D.R.M.C.T.

MDL-TX-MID-058.000
THE CITY OF
MIDLAND, TEXAS
SECTION 3, BLOCK 37
VOLUME 760, PAGE 465
D.R.M.C.T.

NOTES:
1. BEARINGS, DISTANCES AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE, U.S. SURVEY FOOT, DERIVED FROM GPS OBSERVATIONS, PROCESSED THROUGH OPUS [NAD_83(2011)(EPOCH:2010.0000)] SURVEY PERFORMED BY HUNT, GUILLOT & ASSOCIATES, LLC.
2. INFORMATION DEPICTED HEREON IS BASED ON A SURVEY CONDUCTED FOR THE PURPOSE OF ESTABLISHING A BASELINE FOR MAPPING SELECTED TOPOGRAPHIC FEATURES AND LOCATING NECESSARY LINES FOR ENGINEERING DESIGN AND RIGHT-OF-WAY ACQUISITION ON DEEDS SUPPLIED BY CLIENT.
3. TITLE RESEARCH PERFORMED BY NORFLEET LAND SERVICES.
4. TEMPORARY WORKSPACE LIES ADJACENT AND CONTIGUOUS TO THE RIGHT-OF-WAY UNLESS OTHERWISE NOTED.
5. THE SIDE LINES OF SAID RIGHT-OF-WAY LENGTHEN OR SHORTEN TO INTERSECT PROPERTY LINES, FOREIGN PIPELINES, WATER BODIES AND OTHER FEATURES THAT ARE NOT PERPENDICULAR TO THE BASELINE.
6. A FIELDNOTE DESCRIPTION ACCOMPANIES THIS PLAT.
7. THIS PLAT DETAILS A SINGLE 36" PIPELINE AND ITS RIGHT-OF-WAY. SAID PIPELINE TO CARRY NATURAL GAS.
8. TEMPORARY ACCESS ROAD LINEAR FOOTAGE WAS CALCULATED USING THE C/L OF TEMP. ACCESS ROAD #1 AND ALONG THE WEST BOUNDARY LINE OF THE SUBJECT PROPERTY FOR TEMP. ACCESS ROAD #2

I, J. WALTER BALLARD, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6317-TEXAS, DO HEREBY CERTIFY THAT THIS PLAT AND FIELD NOTES WERE PREPARED FROM AN ACTUAL FIELD SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION WITHIN THE MONTH OF JANUARY, 2025

Walter Ballard 05/14/2025

J. WALTER BALLARD — DATE:
RPLS NO. 6317
PHONE: (318) 255-6825

STATE OF TEXAS
REGISTERED
J. WALTER BALLARD
6317
PROFESSIONAL
LAND SURVEYOR

HUNT, GUILLOT & ASSOCIATES, LLC
603 REYNOLDS DRIVE
RUSTON, LOUISIANA 71270
PHONE: 318-255-6825
FIRM LICENSE NO.
TX 10193865

NO.	DATE		DRWN	CHK'D	APP'D
D	05/14/25	RE-ISSUED FOR ACQUISITION	RTH	CPD	JWB
C	04/21/25	RE-ISSUED FOR REVIEW	RTH	CPD	JWB
B	04/03/25	ISSUED FOR ACQUISITION	RTH	CPD	JWB
A	03/19/25	ISSUED FOR REVIEW	JWH	CPD	JWB

MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY JWH	DATE 03/19/25	APPROVED BY	
CHECKED BY CPD	DATE 03/19/25		
APPROVED BY JWB	DATE 03/19/25	PROJECT MANAGER / PROJECT ENGINEER	
PROJ. ID. 8.M24001.00.0	SCALE AS NOTED	MDL-TX-MID-058.000	

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE
AND TEMPORARY ACCESS ROADS
LYING WITHIN AND BEING A PART OF
SECTION 3, BLOCK 37, T-3-S
T&P RR CO SURVEY, A-129
MIDLAND COUNTY, TEXAS

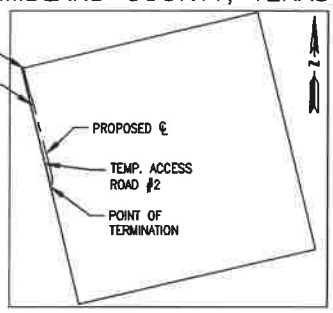
SCALE: 1" = 300'

SHEET 4 OF 6

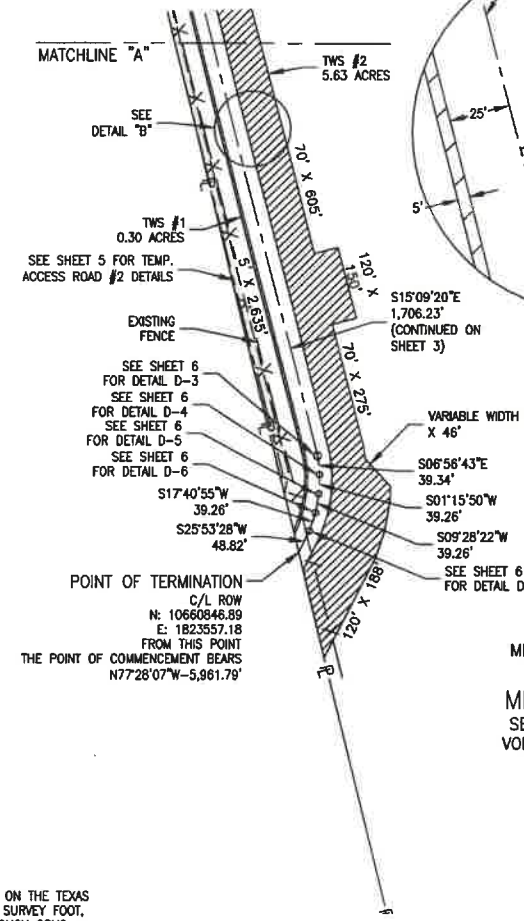
LEGEND

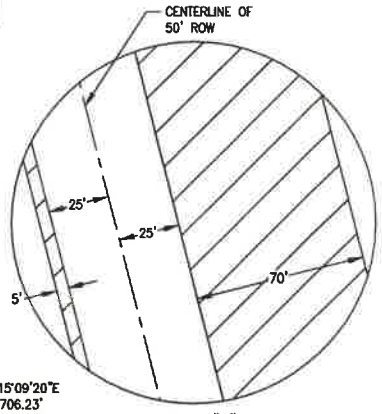
INST. NO.	INSTRUMENT NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
TWS	TEMPORARY WORK SPACE
TEMP.	TEMPORARY
CONC.	CONCRETE
MON.	MONUMENT
FND.	FOUND
A	ABSTRACT
D.R.M.C.T.	DEED RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS

	RIGHT-OF-WAY	3.08 ACRES
	TEMP. WORKSPACE	5.93 ACRES
	LINEAR FEET	2,682.11'
	RODS	162.55
	TEMP. ACCESS ROADS	0.50 ACRES
	LINEAR FEET	1,713.99'
	RODS	103.88



VICINITY MAP
N.T.S.





DETAIL "B"
N.T.S.

MDL-TX-MID-059.000
THE CITY OF MIDLAND, TEXAS
SECTION 4, BLOCK 37
VOLUME 760, PAGE 466
D.R.M.C.T.

MDL-TX-MID-058.000
THE CITY OF MIDLAND, TEXAS
SECTION 3, BLOCK 37
VOLUME 760, PAGE 465
D.R.M.C.T.

NOTES:
1. BEARINGS, DISTANCES AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE, U.S. SURVEY FOOT, DERIVED FROM GPS OBSERVATIONS, PROCESSED THROUGH OPUS [NAD_83(2011)(EPOCH:2010.0000)] SURVEY PERFORMED BY HUNT, GUILLOT & ASSOCIATES, LLC.
2. INFORMATION DEPICTED HEREON IS BASED ON A SURVEY CONDUCTED FOR THE PURPOSE OF ESTABLISHING A BASELINE FOR MAPPING SELECTED TOPOGRAPHIC FEATURES AND LOCATING NECESSARY LINES FOR ENGINEERING DESIGN AND RIGHT-OF-WAY ACQUISITION ON DEEDS SUPPLIED BY CLIENT.
3. TITLE RESEARCH PERFORMED BY NORFLEET LAND SERVICES.
4. TEMPORARY WORKSPACE LIES ADJACENT AND CONTIGUOUS TO THE RIGHT-OF-WAY UNLESS OTHERWISE NOTED.
5. THE SIDE LINES OF SAID RIGHT-OF-WAY LENGTHEN OR SHORTEN TO INTERSECT PROPERTY LINES, FOREIGN PIPELINES, WATER BODIES AND OTHER FEATURES THAT ARE NOT PERPENDICULAR TO THE BASELINE.
6. A FIELDNOTE DESCRIPTION ACCOMPANIES THIS PLAT.
7. THIS PLAT DETAILS A SINGLE 36" PIPELINE AND ITS RIGHT-OF-WAY. SAID PIPELINE TO CARRY NATURAL GAS.
8. TEMPORARY ACCESS ROAD LINEAR FOOTAGE WAS CALCULATED USING THE C/L OF TEMP. ACCESS ROAD #1 AND ALONG THE WEST BOUNDARY LINE OF THE SUBJECT PROPERTY FOR TEMP. ACCESS ROAD #2

I, J. WALTER BALLARD, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6317-TEXAS, DO HEREBY CERTIFY THAT THIS PLAT AND FIELD NOTES WERE PREPARED FROM AN ACTUAL FIELD SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION WITHIN THE MONTH OF JANUARY, 2025

Walter Ballard 05/14/2025

J. WALTER BALLARD — DATE:
RPLS NO. 6317
PHONE: (318) 255-6825

STATE OF TEXAS
REGISTERED
J. WALTER BALLARD
6317
PROFESSIONAL
LAND SURVEYOR

HUNT, GUILLOT & ASSOCIATES, LLC
603 REYNOLDS DRIVE
RUSTON, LOUISIANA 71270
PHONE: 318-255-6825
FIRM LICENSE NO.
TX 10193865

NO.	DATE		DRWN	CHK'D	APP'D
D	05/14/25	RE-ISSUED FOR ACQUISITION	RTH	CPD	JWB
C	04/21/25	RE-ISSUED FOR REVIEW	RTH	CPD	JWB
B	04/03/25	ISSUED FOR ACQUISITION	RTH	CPD	JWB
A	03/19/25	ISSUED FOR REVIEW	JWH	CPD	JWB

MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY JWH	DATE 03/19/25	APPROVED BY	
CHECKED BY CPD	DATE 03/19/25		
APPROVED BY JWB	DATE 03/19/25	PROJECT MANAGER / PROJECT ENGINEER	
PROJ. ID. 8.M24001.00.0	SCALE AS NOTED	MDL-TX-MID-058.000	

EXHIBIT "B"

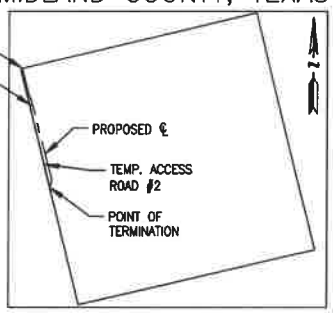
RIGHT-OF-WAY, TEMPORARY WORKSPACE
AND TEMPORARY ACCESS ROADS
LYING WITHIN AND BEING A PART OF
SECTION 3, BLOCK 37, T-3-S
T&P RR CO SURVEY, A-129
MIDLAND COUNTY, TEXAS

SHEET 5 OF 6

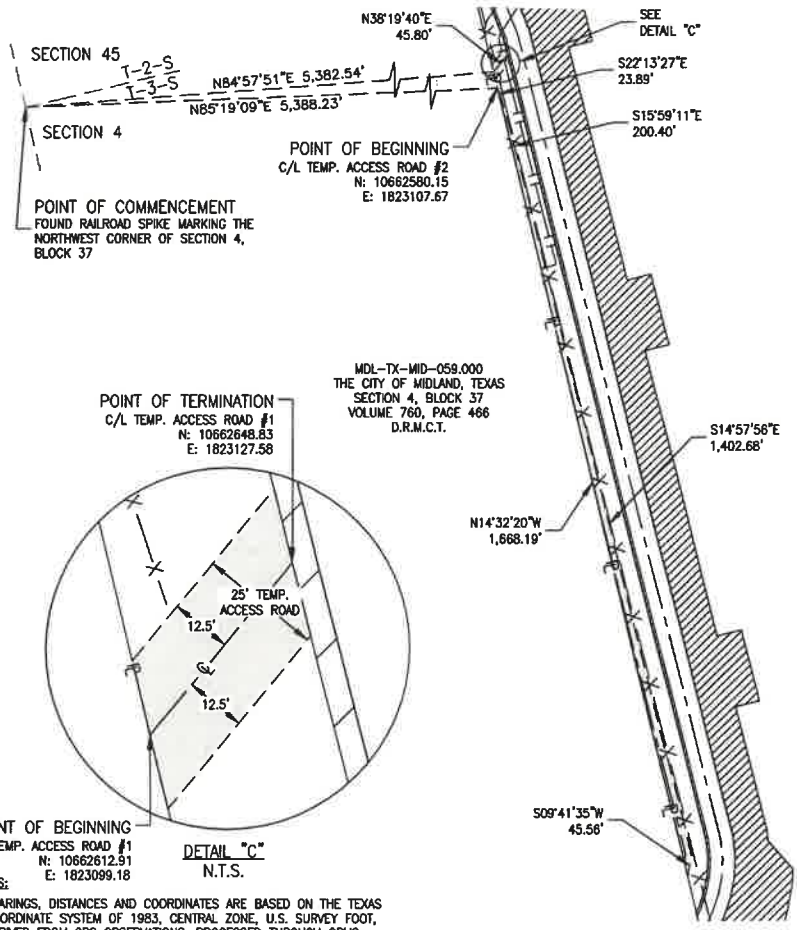
LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
TWS	TEMPORARY WORK SPACE
TEMP.	TEMPORARY
CONC.	CONCRETE
MON.	MONUMENT
FND.	FOUND
A	ABSTRACT
D.R.M.C.T.	DEED RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS

	RIGHT-OF-WAY	3.08 ACRES
	TEMP. WORKSPACE	5.93 ACRES
	LINEAR FEET	2,682.11'
	RODS	162.55
	TEMP. ACCESS ROADS	0.50 ACRES
	LINEAR FEET	1,713.99'
	RODS	103.88



VICINITY MAP
N.T.S.



DETAIL "C"
N.T.S.

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Walter Ballard 05/14/2025

J. WALTER BALLARD DATE:
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MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY JWH	DATE 03/19/25	APPROVED BY	
CHECKED BY CPD	DATE 03/19/25		
APPROVED BY JWB	DATE 03/19/25	PROJECT MANAGER / PROJECT ENGINEER	
PROJ. ID. 8.M24001.00.0	SCALE AS NOTED	MDL-TX-MID-058.000	

LEGEND

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HWY.	HIGHWAY
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FND.	FOUND
A	ABSTRACT
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O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS

EXHIBIT "B"

PERMANENT RIGHT-OF-WAY, TEMPORARY WORKSPACE
AND TEMPORARY ACCESS ROADS
LYING WITHIN AND BEING A PART OF
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T&P RR CO SURVEY, A-129

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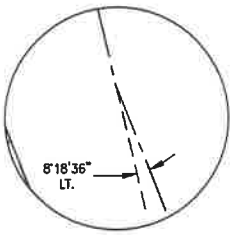
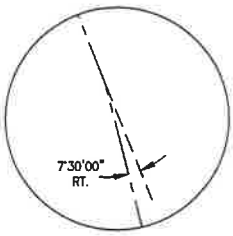
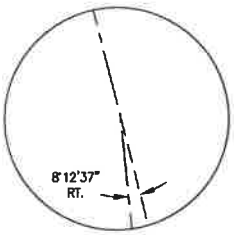
DEFLECTION ANGLE DETAILS



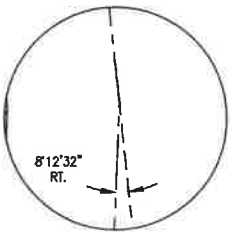
DETAIL "D-1"
N.T.S.



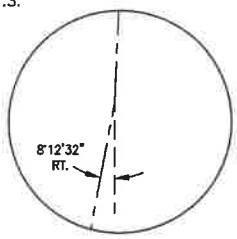
DETAIL "D-2"
N.T.S.



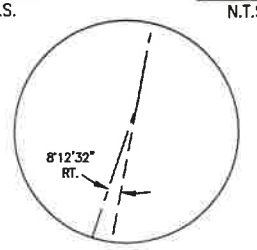
DETAIL "D-3"
N.T.S.



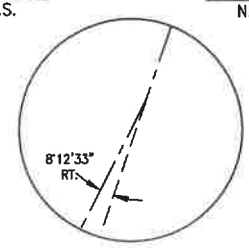
DETAIL "D-4"
N.T.S.



DETAIL "D-5"
N.T.S.



DETAIL "D-6"
N.T.S.



DETAIL "D-7"
N.T.S.

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PHONE: 318-255-6825
FIRM LICENSE NO.
TX 10193865

MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

NO.	DATE		DRWN	CHK'D	APP'D
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DRWN BY JWH DATE 03/19/25
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APPROVED BY JWB DATE 03/19/25
PROJ. ID. 8.M24001.00.0
SCALE AS NOTED
APPROVED BY
PROJECT MANAGER / PROJECT ENGINEER
MDL-TX-MID-058.000

EXHIBIT "A"

MDL-TX-MID-059.000
Field Notes for Hugh Brinson Pipeline, LLC
Midland Lateral Pipeline
The City of Midland, Texas
3.95 Acre Right-of-Way

GENERAL DESCRIPTION

A certain 50-foot wide tract or parcel of land situated in Section 4, Block 37, Township 3 South, T&P Railroad Company Survey, F.A. Fowler, Abstract 907, Midland County, Texas, having been acquired by The City of Midland, Texas, as per deed recorded in Volume 760, Page 466 of the Deed Records of Midland County, Texas, and being shown on a plat prepared by Hunt, Guillot & Associates, L.L.C., drawing number MDL-TX-MID-059.000 with latest revision date of April 21, 2025, the centerline of which is more particularly described as follows, to wit:

RIGHT-OF-WAY CENTERLINE DESCRIPTION

COMMENCING at a found 1/2 inch iron rod inside a 5-inch by 5-inch concrete monument marking the Southwest corner of said Section 4, Block 37;

Thence, proceed North 49 degrees 40 minutes 09 seconds East, a distance of 5,938.62 feet to the East line of said Section 4, Block 37, and the East line of the above referenced The City of Midland, Texas Tract, also being the West line of Section 3, Block 37 and West line of a certain tract acquired by The City of Midland, Texas, as per deed recorded in Volume 760, Page 465, of the Deed Records of Midland County, Texas, for the **POINT OF BEGINNING;**

Thence, proceed South 25 degrees 53 minutes 28 seconds West, a distance of 3,438.88 feet to the **POINT OF TERMINATION** on the South line of said Section 4, Block 37, and South line of the above referenced The City of Midland, Texas Tract, Volume 760, Page 466, also being the North line of Section 9, Block 37 and North line of a certain tract acquired by The City of Midland, Texas, as per deed recorded in Volume 1276, Page 94, of the Official Public Records of Midland County, Texas, from which point the Point of Commencement bears South 76 degrees 04 minutes 53 seconds West, a distance of 3,117.02 feet.

The above described Right-of-Way contains 3.95 acres and is 3,438.88 linear feet or 208.42 rods in length.

Bearing Source: North, Bearings, Distances and Coordinates are based on the Texas Coordinate System of 1983, Central Zone, U.S. Survey Foot, derived from GPS Observations, processed through OPUS [NAD_83(2011)(EPOCH:2010.0000)], survey performed by Hunt, Guillot & Associates, L.L.C.

I, J. Walter Ballard, Registered Professional Land Surveyor No. 6317-Texas, hereby certify that the above field notes were prepared from an actual field survey made on the ground and under my direction and supervision within the month of January, 2025.

Date: 05/14/2025

J. Walter Ballard, R.P.L.S. Texas No. 6317
Hunt, Guillot & Associates, L.L.C.
603 E Reynolds Drive
Ruston, LA 71270
318-255-6825
TBPELS Firm No. 10193865

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE
AND TEMPORARY ACCESS ROAD
LYING WITHIN AND BEING A PART OF
SECTION 4, BLOCK 37, T-3-S
T&P RR CO SURVEY, F.A. FOWLER, A-907
MIDLAND COUNTY, TEXAS

SCALE: 1" = 300'

SHEET 2 OF 4

LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
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A	ABSTRACT
D.R.M.C.T.	DEED RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS

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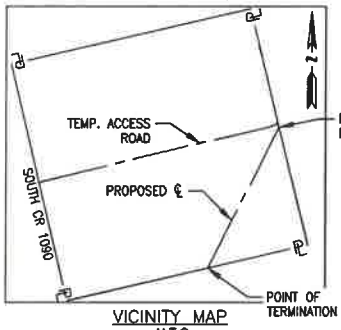
	TEMP. WORKSPACE	6.55 ACRES
	LINEAR FEET	3,438.88'
	RODS	208.42
	TEMP. ACCESS ROAD	3.54 ACRES
	LINEAR FEET	6,153.43'
	RODS	372.94



VICINITY MAP
N.T.S.

0 150' 300'

EXISTING FENCE
EXISTING TARGA PIPELINES
POINT OF BEGINNING
C/L ROW
N: 10660846.89
E: 1823557.18
VARIABLE WIDTH
X 141'
EXISTING 36" WWM OPERATING, LLC PIPELINES
EXISTING 12" MARATHON PIPE LINE LLC PIPELINE
MDL-TX-MID-058.000
THE CITY OF MIDLAND, TEXAS
SECTION 3, BLOCK 37
VOLUME 760, PAGE 465
D.R.M.C.T.
120' X 260'
EXISTING 4" DCP OPERATING COMPANY, LP PIPELINE
SECTION 3
SEE SHEET 4 FOR TEMP. ACCESS ROAD DETAILS
CENTERLINE OF 50' ROW
25'
5'
25'
70'
DETAIL "A"
N.T.S.
N49°40'09"E 5,938.62'
70' X 862'
5' X 3,469'
EXISTING 6" DCP OPERATING COMPANY, LP PIPELINE
SEE DETAIL "A"
120' X 150'
MDL-TX-MID-059.000
THE CITY OF MIDLAND, TEXAS
SECTION 4, BLOCK 37
VOLUME 760, PAGE 466
D.R.M.C.T.
TWS #2
0.40 ACRES
TWS #1
6.15 ACRES
CENTERLINE OF 50' ROW
S25°53'28"W
3,438.88'
(CONTINUED ON SHEET 3)
70' X 494'
POINT OF COMMENCEMENT
FOUND 1/2" IRON ROD IN 5" X 5" CONCRETE MONUMENT MARKING THE SOUTHWEST CORNER OF SECTION 4, BLOCK 37
120' X 150'
EXISTING 6" PLAINS PIPELINE L.P. PIPELINE
MATCHLINE "A"

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MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY JWH DATE 03/20/25
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APPROVED BY JWB DATE 03/20/25
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SCALE AS NOTED

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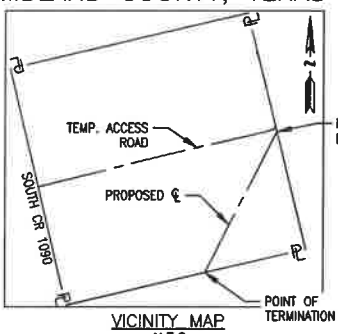
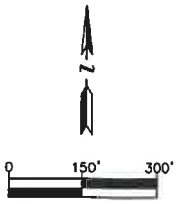
T&P RR CO SURVEY, F.A. FOWLER, A-907
MIDLAND COUNTY, TEXAS



VICINITY MAP
N.T.S.



SCALE: 1" = 300'

SHEET 3 OF 4

MATCHLINE "A"

MDL-TX-MID-059.000
THE CITY OF MIDLAND, TEXAS
SECTION 4, BLOCK 37
VOLUME 760, PAGE 466
D.R.M.C.T.

5' X 3,469'

70' X 1,125'

SEE DETAIL "B"

S25°53'28"W
3,438.88'
(CONTINUED ON SHEET 2)

TWS #2
0.40 ACRES

TWS #1
6.15 ACRES

CENTERLINE OF 50' ROW

CENTERLINE OF 50' ROW

25'

5'

25'

70'

DETAIL "B"
N.T.S.

EXISTING 8" ENTERPRISE PRODUCTS OPERATING LLC PIPELINE

EXISTING 24" TARGA PL MID-CONT WESTTEX LLC PIPELINE

PL

120' X 107'

VARIABLE WIDTH X 100'

POINT OF TERMINATION
C/L ROW
N: 10657753.19
E: 1822055.55
FROM THIS POINT
THE POINT OF COMMENCEMENT BEARS
S76°04'53"W-3,117.02'

EXISTING FENCE

MDL-TX-MID-060.000
THE CITY OF MIDLAND, TEXAS
SECTION 9, BLOCK 37
VOLUME 1276, PAGE 94
O.P.R.M.C.T.

SECTION 9

NOTES:
1. BEARINGS, DISTANCES AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE, U.S. SURVEY FOOT, DERIVED FROM GPS OBSERVATIONS, PROCESSED THROUGH OPUS [NAD_83(2011)(EPOCH:2010.0000)] SURVEY PERFORMED BY HUNT, GUILLOT & ASSOCIATES, LLC.
2. INFORMATION DEPICTED HEREON IS BASED ON A SURVEY CONDUCTED FOR THE PURPOSE OF ESTABLISHING A BASELINE FOR MAPPING SELECTED TOPOGRAPHIC FEATURES AND LOCATING NECESSARY LINES FOR ENGINEERING DESIGN AND RIGHT-OF-WAY ACQUISITION ON DEEDS SUPPLIED BY CLIENT.
3. TITLE RESEARCH PERFORMED BY NORFLEET LAND SERVICES.
4. TEMPORARY WORKSPACE LIES ADJACENT AND CONTIGUOUS TO THE RIGHT-OF-WAY UNLESS OTHERWISE NOTED.
5. THE SIDE LINES OF SAID RIGHT-OF-WAY LENGTHEN OR SHORTEN TO INTERSECT PROPERTY LINES, FOREIGN PIPELINES, WATER BODIES AND OTHER FEATURES THAT ARE NOT PERPENDICULAR TO THE BASELINE.
6. A FIELDNOTE DESCRIPTION ACCOMPANIES THIS PLAT.
7. THIS PLAT DETAILS A SINGLE 36" PIPELINE AND ITS RIGHT-OF-WAY. SAID PIPELINE TO CARRY NATURAL GAS.

I, J. WALTER BALLARD, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6317-TEXAS, DO HEREBY CERTIFY THAT THIS PLAT AND FIELD NOTES WERE PREPARED FROM AN ACTUAL FIELD SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION WITHIN THE MONTH OF JANUARY, 2025

Walter Ballard 05/14/2025

J. WALTER BALLARD — DATE:
RPLS NO. 6317
PHONE: (318) 255-6825

HUNT, GUILLOT & ASSOCIATES, LLC
603 REYNOLDS DRIVE
RUSTON, LOUISIANA 71270
PHONE: 318-255-6825
FIRM LICENSE NO.
TX 10193885

NO.	DATE		DRWN	CHK'D	APP'D
D	05/14/25	RE-ISSUED FOR ACQUISITION	RTH	CPD	JWB
C	04/21/25	RE-ISSUED FOR REVIEW	RTH	CPD	JWB
B	04/02/25	ISSUED FOR ACQUISITION	RTH	CPD	JWB
A	03/20/25	ISSUED FOR REVIEW	JWH	CPD	JWB

MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRWN BY	JWH	DATE	03/20/25
CHECKED BY	CPD	DATE	03/20/25
APPROVED BY	JWB	DATE	03/20/25
PROJ. ID.	8.M24001.00.0	SCALE	AS NOTED

APPROVED BY

PROJECT MANAGER / PROJECT ENGINEER

MDL-TX-MID-059.000

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE
AND TEMPORARY ACCESS ROAD
LYING WITHIN AND BEING A PART OF
SECTION 4, BLOCK 37, T-3-S
T&P RR CO SURVEY, F.A. FOWLER, A-907
MIDLAND COUNTY, TEXAS

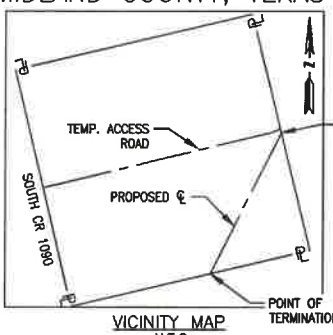
SHEET 4 OF 4

SCALE: 1" = 1000'

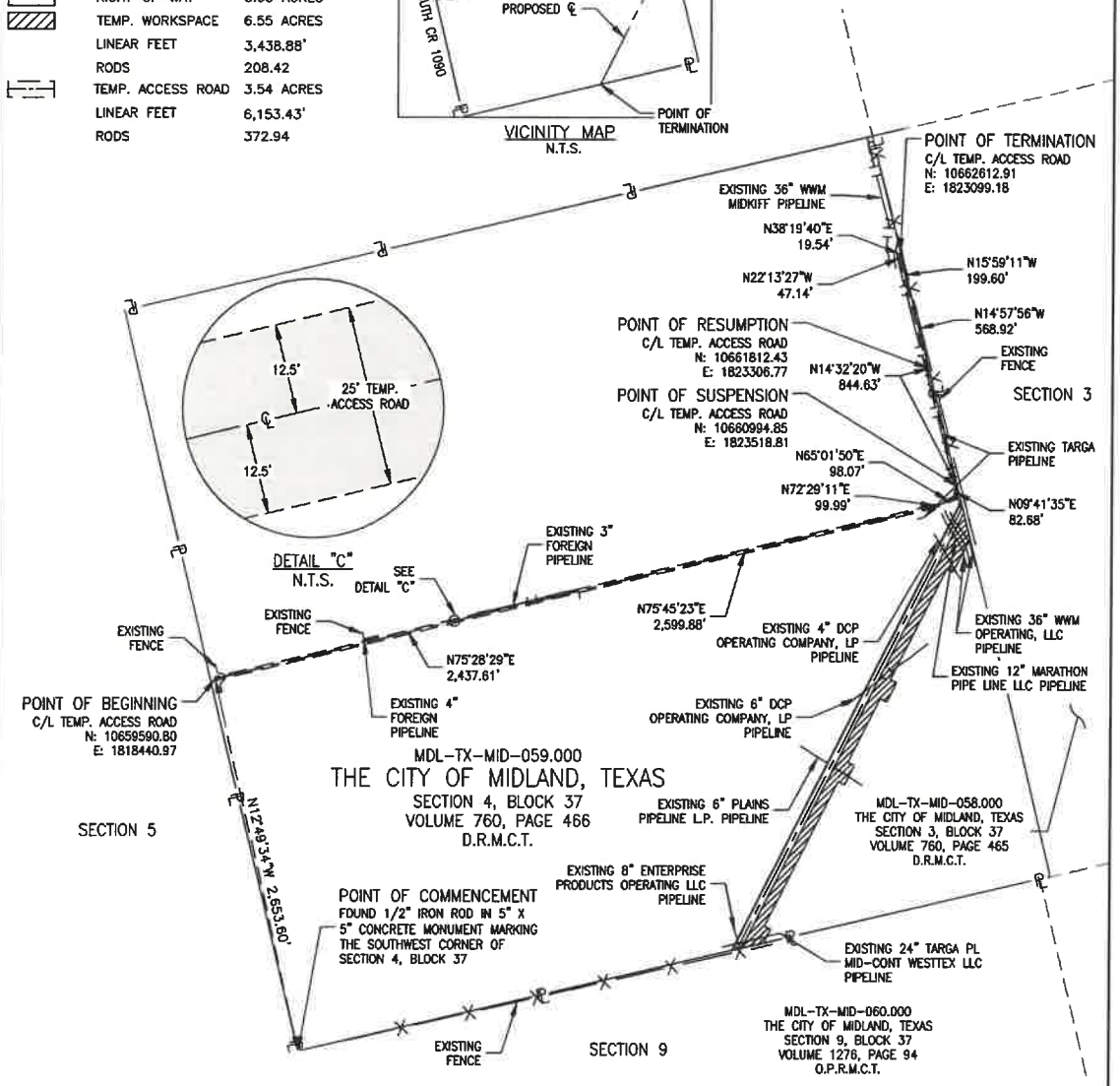
LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
TWS	TEMPORARY WORK SPACE
TEMP.	TEMPORARY
CONC.	CONCRETE
MON.	MONUMENT
FND.	FOUND
A	ABSTRACT
D.R.M.C.T.	DEED RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS

	RIGHT-OF-WAY	3.95 ACRES
	TEMP. WORKSPACE	6.55 ACRES
	LINEAR FEET	3,438.88'
	RODS	208.42
	TEMP. ACCESS ROAD	3.54 ACRES
	LINEAR FEET	6,153.43'
	RODS	372.94



VICINITY MAP
N.T.S.



NOTES:
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Walter Ballard 05/14/2025

J. WALTER BALLARD DATE:
RPLS NO. 6317
PHONE: (318) 255-6825

STATE OF TEXAS
REGISTERED
J. WALTER BALLARD
6317
PROFESSIONAL
LAND SURVEYOR

HUNT, GUILLOT & ASSOCIATES, LLC
603 REYNOLDS DRIVE
RUSTON, LOUISIANA 71270
PHONE: 318-255-6825
FIRM LICENSE NO.
TX 10193865

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C	04/21/25	RE-ISSUED FOR REVIEW	RTH	CPD	JWB
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A	03/20/25	ISSUED FOR REVIEW	JWH	CPD	JWB

MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRWN BY JWH	DATE 03/20/25	APPROVED BY	
CHECKED BY CPD	DATE 03/20/25		
APPROVED BY JWB	DATE 03/20/25	PROJECT MANAGER / PROJECT ENGINEER	
PROJ. ID. 8.M24001.00.0	SCALE AS NOTED	MDL-TX-MID-059.000	

EXHIBIT "A"

MDL-TX-MID-060.000
Field Notes for Hugh Brinson Pipeline, LLC
Midland Lateral Pipeline
The City of Midland, Texas
6.85 Acre Right-of-Way
0.64 Acre Access Road
0.06 Acre Surface Site

RIGHT-OF-WAY GENERAL DESCRIPTION

A certain 50-foot wide tract or parcel of land situated in Section 9, Block 37, Township 3 South, T&P Railroad Company Survey, Abstract 132, Midland County, Texas, said Section 9 having been acquired by The City of Midland, Texas, as per deed recorded in Volume 1276, Page 94 of the Official Public Records of Midland County, Texas, and being shown on a plat prepared by Hunt, Guillot & Associates, L.L.C., drawing number MDL-TX-MID-060.000 dated March 21, 2025, the centerline of which is more particularly described as follows to wit:

RIGHT-OF-WAY CENTERLINE DESCRIPTION

COMMENCING at a found 1/2 inch iron rod inside a 5-inch by 5-inch concrete monument marking the Northwest corner of said Section 9, Block 37;

Thence, proceed North 76 degrees 04 minutes 53 seconds East, along the North Line of said Section 9, Block 37 and North line of the above referenced The City of Midland, Texas Tract, said point also being on the South line of Section 4, Block 37 and South line of a certain tract acquired by The City of Midland, Texas, as per deed recorded in Volume 760, Page 466 of the Deed Records of Midland County, Texas, a distance of 3,117.02 feet, to the **POINT OF BEGINNING;**

Thence, proceed South 25 degrees 53 minutes 28 seconds West, a distance of 2,809.33 feet;

Thence, proceed South 17 degrees 52 minutes 24 seconds West, a distance of 40.68 feet;

Thence, proceed South 09 degrees 51 minutes 20 seconds West, a distance of 40.68 feet;

Thence, proceed South 01 degrees 50 minutes 15 seconds West, a distance of 40.68 feet;

Thence, proceed South 06 degrees 10 minutes 50 seconds East, a distance of 40.69 feet;

Thence, proceed South 14 degrees 12 minutes 10 seconds East, a distance of 3,002.11 feet to the **POINT OF TERMINATION** on the South line of said Section 9, Block 37 and South line of the above referenced The City of Midland, Texas Tract, Volume 1276, Page 94, and North line of Section 16, Block 37 being the North line of a certain tract acquired by The City of Midland, Texas, as per deed recorded in Volume 1160, Page 622 of the Deed Records of Midland County, Texas, from which point the Point of Commencement bears North 27 degrees 27 minutes 24 seconds West, a distance of 5,463.20 feet.

The above described Right-of-Way contains 6.85 acres and is 5,974.16 linear feet or 362.07 rods in length.

ACCESS ROAD GENERAL DESCRIPTION

A certain 25-foot wide tract or parcel of land situated in Section 9, Block 37, Township 3 South, T&P Railroad Company Survey, Abstract 132, Midland County, Texas, said Section 9 having been acquired by The City of Midland, Texas, as per deed recorded in Volume 1276, Page 94 of the Official Public Records of Midland County, Texas, and being shown on a plat prepared by

Hunt, Guillot & Associates, L.L.C., drawing number MDL-TX-MID-060.000 dated March 21, 2025, the centerline of which is more particularly described as follows to wit:

ACCESS ROAD CENTERLINE DESCRIPTION

COMMENCING at a found 1/2 inch iron rod inside a 5-inch by 5-inch concrete monument marking the Northwest corner of said Section 9, Block 37;

Thence, proceed South 15 degrees 52 minutes 42 seconds East, a distance of 3,957.99 feet to a point on the apparent East right-of-way line of South County Road 1090, for the **POINT OF BEGINNING;**

Thence, proceed North 75 degrees 47 minutes 40 seconds East, a distance of 1,111.84 feet to the **POINT OF TERMINATION,** from which point the Point of Commencement bears North 31 degrees 26 minutes 28 seconds West, a distance of 4,142.31 feet.

The above described Right-of-Way contains 0.64 acres and is 1,111.84 linear feet or 67.38 rods in length.

SURFACE SITE GENERAL DESCRIPTION

A certain 50-foot by 50-foot tract or parcel of land situated in Section 9, Block 37, Township 3 South, T&P Railroad Company Survey, Abstract 132, Midland County, Texas, said Section 9 having been acquired by The City of Midland, Texas, as per deed recorded in Volume 1276, Page 94 of the Official Public Records of Midland County, Texas, and being shown on a plat prepared by Hunt, Guillot & Associates, L.L.C., drawing number MDL-TX-MID-060.000 dated March 21, 2025, being more particularly described as follows to wit:

SURFACE SITE CENTERLINE DESCRIPTION

COMMENCING at a found 1/2 inch iron rod inside a 5-inch by 5-inch concrete monument marking the Northwest Corner of said Section 9, Block 37;

Thence, proceed South 31 degrees 35 minutes 46 seconds East, a distance of 4,108.53 feet to the **POINT OF BEGINNING;**

Thence, proceed North 75 degrees 47 minutes 50 seconds East, a distance of 50.00 feet;

Thence, proceed South 14 degrees 12 minutes 10 seconds East, a distance of 50.00 feet;

Thence, proceed South 75 degrees 47 minutes 50 seconds West, a distance of 50.00 feet;

Thence, proceed North 14 degrees 12 minutes 10 seconds West, a distance of 50.00 feet back to the **POINT OF BEGINNING.**

The above described Surface Site contains 0.06 acres.

Bearing Source: North, Bearings, Distances and Coordinates are based on the Texas Coordinate System of 1983, U.S. Survey Foot, derived from GPS Observations, processed through OPUS [NAD_83(2011)(EPOCH:2010.0000)], survey performed by Hunt, Guillot & Associates, L.L.C.

I, J. Walter Ballard, Registered Professional Land Surveyor No. 6317-Texas, hereby certify that the above field notes were prepared from an actual field survey made on the ground and under my direction and supervision within the month of January, 2025.

Date: 05/14/2025

J. Walter Ballard, R.P.L.S. Texas No. 6317
Hunt, Guillot & Associates, L.L.C.
603 E Reynolds Drive
Ruston, LA 71270
318-255-6825
TBPELS Firm No. 10193865

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE, TEMPORARY ACCESS ROADS, ACCESS ROAD, AND SURFACE SITE LYING WITHIN AND BEING A PART OF SECTION 9, BLOCK 37 T-3-S T&P RR CO SURVEY, A-132

MIDLAND COUNTY, TEXAS

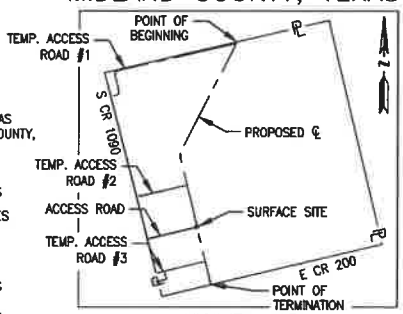
SCALE: 1" = 300'

SHEET 4 OF 12

LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
TWS	TEMPORARY WORK SPACE
TEMP.	TEMPORARY
CONC.	CONCRETE
MON.	MONUMENT
FND.	FOUND
A	ABSTRACT
D.R.M.C.T.	DEED RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS

	RIGHT-OF-WAY	6.85 ACRES
	TEMP. WORKSPACE	13.43 ACRES
	LINEAR FEET	5,974.16'
	RODS	362.07
	SURFACE SITE	0.06 ACRES
	ACCESS ROAD	0.64 ACRES
	LINEAR FEET	1,111.84'
	RODS	67.38
	TEMP. ACCESS ROADS	3.24 ACRES
	LINEAR FEET	5,662.04'
	RODS	343.15



VICINITY MAP
N.T.S.

MDL-TX-MID-059.000
THE CITY OF MIDLAND, TEXAS
SECTION 4, BLOCK 37
VOLUME 760, PAGE 466
D.R.M.C.T.

POINT OF BEGINNING
C/L ROW
N: 10657753.19
E: 1822055.55

SECTION 4

N76°04'53"E
3,117.02'

SECTION 5

EXISTING FENCE

CENTERLINE OF 50' ROW

120' X 300'

EXISTING 8" ENTERPRISE PRODUCTS OPERATING LLC PIPELINE

TWS #2
0.53 ACRES

TWS #1
12.75 ACRES

POINT OF COMMENCEMENT
FOUND 1/2" IRON ROD IN 5" X 5" CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SECTION 9, BLOCK 37

SEE SHEET 8 OF 12 FOR TEMP. ACCESS ROAD #1 DETAILS

APPARENT ROW

S CR 1090

5' X 4,597'

70' X 630'

SEE DETAIL "A"

SECTION 8

EXISTING 8" TARGA PL MID-CONT WESTTEX LLC PIPELINE

EXISTING 8" TARGA PL MID-CONT WESTTEX LLC PIPELINE

EXISTING 16" TARGA PL MID-CONT WESTTEX LLC PIPELINE

EXISTING 8" MEDALLION OPERATING COMPANY, LLC PIPELINE

EXISTING 36" MIDLAND-PERMIAN PIPELINE LLC PIPELINE

EXISTING TARGA DOWNSTREAM PIPELINE

120' X 200'

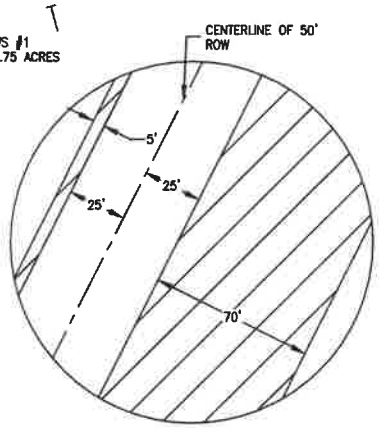
70' X 330'

VARIABLE WIDTH X 28'

S25°53'28"W
2,809.33'
(CONTINUED ON SHEET 5)

MATCHLINE "A"

120' X 472'



DETAIL "A"
N.T.S.

MDL-TX-MID-060.000
THE CITY OF MIDLAND, TEXAS
SECTION 9, BLOCK 37
VOLUME 1276, PAGE 94
O.P.R.M.C.T.

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Walter Ballard 05/14/2025

J. WALTER BALLARD — DATE:
RPLS NO. 6317
PHONE: (318) 255-6825

STATE OF TEXAS
REGISTERED
J. WALTER BALLARD
6317
PROFESSIONAL
LAND SURVEYOR

HUNT, GUILLOT & ASSOCIATES, LLC
603 REYNOLDS DRIVE
RUSTON, LOUISIANA 71270
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B	04/02/25	ISSUED FOR ACQUISITION	RTH	CPD	JWB
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MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRWN BY	BMC	DATE	03/21/25
CHECKED BY	CPD	DATE	03/21/25
APPROVED BY	JWB	DATE	03/21/25
PROJ. ID.	8.M24001.00.0	SCALE	AS NOTED

APPROVED BY
PROJECT MANAGER / PROJECT ENGINEER

MDL-TX-MID-060.000

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE, TEMPORARY ACCESS ROADS, ACCESS ROAD, AND SURFACE SITE LYING WITHIN AND BEING A PART OF SECTION 9, BLOCK 37 T-3-S T&P RR CO SURVEY, A-132

MIDLAND COUNTY, TEXAS

SHEET 5 OF 12

LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
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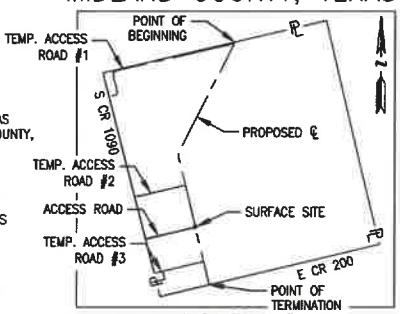
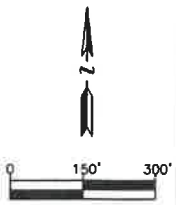
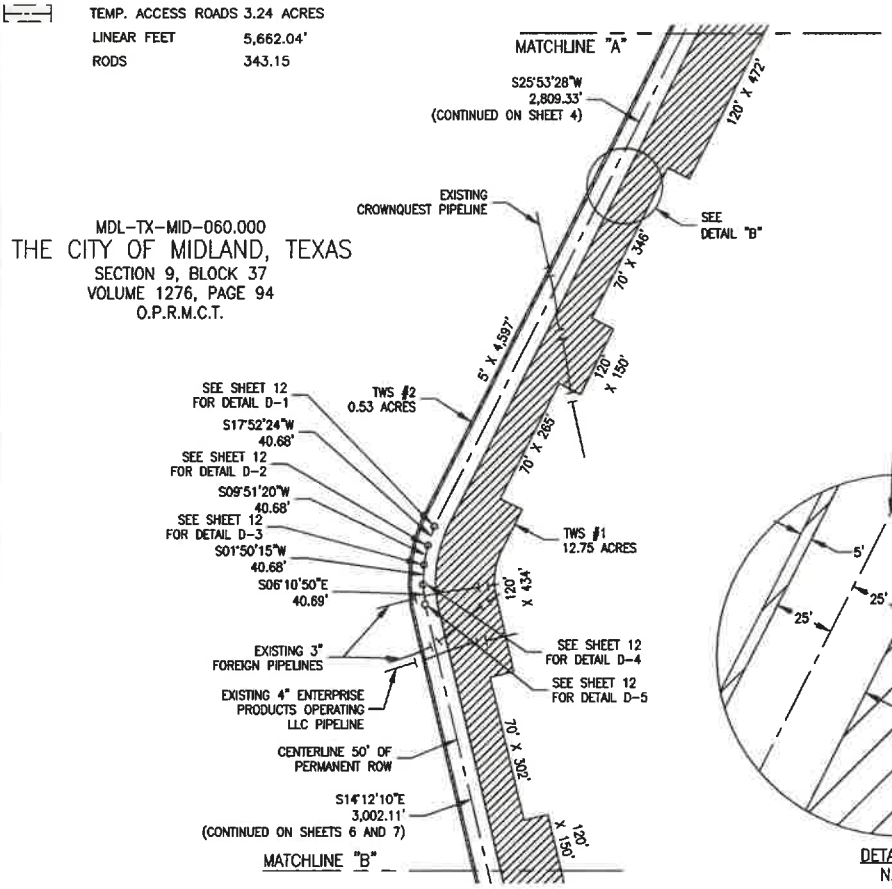
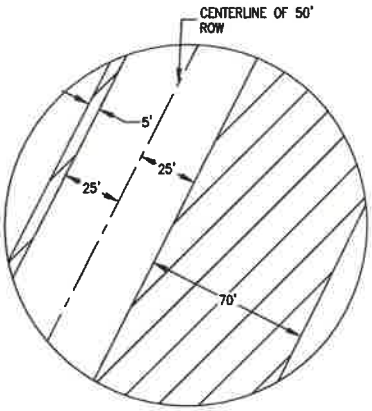


VICINITY MAP
N.T.S.





MDL-TX-MID-060.000
THE CITY OF MIDLAND, TEXAS
SECTION 9, BLOCK 37
VOLUME 1276, PAGE 94
O.P.R.M.C.T.



DETAIL "B"
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I, J. WALTER BALLARD, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6317-TEXAS, DO HEREBY CERTIFY THAT THIS PLAT AND FIELD NOTES WERE PREPARED FROM AN ACTUAL FIELD SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION WITHIN THE MONTH OF JANUARY, 2025

Walter Ballard 05/14/2025

J. WALTER BALLARD — DATE:
RPLS NO. 6317
PHONE: (318) 255-6825

HUNT, GUILLOT & ASSOCIATES, LLC
603 REYNOLDS DRIVE
RUSTON, LOUISIANA 71270
PHONE: 318-255-6825
FIRM LICENSE NO. TX 10193865

NO.	DATE		DRWN	CHK'D	APP'D
D	05/14/25	RE-ISSUED FOR ACQUISITION	RTH	CPD	JWB
C	04/21/25	RE-ISSUED FOR REVIEW	RTH	CPD	JWB
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A	03/21/25	ISSUED FOR REVIEW	BVC	CPD	JWB

MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY BVC	DATE 03/21/25	APPROVED BY	
CHECKED BY CPD	DATE 03/21/25		
APPROVED BY JWB	DATE 03/21/25	PROJECT MANAGER / PROJECT ENGINEER	
PROJ. ID. 8.M24001.00.0	SCALE AS NOTED	MDL-TX-MID-060.000	

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE, TEMPORARY ACCESS ROADS, ACCESS ROAD, AND SURFACE SITE LYING WITHIN AND BEING A PART OF SECTION 9, BLOCK 37 T-3-S T&P RR CO SURVEY, A-132

MIDLAND COUNTY, TEXAS

SHEET 6 OF 12

LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
TWS	TEMPORARY WORK SPACE
TEMP.	TEMPORARY
CONC.	CONCRETE
MON.	MONUMENT
FND.	FOUND
A	ABSTRACT
D.R.M.C.T.	DEED RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS

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	TEMP. WORKSPACE	13.43 ACRES
	LINEAR FEET	5,974.16'
	RODS	362.07
	SURFACE SITE	0.06 ACRES
	ACCESS ROAD	0.64 ACRES
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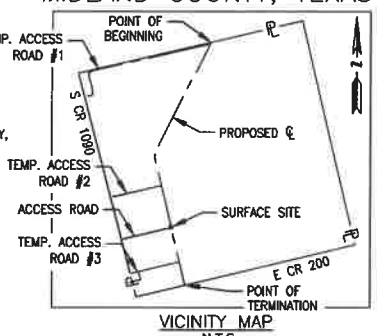
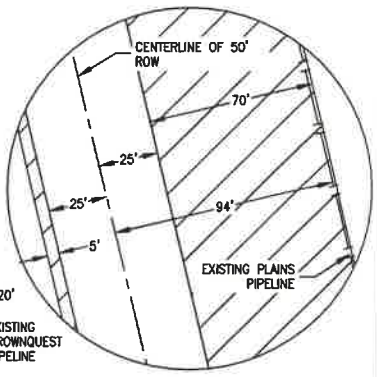
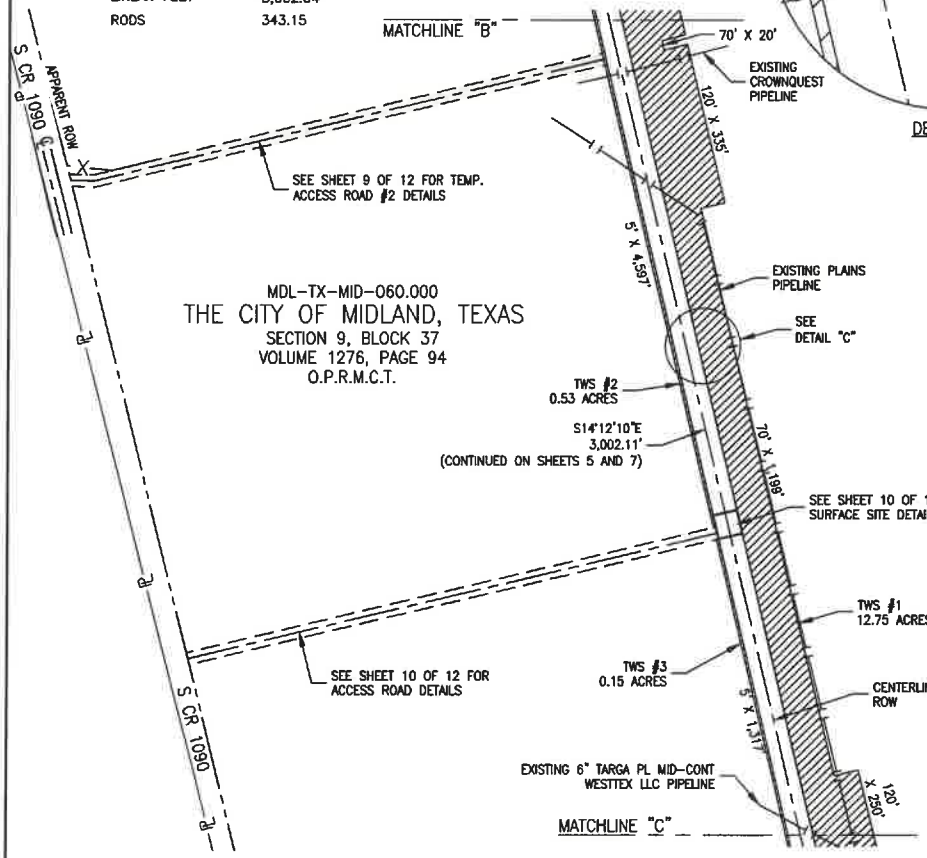


VICINITY MAP
N.T.S.



DETAIL "C"
N.T.S.



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MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY	EVC	DATE	03/21/25
CHECKED BY	CPD	DATE	03/21/25
APPROVED BY	JWB	DATE	03/21/25
PROJ. ID.	8.M24001.00.0	SCALE	AS NOTED

APPROVED BY: PROJECT MANAGER / PROJECT ENGINEER

MDL-TX-MID-060.000

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE, TEMPORARY ACCESS ROADS, ACCESS ROAD, AND SURFACE SITE
LYING WITHIN AND BEING A PART OF
SECTION 9, BLOCK 37 T-3-S
T&P RR CO SURVEY, A-132
MIDLAND COUNTY, TEXAS

LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
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CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
TWS	TEMPORARY WORK SPACE
TEMP.	TEMPORARY
CONC.	CONCRETE
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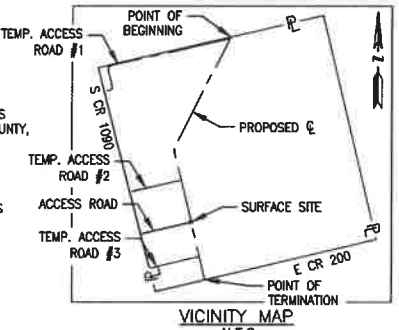
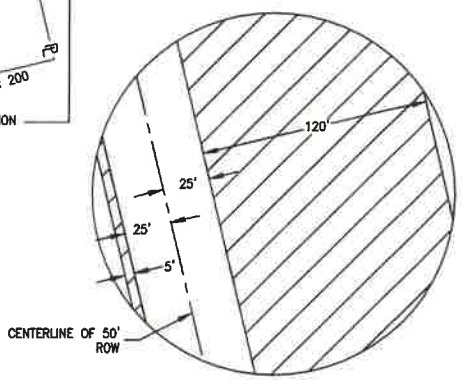


VICINITY MAP
N.T.S.

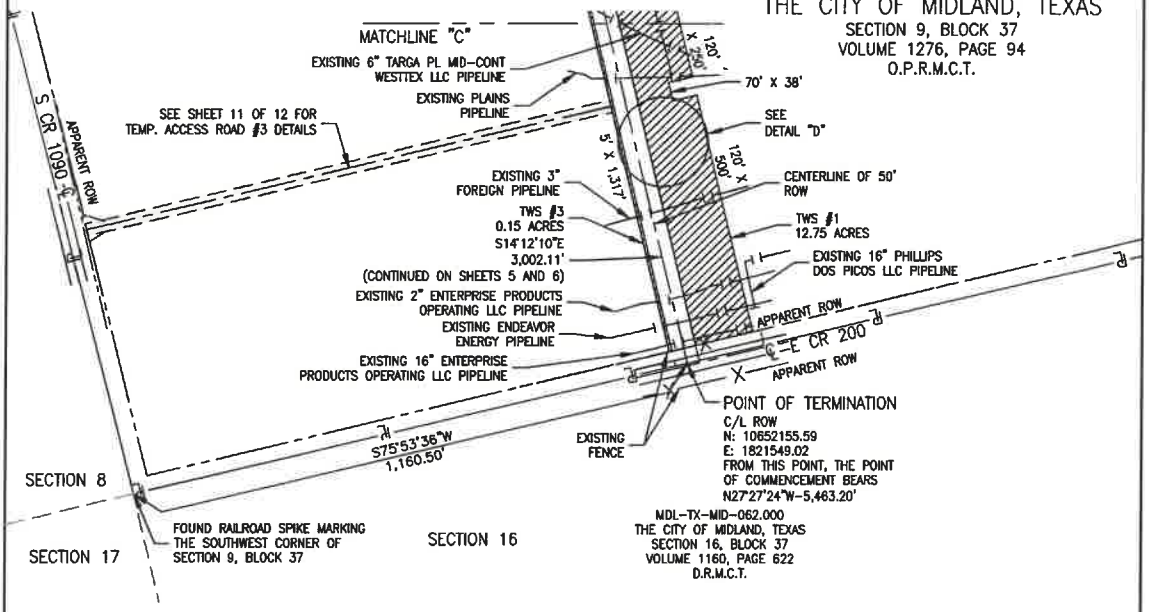


DETAIL "D"
N.T.S.

0 150' 300'
SCALE: 1" = 300'

SHEET 7 OF 12

MDL-TX-MID-060.000
THE CITY OF MIDLAND, TEXAS
SECTION 9, BLOCK 37
VOLUME 1276, PAGE 94
O.P.R.M.C.T.



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MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

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MDL-TX-MID-060.000

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MIDLAND COUNTY, TEXAS

SHEET 8 OF 12

LEGEND

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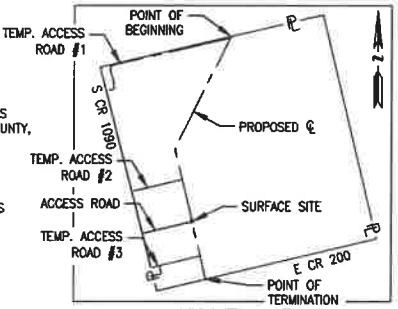
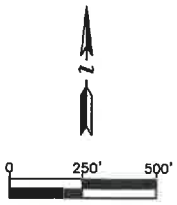
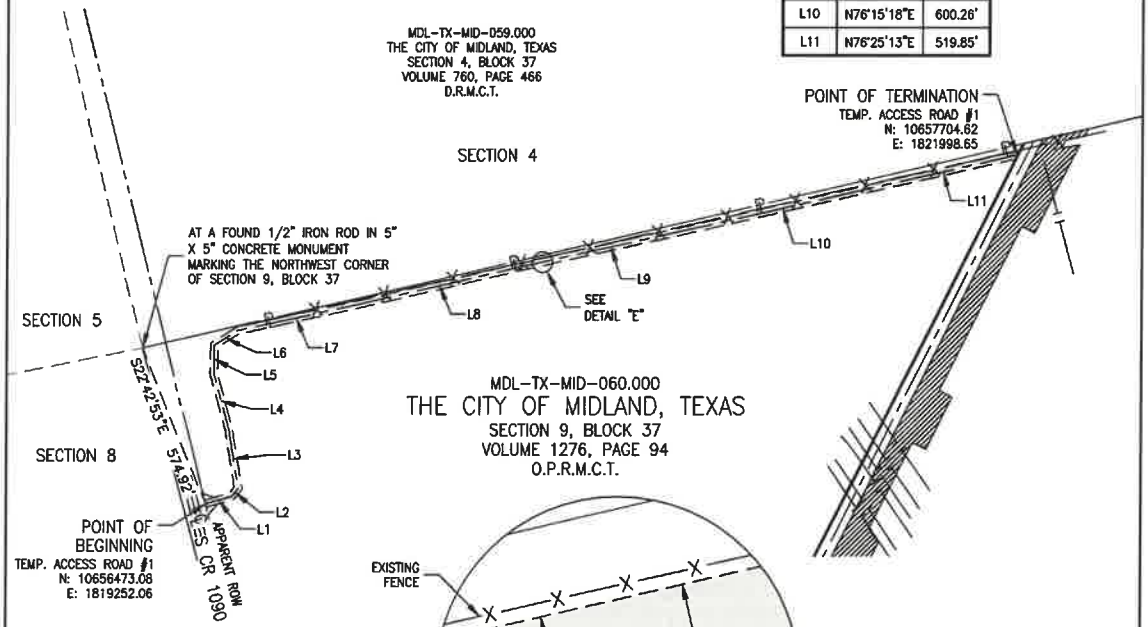


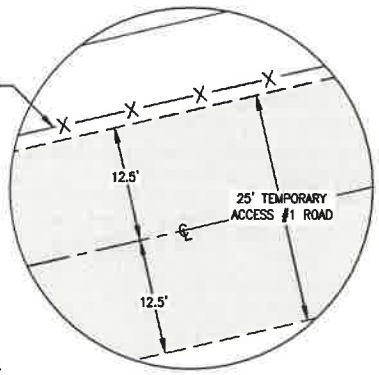
VICINITY MAP
N.T.S.



SCALE: 1" = 500'

TEMPORARY ACCESS ROAD LINE TABLE #1		
LINE #	BEARING	DISTANCE
L1	N22°53'44"E	93.28'
L2	N38°28'24"E	37.66'
L3	N10°08'57"W	203.95'
L4	N16°05'50"W	199.44'
L5	N00°25'24"E	96.03'
L6	N57°37'19"E	94.86'
L7	N76°47'45"E	399.42'
L8	N76°13'34"E	600.90'
L9	N76°41'08"E	599.22'
L10	N76°15'18"E	600.26'
L11	N76°25'13"E	519.85'





DETAIL "E"
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MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

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MIDLAND COUNTY, TEXAS

SCALE: 1" = 300'

SHEET 9 OF 12

LEGEND

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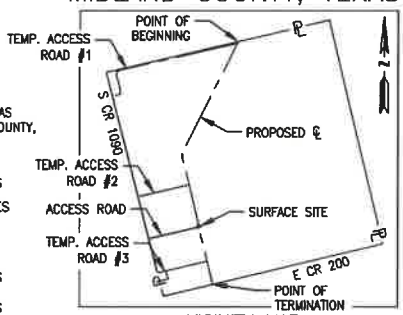
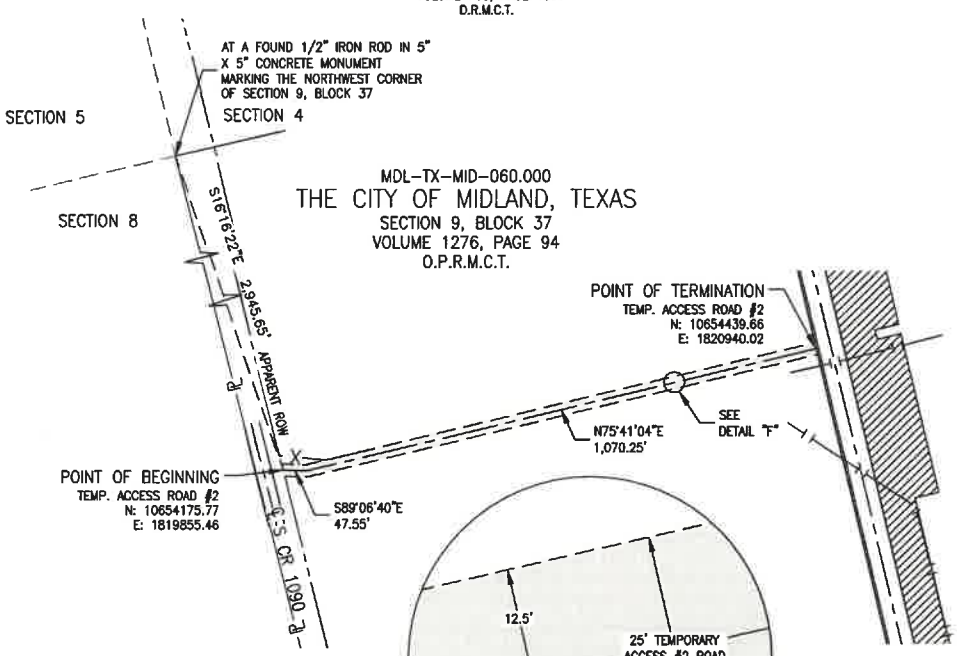
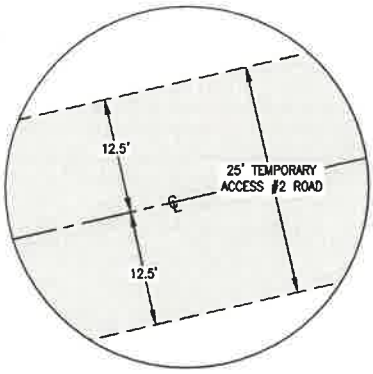


VICINITY MAP
N.T.S.

MDL-TX-MID-059.000
THE CITY OF MIDLAND, TEXAS
SECTION 4, BLOCK 37
VOLUME 760, PAGE 466
D.R.M.C.T.





DETAIL "F"
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C	04/21/25	RE-ISSUED FOR REVIEW	RTH	CPD	JWB
B	04/02/25	ISSUED FOR ACQUISITION	RTH	CPD	JWB
A	03/21/25	ISSUED FOR REVIEW	EMC	CPD	JWB

MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY	EMC	DATE	03/21/25
CHECKED BY	CPD	DATE	03/21/25
APPROVED BY	JWB	DATE	03/21/25
PROJ. ID.	8.M24001.00.0	SCALE	AS NOTED

APPROVED BY
PROJECT MANAGER / PROJECT ENGINEER

MDL-TX-MID-060.000

EXHIBIT "B"

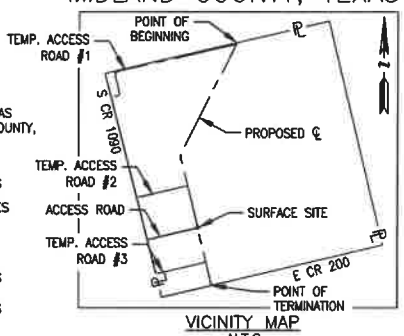
RIGHT-OF-WAY, TEMPORARY WORKSPACE, TEMPORARY ACCESS ROADS, ACCESS ROAD, AND SURFACE SITE
LYING WITHIN AND BEING A PART OF
SECTION 9, BLOCK 37 T-3-S
T&P RR CO SURVEY, A-132
MIDLAND COUNTY, TEXAS

SHEET 10 OF 12

LEGEND

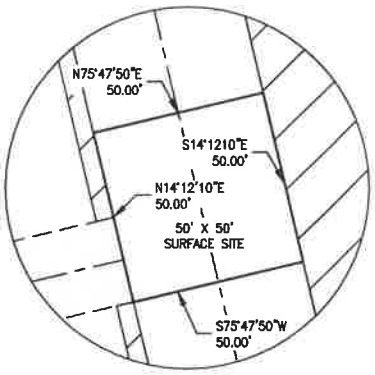
INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
TWS	TEMPORARY WORK SPACE
TEMP.	TEMPORARY
CONC.	CONCRETE
MON.	MONUMENT
FND.	FOUND
A	ABSTRACT
D.R.M.C.T.	DEED RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS

	RIGHT-OF-WAY	6.85 ACRES
	TEMP. WORKSPACE	13.43 ACRES
	LINEAR FEET	5,974.16'
	RODS	362.07
	SURFACE SITE	0.06 ACRES
	ACCESS ROAD	0.64 ACRES
	LINEAR FEET	1,111.84'
	RODS	67.38
	TEMP. ACCESS ROADS	3.24 ACRES
	LINEAR FEET	5,662.04'
	RODS	343.15



VICINITY MAP
N.T.S.

0 100' 200'
SCALE: 1" = 200'



DETAIL "H"
N.T.S.

MDL-TX-MID-059.000
THE CITY OF MIDLAND, TEXAS
SECTION 4, BLOCK 37
VOLUME 760, PAGE 466
D.R.M.C.T.

SECTION 4

POINT OF COMMENCEMENT
AT A FOUND 1/2" IRON ROD IN 5" X 5" CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SECTION 9, BLOCK 37

SECTION 5

S31°35'46"E 4,106.53'
N31°26'28"W 4,142.31'

MDL-TX-MID-060.000
THE CITY OF MIDLAND, TEXAS
SECTION 9, BLOCK 37
VOLUME 1276, PAGE 94
O.P.R.M.C.T.

POINT OF BEGINNING
PERMANENT SURFACE SITE
N: 10653505.62
E: 1821181.58

SEE DETAIL "H"

S15°52'42"E 3,957.99'

POINT OF TERMINATION
ACCESS ROAD
N: 10653469.29
E: 1821190.77

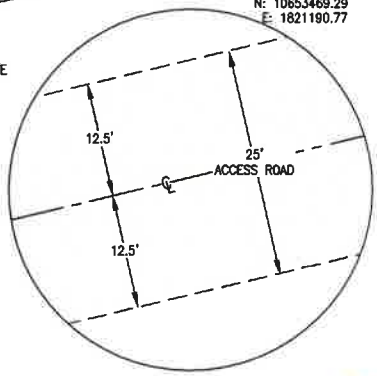
SECTION 8

SEE DETAIL "G"

N75°47'40"E 1,111.84'

POINT OF BEGINNING
ACCESS ROAD
N: 10653196.44
E: 1820112.93

S CR 1090
APPARENT ROW



DETAIL "G"
N.T.S.

NOTES:
1. BEARINGS, DISTANCES AND COORDINATES ARE BASED ON TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE, U.S. SURVEY FOOT, DERIVED FROM GPS OBSERVATIONS, PROCESSED THROUGH OPUS [NAD_83(2011)(EPOCH:2010.0000)] SURVEY PERFORMED BY HUNT, GUILLOT & ASSOCIATES, LLC.
2. INFORMATION DEPICTED HEREON IS BASED ON A SURVEY CONDUCTED FOR THE PURPOSE OF ESTABLISHING A BASELINE FOR MAPPING SELECTED TOPOGRAPHIC FEATURES AND LOCATING NECESSARY LINES FOR ENGINEERING DESIGN AND RIGHT-OF-WAY ACQUISITION ON DEEDS SUPPLIED BY CLIENT.
3. TITLE RESEARCH PERFORMED BY NORFLEET LAND SERVICES.
4. TEMPORARY WORKSPACE LIES ADJACENT AND CONTIGUOUS TO THE RIGHT-OF-WAY UNLESS OTHERWISE NOTED.
5. THE SIDE LINES OF SAID RIGHT-OF-WAY LENGTHEN OR SHORTEN TO INTERSECT PROPERTY LINES, FOREIGN PIPELINES, WATER BODIES AND OTHER FEATURES THAT ARE NOT PERPENDICULAR TO THE BASELINE.
6. A FIELDNOTE DESCRIPTION ACCOMPANIES THIS PLAT.
7. THIS PLAT DETAILS A SINGLE 36" PIPELINE AND ITS RIGHT-OF-WAY. SAID PIPELINE TO CARRY NATURAL GAS.

I, J. WALTER BALLARD, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6317-TEXAS, DO HEREBY CERTIFY THAT THIS PLAT AND FIELD NOTES WERE PREPARED FROM AN ACTUAL FIELD SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION WITHIN THE MONTH OF JANUARY, 2025

Walter Ballard 05/14/2025

J. WALTER BALLARD — DATE:
RPLS NO. 6317
PHONE: (318) 255-6825

STATE OF TEXAS
REGISTERED
J. WALTER BALLARD
6317
PROFESSIONAL
LAND SURVEYOR

HUNT, GUILLOT & ASSOCIATES, LLC
603 REYNOLDS DRIVE
RUSTON, LOUISIANA 71270
PHONE: 318-255-6825
FIRM LICENSE NO.
TX 10193885

NO.	DATE		DRWN	CHK'D	APP'D
D	05/14/25	RE-ISSUED FOR ACQUISITION	RTH	CPD	JWB
C	04/21/25	RE-ISSUED FOR REVIEW	RTH	CPD	JWB
B	04/02/25	ISSUED FOR ACQUISITION	RTH	CPD	JWB
A	03/21/25	ISSUED FOR REVIEW	BVC	CPD	JWB

MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY	BVC	DATE	03/21/25
CHECKED BY	CPD	DATE	03/21/25
APPROVED BY	JWB	DATE	03/21/25
PROJ. ID.	6.M24001.00.0	SCALE	AS NOTED

APPROVED BY
PROJECT MANAGER / PROJECT ENGINEER

MDL-TX-MID-060.000

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE, TEMPORARY ACCESS ROADS, ACCESS ROAD, AND SURFACE SITE
LYING WITHIN AND BEING A PART OF
SECTION 9, BLOCK 37 T-3-S
T&P RR CO SURVEY, A-132
MIDLAND COUNTY, TEXAS

LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
TWS	TEMPORARY WORK SPACE
TEMP.	TEMPORARY
CONC.	CONCRETE
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FND.	FOUND
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O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS

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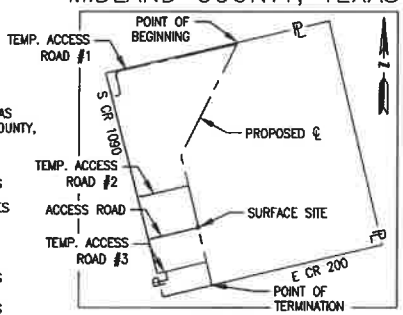
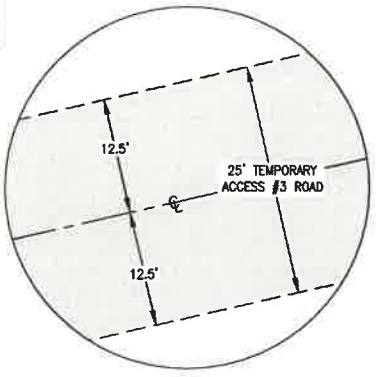


VICINITY MAP
N.T.S.



DETAIL "1"
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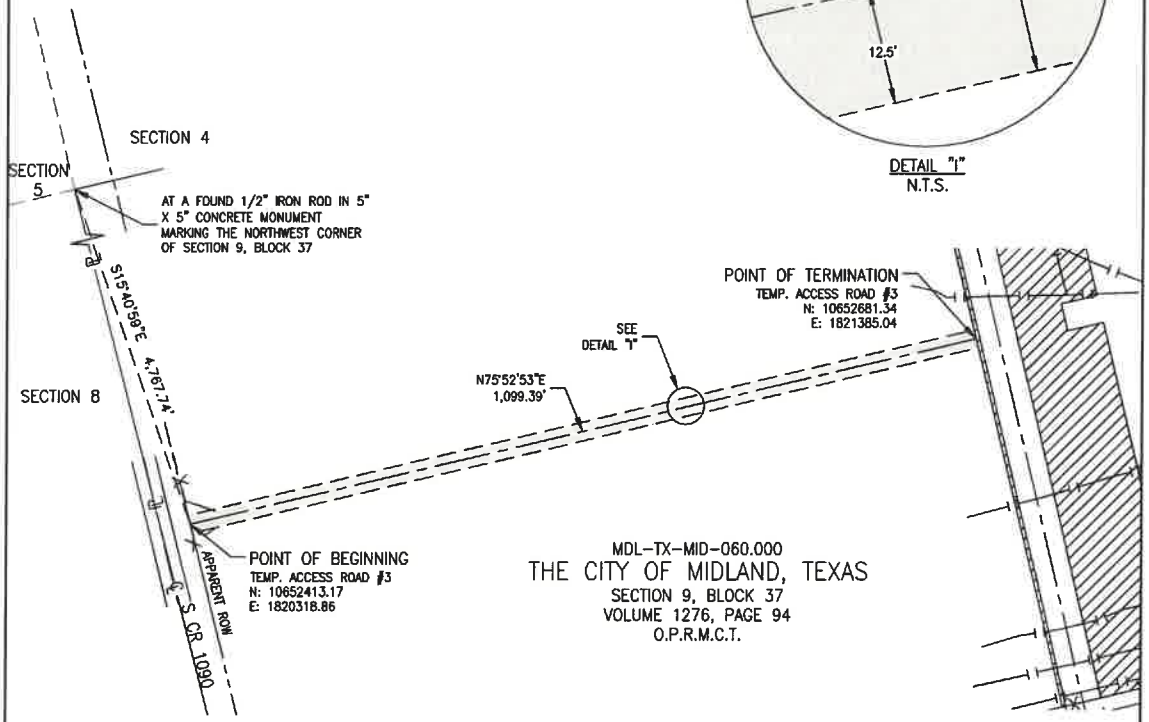

MDL-TX-MID-060.000
THE CITY OF MIDLAND, TEXAS
SECTION 9, BLOCK 37
VOLUME 1276, PAGE 94
O.P.R.M.C.T.

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J. WALTER BALLARD 05/14/2025
J. WALTER BALLARD — DATE:
RPLS NO. 6317
PHONE: (318) 255-6825

STATE OF TEXAS
REGISTERED
J. WALTER BALLARD
6317
PROFESSIONAL
LAND SURVEYOR

HUNT, GUILLOT & ASSOCIATES, LLC
603 REYNOLDS DRIVE
RUSTON, LOUISIANA 71270
PHONE: 318-255-6825
FIRM LICENSE NO.
TX 10193865

NO.	DATE		DRWN	CHK'D	APP'D
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C	04/21/25	RE-ISSUED FOR REVIEW	RTH	CPD	JWB
B	04/02/25	ISSUED FOR ACQUISITION	RTH	CPD	JWB
A	03/21/25	ISSUED FOR REVIEW	EMC	CPD	JWB

MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY	EMC	DATE	03/21/25
CHECKED BY	CPD	DATE	03/21/25
APPROVED BY	JWB	DATE	03/21/25
PROJ. ID.	8.M24001.00.0	SCALE	AS NOTED

APPROVED BY
PROJECT MANAGER / PROJECT ENGINEER

MDL-TX-MID-060.000

SCALE: 1" = 200'

SHEET 11 OF 12

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE, TEMPORARY ACCESS ROADS, ACCESS ROAD, AND SURFACE SITE
LYING WITHIN AND BEING A PART OF
SECTION 9, BLOCK 37 T-3-S
T&P RR CO SURVEY, A-132
MIDLAND COUNTY, TEXAS

LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
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TWS	TEMPORARY WORK SPACE
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	TEMP. ACCESS ROADS	3.24 ACRES
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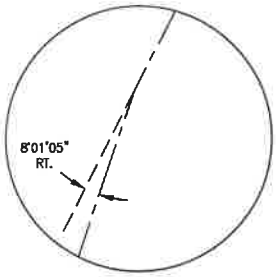
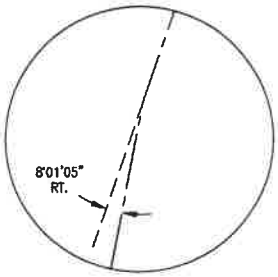
DEFLECTION ANGLE DETAILS



DETAIL "D-1"
N.T.S.



DETAIL "D-2"
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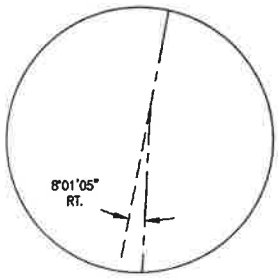
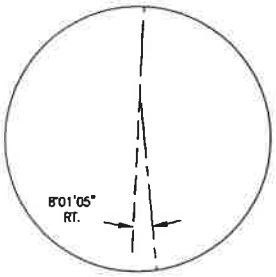
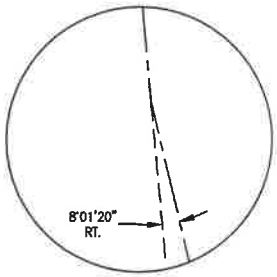


DETAIL "D-3"
N.T.S.



DETAIL "D-4"
N.T.S.



DETAIL "D-5"
N.T.S.

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Walter Ballard 05/14/2025

J. WALTER BALLARD DATE:
RPLS NO. 6317
PHONE: (318) 255-6825

STATE OF TEXAS
REGISTERED
J. WALTER BALLARD
6317
PROFESSIONAL
LAND SURVEYOR

HUNT, GUILLOT & ASSOCIATES, LLC
603 REYNOLDS DRIVE
RUSTON, LOUISIANA 71270
PHONE: 318-255-6825
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NO.	DATE		DRWN	CHK'D	APP'D
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A	03/21/25	ISSUED FOR REVIEW	BMC	CPD	JWB

MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY	BMC	DATE	03/21/25
CHECKED BY	CPD	DATE	03/21/25
APPROVED BY	JWB	DATE	03/21/25
PROJ. ID.	8.M24001.00.0	SCALE	AS NOTED

APPROVED BY
PROJECT MANAGER / PROJECT ENGINEER

MDL-TX-MID-060.000

EXHIBIT "A"

MDL-TX-MID-062.000
Field Notes for Hugh Brinson Pipeline, LLC
Midland Lateral Pipeline
The City of Midland, Texas
6.13 Acre Right-of-Way
3.00 Acre Access Road

RIGHT-OF-WAY GENERAL DESCRIPTION

A certain 50-foot wide tract or parcel of land situated in Section 16, Block 37, Township 3 South, T&P Railroad Company Survey, B.W. Floyd, Abstract 903, Midland County, Texas, having been acquired by The City of Midland, Texas, as per deed recorded in Volume 1160, Page 622 of the Deed Records of Midland County, Texas, and being shown on a plat prepared by Hunt, Guillot & Associates, L.L.C., drawing number MDL-TX-MID-062.000 dated March 18, 2025, the centerline of which is more particularly described as follows, to wit:

RIGHT-OF-WAY CENTERLINE DESCRIPTION

COMMENCING at a found railroad spike marking the Northwest corner of said Section 16, Block 37;

Thence, proceed North 75 degrees 53 minutes 36 seconds East, along the North line of said Section 16, Block 37, being common with the South line of Section 9, Block 37, a distance of 1,160.50 feet, to the **POINT OF BEGINNING;**

Thence, proceed South 14 degrees 12 minutes 09 seconds East, a distance of 939.41 feet;

Thence, proceed South 08 degrees 24 minutes 27 seconds East, a distance of 39.47 feet;

Thence, proceed South 02 degrees 36 minutes 45 seconds East, a distance of 39.50 feet;

Thence, proceed South 03 degrees 09 minutes 18 seconds West, a distance of 1,223.50 feet;

Thence, proceed South 02 degrees 40 minutes 40 seconds East, a distance of 40.49 feet;

Thence, proceed South 08 degrees 30 minutes 39 seconds East, a distance of 40.60 feet;

Thence, proceed South 14 degrees 20 minutes 40 seconds East, a distance of 3,021.22 feet to the **POINT OF TERMINATION** on the South line of said Section 16, Block 37, being common with the North line of Section 21, Block 37, from which point the Point of Commencement bears North 22 degrees 34 minutes 53 seconds West, a distance of 5,345.45 feet.

The above described Right-of-Way contains 6.13 acres and is 5,344.19 linear feet or 323.89 rods in length.

ACCESS ROAD GENERAL DESCRIPTION

A certain 25-foot wide tract or parcel of land situated in Section 16, Block 37, Township 3 South, T&P Railroad Company Survey, B.W. Floyd, Abstract 903, Midland County, Texas, acquired by The City of Midland, Texas, as per deed recorded in Volume 1160, Page 622 of the Deed Records of Midland County, Texas, and being shown on a plat prepared by Hunt, Guillot & Associates, L.L.C., drawing number MDL-TX-MID-062.000 dated March 18, 2025, the centerline of which is more particularly described as follows, to wit:

ACCESS ROAD CENTERLINE DESCRIPTION

COMMENCING at a found railroad spike marking the Northwest corner of said Section 16, Block 37;

Thence, proceed South 60 degrees 39 minutes 15 seconds East, a distance of 73.51 feet, to the **POINT OF BEGINNING;**

Thence, proceed South 14 degrees 45 minutes 40 seconds East, a distance of 5,243.66 feet to the **POINT OF TERMINATION** on the South line of said Section 16, Block 37, being common with the North line of Section 21, Block 37, from which point the Point of Commencement bears North 15 degrees 20 minutes 02 seconds West, a distance of 5,295.23 feet.

The above described Access Road contains 3.00 acres and is 5,243.66 linear feet or 317.80 rods in length.

Bearing Source: North, Bearings, Distances and Coordinates are based on Texas State Plane Coordinate System, Central Zone, NAD 83 Datum, U.S. Survey Foot, derived from GPS Observations, processed through OPUS [NAD_83(2011)(EPOCH:2010.0000)], survey performed by Hunt, Guillot & Associates, L.L.C.

I, J. Walter Ballard, Registered Professional Land Surveyor No. 6317-Texas, hereby certify that the above field notes were prepared from an actual field survey made on the ground and under my direction and supervision within the month of January, 2025.

Date: 05/14/2025

J. Walter Ballard, R.P.L.S. Texas No. 6317
Hunt, Guillot & Associates, L.L.C.
603 E Reynolds Drive
Ruston, LA 71270
318-255-6825
TBPELS Firm No. 10193865

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE AND ACCESS ROAD
LYING WITHIN AND BEING A PART OF
SECTION 16, BLOCK 37, T-3-S
T&P RR CO SURVEY, B.W. FLOYD, A-903
MIDLAND COUNTY, TEXAS

LEGEND

INST. NO.	INSTRUMENT NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
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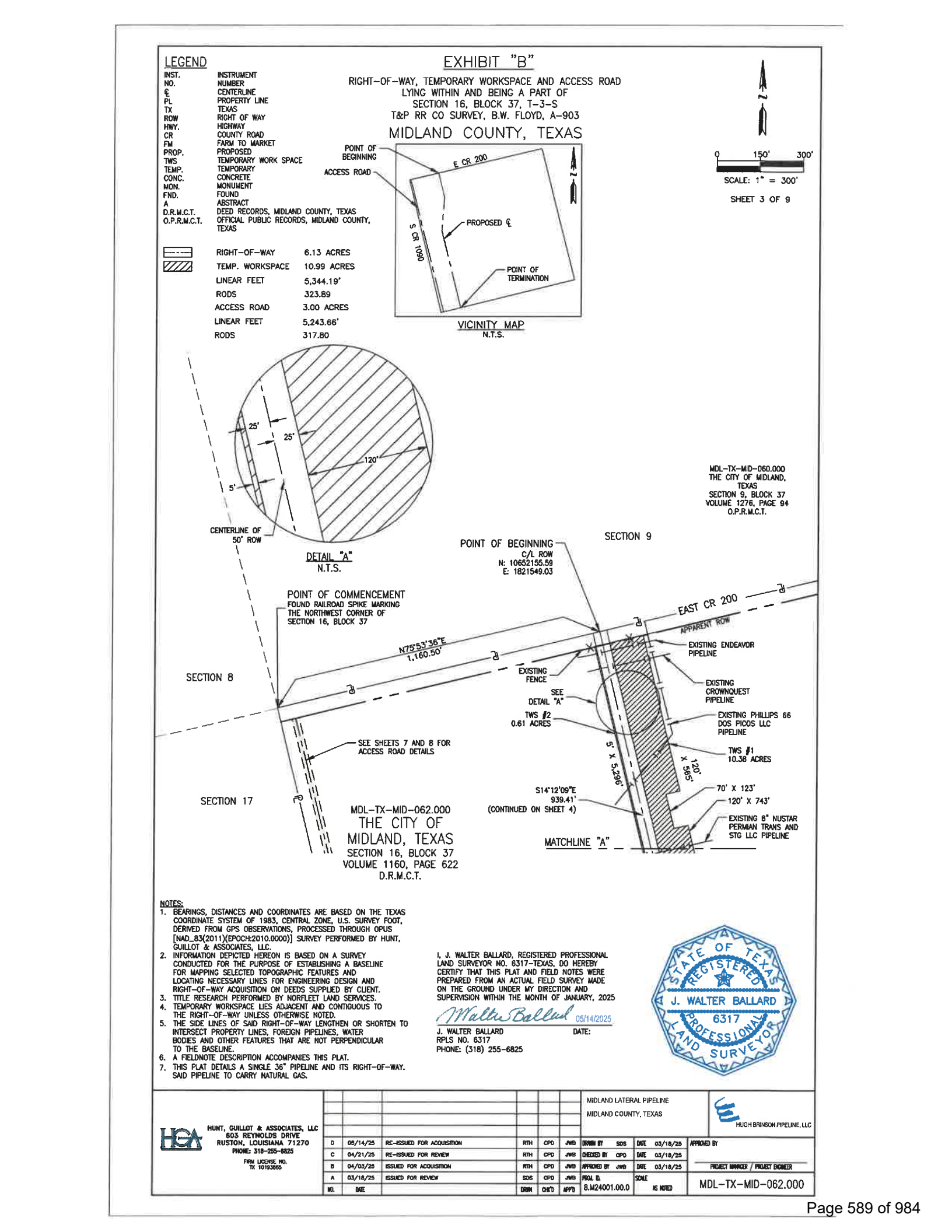
FND.	FOUND
A	ABSTRACT
D.R.M.C.T.	DEED RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS

	RIGHT-OF-WAY	6.13 ACRES
	TEMP. WORKSPACE	10.99 ACRES
	LINEAR FEET	5,344.19'
	RODS	323.89
	ACCESS ROAD	3.00 ACRES
	LINEAR FEET	5,243.66'
	RODS	317.80

VICINITY MAP
N.T.S.



SHEET 3 OF 9

DETAIL "A"
N.T.S.

MDL-TX-MID-060.000
THE CITY OF MIDLAND, TEXAS
SECTION 9, BLOCK 37
VOLUME 1276, PAGE 94
O.P.R.M.C.T.

SECTION 9

POINT OF BEGINNING
C/L ROW
N: 10652155.59
E: 1821549.03

POINT OF COMMENCEMENT
FOUND RAILROAD SPIKE MARKING
THE NORTHWEST CORNER OF
SECTION 16, BLOCK 37

EAST CR 200
APPARENT ROW

N75°53'36"E
1,160.50'

SECTION 8

EXISTING FENCE

SEE DETAIL "A"

TWS #2
0.61 ACRES

EXISTING ENDEAVOR PIPELINE

EXISTING CROWNQUEST PIPELINE

EXISTING PHILLIPS 66 DOS PICOS LLC PIPELINE

TWS #1
10.38 ACRES

5' X 5,296'

120' X 565'

70' X 123'

120' X 743'

EXISTING 8" NUSTAR PERMIAN TRANS AND STG LLC PIPELINE

SEE SHEETS 7 AND 8 FOR ACCESS ROAD DETAILS

S14°12'09"E
939.41'
(CONTINUED ON SHEET 4)

MATCHLINE "A"

SECTION 17

MDL-TX-MID-062.000
THE CITY OF MIDLAND, TEXAS
SECTION 16, BLOCK 37
VOLUME 1160, PAGE 622
D.R.M.C.T.

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Walter Ballard 05/14/2025

J. WALTER BALLARD — DATE:
RPLS NO. 6317
PHONE: (318) 255-6825

HUNT, GUILLOT & ASSOCIATES, LLC
803 REYNOLDS DRIVE
RUSTON, LOUISIANA 71270
PHONE: 318-255-6825
FIRM LICENSE NO.
TX 10193865

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MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY	SDS	DATE	03/18/25
CHECKED BY	CPD	DATE	03/18/25
APPROVED BY	JWB	DATE	03/18/25
PROJ. ID.	8.M24001.00.0	SCALE	AS NOTED

APPROVED BY
PROJECT MANAGER / PROJECT ENGINEER

MDL-TX-MID-062.000

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE AND ACCESS ROAD
LYING WITHIN AND BEING A PART OF
SECTION 16, BLOCK 37, T-3-S
T&P RR CO SURVEY, B.W. FLOYD, A-903
MIDLAND COUNTY, TEXAS

SCALE: 1" = 300'

SHEET 4 OF 9

LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
TWS	TEMPORARY WORK SPACE
TEMP.	TEMPORARY
CONC.	CONCRETE
MON.	MONUMENT
FND.	FOUND
A	ABSTRACT
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O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS

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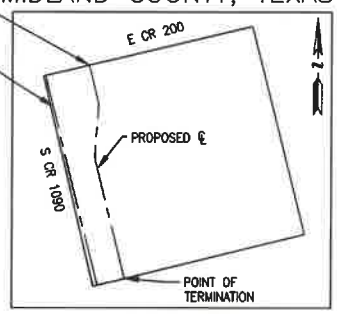
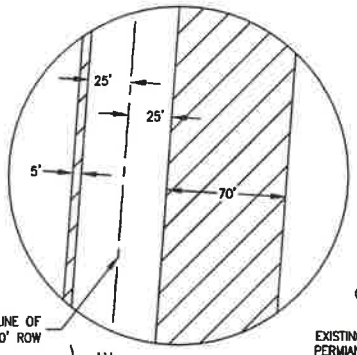
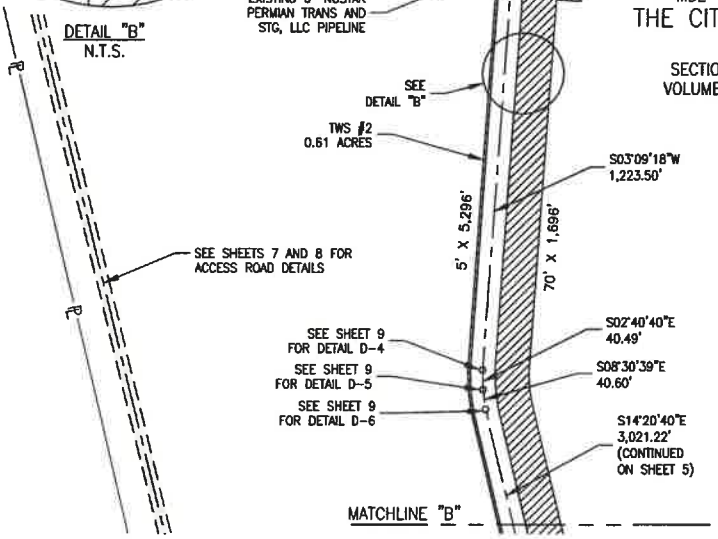


VICINITY MAP
N.T.S.



DETAIL "B"
N.T.S.

SECTION 17



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SECTION 16, BLOCK 37
VOLUME 1160, PAGE 622
D.R.M.C.T.

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SHEET 5 OF 9

LEGEND

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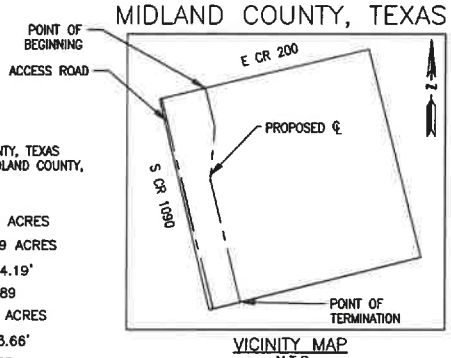

VICINITY MAP
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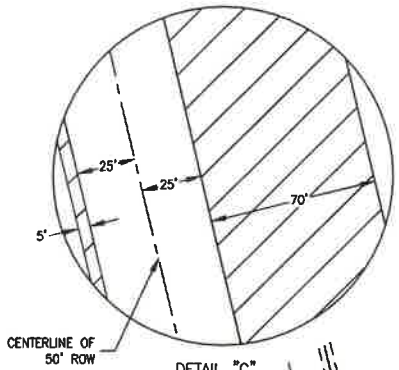
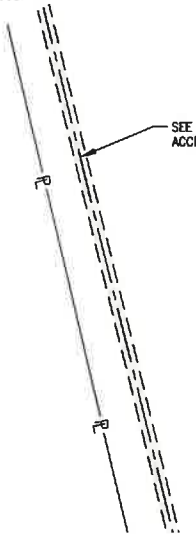
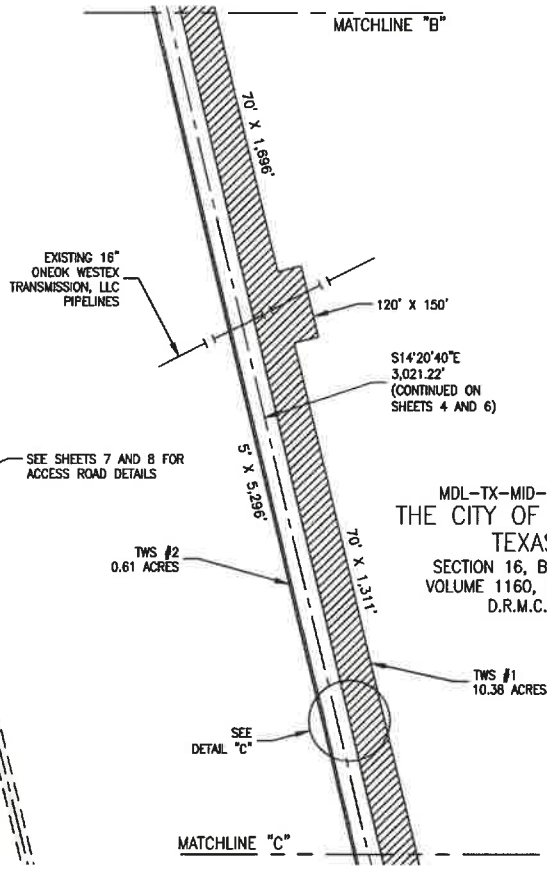


DETAIL "C"
N.T.S.



SECTION 17



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VOLUME 1160, PAGE 622
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DRAWN BY SDS — DATE 03/18/25 — APPROVED BY
CHECKED BY CPD — DATE 03/18/25
APPROVED BY JWB — DATE 03/18/25 — PROJECT MANAGER / PROJECT ENGINEER
PROJ. ID. 8.M24001.00.0 — SCALE AS NOTED
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LEGEND

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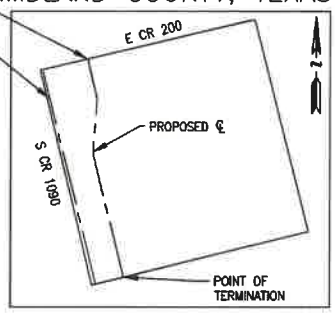
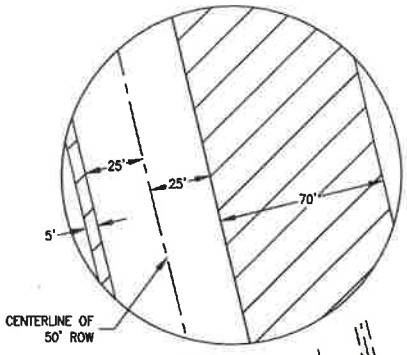


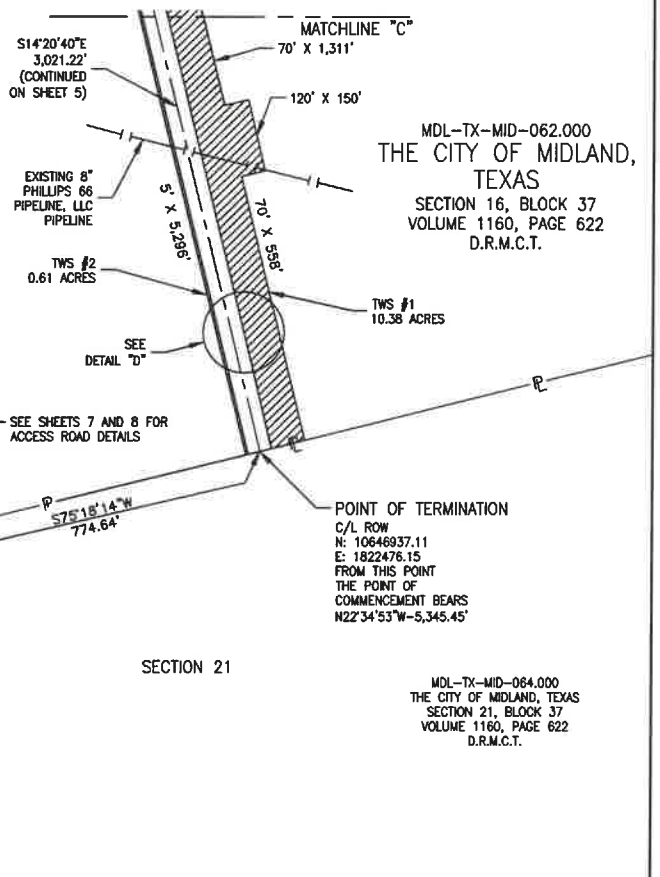
VICINITY MAP
N.T.S.

SCALE: 1" = 300'

SHEET 6 OF 9



DETAIL "D"
N.T.S.



MDL-TX-MID-062.000
THE CITY OF MIDLAND, TEXAS
SECTION 16, BLOCK 37
VOLUME 1160, PAGE 622
D.R.M.C.T.

MDL-TX-MID-064.000
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SECTION 21, BLOCK 37
VOLUME 1160, PAGE 622
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SHEET 7 OF 9

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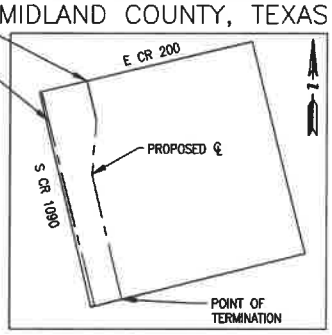

VICINITY MAP
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MDL-TX-MID-060.000
THE CITY OF MIDLAND, TEXAS
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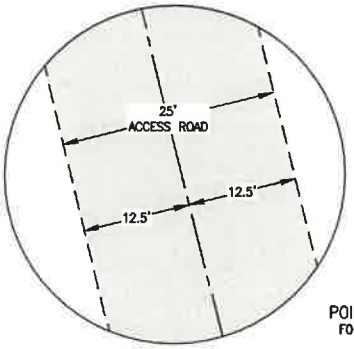
VOLUME 1276, PAGE 94
O.P.R.M.C.T.



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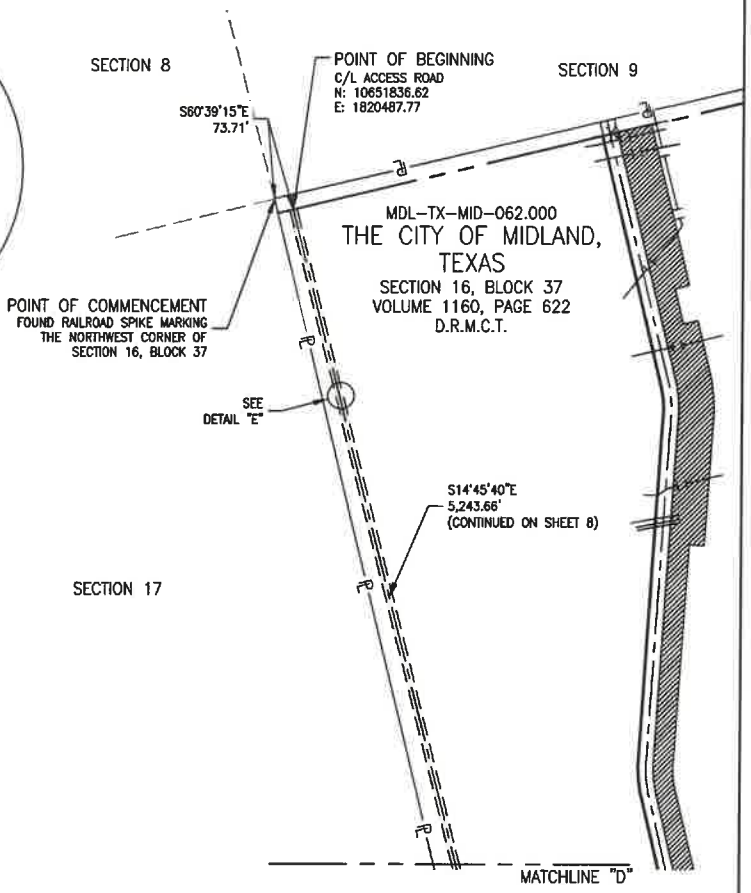

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A	03/18/25	ISSUED FOR REVIEW	SDS	CPD	JWB

MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY	SDS	DATE	03/18/25
CHECKED BY	CPD	DATE	03/18/25
APPROVED BY	JWB	DATE	03/18/25
PROJ. ID.	8.M24001.00.0	SCALE	AS NOTED

APPROVED BY
PROJECT MANAGER / PROJECT ENGINEER

MDL-TX-MID-062.000

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE AND ACCESS ROAD
LYING WITHIN AND BEING A PART OF
SECTION 16, BLOCK 37, T-3-S
T&P RR CO SURVEY, B.W. FLOYD, A-903
MIDLAND COUNTY, TEXAS

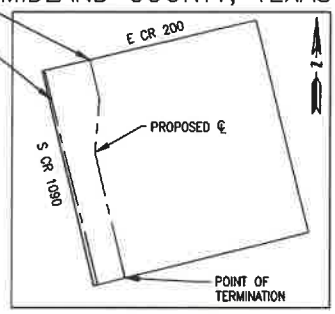
SCALE: 1" = 300'

SHEET 8 OF 9

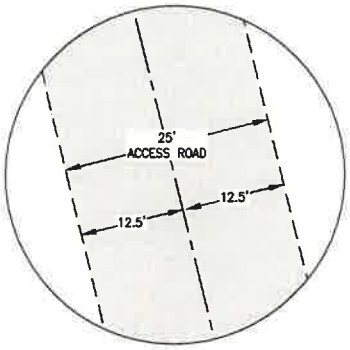
LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
TWS	TEMPORARY WORK SPACE
TEMP.	TEMPORARY
CONC.	CONCRETE
MON.	MONUMENT
FND.	FOUND
A	ABSTRACT
D.R.M.C.T.	DEED RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS

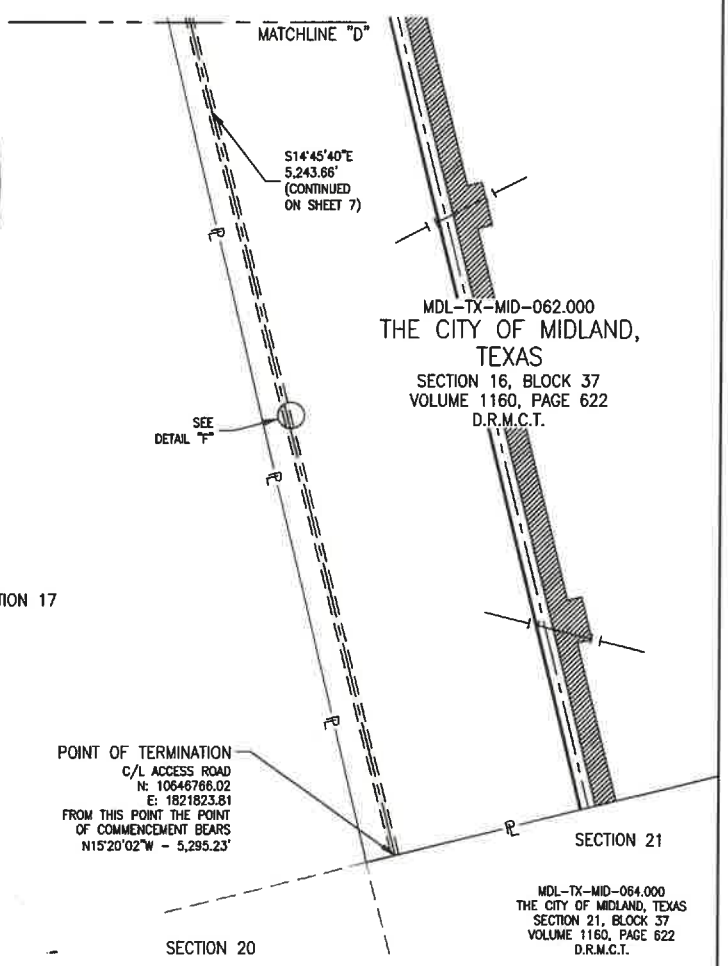
	RIGHT-OF-WAY	6.13 ACRES
	TEMP. WORKSPACE	10.99 ACRES
	LINEAR FEET	5,344.19'
	RODS	323.89
	ACCESS ROAD	3.00 ACRES
	LINEAR FEET	5,243.66'
	RODS	317.80



VICINITY MAP
N.T.S.



DETAIL "F"
N.T.S.



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7. THIS PLAT DETAILS A SINGLE 36" PIPELINE AND ITS RIGHT-OF-WAY. SAID PIPELINE TO CARRY NATURAL GAS.

I, J. WALTER BALLARD, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6317-TEXAS, DO HEREBY CERTIFY THAT THIS PLAT AND FIELD NOTES WERE PREPARED FROM AN ACTUAL FIELD SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION WITHIN THE MONTH OF JANUARY, 2025

Walter Ballard 05/14/2025

J. WALTER BALLARD — DATE:
RPLS NO. 6317
PHONE: (318) 255-6825

STATE OF TEXAS
REGISTERED
J. WALTER BALLARD
6317
PROFESSIONAL
LAND SURVEYOR

HUNT, GUILLOT & ASSOCIATES, LLC
603 REYNOLDS DRIVE
RUSTON, LOUISIANA 71270
PHONE: 318-255-6825
FIRM LICENSE NO.
TX 10193865

NO.	DATE		DRWN	CHK'D	APP'D
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MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

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CHECKED BY	CPD	DATE	03/18/25
APPROVED BY	JWB	DATE	03/18/25
PROJ. ID.	8.M24001.00.0	SCALE	AS NOTED

APPROVED BY
PROJECT MANAGER / PROJECT ENGINEER

MDL-TX-MID-062.000

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE AND ACCESS ROAD
LYING WITHIN AND BEING A PART OF
SECTION 16, BLOCK 37, T-3-S
T&P RR CO SURVEY, B.W. FLOYD, A-903
MIDLAND COUNTY, TEXAS

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HWY.	HIGHWAY
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TWS	TEMPORARY WORK SPACE
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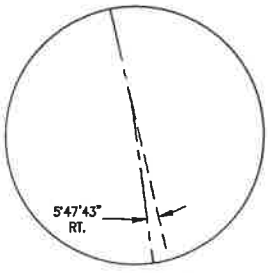
DEFLECTION ANGLE DETAILS



DETAIL "D-1"
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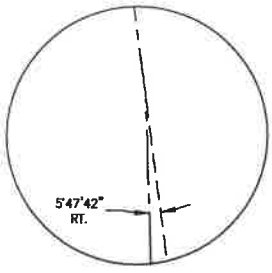
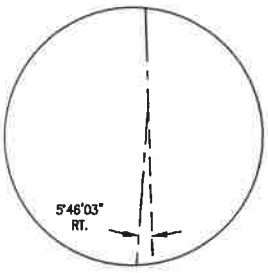
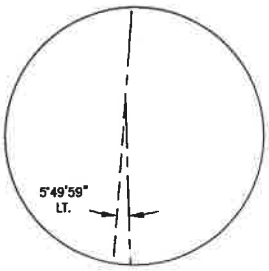


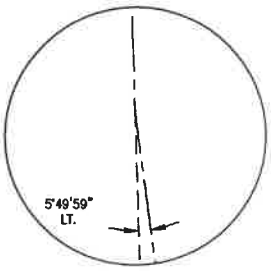
DETAIL "D-2"
N.T.S.



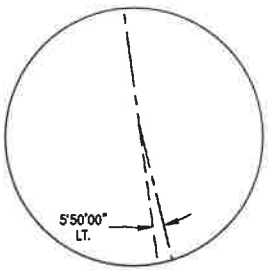
DETAIL "D-3"
N.T.S.



DETAIL "D-4"
N.T.S.



DETAIL "D-5"
N.T.S.



DETAIL "D-6"
N.T.S.

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Walter Ballard 05/14/2025

J. WALTER BALLARD — DATE:
RPLS NO. 6317
PHONE: (318) 255-6825

STATE OF TEXAS
REGISTERED
J. WALTER BALLARD
6317
PROFESSIONAL
LAND SURVEYOR

HUNT, GUILLOT & ASSOCIATES, LLC
603 REYNOLDS DRIVE
RUSTON, LOUISIANA 71270
PHONE: 318-255-6825
FIRM LICENSE NO.
TX 10193865

NO.	DATE		DRWN	CHK'D	APP'D
D	05/14/25	RE-ISSUED FOR ACQUISITION	RTH	CPD	JWB
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A	03/18/25	ISSUED FOR REVIEW	SDS	CPD	JWB

MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRWN BY SDS DATE 03/18/25
CHECKED BY CPD DATE 03/18/25
APPROVED BY JWB DATE 03/18/25
PROJ. ID. 8.M24001.00.0
SCALE AS NOTED
APPROVED BY
PROJECT MANAGER / PROJECT ENGINEER
MDL-TX-MID-062.000

EXHIBIT "A"

MDL-TX-MID-064.000
Field Notes for Hugh Brinson Pipeline, LLC
Midland Lateral Pipeline
THE CITY OF MIDLAND, TEXAS
6.24 Acre Permanent Easement
3.03 Acre Permanent Access Road

GENERAL DESCRIPTION

A certain 50-foot wide tract or parcel of land situated in Section 21, Block 37, Township 3 South, T&P Railroad Company Survey, Abstract 136, Midland County, Texas, and being a portion of a certain tract, Section 21, Block 37, Township 3 South, acquired by The City of Midland, Texas, as per deed recorded in Volume 1160, Page 622 of the Deed Records of Midland County, Texas, and being shown on a plat prepared by Hunt, Guillot & Associates, L.L.C., drawing number MDL-TX-MID-064.000 dated March 21, 2025, the centerline of which is more particularly described as follows to wit:

PERMANENT EASEMENT CENTERLINE DESCRIPTION

COMMENCING at a found ½-inch iron rod at the Northwest corner of said Section 21;

Thence, proceed North 76 degrees 01 minutes 42 seconds East coincident with the North line of said Section 21, a distance of 775.04 feet to the **POINT OF BEGINNING** on the North line of the above referenced The City of Midland, Texas Tract and the South line of a certain tract acquired by The City of Midland, Texas, Section 16, acquired by The City of Midland, Texas, as per deed recorded in Volume 1160, Page 622, of the Deed Records of Midland County, Texas;

Thence, proceed South 13 degrees 37 minutes 10 seconds East, a distance of 179.02 feet;

Thence, proceed South 06 degrees 07 minutes 10 seconds East, a distance of 40.06 feet;

Thence, proceed South 01 degrees 22 minutes 50 seconds West, a distance of 39.34 feet;

Thence, proceed South 08 degrees 52 minutes 50 seconds West, a distance of 39.34 feet;

Thence, proceed South 16 degrees 22 minutes 50 seconds West, a distance of 1,150.71 feet;

Thence, proceed South 08 degrees 45 minutes 55 seconds West, a distance of 40.67 feet;

Thence, proceed South 01 degrees 08 minutes 59 seconds West, a distance of 40.67 feet;

Thence, proceed South 06 degrees 27 minutes 56 seconds East, a distance of 40.68 feet;

Thence, proceed South 14 degrees 04 minutes 51 seconds East, a distance of 3,862.34 feet to the **POINT OF TERMINATION** on the South line of said Section 21, from which point the Point of Commencement bears North 15 degrees 27 minutes 44 seconds West, a distance of 5,267.11 feet.

The above described Permanent Easement contains 6.24 acres and is 5,432.83 linear feet or 329.26 rods in length.

PERMANENT ACCESS ROAD GENERAL DESCRIPTION

A certain 25-foot wide tract or parcel of land situated in Section 21, Block 37, Township 3 South, T&P Railroad Company Survey, Abstract 136, Midland County, Texas, and being a portion of a called Section 21 acquired by The City of Midland Texas, as per deed recorded in Volume 1160, Page 622 of the Deed Records of Midland County Texas, and being shown on a plat prepared by Hunt, Guillot & Associates, L.L.C., drawing number MDL-TX-MID-064.000 dated March 21, 2025, the centerline of which is more particularly described as follows to wit:

PERMANENT ACCESS ROAD CENTERLINE DESCRIPTION

COMMENCING at a found ½-inch iron rod at the Northwest corner of said Section 21;

Thence, proceed North 76 degrees 01 minutes 16 seconds East on the North line of said Section 21, a distance of 100.29 feet to the **POINT OF BEGINNING**, on the North line of the above referenced The City of Midland, Texas Tract and the South line of a certain tract acquired by The City of Midland, Texas, Section 16, acquired by The City of Midland, Texas, as per deed recorded in Volume 1160, Page 622, of the Deed Records of Midland County, Texas;

Thence, proceed South 14 degrees 02 minutes 10 seconds East, a distance of 86.11 feet;

Thence, proceed South 06 degrees 05 minutes 38 seconds West, a distance of 167.56 feet;

Thence, proceed South 13 degrees 38 minutes 20 seconds East, a distance of 2,499.12 feet;

Thence, proceed South 13 degrees 58 minutes 29 seconds East, a distance of 2,522.53 feet to the **POINT OF TERMINATION** on the South line of said Section 21, from which point the Point of Commencement bears North 14 degrees 16 minutes 55 seconds West, a distance of 5,265.19 feet.

The above described Permanent Access Road contains 3.03 acres and is 5,275.32 linear feet or 319.72 rods in length.

Bearing Source: North, Bearings, Distances and Coordinates are based on UTM Zone 14, NAD 83 Datum, U.S. Survey Foot, derived from GPS Observations, processed through OPUS [NAD_83(2011)(EPOCH:2010.0000)], survey performed by Hunt, Guillot & Associates, L.L.C.

I, J. Walter Ballard, Registered Professional Land Surveyor No. 6317-Texas, hereby certify that the above field notes were prepared from an actual field survey made on the ground and under my direction and supervision within the month of January, 2025.

Date: 04/09/2025

J. Walter Ballard, R.P.L.S. Texas No. 6317
Hunt, Guillot & Associates, L.L.C.
603 E Reynolds Drive
Ruston, LA 71270
318-255-6825
TBPELS Firm No. 10193865

EXHIBIT "B"

PERMANENT EASEMENT, TEMPORARY WORKSPACE,
PERMANENT ACCESS ROAD AND TEMPORARY ACCESS ROADS
LYING WITHIN AND BEING A PART OF
SECTION 21, BLOCK 37, T-3-S
T&P RR CO SURVEY, A-136

MIDLAND COUNTY, TEXAS

SCALE: 1" = 300'

SHEET 3 OF 10

LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
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PERM.	PERMANENT
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CONC.	CONCRETE
MON.	MONUMENT
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O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS

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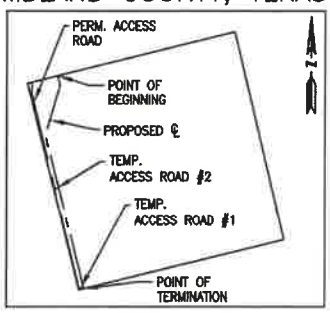

VICINITY MAP
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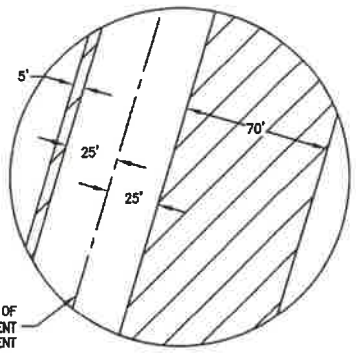

DETAIL "A"
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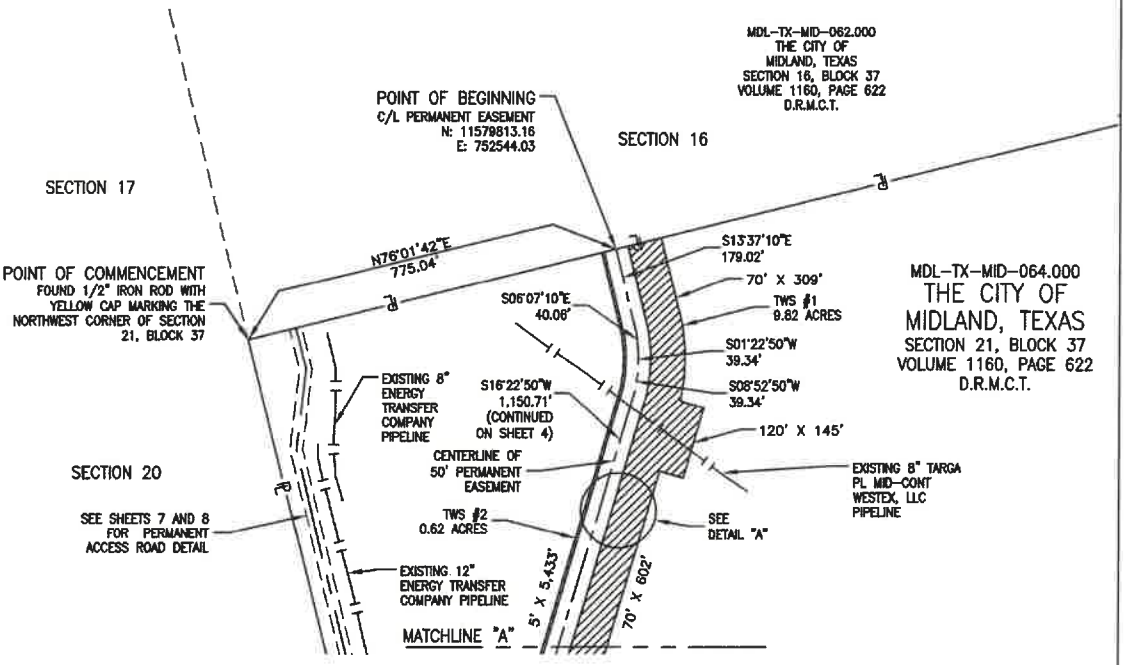

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J. WALTER BALLARD — DATE:
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PHONE: (318) 255-6825

STATE OF TEXAS
REGISTERED
J. WALTER BALLARD
6317
PROFESSIONAL
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MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRWN BY SDS DATE 03/21/25 APPROVED BY
CHECKED BY CPD DATE 03/21/25
APPROVED BY JWB DATE 03/21/25 PROJECT MANAGER / PROJECT ENGINEER
PROJ. ID. 8.M24001.00.0 SCALE AS NOTED

MDL-TX-MID-064.000

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T&P RR CO SURVEY, A-136

MIDLAND COUNTY, TEXAS

SCALE: 1" = 300'

SHEET 4 OF 10

LEGEND

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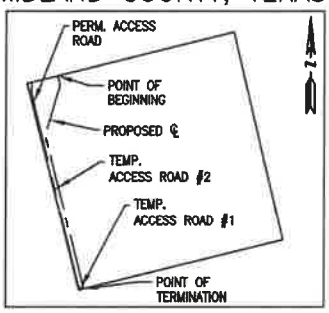

VICINITY MAP
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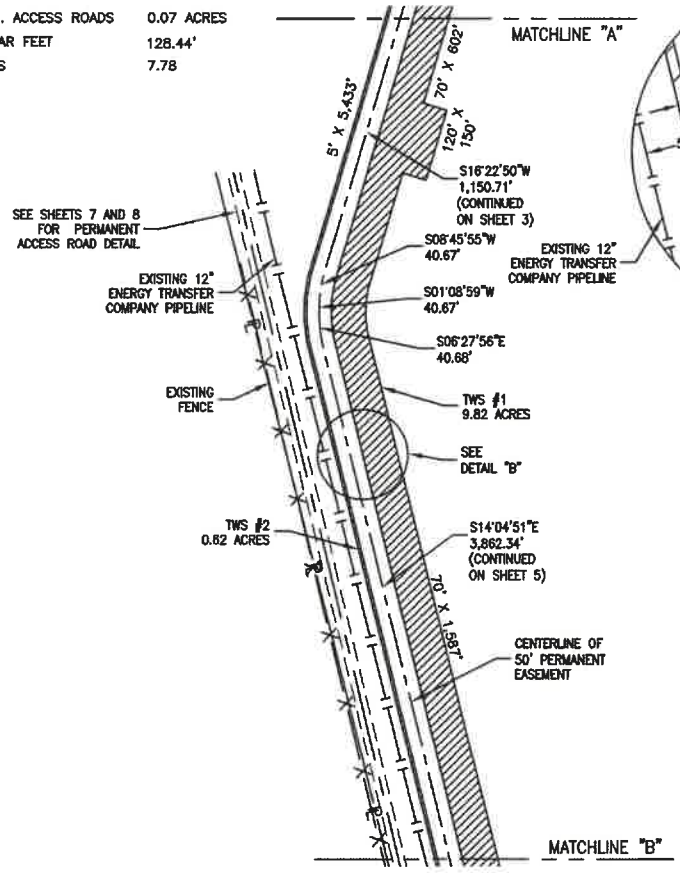

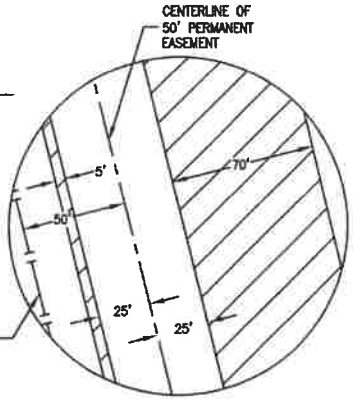

DETAIL "B"
N.T.S.

MDL-TX-MID-064.000
THE CITY OF
MIDLAND, TEXAS
SECTION 21, BLOCK 37
VOLUME 1160, PAGE 622
D.R.M.C.T.

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4. TEMPORARY WORKSPACE LIES ADJACENT AND CONTIGUOUS TO THE PERMANENT EASEMENT UNLESS OTHERWISE NOTED.
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6. A FIELDNOTE DESCRIPTION ACCOMPANIES THIS PLAT.

I, J. WALTER BALLARD, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6317-TEXAS, DO HEREBY CERTIFY THAT THIS PLAT AND FIELD NOTES WERE PREPARED FROM AN ACTUAL FIELD SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION WITHIN THE MONTH OF JANUARY, 2025

Walter Ballard 04/09/2025

J. WALTER BALLARD DATE:
RPLS NO. 6317
PHONE: (318) 255-6825

STATE OF TEXAS
REGISTERED
J. WALTER BALLARD
6317
PROFESSIONAL
LAND SURVEYOR

HUNT, GUILLOT & ASSOCIATES, LLC
603 REYNOLDS DRIVE
RUSTON, LOUISIANA 71270
PHONE: 318-255-6825
FIRM LICENSE NO.
TX 10193865

NO.	DATE		DRWN	CHK'D	APP'D
B	04/09/25	ISSUED FOR ACQUISITION	RTH	CPD	JWB
A	03/21/25	ISSUED FOR REVIEW	SDS	CPD	JWB

MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY SDS DATE 03/21/25 APPROVED BY
CHECKED BY CPD DATE 03/21/25
APPROVED BY JWB DATE 03/21/25 PROJECT MANAGER / PROJECT ENGINEER
PROJ. ID. 8.M24001.00.0 SCALE AS NOTED

MDL-TX-MID-064.000

EXHIBIT "B"

PERMANENT EASEMENT, TEMPORARY WORKSPACE,
PERMANENT ACCESS ROAD AND TEMPORARY ACCESS ROADS
LYING WITHIN AND BEING A PART OF
SECTION 21, BLOCK 37, T-3-S
T&P RR CO SURVEY, A-136

MIDLAND COUNTY, TEXAS

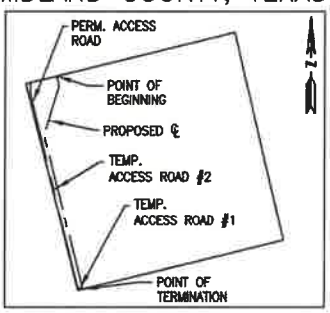
SCALE: 1" = 300'

SHEET 5 OF 10

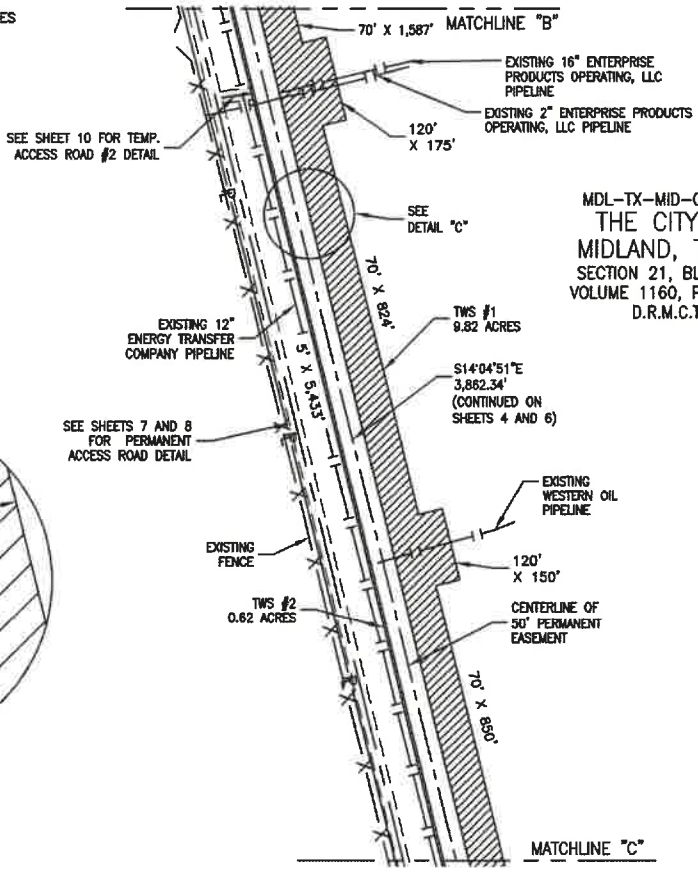
LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
PERM.	PERMANENT
TWS	TEMPORARY WORK SPACE
TEMP.	TEMPORARY
CONC.	CONCRETE
MON.	MONUMENT
FND.	FOUND
A	ABSTRACT
D.R.M.C.T.	DEED RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS

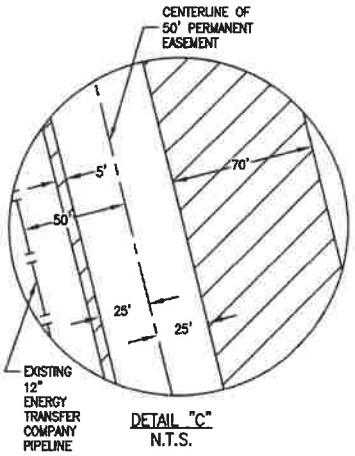
	PERM. EASEMENT	6.24 ACRES
	TEMP. WORKSPACE	10.44 ACRES
	LINEAR FEET	5,432.83'
	RODS	329.26
	PERM. ACCESS ROAD	3.03 ACRES
	LINEAR FEET	5,275.32'
	RODS	319.72
	TEMP. ACCESS ROADS	0.07 ACRES
	LINEAR FEET	128.44'
	RODS	7.78



VICINITY MAP
N.T.S.



MDL-TX-MID-064.000
THE CITY OF MIDLAND, TEXAS
SECTION 21, BLOCK 37
VOLUME 1160, PAGE 622
D.R.M.C.T.



DETAIL "C"
N.T.S.

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LAND SURVEYOR

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RUSTON, LOUISIANA 71270
PHONE: 318-255-6825
FIRM LICENSE NO.
TX 10193985

NO.	DATE		DRWN	CHK'D	APP'D
B	04/09/25	ISSUED FOR ACQUISITION	RTH	CPD	JWB
A	03/21/25	ISSUED FOR REVIEW	SDS	CPD	JWB

MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRWN BY	SDS	DATE	03/21/25
CHECKED BY	CPD	DATE	03/21/25
APPROVED BY	JWB	DATE	03/21/25
PROJ. ID.	8.M24001.00.0	SCALE	AS NOTED

APPROVED BY
PROJECT MANAGER / PROJECT ENGINEER

MDL-TX-MID-064.000

EXHIBIT "B"

PERMANENT EASEMENT, TEMPORARY WORKSPACE,
PERMANENT ACCESS ROAD AND TEMPORARY ACCESS ROADS
LYING WITHIN AND BEING A PART OF
SECTION 21, BLOCK 37, T-3-S
T&P RR CO SURVEY, A-136

MIDLAND COUNTY, TEXAS

SCALE: 1" = 300'

SHEET 6 OF 10

LEGEND

INST. NO.	INSTRUMENT NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
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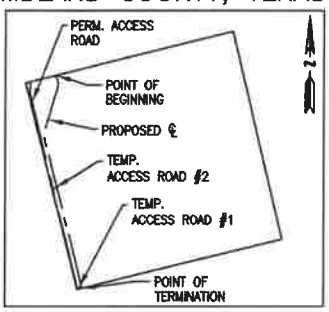
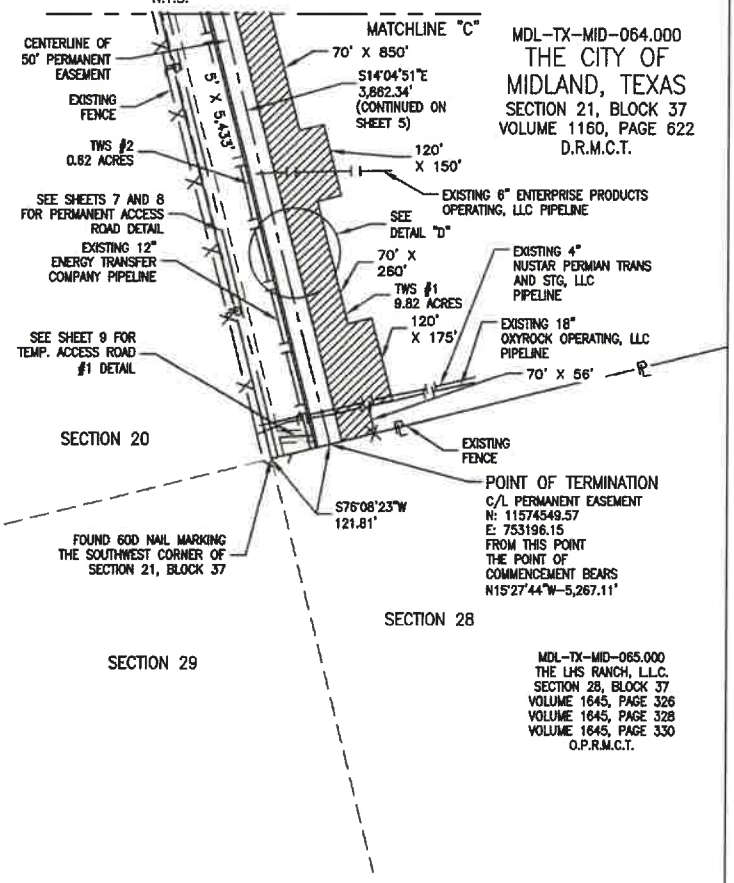
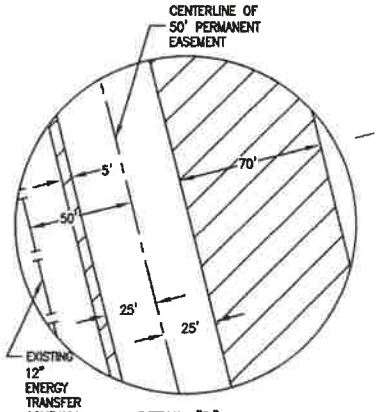


VICINITY MAP
N.T.S.



MDL-TX-MID-064.000
THE CITY OF MIDLAND, TEXAS
SECTION 21, BLOCK 37
VOLUME 1160, PAGE 622
D.R.M.C.T.

MDL-TX-MID-065.000
THE LHS RANCH, L.L.C.
SECTION 28, BLOCK 37
VOLUME 1645, PAGE 326
VOLUME 1645, PAGE 328
VOLUME 1645, PAGE 330
O.P.R.M.C.T.



DETAIL "D"
N.T.S.

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J. WALTER BALLARD DATE:
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STATE OF TEXAS
REGISTERED
J. WALTER BALLARD
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LAND SURVEYOR

HUNT, GUILLOT & ASSOCIATES, LLC
603 REYNOLDS DRIVE
RUSTON, LOUISIANA 71270
PHONE: 318-255-6825
FIRM LICENSE NO.
TX 10193905

NO.	DATE		DRWN	CHK'D	APP'D
B	04/09/25	ISSUED FOR ACQUISITION	RTH	CPD	JWB
A	03/21/25	ISSUED FOR REVIEW	SDS	CPD	JWB

MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS
HUGH BRINSON PIPELINE, LLC

DRAWN BY SDS	DATE 03/21/25	APPROVED BY	
CHECKED BY CPD	DATE 03/21/25		
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PROJ. ID. 8.M24001.00.0	SCALE AS NOTED	MDL-TX-MID-064.000	

EXHIBIT "B"

PERMANENT EASEMENT, TEMPORARY WORKSPACE,
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LYING WITHIN AND BEING A PART OF
SECTION 21, BLOCK 37, T-3-S
T&P RR CO SURVEY, A-136

MIDLAND COUNTY, TEXAS

SCALE: 1" = 600'

SHEET 7 OF 10

LEGEND

INST.	INSTRUMENT
NO.	NUMBER
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TX	TEXAS
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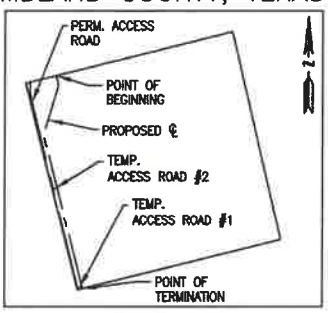
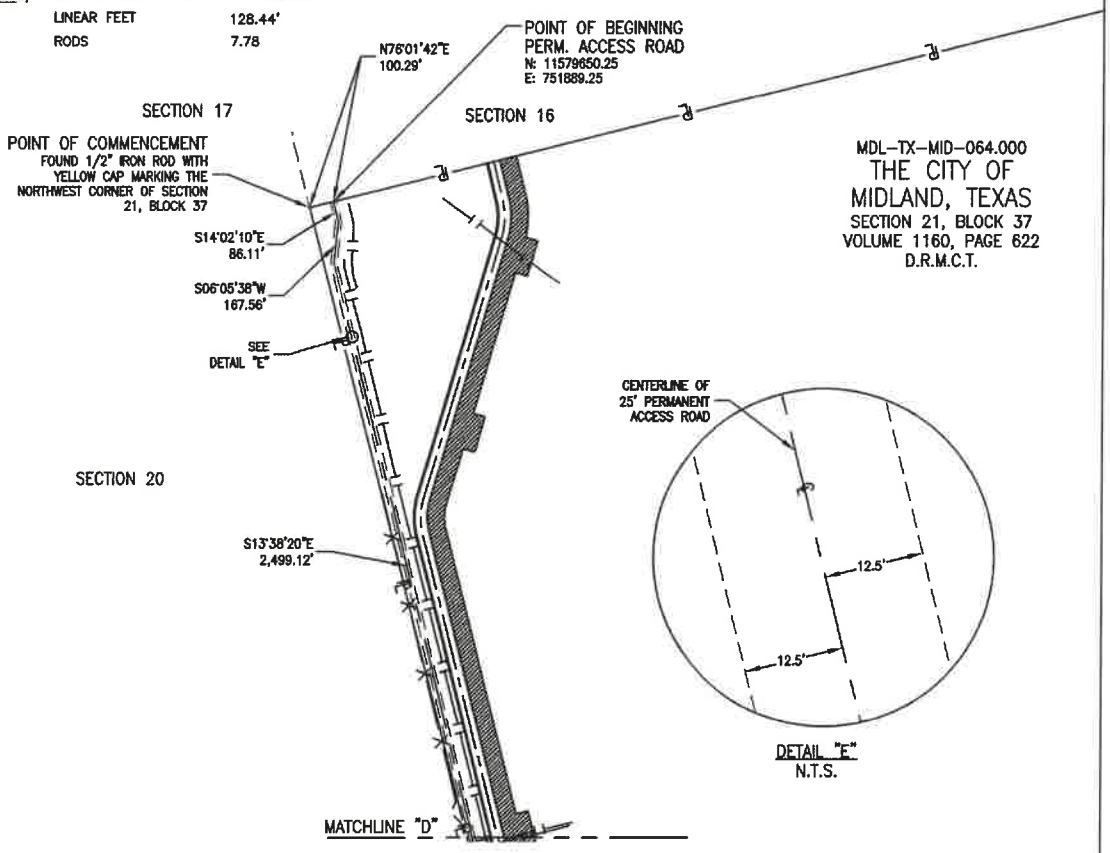


VICINITY MAP
N.T.S.

MDL-TX-MID-062.000
THE CITY OF
MIDLAND, TEXAS
SECTION 16, BLOCK 37
VOLUME 1160, PAGE 622
D.R.M.C.T.



MDL-TX-MID-064.000
THE CITY OF
MIDLAND, TEXAS
SECTION 21, BLOCK 37
VOLUME 1160, PAGE 622
D.R.M.C.T.

DETAIL "E"
N.T.S.

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Walter Ballard 04/09/2025

J. WALTER BALLARD — DATE:
RPLS NO. 6317
PHONE: (318) 255-6825

STATE OF TEXAS
REGISTERED
J. WALTER BALLARD
6317
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LAND SURVEYOR

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603 REYNOLDS DRIVE
RUSTON, LOUISIANA 71270
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TX 10193865

NO.	DATE		DRWN	CHK'D	APP'D
B	04/09/25	ISSUED FOR ACQUISITION	RTH	CPD	JWB
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MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY SDS	DATE 03/21/25	APPROVED BY	
CHECKED BY CPD	DATE 03/21/25		
APPROVED BY JWB	DATE 03/21/25	PROJECT MANAGER / PROJECT ENGINEER	
PROJ. ID. 8.M24001.00.0	SCALE AS NOTED	MDL-TX-MID-064.000	

EXHIBIT "B"

PERMANENT EASEMENT, TEMPORARY WORKSPACE,
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LYING WITHIN AND BEING A PART OF
SECTION 21, BLOCK 37, T-3-S
T&P RR CO SURVEY, A-136
MIDLAND COUNTY, TEXAS

LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
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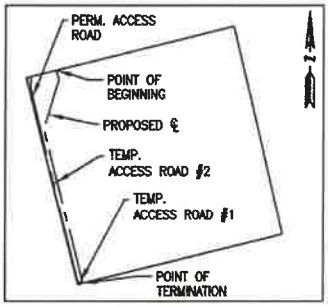
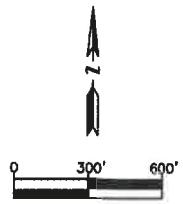
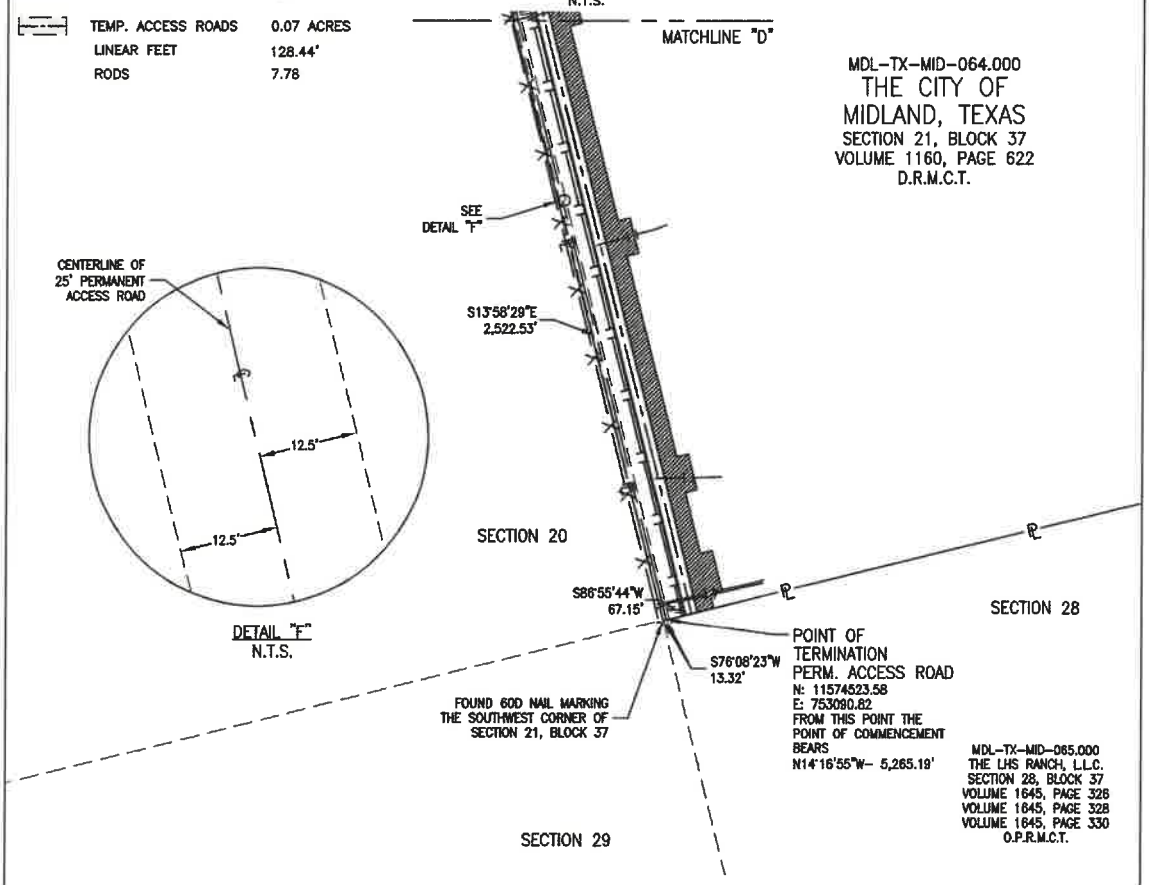


VICINITY MAP
N.T.S.



SHEET 8 OF 10



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FIRM LICENSE NO. TX 10193865

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MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY SDS	DATE 03/21/25	APPROVED BY	
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PROJ. ID. 8.M24001.00.0	SCALE AS NOTED	MDL-TX-MID-064.000	

EXHIBIT "B"

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T&P RR CO SURVEY, A-136

MIDLAND COUNTY, TEXAS

SCALE: 1" = 100'

SHEET 9 OF 10

LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
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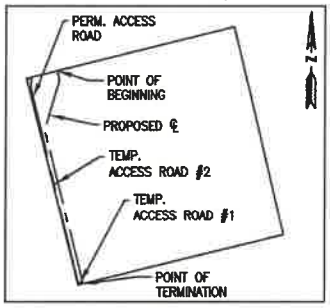
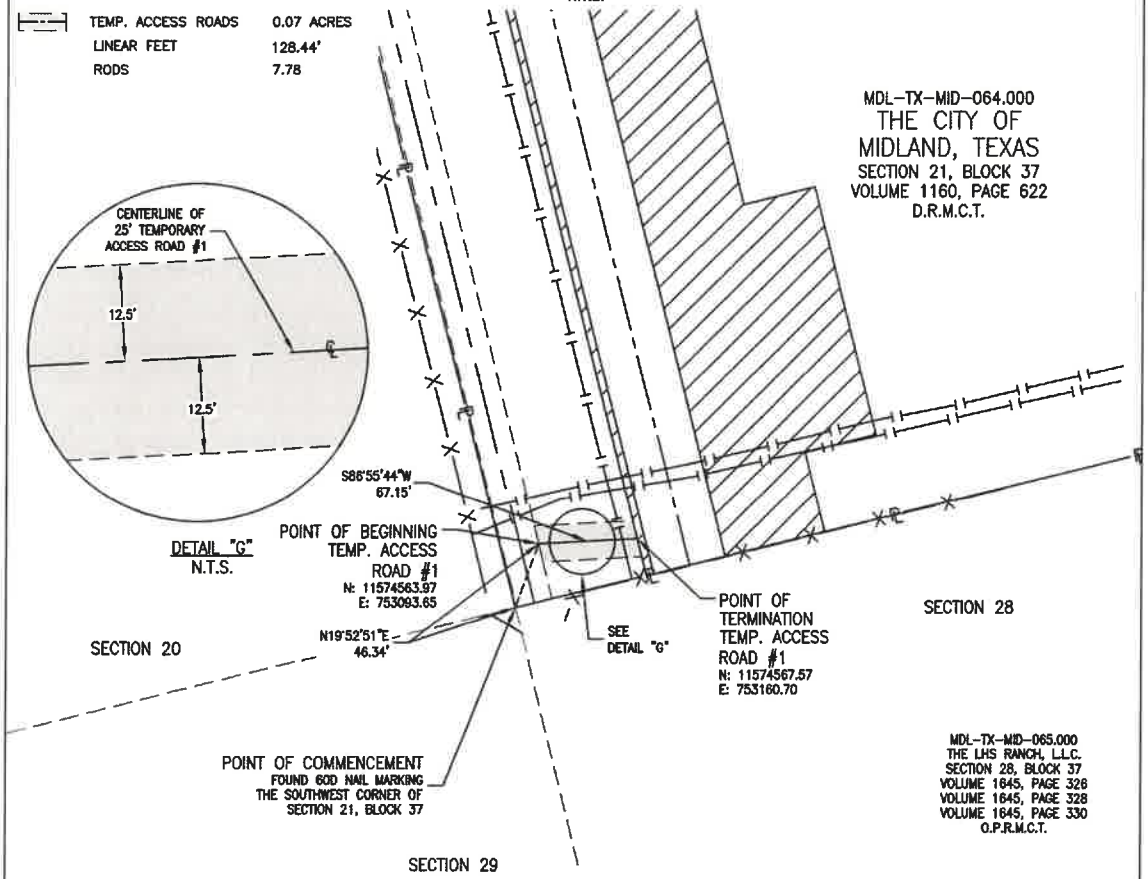


VICINITY MAP
N.T.S.



NOTES:
1. BEARINGS, DISTANCES AND COORDINATES ARE BASED ON UTM ZONE 14, NAD 83 DATUM, U.S. SURVEY FOOT, DERIVED FROM GPS OBSERVATIONS, PROCESSED THROUGH OPUS [NAD_83(2011)(EPOCH:2010.0000)] SURVEY PERFORMED BY HUNT, GUILLOT & ASSOCIATES, LLC.
2. INFORMATION DEPICTED HEREON IS BASED ON A SURVEY CONDUCTED FOR THE PURPOSE OF ESTABLISHING A BASELINE FOR MAPPING SELECTED TOPOGRAPHIC FEATURES AND LOCATING NECESSARY LINES FOR ENGINEERING DESIGN AND EASEMENT ACQUISITION ON DEEDS SUPPLIED BY CLIENT.
3. TITLE RESEARCH PERFORMED BY NORFLEET LAND SERVICES.
4. TEMPORARY WORKSPACE LIES ADJACENT AND CONTIGUOUS TO THE PERMANENT EASEMENT UNLESS OTHERWISE NOTED.
5. THE SIDE LINES OF SAID EASEMENT LENGTHEN OR SHORTEN TO INTERSECT PROPERTY LINES, FOREIGN PIPELINES, WATER BODIES AND OTHER FEATURES THAT ARE NOT PERPENDICULAR TO THE BASELINE.
6. A FIELDNOTE DESCRIPTION ACCOMPANIES THIS PLAT.

I, J. WALTER BALLARD, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6317-TEXAS, DO HEREBY CERTIFY THAT THIS PLAT AND FIELD NOTES WERE PREPARED FROM AN ACTUAL FIELD SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION WITHIN THE MONTH OF JANUARY, 2025

Walter Ballard 04/09/2025

J. WALTER BALLARD DATE:
RPLS NO. 6317
PHONE: (318) 255-6825

STATE OF TEXAS
REGISTERED
J. WALTER BALLARD
6317
PROFESSIONAL
LAND SURVEYOR

HUNT, GUILLOT & ASSOCIATES, LLC
603 REYNOLDS DRIVE
RUSTON, LOUISIANA 71270
PHONE: 318-255-6825
FIRM LICENSE NO.
TX 10193945

NO.	DATE		DRWN	CHK'D	APP'D
B	04/09/25	ISSUED FOR ACQUISITION	RTH	CPD	JWB
A	03/21/25	ISSUED FOR REVIEW	SDS	CPD	JWB

MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY SDS	DATE 03/21/25	APPROVED BY	
CHECKED BY CPD	DATE 03/21/25		
APPROVED BY JWB	DATE 03/21/25	PROJECT MANAGER / PROJECT ENGINEER	
PROJ. ID. 8.M24001.00.0	SCALE AS NOTED	MDL-TX-MID-064.000	

EXHIBIT "B"

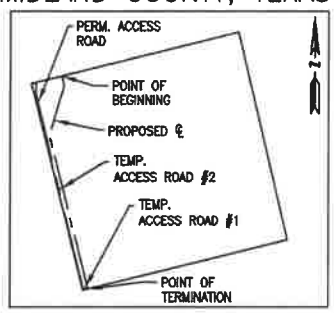
PERMANENT EASEMENT AND TEMPORARY WORKSPACE
LYING WITHIN AND BEING A PART OF
SECTION 21, BLOCK 37, T-3-S
T&P RR. CO. SURVEY, A-136

MIDLAND COUNTY, TEXAS

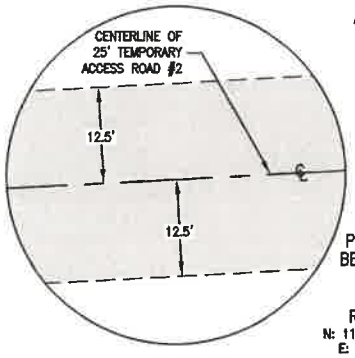
LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
PERM.	PERMANENT
TWS	TEMPORARY WORK SPACE
TEMP.	TEMPORARY
CONC.	CONCRETE
MON.	MONUMENT
FND.	FOUND
A	ABSTRACT
D.R.M.C.T.	DEED RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS

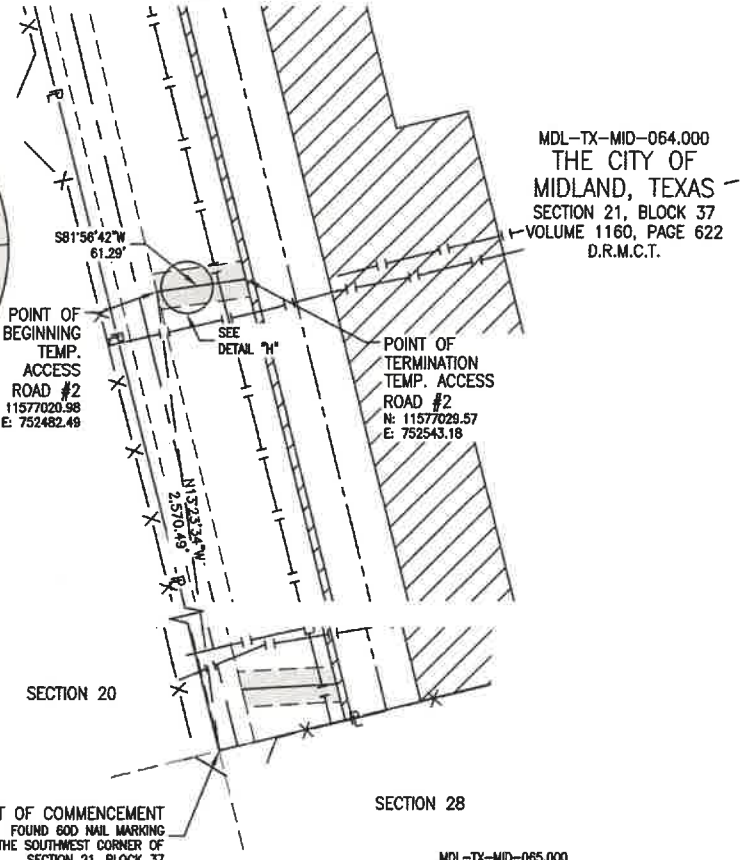
PERM. EASEMENT	6.24 ACRES	
TEMP. WORKSPACE	10.44 ACRES	
LINEAR FEET	5,432.83'	
RODS	329.26	
PERM. ACCESS ROAD	3.03 ACRES	
LINEAR FEET	5,275.32'	
RODS	319.72	
TEMP. ACCESS ROADS	0.07 ACRES	
LINEAR FEET	128.44'	
RODS	7.78	



VICINITY MAP
N.T.S.



DETAIL "H"
N.T.S.



MDL-TX-MID-064.000
THE CITY OF MIDLAND, TEXAS
SECTION 21, BLOCK 37
VOLUME 1160, PAGE 622
D.R.M.C.T.

MDL-TX-MID-065.000
THE LHS RANCH, L.L.C.
SECTION 28, BLOCK 37
VOLUME 1645, PAGE 326
VOLUME 1645, PAGE 328
VOLUME 1645, PAGE 330
O.P.R.M.C.T.

SCALE: 1" = 100'

SHEET 10 OF 10

NOTES:

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Walter Ballard 04/09/2025

J. WALTER BALLARD — DATE:
RPLS NO. 6317
PHONE: (318) 255-6825

HUNT, GUILLOT & ASSOCIATES, LLC
603 REYNOLDS DRIVE
RUSTON, LOUISIANA 71270
PHONE: 318-255-6825
FIRM LICENSE NO.
TX 10183865

NO.	DATE		DRWN	CHK'D	APP'D
B	04/09/25	ISSUED FOR ACQUISITION	RTH	CPD	JWB
A	03/21/25	ISSUED FOR REVIEW	SDS	CPD	JWB

MIDLAND LATERAL PIPELINE
MIDLAND COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRWN BY SDS	DATE 03/21/25	APPROVED BY	
CHECKED BY CPD	DATE 03/21/25		
APPROVED BY JWB	DATE 03/21/25	PROJECT MANAGER / PROJECT ENGINEER	
PROJ. ID. 6.M24001.00.0	SCALE AS NOTED	MDL-TX-MID-064.000	

EXHIBIT "A"

Written: January 22, 2025

ME-TX-MD-039.000
Field Notes for Hugh Brinson Pipeline, LLC
Hugh Brinson Pipeline Project
The City of Midland
6.28 Acre Right-of-Way

GENERAL DESCRIPTION

A certain 50-foot wide tract or parcel of land situated in Section 30, Block 36, Township 3 South, T&P Railroad Company Survey, Abstract 957, Midland County, Texas and T&P Railroad Company Survey, Abstract 1241, Glasscock County, Texas and being a portion of a called 662.60 acre tract, Tract Five, Section 30, acquired by The City of Midland, as per deeds recorded in Volume 20, Page 534 of the Official Public Records of Midland County, Texas, Volume 1508, Page 593 of the Official Public Records of Glasscock County, Texas and further described in Corrected Field Notes recorded in Volume B, Page 107 of the Deed Records of Glasscock County, Texas, and being shown on a plat prepared by Hunt, Guillot & Associates, L.L.C., drawing number ME-TX-MD-039.000, dated January 16, 2025, the centerline of which is more particularly described as follows to wit:

RIGHT-OF-WAY CENTERLINE DESCRIPTION

COMMENCING at a found 1 inch iron pipe lying on the west line of said called 662.60 acre tract, Tract Five, Section 30, being common with the east line of Section 25 and marking the northeast corner of a called 368.78 acre tract acquired by Jay H. Floyd, Jr., as per deed recorded in Volume 1825, Page 402 of the Official Public Records of Midland County, Texas;

Thence proceed, South 14 degrees 03 minutes 19 seconds East, along the common line of said Sections 25 and 30, a distance of 1,460.67 feet to the **POINT OF BEGINNING**;

Thence proceed, North 77 degrees 36 minutes 41 seconds East, a distance of 2,475.66 feet;

Thence proceed, North 86 degrees 28 minutes 20 seconds East, a distance of 40.01 feet;

Thence proceed, South 84 degrees 40 minutes 19 seconds East, a distance of 39.98 feet;

Thence proceed, South 75 degrees 48 minutes 57 seconds East, a distance of 712.58 feet;

Thence proceed, South 85 degrees 24 minutes 57 seconds East, a distance of 40.25 feet;

Thence proceed, North 84 degrees 59 minutes 03 seconds East, a distance of 39.98 feet;

Thence proceed, North 75 degrees 13 minutes 49 seconds East, a distance of 1,423.19 feet;

Thence proceed, North 83 degrees 42 minutes 38 seconds East, a distance of 118.84 feet;

Thence proceed, North 75 degrees 27 minutes 09 seconds East, a distance of 587.07 feet to the **POINT OF TERMINATION,** on the east line of said called 662.60 acre tract, Tract Five, Section 30, being common with the west line of a called 619.417 acre tract, Section 29, acquired by Elizabeth Diane Herrman, as per deed recorded in Volume 156, Page 266 and further described in Deed of Trust recorded in Volume 309, Page 797, both of the Official Public Records of Glasscock County, Texas, from which a found 3 inch capped iron pipe "RPLS 4077" lying on the south line of said called 662.60 acre tract, Tract Five, Section 30, bears South 12 degrees 26 minutes 57 seconds East, a distance of 3,327.34 feet.

The above described Permanent Easement contains 6.28 acres and 5,477.83 linear feet or 331.99 rods.

Bearing Source: North, Bearings, Distances and Coordinates are based on Texas State Plane Coordinate System, Central Zone, NAD 83 Datum, U.S. Survey Foot, derived from GPS Observations, processed through OPUS [NAD_83(2011)(EPOCH:2010.0000], survey performed by Hunt, Guillot & Associates, L.L.C.

I, Richard L. Walker II, Registered Professional Land Surveyor No. 5831-Texas, do hereby certify that the above field notes were prepared from an actual field survey made on the ground and under my direction and supervision within the month of December, 2023.

Date: 05/15/2025

Richard L. Walker II, R.P.L.S. Texas No. 5831
Hunt, Guillot & Associates, L.L.C.
21 Rivers Drive - Suite 130
Hattiesburg, MS 39401
601-779-6805
TBPELS Firm No. 10193865

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE AND
TEMPORARY ACCESS ROAD
LYING WITHIN AND BEING A PART OF
SECTION 30, BLOCK 36, T-3-S
T&P R.R. CO. SURVEY, A-957
MIDLAND COUNTY, TEXAS
T&P R.R. CO. SURVEY, A-1241
GLASSCOCK COUNTY, TEXAS

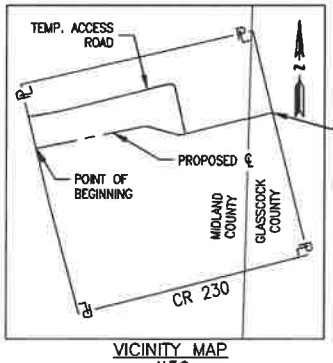
SCALE: 1" = 300'

SHEET 3 OF 8

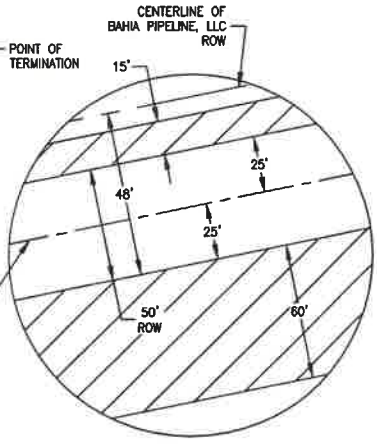
LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
TWS	TEMPORARY WORK SPACE
TEMP.	TEMPORARY
CONC.	CONCRETE
MON.	MONUMENT
FND.	FOUND
A	ABSTRACT
D.R.M.C.T.	DEED RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS, GLASSCOCK COUNTY, TEXAS
D.R.G.C.T.	DEED RECORDS, GLASSCOCK COUNTY, TEXAS

	RIGHT-OF-WAY	6.28 ACRES
	TEMP. WORKSPACE	11.28 ACRES
	LINEAR FEET	5,477.83'
	RODS	331.99
	TEMP. ACCESS ROAD	2.56 ACRES
	LINEAR FEET	4,466.94'
	RODS	270.72



VICINITY MAP
N.T.S.



DETAIL "A"
N.T.S.

COMMENCE AT A FOUND 1" IRON PIPE LYING ON THE WEST LINE OF CALLED 662.60 ACRES, TRACT FIVE, SECTION 30, THE EAST LINE OF SECTION 25, AND MARKING THE NORTHEAST CORNER OF CALLED 368.78 ACRES

SEE SHEET 6 THROUGH 7 FOR TEMP. ACCES ROAD DETAILS

ME-TX-MD-039.000
THE CITY OF MIDLAND
CALLED 662.60 ACRES, TRACT FIVE
SECTION 30
VOLUME 20, PAGE 534
O.P.R.M.C.T.
VOLUME 1508, PAGE 593
O.P.R.G.C.T.
CORRECTED FIELD NOTES
VOLUME B, PAGE 107
D.R.G.C.T.

S14°03'19"E
1,460.67'

N77°36'41"E
2,475.66'
(CONTINUED ON SHEET 4)

MATCHLINE "A"

EXISTING CROWNQUEST PIPELINES

EXISTING ENTERPRISE PIPELINE

CENTERLINE OF BAHIA PIPELINE, LLC ROW

EXISTING TARGA PIPELINE

TWS #2
1.21 ACRES

TWS #1
10.07 ACRES

ME-TX-MD-038.000
JAY H. FLOYD, JR.
CALLED 368.78 ACRES
SECTION 25
VOLUME 1825, PAGE 402
O.P.R.M.C.T.

15' X 2,514'

60' X 1,565'

60' X 319'

110' X 150'

110' X 272'

110' X 150'

60' X 17'

SEE DETAIL "A"

CENTERLINE OF ROW

EXISTING TARGA PIPELINE

POINT OF BEGINNING
C/L OF ROW
N: 10645307.51
E: 1843954.18

NOTES:

1. NORTH, BEARINGS, DISTANCES AND COORDINATES ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83 DATUM, U.S. SURVEY FOOT, DERIVED FROM GPS OBSERVATIONS, PROCESSED THROUGH OPUS [NAD_83(2011)(EPOCH:2010.0000)] SURVEY PERFORMED BY HUNT, GUILLOT & ASSOCIATES, LLC.
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6. A FIELDNOTE DESCRIPTION ACCOMPANIES THIS PLAT.
7. THIS PLAT DETAILS A SINGLE 42" PIPELINE AND ITS RIGHT-OF-WAY. SAID PIPELINE TO CARRY NATURAL GAS.

I, RICHARD L. WALKER II, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5831-TEXAS, DO HEREBY CERTIFY THAT THE ABOVE FIELD NOTES WERE PREPARED FROM AN ACTUAL FIELD SURVEY MADE ON THE GROUND AND UNDER MY DIRECTION AND SUPERVISION WITHIN THE MONTH OF DECEMBER, 2023

05/15/2025

RICHARD L. WALKER II
RPLS NO. 5831
PHONE: (601) 779-6805
DATE:

STATE OF TEXAS
REGISTERED
RICHARD L WALKER II
5831
PROFESSIONAL
LAND SURVEYOR

HUNT, GUILLOT & ASSOCIATES, LLC
21 RIVERS DRIVE - SUITE 130
HATTIESBURG, MISSISSIPPI 39401
PHONE: 601-779-6805
FIRM LICENSE NO.
TX 10193665

NO.	DATE		DRWN	CHK'D	APP'D
D	05/15/25	RE-ISSUED FOR ACQUISITION	RTH	CPD	RLW
C	04/22/25	RE-ISSUED FOR REVIEW	RTH	CPD	RLW
B	02/18/25	ISSUED FOR ACQUISITION	DCL	CPD	RLW
A	01/16/25	ISSUED FOR REVIEW	JWH	CPD	RLW

HUGH BRINSON PIPELINE
MIDLAND COUNTY, TEXAS
GLASSCOCK COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY	JWH	DATE	01/16/25
CHECKED BY	CPD	DATE	01/16/25
APPROVED BY	RLW	DATE	01/16/25
PROJ. ID.	8.M24001.00.0	SCALE	AS NOTED

APPROVED BY
PROJECT MANAGER / PROJECT ENGINEER

ME-TX-MD-039.000

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE AND
TEMPORARY ACCESS ROAD
LYING WITHIN AND BEING A PART OF
SECTION 30, BLOCK 36, T-3-S
T&P R.R. CO. SURVEY, A-957
MIDLAND COUNTY, TEXAS
T&P R.R. CO. SURVEY, A-1241
GLASSCOCK COUNTY, TEXAS

SCALE: 1" = 300'

SHEET 4 OF 8

LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
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PROP.	PROPOSED
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FND.	FOUND
A	ABSTRACT
D.R.M.C.T.	DEED RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS, GLASSCOCK COUNTY, TEXAS
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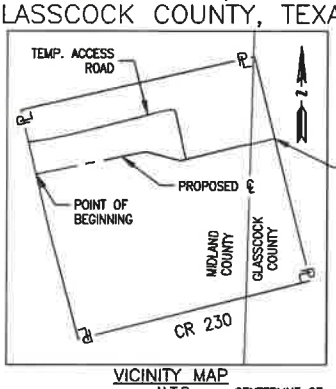

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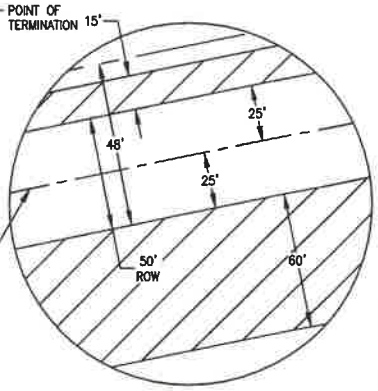

DETAIL "A"
N.T.S.

SEE SHEET 6 THROUGH 7 FOR TEMP. ACCES ROAD DETAILS

ME-TX-MD-039.000
THE CITY OF MIDLAND
CALLED 662.60 ACRES, TRACT FIVE
SECTION 30
VOLUME 20, PAGE 534
O.P.R.M.C.T.
VOLUME 1508, PAGE 593
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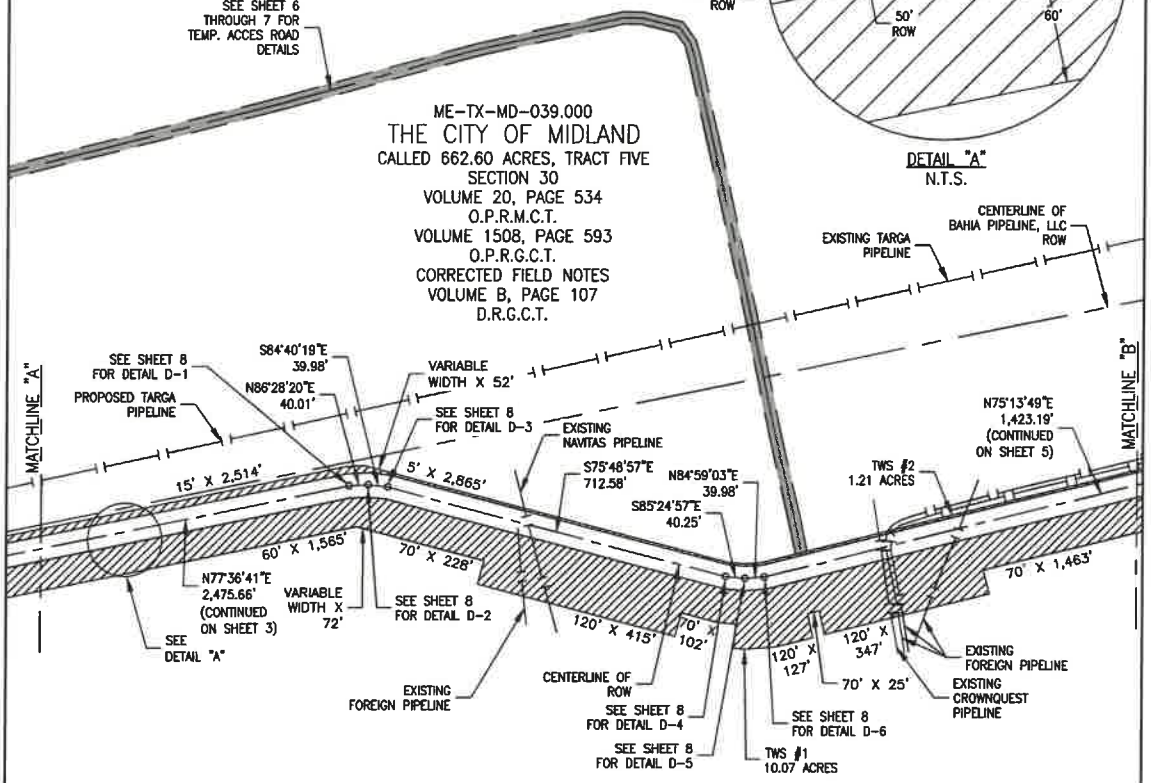

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05/15/2025

RICHARD L. WALKER II
RPLS NO. 5831
PHONE: (601) 779-6805
DATE:

STATE OF TEXAS
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RICHARD L WALKER II
5831
PROFESSIONAL
LAND SURVEYOR

HUNT, GUILLOT & ASSOCIATES, LLC
21 RIVERS DRIVE - SUITE 130
HATTIESBURG, MISSISSIPPI 39401
PHONE: 601-779-6805
FIRM LICENSE NO. TX 10193885

NO.	DATE		DRWN	CH'D	APP'D
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HUGH BRINSON PIPELINE
MIDLAND COUNTY, TEXAS
GLASSCOCK COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRWN BY JWH DATE 01/16/25
CHECKED BY CPD DATE 01/16/25
APPROVED BY RLW DATE 01/16/25
PROJ. ID. 8.M24001.00.0
SCALE AS NOTED

APPROVED BY
PROJECT MANAGER / PROJECT ENGINEER

ME-TX-MD-039.000

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MIDLAND COUNTY, TEXAS
T&P R.R. CO. SURVEY, A-1241
GLASSCOCK COUNTY, TEXAS

SCALE: 1" = 300'

SHEET 5 OF 8

LEGEND

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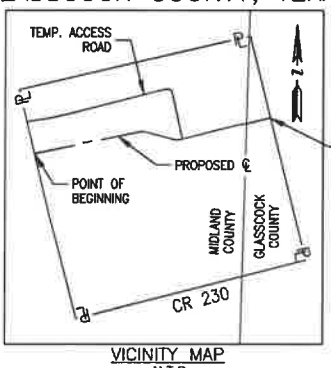
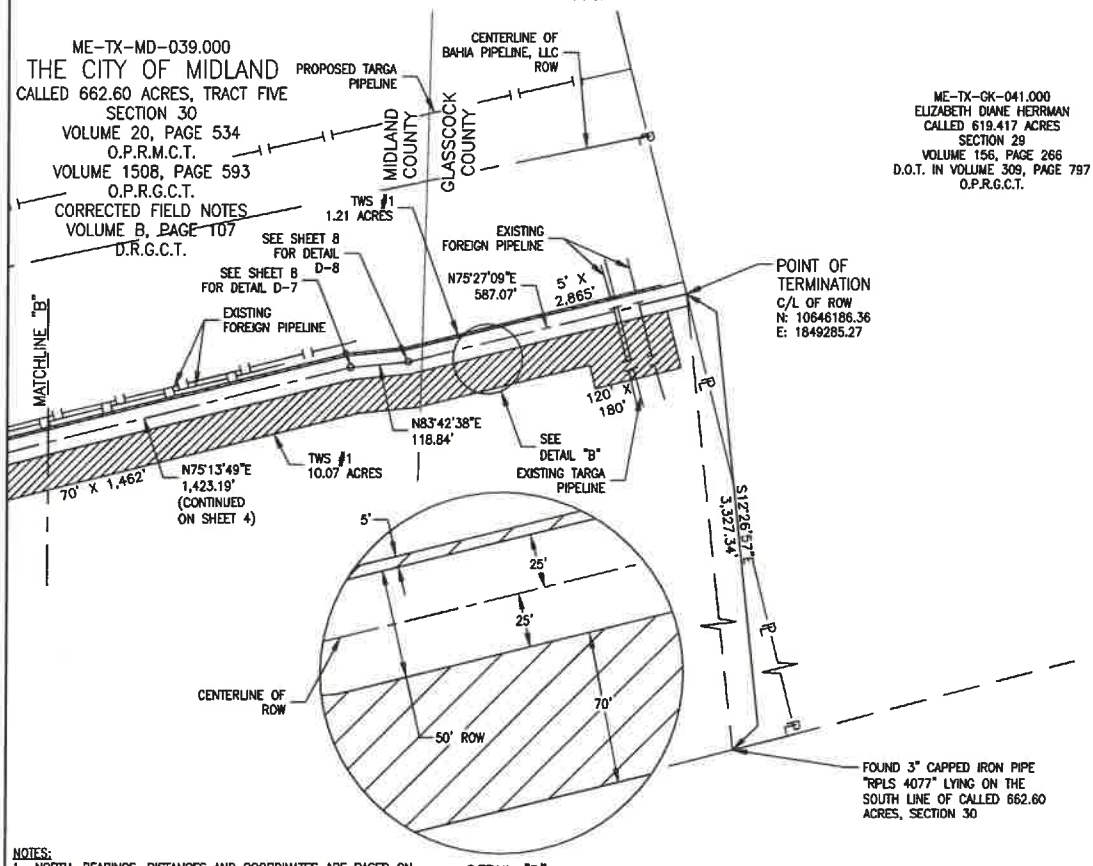
A	ABSTRACT
D.R.M.C.T.	DEED RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS, GLASSCOCK COUNTY, TEXAS
D.R.G.C.T.	DEED RECORDS, GLASSCOCK COUNTY, TEXAS

	RIGHT-OF-WAY	6.28 ACRES
	TEMP. WORKSPACE	11.28 ACRES
	LINEAR FEET	5,477.83'
	RODS	331.99
	TEMP. ACCESS ROAD	2.56 ACRES
	LINEAR FEET	4,466.94'
	RODS	270.72



VICINITY MAP
N.T.S.



DETAIL "B"
N.T.S.

NOTES:

1. NORTH, BEARINGS, DISTANCES AND COORDINATES ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83 DATUM, U.S. SURVEY FOOT, DERIVED FROM GPS OBSERVATIONS, PROCESSED THROUGH OPUS [NAD_83(2011)(EPOCH:2010.0000)] SURVEY PERFORMED BY HUNT, GUILLOT & ASSOCIATES, LLC.
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4. TITLE RESEARCH PERFORMED BY WOOD.
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6. A FIELDNOTE DESCRIPTION ACCOMPANIES THIS PLAT.
7. THIS PLAT DETAILS A SINGLE 42" PIPELINE AND ITS RIGHT-OF-WAY. SAID PIPELINE TO CARRY NATURAL GAS.

I, RICHARD L. WALKER II, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5831-TEXAS, DO HEREBY CERTIFY THAT THE ABOVE FIELD NOTES WERE PREPARED FROM AN ACTUAL FIELD SURVEY MADE ON THE GROUND AND UNDER MY DIRECTION AND SUPERVISION WITHIN THE MONTH OF DECEMBER, 2023

05/15/2025

RICHARD L. WALKER II
RPLS NO. 5831
PHONE: (601) 779-6805

DATE:

STATE OF TEXAS
REGISTERED
RICHARD L WALKER II
5831
PROFESSIONAL
LAND SURVEYOR

HUNT, GUILLOT & ASSOCIATES, LLC
21 RIVERS DRIVE - SUITE 130
HATTIESBURG, MISSISSIPPI 39401
PHONE: 601-779-6805
FIRM LICENSE NO.
TX 10193865

NO.	DATE		DRWN	CHK'D	APP'D
D	05/15/25	RE-ISSUED FOR ACQUISITION	RTH	CPD	RLW
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A	01/16/25	ISSUED FOR REVIEW	JWH	CPD	RLW

HUGH BRINSON PIPELINE
MIDLAND COUNTY, TEXAS
GLASSCOCK COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY	JWH	DATE	01/16/25
CHECKED BY	CPD	DATE	01/16/25
APPROVED BY	RLW	DATE	01/16/25
PROJ. ID.	8.M24001.00.0	SCALE	AS NOTED

APPROVED BY
PROJECT MANAGER / PROJECT ENGINEER

ME-TX-MD-039.000

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE AND
TEMPORARY ACCESS ROAD
LYING WITHIN AND BEING A PART OF
SECTION 30, BLOCK 36, T-3-S
T&P R.R. CO. SURVEY, A-957
MIDLAND COUNTY, TEXAS
T&P R.R. CO. SURVEY, A-1241
GLASSCOCK COUNTY, TEXAS

SCALE: 1" = 500'

SHEET 6 OF 8

LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
TWS	TEMPORARY WORK SPACE
TEMP.	TEMPORARY
CONC.	CONCRETE
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FND.	FOUND
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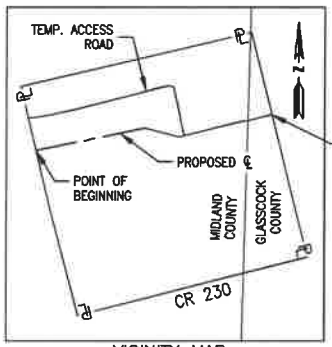


VICINITY MAP
N.T.S.

ME-TX-MD-039.000
THE CITY OF MIDLAND
CALLED 662.60 ACRES, TRACT FIVE
SECTION 30
VOLUME 20, PAGE 534
O.P.R.M.C.T.
VOLUME 1508, PAGE 593
O.P.R.G.C.T.
CORRECTED FIELD NOTES
VOLUME B, PAGE 107
D.R.G.C.T.

COMMENCE AT A FOUND 1" IRON PIPE LYING ON THE WEST LINE OF CALLED 662.60 ACRES, TRACT FIVE, SECTION 30, THE EAST LINE OF SECTION 25, AND MARKING THE NORTHEAST CORNER OF CALLED 368.78 ACRES

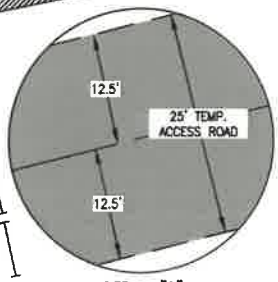
S14°03'19"E 716.36'

POINT OF BEGINNING
TEMP. ACCESS ROAD
N: 10646029.54
E: 1843773.41

SEE DETAIL "C"

POINT OF TERMINATION
TEMP. ACCESS ROAD
N: 10645713.85
E: 1847297.77

ME-TX-MD-038.000
JAY H. FLOYD, JR.
CALLED 368.78 ACRES
N1/2 AND N 402 FEET OF S1/2
SECTION 25
VOLUME 1825, PAGE 402
O.P.R.M.C.T.



DETAIL "C"
N.T.S.

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05/15/2025

RICHARD L. WALKER II — DATE:
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STATE OF TEXAS REGISTERED RICHARD L WALKER II 5831 PROFESSIONAL LAND SURVEYOR

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HUGH BRINSON PIPELINE
MIDLAND COUNTY, TEXAS
GLASSCOCK COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRWN BY JWH DATE 01/16/25
CHECKED BY CPD DATE 01/16/25
APPROVED BY RLW DATE 01/16/25
PROJ. ID. 8.M24001.00.0
SCALE AS NOTED
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PROJECT MANAGER / PROJECT ENGINEER

ME-TX-MD-039.000

EXHIBIT "B"

RIGHT-OF-WAY, TEMPORARY WORKSPACE AND
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LYING WITHIN AND BEING A PART OF
SECTION 30, BLOCK 36, T-3-S
T&P R.R. CO. SURVEY, A-957
MIDLAND COUNTY, TEXAS
T&P R.R. CO. SURVEY, A-1241
GLASSCOCK COUNTY, TEXAS

LEGEND

INST.	INSTRUMENT
NO.	NUMBER
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PL	PROPERTY LINE
TX	TEXAS
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HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
TWS	TEMPORARY WORK SPACE
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TEMP. ACCESS ROAD TABLE		
LINE #	DIRECTION	LENGTH
L1	N76°30'58"E	51.59'
L2	N81°44'55"E	227.70'
L3	N79°15'49"E	234.62'
L4	N76°30'16"E	558.41'
L5	N75°00'47"E	1,452.48'
L6	N73°50'33"E	415.56'
L7	N76°49'08"E	301.37'
L8	S89°20'30"E	36.26'
L9	S76°15'28"E	76.92'
L10	S37°06'20"E	38.36'
L11	S16°48'50"E	30.73'
L12	S13°20'11"E	194.04'
L13	S13°11'13"E	350.00'
L14	S12°29'52"E	251.29'
L15	S13°48'46"E	170.17'
L16	S12°44'23"E	77.44'

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GLASSCOCK COUNTY, TEXAS

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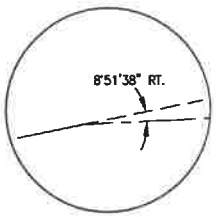
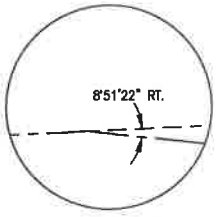
DEFLECTION ANGLE DETAILS



DETAIL "D-1"
N.T.S.



DETAIL "D-2"
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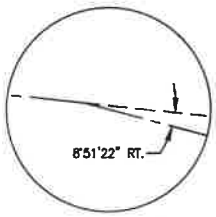
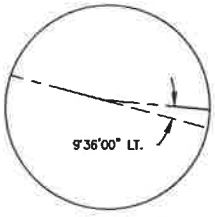
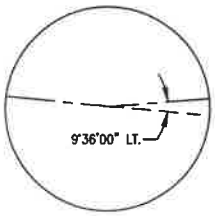


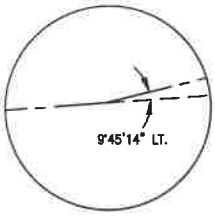
DETAIL "D-3"
N.T.S.



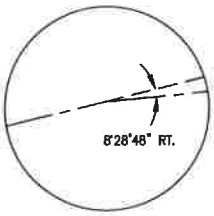
DETAIL "D-4"
N.T.S.



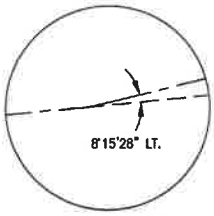
DETAIL "D-5"
N.T.S.



DETAIL "D-6"
N.T.S.



DETAIL "D-7"
N.T.S.



DETAIL "D-8"
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GLASSCOCK COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

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SCALE AS NOTED

APPROVED BY
PROJECT MANAGER / PROJECT ENGINEER

ME-TX-MD-039.000

EXHIBIT "A"

Written: October 2, 2025

ME-TX-MD-039.000_AR
Field Notes for Hugh Brinson Pipeline, LLC
Hugh Brinson Pipeline Project
City of Midland, Texas
1.05 Acre Access Road

GENERAL DESCRIPTION

A certain 25-foot wide tract or parcel of land situated in Section 30, Block 36, Township 3 South, T&P Railroad Company Survey, Abstract 957, Midland County, Texas and being a portion of a called 662.60 acre tract, Tract Five, Section 30, acquired by the City of Midland, Texas, as per deed recorded in Volume 20, Page 534 of the Official Public Records of Midland County, Texas, Volume 1508, Page 593 of the Official Public Records of Glasscock County, Texas and further described in the Corrected Field Notes in Volume B, Page 107 of the Deed Records of Glasscock County, Texas and being shown on a plat prepared by Hunt, Guillot & Associates, L.L.C., drawing number ME-TX-MD-039.000_AR dated September 30, 2025, the centerline of which is more particularly described as follows to wit:

ACCESS ROAD CENTERLINE DESCRIPTION

COMMENCING at a found 1 inch iron pipe lying on the west line of said called 662.60 acre tract, Tract Five, Section 30, and marking the northeast corner of a called 368.78 acre tract, Section 25, acquired by Margaret Dragisic Floyd, as per deed recorded in Volume 1825, Page 402 of the Official Public Records of Midland County, Texas;

Thence proceed, South 14 degrees 03 minutes 17 seconds East, a distance of 716.35 feet to a point on the west line of said called 662.60 acre tract, Tract Five, Section 30, being common with the east line of said called 368.78 acre tract, Section 25, for the **POINT OF BEGINNING**;

Thence proceed, North 76 degrees 31 minutes 00 seconds East, a distance of 51.59 feet;

Thence proceed, North 81 degrees 44 minutes 57 seconds East, a distance of 230.69 feet;

Thence proceed, South 13 degrees 45 minutes 26 seconds East, a distance of 1,279.54 feet;

Thence proceed, South 76 degrees 06 minutes 54 seconds West, a distance of 274.44 feet to the **POINT OF TERMINATION** on the west line of said called 662.60 acre tract, Tract Five, Section 30, being common with the east line of said called 368.78 acre tract, Section 25, from which the aforementioned found 1 inch iron pipe bears North 13 degrees 19 minutes 54 seconds West, a distance of 2,019.85 feet.

The above described Access Road contains 1.05 acres and 1,836.26 linear feet or 111.29 rods.

Bearing Source: North, Bearings, Distances and Coordinates are based on UTM Zone 14, NAD 83 Datum, U.S. Survey Foot, derived from GPS Observations, processed through OPUS [NAD_83(2011)(EPOCH:2010.0000], survey performed by Hunt, Guillot & Associates, L.L.C.

I, Richard L. Walker II, Registered Professional Land Surveyor No. 5831-Texas, do hereby certify that the above field notes were prepared from an actual field survey made on the ground and under my direction and supervision within the month of December, 2023.

Date: 10/03/2025

Richard L. Walker II, R.P.L.S. Texas No. 5831
Hunt, Guillot & Associates, L.L.C.
21 Rivers Drive - Suite 130
Hattiesburg, MS 39401
601-779-6805
TBPELS Firm No. 10193865

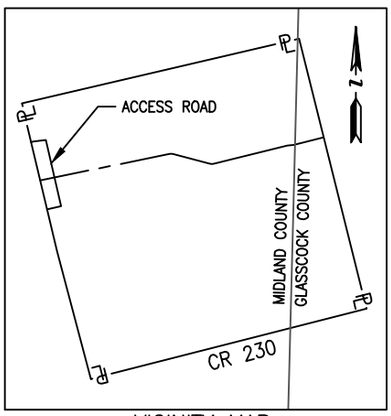
EXHIBIT "B"

ACCESS ROAD
LYING WITHIN AND BEING A PART OF
SECTION 30, BLOCK 36, T-3-S
T&P R.R. CO. SURVEY, A-957
MIDLAND COUNTY, TEXAS
T&P R.R. CO. SURVEY, A-1241
GLASSCOCK COUNTY, TEXAS

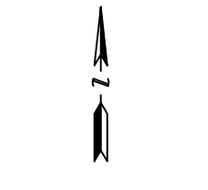
LEGEND

INST.	INSTRUMENT
NO.	NUMBER
℄	CENTERLINE
PL	PROPERTY LINE
TX	TEXAS
ROW	RIGHT OF WAY
HWY.	HIGHWAY
CR	COUNTY ROAD
FM	FARM TO MARKET
PROP.	PROPOSED
TWS	TEMPORARY WORK SPACE
TEMP.	TEMPORARY
CONC.	CONCRETE
MON.	MONUMENT
FND.	FOUND
A	ABSTRACT
D.R.M.C.T.	DEED RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND COUNTY, TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS, GLASSCOCK COUNTY, TEXAS
D.R.G.C.T.	DEED RECORDS, GLASSCOCK COUNTY, TEXAS

	ACCESS ROAD	1.05 ACRES
	LINEAR FEET	1,836.26'
	RODS	111.29

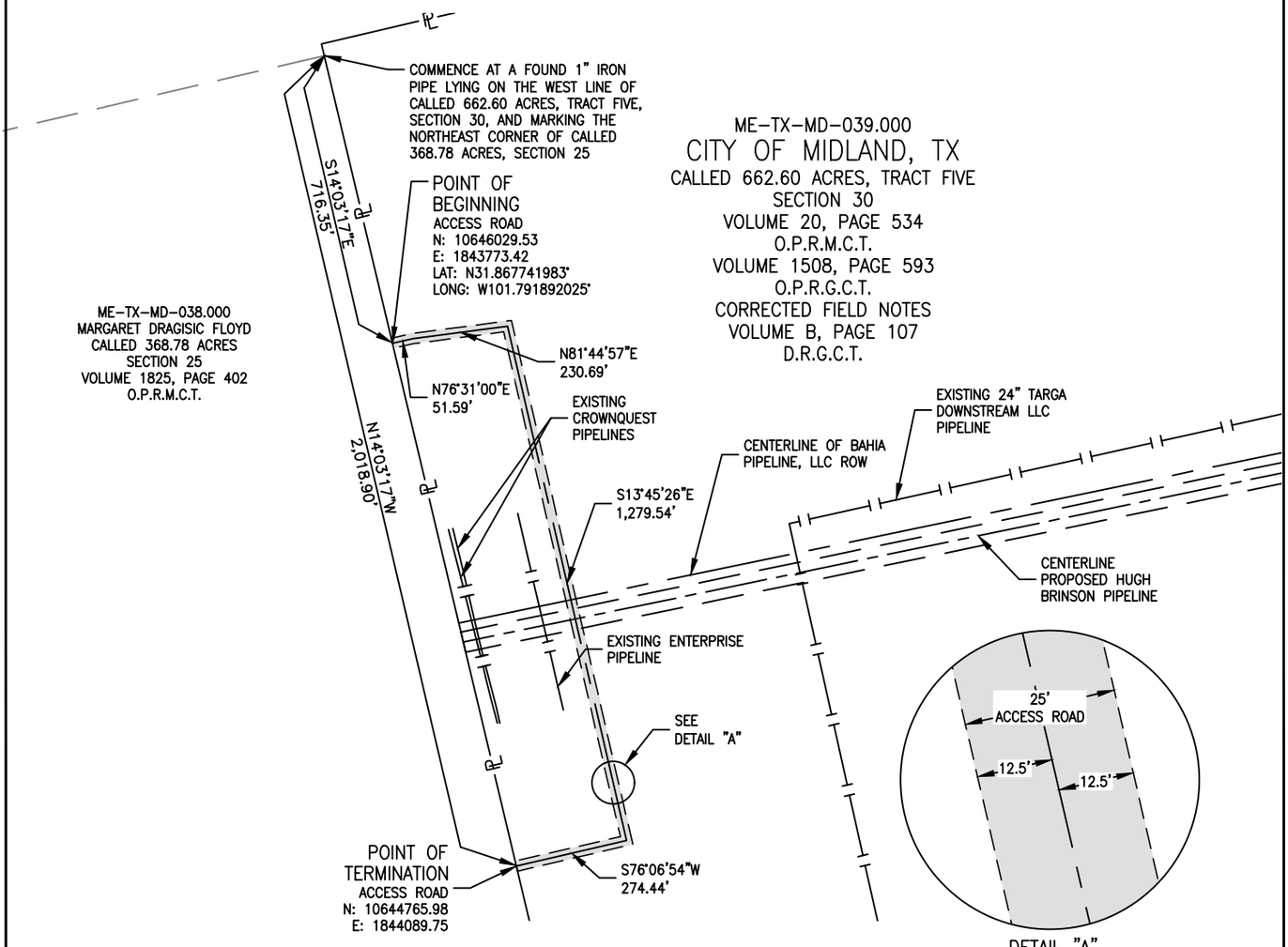


VICINITY MAP
N.T.S.



SCALE: 1" = 400'

SHEET 3 OF 3



ME-TX-MD-038.000
MARGARET DRAGISIC FLOYD
CALLED 368.78 ACRES
SECTION 25
VOLUME 1825, PAGE 402
O.P.R.M.C.T.

ME-TX-MD-039.000
CITY OF MIDLAND, TX
CALLED 662.60 ACRES, TRACT FIVE
SECTION 30
VOLUME 20, PAGE 534
O.P.R.M.C.T.
VOLUME 1508, PAGE 593
O.P.R.G.C.T.
CORRECTED FIELD NOTES
VOLUME B, PAGE 107
D.R.G.C.T.

DETAIL "A"
N.T.S.

NOTES:
1. NORTH, BEARINGS, DISTANCES AND COORDINATES ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83 DATUM, U.S. SURVEY FOOT, DERIVED FROM GPS OBSERVATIONS, PROCESSED THROUGH OPUS [NAD_83(2011)(EPOCH:2010.0000)] SURVEY PERFORMED BY HUNT, GUILLOT & ASSOCIATES, LLC.
2. INFORMATION DEPICTED HEREON IS BASED ON A SURVEY CONDUCTED FOR THE PURPOSE OF ESTABLISHING A BASELINE FOR MAPPING SELECTED TOPOGRAPHIC FEATURES AND LOCATING NECESSARY LINES FOR ENGINEERING DESIGN AND RIGHT-OF-WAY ACQUISITION ON DEEDS SUPPLIED BY CLIENT.
3. THIS IS A RIGHT-OF-WAY DRAWING AND IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY.
4. TITLE RESEARCH PERFORMED BY WOOD.
5. TEMPORARY WORKSPACE LIES ADJACENT AND CONTIGUOUS TO THE RIGHT-OF-WAY UNLESS OTHERWISE NOTED. THE SIDE LINES OF SAID RIGHT-OF-WAY LENGTHEN OR SHORTEN TO INTERSECT PROPERTY LINES, FOREIGN PIPELINES, WATER BODIES AND OTHER FEATURES THAT ARE NOT PERPENDICULAR TO THE BASELINE.
6. A FIELDNOTE DESCRIPTION ACCOMPANIES THIS PLAT.

I, RICHARD L. WALKER II, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5831-TEXAS, DO HEREBY CERTIFY THAT THE ABOVE FIELD NOTES WERE PREPARED FROM AN ACTUAL FIELD SURVEY MADE ON THE GROUND AND UNDER MY DIRECTION AND SUPERVISION WITHIN THE MONTH OF DECEMBER, 2023

10/03/2025

RICHARD L. WALKER II — DATE:
RPLS NO. 5831
PHONE: (601) 779-6805

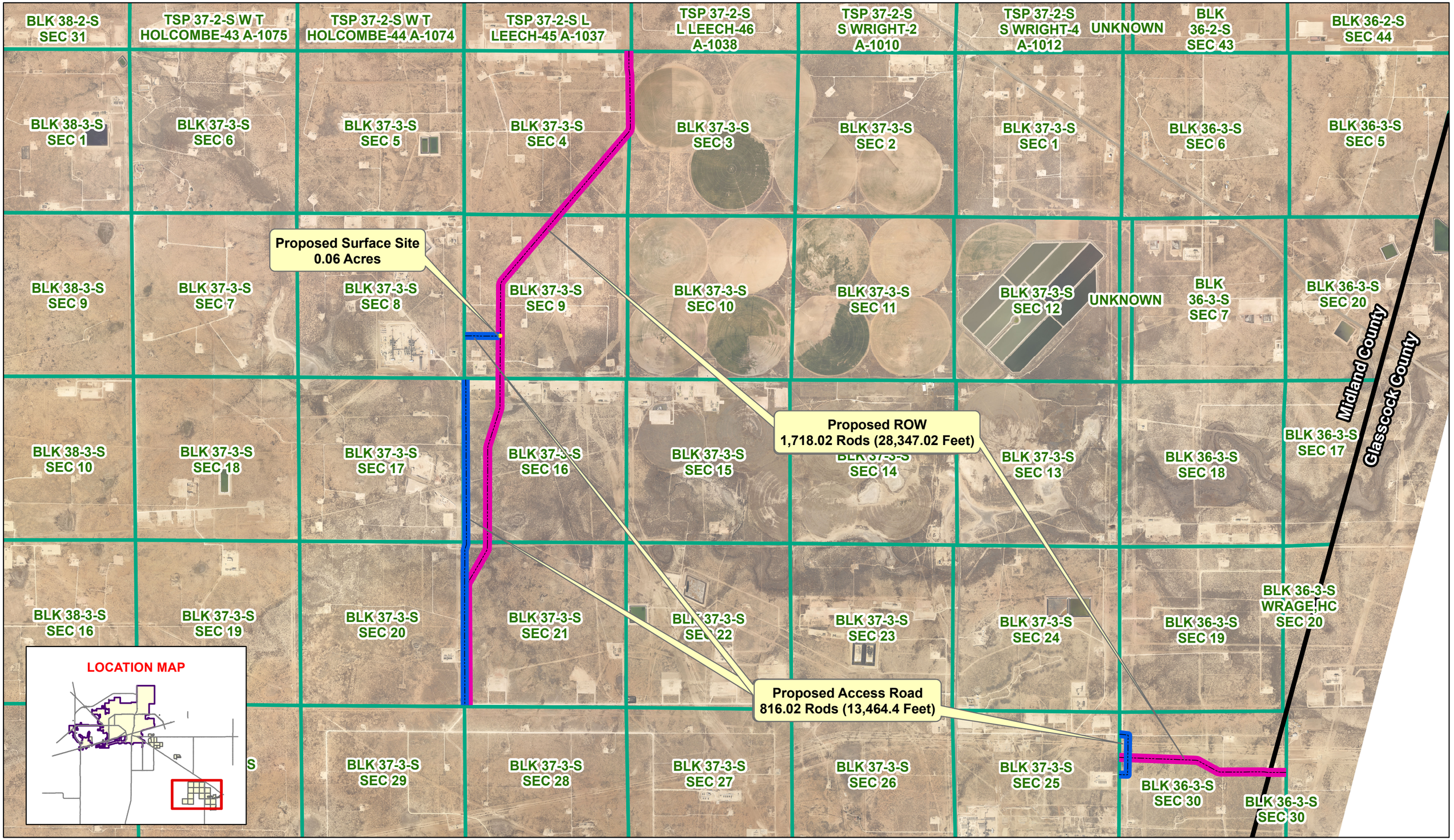
HUNT, GUILLOT & ASSOCIATES, LLC
21 RIVERS DRIVE – SUITE 130
HATTIESBURG, MISSISSIPPI 39401
PHONE: 601-779-6805
FIRM LICENSE NO.
TX 10193865

NO.	DATE		DRWN	CHK'D	APP'D
C	10/03/25	RE-ISSUED FOR ACQUISITION	WCP	CPD	RLW
B	10/02/25	ISSUED FOR ACQUISITION	WCP	CPD	RLW
A	09/30/25	ISSUED FOR REVIEW	WCP	CPD	RLW

HUGH BRINSON PIPELINE
MIDLAND COUNTY, TEXAS
GLASSCOCK COUNTY, TEXAS

HUGH BRINSON PIPELINE, LLC

DRAWN BY WCP	DATE 09/30/25	APPROVED BY	
CHECKED BY CPD	DATE 09/30/25		
APPROVED BY RLW	DATE 09/30/25	PROJECT MANAGER / PROJECT ENGINEER	
PROJ. ID. 8.M24001.00.0	SCALE AS NOTED	ME-TX-MD-039.000_AR	



Date: 10/10/2025

- Proposed Surface Site
- Proposed ROW
- Proposed Access Road
- County Boundary
- Survey Section

Hugh Brinson Pipeline, LLC
Proposed ROW, Access Road and Surface Site

N W E S

0 1,500 3,000 Feet

©THE CITY OF MIDLAND - 2025
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 ON THIS MAP.

CERTIFICATE OF LIABILITY INSURANCE

9/15/2026

DATE (MM/DD/YYYY): 9/24/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	Lockton Companies, LLC DBA as Lockton Insurance Brokers, LLC in CA CA license #0F15767 3657 Briarpark Dr., Ste. 700 Houston TX 77042 (866) 260-3538	**CONTACT NAME:**	
		PHONE (A/C, No, Ext):	**FAX (A/C, No):**
		E-MAIL ADDRESS:	
		INSURER(S) AFFORDING COVERAGE	**NAIC #**
		INSURER A : Old Republic Insurance Company	24147
INSURED 1435373	Hugh Brinson Pipeline, LLC 1300 Main Street Houston TX 77002	**INSURER B :** ACE American Insurance Company	22667
		INSURER C :	
		INSURER D :	
		INSURER E :	
		INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** 22421054 **REVISION NUMBER:** XXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] **COMMERCIAL GENERAL LIABILITY** [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC [ ] OTHER:	Y	Y	MWZY 59829 25	9/15/2025	9/15/2026	EACH OCCURRENCE	$ 10,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 10,000,000
							MED EXP (Any one person)	$ XXXXXXX
							PERSONAL & ADV INJURY	$ 10,000,000
							GENERAL AGGREGATE	$ 10,000,000
							PRODUCTS - COMP/OP AGG	$ See Below
								$
A A	**AUTOMOBILE LIABILITY** [X] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [ ] HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY [X] MCS-90	Y	Y	MWTB 21711 25 MWZX 315003 25	9/15/2025 9/15/2025	9/15/2026 9/15/2026	COMBINED SINGLE LIMIT (Ea accident)	$ 10,000,000
							BODILY INJURY (Per person)	$ XXXXXXX
							BODILY INJURY (Per accident)	$ XXXXXXX
							PROPERTY DAMAGE (Per accident)	$ XXXXXXX
								$ XXXXXXX
A	[ ] **UMBRELLA LIAB** [ ] OCCUR [X] **EXCESS LIAB** [X] CLAIMS-MADE [ ] DED [ ] RETENTION $	Y	Y	MWZX 314235 25	9/15/2025	9/15/2026	EACH OCCURRENCE	$ 10,000,000
							AGGREGATE	$ 10,000,000
								$ XXXXXXX
B B B	**WORKERS COMPENSATION AND EMPLOYERS' LIABILITY** Y / N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? [N] **(Mandatory in NH)** If yes, describe under DESCRIPTION OF OPERATIONS below	N / A	Y	WLR C72798090 SCF C72798107 (MO, NC, OK, PA, WI)	9/15/2025 9/15/2025	9/15/2026 9/15/2026	[X] PER STATUTE [ ] OTH-ER	
							E.L. EACH ACCIDENT	$ 10,000,000
							E.L. DISEASE - EA EMPLOYEE	$ 10,000,000
							E.L. DISEASE - POLICY LIMIT	$ 10,000,000
B	*Excess Workers Compensation (OH)	Y	Y	WCU C72798119	9/15/2025	9/15/2026	EL Each Acc $10MM EL Disease-Policy Lim $10MM EL Disease-Each Empl $10MM	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

EXCESS WORKERS COMPENSATION - * POLICY APPLIES TO OHIO. Products/Completed Operations Aggregate Limit Subject to the General Aggregate Limit. All policies (except Workers' Compensation/EL) contain a special endorsement with "Primary and Noncontributory" wording. All policies include a blanket notice of cancellation to certificate holders endorsement, providing for 30 days advance notice if the policy is cancelled by the company other than for nonpayment of premium, 10 days' notice if the policy is cancelled for nonpayment of premium. Notice is sent to certificate holders with mailing addresses on file with the agent or the company. The endorsement does not provide for notice of cancellation if the named insured requests cancellation.

CERTIFICATE HOLDER

22421054

City of Midland Texas
P.O. Box 1152
Midland TX 79702

CANCELLATION See Attachment

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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All policies (except Workers' Compensation/EL) include a blanket automatic additional insured endorsement [provision] that confers additional insured status to the certificate holder only if there is a written contract between the named insured and the certificate holder that requires the named insured to name the certificate holder as an additional insured. In the absence of such a contractual obligation on the part of the named insured, the certificate holder is not an additional insured under the policy.

All policies include a blanket automatic waiver of subrogation endorsement [provision] that provides this feature only when there is a written contract between the named insured and the certificate holder that requires it. In the absence of such a contractual obligation on the part of the named insured, the waiver of subrogation feature does not apply.

City Council Meeting

Item Number: 21.
Meeting Date: October 28, 2025
To: City Council
From: John Simmons, Right of Way Manager
Subject: MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (25-495-026) BETWEEN THE CITY OF MIDLAND AND CIVITAS PERMIAN OPERATING, LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 17, BLOCK C-24, PUBLIC SCHOOL LAND SURVEY, LOVING COUNTY, TEXAS

Purpose:
Civitas Permian Operating, LLC, is requesting two 30' wide right of ways to place private 22 Kv overhead power lines on City of Midland owned T-Bar Ranch. These power lines are being built to connect existing Overhead Power Lines to existing oilfield production and storage facilities on adjacent property.

Applicant will need two 20' wide temporary workspaces for construction.

This Right-of-Way License is proposed for a single ten (10) year period, paid in advance. Terms are consistent with the City's standard license for facilities of this nature.

Recommended Action:
Motion authorizing the execution of a Right-of-Way license (25-495-026) between the City of Midland and Civitas Permian Operating, LLC, regarding city-owned property described as Section 17, Block C-24 Loving County, Texas.

Fiscal Impact:
2 Application fees paid (one time): $2,000

10-year lease rate,

22KV Overhead Power Line 1 (3.19 rods * $76.00 per rod) $242.44 ($500 minimum)

22KV Overhead Power Line 2 (4.56 rods * $76.00 per rod) $346.56 ($500 minimum)

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
These 2 private use, 22 Kv overhead powerline connections are away from any water wells and will not interfere with the T-Bar Ranch water operations.

Certificates of Insurance (COI) with City of Midland named as additional insured and a waiver of subrogation in favor of the City of Midland has been collected and on file.

City Secretary to record completed License Agreement

Attachments:
A. RIGHT OF WAY - Civitas Permian Operating LLC executed ROW License 24-495-026 (Queen Robyn 221 & 224 OHE)
B. Exhibit A
C. Council Map Civitas_TBar_100925
D. COI

John Simmons, Utilities	Created/Initiated - 10/15/2025
Carl Craigo, Utilities	Approved - 10/20/2025
Christy Weakland, City Secretary	Approved - 10/20/2025
Linda Ochoa, Legal	Approved - 10/21/2025
Jose Ortiz, City Manager	Approved - 10/22/2025
Morris Williams, City Manager	Approved - 10/22/2025
Jan Hamilton, City Secretary	Final Approval - 10/22/2025

RIGHT OF WAY LICENSE

THE STATE OF TEXAS	§	
	§	KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF MIDLAND	§	

Date:	October 29, 2025
Licensor:	CITY OF MIDLAND, TEXAS, a home-rule municipal corporation
Licensor's Representative:	Tommy Gonzalez, City Manager
Licensor's Mailing Address:	P.O. Box 1152 Midland, Texas 79702
Licensee:	**Civitas Permian Operating, LLC**
Licensee's Representative:	**Garrett Kimbell**
Licensee's Mailing Address:	6301 Holiday Hill Road, Suite 201-BLD 3 Midland, Texas 79707
Property:	As described in Article III below
License Number:	**24-495-026**

Licensee desires use of certain Property (as defined below) in Loving County, Texas for purposes set forth below. Licensor hereby authorizes Licensee to act as described in this license (this "License") limited to any and all rights Licensor may have to the Property and subject to any and all validly existing encumbrances, conditions, and restrictions relating to the Property.

W I T N E S S E T H:

For and in consideration of the execution of this License and the mutual promises and covenants of the parties hereto, it is mutually promised, understood and agreed as follows:

I. Term

A. Term. This License shall be for a term of ten (10) years commencing on the date of this License (the "Commencement Date") unless terminated earlier as provided hereafter.

B. Termination. Licensor may terminate this License if Licensee fails to pay, when due, any amount owing under this License and that failure continues for sixty (60) days or, if Licensee commits any material breach or material default in performance of any obligation, prohibition, restriction, provision or covenant contained in this License, and the breach or default continues for a period of thirty (30) days after Licensor delivers notice to Licensee reasonably detailing the breach or default.

Additionally, Licensor may terminate this License at will for any or no reason upon giving at least three hundred sixty-five (365) days' written notice to Licensee. The parties to this License understand and agree that it is in Licensor's sole discretion to terminate this License during the term of this License without penalty to Licensor. Licensee has no expectation and has received no guarantees that this License will not be terminated before the end of the License term. The parties have bargained for the flexibility of terminating this License upon tender of the requisite notice at any time during the term of this License. All work and services under this License shall be suspended upon termination of this License.

Upon expiration or termination of this License, Licensee shall remove all equipment and structures associated with the undertakings contemplated by this License. After removal of all equipment and structures associated with the undertakings contemplated by this License, the surface of the Property shall be restored at the expense of Licensee to its original condition, as close thereto as may be practical, subject to the approval of Licensor upon inspection by Licensor's Representative, which approval shall not be unreasonably withheld. All of said work shall be completed within one hundred eighty (180) days after the expiration or termination of this License. All of the terms, provisions and requirements of this paragraph shall survive the expiration or termination of this License.

II. Financial Consideration

A. License Fee. A license fee in the amount of FOUR THOUSAND and No/100 Dollars ($4,000.00) ("License Fee") shall be due and payable on or prior to the Commencement Date.

In the event Licensor terminates this License pursuant to the provisions of Section I.B., Licensor agrees to refund to Licensee a pro rata share of the License Fee actually paid by Licensee to Licensor for that portion of the remaining term that is being terminated. For the avoidance of doubt, the amount of any refund payable to Licensee pursuant to this paragraph shall be determined net of any costs or expenses incurred by Licensor in connection with Licensee's unfulfilled obligations under this License (if any).

B. Application Fee. On or prior to the Commencement Date of this License, Licensee shall pay a non-refundable one-time fee of One Thousand and No/100 Dollars ($1,000.00) to Licensor's Representative. Said fee shall revert to Licensor and Licensee shall have no claim to said fee. The fee shall be used to process the application for this License.

C. Delivery of Payment. Payment of the above fees shall be made to Licensor at the office of Licensor's Representative, Attn: Right of Way Manager, P.O. Box 1152, Midland, Texas, 79702. Payment of the above fees shall be exclusive of and in addition to all general municipal taxes of whatever nature, including but not limited to ad valorem taxes and special taxes and assessments for public improvements.

D. Late Payment. Licensee's failure to make payment of any of the above fees within thirty (30) days after such fee is due shall constitute a late payment and Licensee shall pay Licensor a late charge of five percent (5%) of such fee.

III. Use

A. Permitted Use. Licensor does hereby grant unto Licensee, the right to enter upon the Property, being fifty (50) feet in width of the locations with operations limited to areas as shown on **Exhibit A** attached hereto and incorporated herein for the purpose of placing, constructing, operating, repairing, maintaining, replacing and removing, thereon, along the herein described locations, two (2) 22 KV overhead power lines and to have the right of ingress and egress at convenient points for such purpose, said construction width shall revert to thirty (30) feet after the lines are completed (the "Property"). **Licensee shall provide Licensor with a complete as-built survey within sixty (60) days of completion of the powerlines described herein. The parties agree Licensee's failure to provide Licensor with a complete as-built survey within sixty (60) days of completion of the powerlines described herein may result in the termination of this License. The decision to accept a complete as-built survey after the sixty-day deadline prescribed herein, or, conversely, to terminate this License shall be in the sole and absolute discretion of Licensor.**

B. Road Repair. Licensee covenants and agrees that it will repair, at its own expense, any of Licensor's roads that Licensee, its employees, contractors, representatives, agents or assigns damage on Licensor's property, so that such roads will comply with Licensor's standard specifications.

C. Utility Repair. Licensee covenants and agrees that Licensee shall, at its own expense, repair all water lines, sewer lines, service lines, water meters and other utility lines owned by Licensor that Licensee, its employees, contractors, representatives, agents or assigns, damage so that such water lines, sewer lines, water meters and other utility lines shall comply with Licensor's standard specifications.

D. Pipeline Depth. Purposefully omitted.

E. Approval of Bids. Before Licensee seeks bids on any phase of the repair of public streets, alleys, water lines, sewer lines or any other public utilities, Licensee shall first obtain written approval of the specifications therefor from Licensor's Representative, which approval shall be at Licensor's Representative's sole discretion.

F. Reservation of Rights. Licensor expressly reserves the right to install, repair, or reconstruct streets or roads and all ancillary public uses usual and customary in connection with streets and roads, expressly including but not limited to drainage facilities and related structures in the rights of way used and occupied by Licensee.

Licensor reserves the right to lay and permit to be laid, sewer, gas, water, and other pipelines or cables and conduits, and to do and permit to be done, any underground or overhead installation or improvement that may be deemed necessary or proper by the governing body of Licensor, in, on, across, along, over, under, and through any property occupied by Licensee. In permitting such work to be done, Licensor shall not be liable to Licensee for any damage so caused to Licensee's system or property, **NOR SHALL LICENSOR BE LIABLE TO LICENSEE FOR ANY DAMAGES TO LICENSEE'S POWERLINES OR OTHER PERMITTED FACILITIES ARISING OUT OF THE NEGLIGENCE BY LICENSOR, ITS EMPLOYEES, OFFICERS OR AGENTS, OR LICENSOR'S CONTRACTORS OR SUBCONTRACTORS**. If Licensor requires Licensee to remove, alter, change, adapt, or conform Licensee's facilities because of

changes in the grade or construction of a street or in the location or manner of constructing a water pipe, sewer pipe, or other surface, underground or aboveground structure owned by Licensor, Licensee shall make the alterations or changes as soon as practicable, and in no event longer than one hundred eighty (180) days, when ordered in writing by Licensor, without claim for reimbursement for the cost of the relocation or for damages against Licensor. If these requirements impose a financial hardship upon Licensee, Licensee shall have the right to present alternative proposals for Licensor's consideration.

G. Non-exclusive. Licensor expressly reserves the full right to grant other easements or rights of way crossing or running parallel with the rights of way used by Licensee.

H. Abandonment. It is especially provided, however, that as an express condition of this License, and not as a mere covenant, in the event Licensee abandons any equipment or appurtenances associated with the undertakings contemplated by this License, or the Property ceases to be used for the purposes enumerated herein for any period of twelve (12) consecutive months, or longer, other than the time elapsing between the date hereof and construction, and upon giving Licensee one hundred and twenty (120) days' written notice, then and in that event, this License shall automatically terminate and revert to Licensor, its successors or assigns, free and clear of any right, title, or interest of Licensee.

I. Approval of Specifications. In the event Licensee desires to reconstruct, repair, alter, replace or remove any portion of the powerlines or other permitted facilities built hereunder, Licensee shall submit the plans and specifications that pertain to the rebuilding or repairs of Licensor's streets and roads and the rebuilding or repairs of any of Licensor's public utilities to Licensor's Representative for his or her prior written approval, which approval shall be at Licensor's Representative's sole discretion. In the event of emergency repairs necessary to restore service, Licensee shall notify Licensor's Representative before making any repairs if during a Licensor workday. If not on a workday, Licensee shall notify Licensor's Representative on the first workday after repairs have begun.

J. Gates and Fences. Without altering or expanding the limitations on ingress, egress and access to the Property set forth in Paragraph A. of Article III above, Licensee agrees to use existing gates and roadways where available, to enter, leave and cross the Property; provided that Licensee shall not use any road marked "Closed". Licensee and all persons entering or leaving the Property in connection with Licensee's operations hereunder shall keep all outside and interior gates securely closed except during operations related to this License. Licensee shall keep all outside gates, and all other gates designated by Licensor, securely locked except during operations related to this License. At any gate that is to be locked, Licensor may install its own lock in addition to Licensee's lock.

Licensee agrees that Licensee shall not cut or go over any fence at any time or in connection with any operations on the Property without first obtaining Licensor's express prior consent thereto in writing. All gates or openings in fences shall be at mutually agreeable location(s) between Licensee and Licensor and shall be constructed as reasonably required by Licensor. Upon the termination of this License, at Licensor's election, gates in fences shall be left in place and shall thereafter be owned by Licensor or Licensee shall remove such gates and restore the fence to its original condition as nearly as reasonably practicable. The terms, provisions and requirements of this provision shall survive the termination or expiration of this License.

K. Trash. Licensee shall keep the Property free of trash and debris at all times. Under no circumstances, will Licensee be allowed to bury any trash, debris or foreign material of any kind on or under the Property. Licensor shall have the right to expel and permanently ban from the Property any person observed disposing of trash on the Property. Upon the completion of any operations, all ribbons, flags, stakes and similar items shall by promptly removed from the Property.

L. Hunting, Fishing and Alcohol Prohibited. No agent, employee, representative, contractor or subcontractor of Licensee or any other person allowed to enter the Property by Licensee shall be permitted to hunt, fish, trap, camp, picnic, ride motorcycles or four-wheelers or otherwise conduct any social gathering on the Property, nor shall any such persons be permitted to bring firearms, archery equipment, dogs, alcoholic beverages or illegal drugs on the Property at any time. Violations of this provision shall cause the violator to be regarded as a trespasser and subject to prosecution under trespass laws of the State of Texas. Licensor shall have the right to expel and permanently ban from the Property any person observed on the Property in violation of this provision.

M. Storage of Machinery and Equipment. Licensee shall use no part of the Property to store machinery, equipment, or other property of Licensee while it is not being used.

N. Additional Reservations. Licensor reserves the right to use the surface, subsurface or airspace on, below or above the land covered by this License for any purpose allowed by law and deemed necessary or proper by Licensor and to do and permit to be done, any work in connection therewith which may be deemed necessary or proper by Licensor in, on, across, along, over, under, and through any portion of the Property. In the event of such work in connection with said purposes it shall be deemed necessary or proper by Licensor, at Licensor's sole discretion, to alter, change, or relocate any of the powerlines or property of Licensee, such alteration or change or relocation shall be commenced and completed by Licensee within one hundred eighty (180) days after being ordered in writing by Licensor pursuant to directions from Licensor without any claim for reimbursement for the cost of the alteration, change or relocation or damages against Licensor. The relocation, change, or alteration shall be at the sole cost of Licensee. Provided, however, that Licensee shall at all times be entitled to receive from appropriate governmental bodies, excluding Licensor, payment for alteration, change or relocation of its system to which it may be lawfully entitled to under applicable federal or state laws with respect to relocation payments. Without limiting the foregoing, Licensor expressly reserves the full right to grant other licenses, easements and/or rights-of-way in, on, across, along, over, under or through all or any portion of the Property. Licensor expressly reserves the right to use and grant to third parties the right to use all or any portion of the Property and the surface, subsurface or airspace on, below or above the Property for any purpose.

IV. Standard General Conditions

A. Insurance. Licensee shall at all times during the term of this License 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:	$100,000.00 per occurrence
Business Automobile Liability:	$1,000,000.00 combined single limit-- Personal Injury and Property Damage
Workers' Compensation:	Statutory limits
Employers' Liability:	$1,000,000.00 per accident or occurrence
Umbrella Liability:	$10,000,000.00 each occurrence $10,000,000.00 aggregate

The Commercial General Liability shall be on an occurrence basis. This insurance shall name Licensor as an additional insured and all insurance shall waive subrogation in favor of Licensor.

The Workers' Compensation coverage provided by Licensee shall inure to the benefit of employees injured during the course and scope of their employment by Licensee pursuant to this License. The Workers' Compensation insurance shall waive all rights of subrogation against Licensor.

The Business Automobile Liability insurance provided by Licensee shall cover any auto for bodily injury and property damage, including owned vehicles, hired and non-owner vehicles, and employee non-ownership, and the amount of such policy shall be a minimum of $1,000,000.00 covering any vehicle used for the execution of the work that is the subject of this License. This insurance shall name Licensor as an additional insured and all insurance shall waive subrogation in favor of Licensor.

All insurance required pursuant to this License, except for Worker's Compensation Insurance, shall name Licensor as an additional insured. All insurance required pursuant to this License, including Worker's Compensation Insurance, shall provide for a waiver of subrogation as to Licensor. The parties agree that, prior to the execution of this License, Licensee shall provide one or more certificates of insurance showing that the requirements of this article have been met. Licensor shall determine, in its sole discretion, whether such requirements have been satisfied.

Licensor shall be provided written notice by Licensee's insurance provider not later than thirty (30) days prior to any reduction or termination of such coverage. Licensor shall not be required to provide any insurance whatsoever pursuant to this License.

Licensee shall contractually require all contractors, subcontractors, and sub-subcontractors that work on any portion of the work that is the subject of this License to obtain insurance coverage that meets or exceeds the policy requirements and minimum amounts as required herein and name the City of Midland as an additional insured (except as to Worker's Compensation Insurance). Licensee certifies that the one or more certificates of insurance provided as required herein complies with the requirements of Chapter 1811 of the Texas Insurance Code. Licensee shall not use an unapproved certificate of insurance or insert inappropriate language on a certificate. Compliance with state law is the sole responsibility of Licensee.

B. Indemnity. TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, LICENSEE, ITS SUCCESSORS AND ASSIGNS, AGREE TO INDEMNIFY, PROTECT, DEFEND AND HOLD HARMLESS LICENSOR AND LICENSOR'S REPRESENTATIVES, AGENTS, ATTORNEYS, EMPLOYEES, SUCCESSORS AND ASSIGNS (COLLECTIVELY, "INDEMNITEES") FOR, FROM AND AGAINST ANY AND ALL CLAIMS, LOSSES, DAMAGES, LIABILITIES, LIENS, FINES, PENALTIES, CAUSES OF ACTION, SUITS, CHARGES, JUDGMENTS, ADMINISTRATIVE ORDERS, REMEDIATION REQUIREMENTS, ENFORCEMENT ACTIONS OF ANY KIND, PERSONAL INJURIES, PROPERTY DAMAGE, AND ALL COSTS AND EXPENSES INCURRED IN CONNECTION THEREWITH (INCLUDING, BUT NOT LIMITED TO, ATTORNEYS' FEES AND EXPENSES, INCLUDING, WITHOUT LIMITATION, ALL ATTORNEYS' FEES AND EXPENSES INCURRED IN ENFORCING THIS INDEMNITY) OF ANY NATURE, KIND OR DESCRIPTION OF ANY PERSON OR ENTITY, DIRECTLY OR INDIRECTLY ARISING OUT OF, CAUSED BY OR RESULTING FROM (IN WHOLE OR IN PART) THIS LICENSE, LICENSEE'S USE OF OR ACTIVITIES ON THE PROPERTY OR ANY OTHER PROPERTY OWNED BY LICENSOR, OR ANY ACT OR OMISSION OF LICENSEE, ANY CONTRACTOR, SUBCONTRACTOR, ANYONE DIRECTLY OR INDIRECTLY EMPLOYED BY THEM, OR ANYONE THAT THEY CONTROL OR EXERCISE CONTROL OVER (COLLECTIVELY, "LIABILITIES"), EVEN IF SUCH LIABILITIES ARISE FROM OR ARE ATTRIBUTED, IN WHOLE OR IN PART, TO THE NEGLIGENCE OF ANY INDEMNITEE. LICENSEE SHALL PROMPTLY ADVISE LICENSOR OF ANY ACTION, ADMINISTRATIVE OR LEGAL PROCEEDING OR INVESTIGATION TO WHICH THIS INDEMNIFICATION MAY APPLY, AND OF WHICH LICENSEE HAS RECEIVED NOTICE, AND LICENSEE, AT LICENSEE'S EXPENSE, SHALL ASSUME ON BEHALF OF LICENSOR (AND THE OTHER INDEMNITEES) AND CONDUCT WITH DUE DILIGENCE AND IN GOOD FAITH THE DEFENSE THEREOF WITH COUNSEL REASONABLY SATISFACTORY TO LICENSOR; PROVIDED, HOWEVER, THAT ANY INDEMNITEE SHALL HAVE THE RIGHT, AT ITS OPTION, TO BE REPRESENTED THEREIN BY COUNSEL OF ITS OWN SELECTION AND AT ITS OWN EXPENSE. IN THE EVENT OF FAILURE BY LICENSEE TO ASSUME THE DEFENSE OF LICENSOR IN ACCORDANCE WITH THIS INDEMNIFICATION, LICENSOR, AT ITS OPTION, AND WITHOUT RELIEVING LICENSEE OF ITS OBLIGATION HEREUNDER, MAY ASSUME SUCH DEFENSE, AFTER WRITTEN NOTICE THEREOF TO LICENSEE AND LICENSEE'S FAILURE TO RESPOND THERETO WITHIN TEN (10) BUSINESS DAYS AFTER RECEIPT OF SUCH NOTICE (SAID TEN (10) DAY PERIOD SHALL NOT APPLY IN ANY CASE WHERE IMMEDIATE ANSWERS, RESPONSES, OR OTHER AFFIRMATIVE ACTION IS REQUIRED TO PRESERVE THE RIGHTS OF LICENSOR) BUT ALL REASONABLE COSTS AND EXPENSES SO INCURRED BY LICENSOR IN THAT EVENT SHALL BE REIMBURSED BY LICENSEE TO LICENSOR, TOGETHER WITH INTEREST ON THE SAME FROM THE DATE ANY SUCH EXPENSE WAS PAID BY LICENSOR UNTIL REIMBURSED BY LICENSEE, AT THE RATE OF INTEREST PROVIDED TO BE PAID ON JUDGMENTS, BY THE LAWS OF THE STATE OF TEXAS.

WITHOUT LIMITING THE FOREGOING, LICENSEE AGREES THAT LICENSEE

SHALL INDEMNIFY, PROTECT, DEFEND AND SAVE LICENSOR HARMLESS FROM ANY AND ALL CLAIMS, LIENS, JUDGMENTS, SUITS, CAUSES OF ACTION, AND DEMANDS OF ANY SUBCONTRACTORS, LABORERS, WORKMEN, MECHANICS, MATERIALMEN, OR FURNISHERS OF MACHINERY AND PARTS THEREOF, EQUIPMENT, POWER TOOLS, OR SUPPLIES, IN CONNECTION WITH THE CONSTRUCTION, OPERATION, REPAIR, MAINTENANCE, REPLACEMENT OR REMOVAL OF THE POWERLINES OR OTHER PERMITTED FACILITIES DESCRIBED HEREIN.

WITHOUT LIMITING ANY OF THE FOREGOING, LICENSEE SHALL INDEMNIFY, PROTECT AND HOLD HARMLESS AND DEFEND EACH INDEMNITEE FROM ALL LIABILITIES, SUITS, ACTIONS, CLAIMS, DAMAGES, CAUSES OF ACTION, CHARGES, JUDGMENTS, PERSONAL INJURIES, ACCIDENTAL DEATH, PROPERTY DAMAGE, LOSSES AND EXPENSES OF ANY CHARACTER WHATSOEVER, INCLUDING, WITHOUT LIMITATION, 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 ANY INDEMNITEE, WHETHER SUCH NEGLIGENT ACT WAS THE SOLE PROXIMATE CAUSE OF THE INJURY OR DAMAGE OR A PROXIMATE CAUSE JOINTLY AND CONCURRENTLY WITH LICENSEE OR LICENSEE'S EMPLOYEES', REPRESENTATIVES', AGENTS', CONTRACTORS' OR SUBCONTRACTORS' NEGLIGENCE, IN THE EXECUTION, SUPERVISION AND OPERATIONS GROWING OUT OF OR IN ANY WAY CONNECTED WITH THE PERFORMANCE OF THIS LICENSE, INCLUDING, WITHOUT LIMITATION, SUCH NEGLIGENT ACTS ARISING FROM OR IN ANY WAY CONNECTED WITH THE PLACEMENT, CONSTRUCTION, OPERATION, REPAIR, MAINTENANCE, REPLACEMENT OR REMOVAL OF ANY PART OF LICENSEE'S POWERLINES OR PERMITTED FACILITIES ON LICENSOR'S PROPERTY. LICENSEE WILL BE REQUIRED TO PAY ANY JUDGMENT WITH COSTS WHICH MAY BE OBTAINED AGAINST LICENSOR OR ANY INDEMNITEE, INCLUDING RELATED ATTORNEY'S FEES.

WITHOUT LIMITING ANY OF THE FOREGOING, LICENSEE, ITS SUCCESSORS AND ASSIGNS, SHALL INDEMNIFY, PROTECT, DEFEND AND HOLD INDEMNITEES HARMLESS FROM AND AGAINST ALL CLAIMS, LOSSES, DAMAGES, LIABILITIES, LIENS, FINES, PENALTIES, CAUSES OF ACTION, SUITS, CHARGES, JUDGMENTS, ADMINISTRATIVE ORDERS, REMEDIATION REQUIREMENTS, ENFORCEMENT ACTIONS OF ANY KIND, PERSONAL INJURIES, PROPERTY DAMAGE, AND ALL COSTS AND EXPENSES INCURRED IN CONNECTION THEREWITH (INCLUDING, BUT NOT LIMITED TO, ATTORNEYS' FEES AND EXPENSES, INCLUDING, WITHOUT LIMITATION, ALL ATTORNEYS' FEES AND EXPENSES INCURRED IN ENFORCING THIS INDEMNITY) OF ANY NATURE, KIND OR DESCRIPTION OF ANY PERSON OR ENTITY, DIRECTLY OR INDIRECTLY ARISING OUT OF, CAUSED BY OR RESULTING FROM (IN WHOLE OR IN PART) (i) FAILURE OF LICENSEE, ANY CONTRACTOR, SUBCONTRACTOR, ANYONE DIRECTLY OR INDIRECTLY EMPLOYED BY THEM, OR ANYONE THAT THEY CONTROL OR EXERCISE CONTROL OVER (COLLECTIVELY, THE "INDEMNIFYING PARTIES"), TO COMPLY WITH ALL APPLICABLE LOCAL,

FEDERAL AND/OR STATE ENVIRONMENTAL LAWS, INCLUDING BUT NOT LIMITED TO THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) AND THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA) (AS THEY MAY BE REAUTHORIZED AND/OR AMENDED) AND ALL OTHER LOCAL, FEDERAL AND STATE LAWS, IN CONNECTION WITH OR RELATED TO ANY INDEMNIFYING PARTY'S OPERATIONS OR ACTIVITIES ON THE PROPERTY, OR (ii) ANY INDEMNIFYING PARTY'S HANDLING, STORING, RELEASING OR TRANSPORTING OR DISPOSING OF ALL SUBSTANCES, INCLUDING BUT NOT LIMITED TO HAZARDOUS SUBSTANCES AND HAZARDOUS WASTES, ON OR FROM THE PROPERTY OR ANY OTHER LANDS OF LICENSOR.

IT IS THE INTENTION OF THE PARTIES HERETO THAT THE PROVISIONS OF THIS INDEMNIFICATION SHALL APPLY TO AND PROTECT EACH INDEMNITEE FROM THE CONSEQUENCES OF STRICT LIABILITY IMPOSED OR THREATENED TO BE IMPOSED ON SUCH INDEMNITEE, AS WELL AS FROM THE CONSEQUENCES OF THE NEGLIGENCE OF ANY INDEMNITEE, WHETHER OR NOT THAT NEGLIGENCE IS A CONTRIBUTING OR CONCURRING CAUSE OF ANY LIABILITY INDEMNIFIED AGAINST IN THIS ARTICLE IV.B.

THE TERMS, PROVISIONS, REQUIREMENTS AND OBLIGATIONS OF THIS ARTICLE IV.B. SHALL SURVIVE TERMINATION OR EXPIRATION OF THIS LICENSE, AND SHALL NOT BE LIMITED BY OR TO DAMAGES, COMPENSATION OR BENEFITS PAYABLE UNDER INSURANCE POLICIES, WORKER'S COMPENSATION ACTS, DISABILITY BENEFIT ACTS OR OTHER EMPLOYEES' BENEFIT ACTS.

C. Assignment. The provisions of this License shall inure to the benefit of and be binding upon Licensor and Licensee and their respective successors and permitted assigns. The rights and privileges granted by Licensor under this License inure to the benefit of Licensee. No rights, privileges or obligations hereunder shall be assignable by Licensee without the express prior written consent of Licensor. Any required consent is to be evidenced by a letter written by Licensor's City Manager that fully recites the terms and conditions, if any, upon which consent is given. The granting of consent is in the sole discretion of Licensor's City Manager

D. Independent Contractor. It is expressly understood and agreed that Licensee shall perform all work described herein as an independent contractor and not as an officer, agent, servant or employee of Licensor; that Licensee shall have exclusive control of and the exclusive right to control the details of the work performed hereunder, and all persons performing the same; and shall be solely responsible for the acts and omissions of its officers, agents, employees, contractors and subcontractors; that the doctrine of respondeat superior shall not apply as between Licensor and Licensee, its officers, agents, employees, contractors and subcontractors; and that nothing herein shall be construed as creating a partnership or joint enterprise between Licensor and Licensee. No person performing any of the work described hereunder shall be considered an officer, agent, servant or employee of Licensor. Further, it is specifically understood and agreed that nothing in this License is intended or shall be construed as creating a "Community of Pecuniary Interest" or "An Equal Right of Control" which would give rise to vicarious liability. Licensee shall be an independent contractor under this License and shall assume all of the rights,

obligations and liabilities applicable to it as such independent contractor hereunder. Licensor does not have the power to direct the order in which the work is done. Licensor shall not have the right to control the means, methods or details of Licensee's work. Licensee shall assume exclusive responsibility for the work. Licensee is entirely free to do the work in its own way. The provisions of this subparagraph (D.) shall not be deemed or construed as contradicting, limiting or conflicting with the provisions of subparagraph (M.) below.

E. Attorney Fees. SHOULD LICENSOR BE REQUIRED TO RESORT TO EMPLOYMENT OF ATTORNEYS TO ENFORCE THIS LICENSE, OR ANY OF ITS RIGHTS UNDER THIS LICENSE, LICENSOR SHALL BE ENTITLED TO REIMBURSEMENT FROM LICENSEE FOR LICENSOR'S ATTORNEYS' FEES. LICENSEE SHALL REIMBURSE LICENSOR FOR LICENSOR'S ATTORNEYS' FEES INCURRED IN CONNECTION WITH THE PREPARATION AND NEGOTIATION OF THIS LICENSE. BY EXECUTING THIS LICENSE, LICENSEE AGREES TO WAIVE, AND DOES HEREBY KNOWINGLY, CONCLUSIVELY, VOLUNTARILY AND INTENTIONALLY WAIVE, ANY CLAIM IT HAS OR MAY HAVE IN THE FUTURE AGAINST LICENSOR REGARDING THE AWARD OF ATTORNEY'S FEES, WHICH ARE IN ANY WAY RELATED TO THIS LICENSE, OR THE CONSTRUCTION, INTERPRETATION, VALIDITY OR BREACH OF THIS LICENSE. WITHOUT LIMITING THE FOREGOING, LICENSEE SPECIFICALLY AGREES THAT IF LICENSEE BRINGS OR COMMENCES ANY LEGAL ACTION OR PROCEEDING RELATED TO THIS LICENSE, OR TO THE CONSTRUCTION, INTERPRETATION, VALIDITY OR BREACH OF THIS LICENSE, 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, LICENSEE AGREES TO ABANDON, WAIVE AND RELINQUISH ANY AND ALL RIGHTS TO THE RECOVERY OF ATTORNEY'S FEES TO WHICH LICENSEE MIGHT OTHERWISE BE ENTITLED.

LICENSEE AGREES THAT THIS IS THE VOLUNTARY AND INTENTIONAL RELINQUISHMENT AND ABANDONMENT OF A PRESENTLY EXISTING, KNOWN RIGHT. LICENSEE ACKNOWLEDGES THAT IT UNDERSTANDS ALL TERMS AND CONDITIONS OF THIS LICENSE. LICENSEE FURTHER ACKNOWLEDGES AND AGREES THAT THERE WAS AND IS NO DISPARITY OF BARGAINING POWER BETWEEN LICENSOR AND LICENSEE. THIS SECTION SHALL NOT BE CONSTRUED OR INTERPRETED AS A WAIVER OF GOVERNMENTAL IMMUNITY.

LICENSEE AND LICENSOR ARE RELYING ON THEIR OWN JUDGMENT. EACH PARTY HAD THE OPPORTUNITY TO DISCUSS THIS LICENSE WITH LEGAL COUNSEL PRIOR TO ITS EXECUTION.

F. Governing Law & Venue. All performance and payments made pursuant to this License 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 License, or the performance of this License shall be in Midland County, Texas. The obligations and undertakings of each of the parties to this License shall be deemed to have been performed in Midland County, Texas. This License shall be construed, interpreted and enforced under the laws of the State of Texas. The laws of the

State of Texas shall govern, construe and enforce all the rights and duties of the parties, including but not limited to tort claims and any and all other claims or disputes, arising from or relating in any way to the subject matter of this License, without regard to conflict of laws and rules that would direct application of the laws of another jurisdiction.

G. Release. NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS LICENSE, LICENSEE HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES LICENSOR, AND LICENSOR'S EMPLOYEES AND OFFICERS FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH LICENSEE 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 LICENSOR'S NEGLIGENCE.

H. Governmental Immunity. By executing this License, Licensor is not waiving its right of governmental immunity. Licensor is retaining its immunity from suit. Licensor is not granting consent to be sued by legislative resolution or action. **THERE IS NO WAIVER OF GOVERNMENTAL IMMUNITY**.

I. Third-Party Beneficiary. Except as provided in Article IV.B. above with respect to Indemnitees, (i) Licensor's granting of this License does not create any third-party beneficiary, (ii) there is no third-party beneficiary to this License, and (iii) no person or entity who is not a party to this License shall have any third-party beneficiary or other rights hereunder.

J. Notices. Any notice or communication required in the administration of this License shall be sent by certified mail, return receipt requested, to the parties' respective mailing addresses as set forth hereinabove.

K. Notice of Alleged Breach; Statutory Prerequisite. Without limiting the provisions of Article IV.G. above, as a condition precedent to filing suit for alleged damages incurred by an alleged breach of an express or implied provision of this License, Licensee or its legal representative, shall give the City Manager, or any other reasonable official of Licensor, notice in writing (consisting of one (1) original and seven (7) copies of notice attached to a copy of this License) of such damages, duly verified, within one hundred eighty (180) 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 Licensee will settle, the physical and mailing addresses of Licensee at the time and date the claim was presented and the physical and mailing addresses of Licensee for the six (6) months immediately preceding the occurrence of such damages, and the names and addresses of the witnesses upon whom Licensee relies to establish its claim; and a failure to so notify the City Manager or other such official of Licensor within the time and manner provided herein shall exonerate, excuse and except Licensor from any liability whatsoever. Licensor is under no obligation to provide notice to Licensee that Licensee's notice is insufficient. Licensor reserves the right to request reasonable 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, Licensee's failure to comply with the requirements herein shall perpetually bar Licensee's claim for damages under Chapter 271 of the Texas Local Government Code, and Section 311.034 of the Texas Government Code, regardless if Licensor has actual or constructive notice or knowledge of said claim or alleged damages. Licensee agrees that the requirements of this entire License are reasonable.

L. Consideration. The terms of this License are supported by good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties named herein.

M. Waiver of Governmental Immunity; Chapter 271, TEX. LOC. GOV'T CODE. The parties hereto agree that this License does not constitute a "Contract" for providing goods and/or services to Licensor as discussed in Subchapter I of Chapter 271 of the Texas Local Government Code, and Licensor does not waive, to the maximum extent allowed by law, any constitutional, statutory or common law right to sovereign immunity or governmental immunity from liability or suit. Licensor expressly does not consent to be sued or be liable. To the maximum extent allowed by law, nothing in this License constitutes a waiver of Licensor's governmental immunity and the parties hereto expressly agree that this License shall not constitute, nor be interpreted as a waiver of Licensor's governmental immunity under Subchapter I of Chapter 271 of the Texas Local Government Code, nor shall it constitute nor be interpreted as a waiver of Licensor's governmental immunity for the benefit of any third-party lacking privity to this License.

This License does not obligate Licensee to use the Property to construct, repair, operate, replace, or maintain Licensor's facilities or structures described herein, rather, it merely prohibits Licensee from using the Property for any other purpose. This License restricts the use of the Property to a specific purpose but does not require the use of the Property for a specific purpose. Licensee is not providing a service to Licensor. Licensee is paying Licensor for temporary rights in real property, not for a service. Any such provision shall be deemed to be a covenant against noncomplying use, not a covenant to use. Licensee's use of the Property in compliance with a restriction shall not constitute a service, and such complying use shall not operate to waive Licensor's governmental immunity.

N. Compliance. Licensee agrees that it shall comply with Texas Government Code Section 2252.908, as amended, to the extent that this statute applies to this License. Licensee agrees that it shall comply with Texas Local Government Code Section 176.006, as amended, to the extent that this statute applies to this License.

O. Texas Historical Commission Survey. Licensee agrees that it shall comply with Chapter 191 of the Texas Natural Resources Code. By executing this License, Licensee represents that it has contacted the Texas Historical Commission (the "Commission") for the purpose of determining whether the Commission will request that an archaeological survey be completed before Licensee commences operations on the Property, as contemplated herein. Licensee agrees that it shall complete or cause to be completed an archaeological survey before commencing any operations on the Property if the Commission so requests and deliver the same to Licensor. Notwithstanding any provision contained herein, in the event that any site, object, artifact, or other feature of archaeological, scientific, educational, cultural, or historical interest is encountered during the operations authorized by this License, Licensee will immediately notify Licensor and the Commission so that adequate measures may be undertaken to protect or recover such discoveries

or findings, as deemed appropriate by Licensor or the Commission.

P. Waiver. No waiver of any of the provisions of this License shall be deemed or constitute a waiver of any other provisions of this License, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided. Likewise, the failure of Licensor to enforce any provision of this License shall not be deemed nor shall constitute a waiver of the right of Licensor to enforce such provision.

Q. Counterpart Execution. This License may be executed in several counterparts, and any such agreement shall be deemed an original for all intents and purposes.

R. No Release of Liability. Notwithstanding anything to the contrary contained in this License, the termination or expiration of this License shall not relieve Licensee of any liability, duty or obligation under this License, nor shall it preclude Licensor from asserting any right to specific performance, damages or any other rights or remedies to which Licensor may be entitled. Upon termination or expiration of this License for any reason, Licensee shall execute and deliver a recordable release of this License to Licensor in form and substance satisfactory to Licensor.

S. Entire Agreement. This License constitutes the entire agreement between Licensor and Licensee concerning the subject matter hereof, superseding all negotiations, prior discussions, prior licenses and prior agreements and understandings related to the subject matter hereof. This License may only be amended by written instrument executed by Licensor and Licensee.

[Signature Pages Follow]

LICENSOR:
CITY OF MIDLAND, TEXAS

By:_____
Tommy Gonzalez, City Manager

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT AND COMPLETENESS:

_____
Carl Craigo, Director of Utilities

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

LICENSEE:
CIVITAS PERMIAN OPERATING, LLC

By: _____
Printed Name: Garrett Kimbell
Title: Land Manager

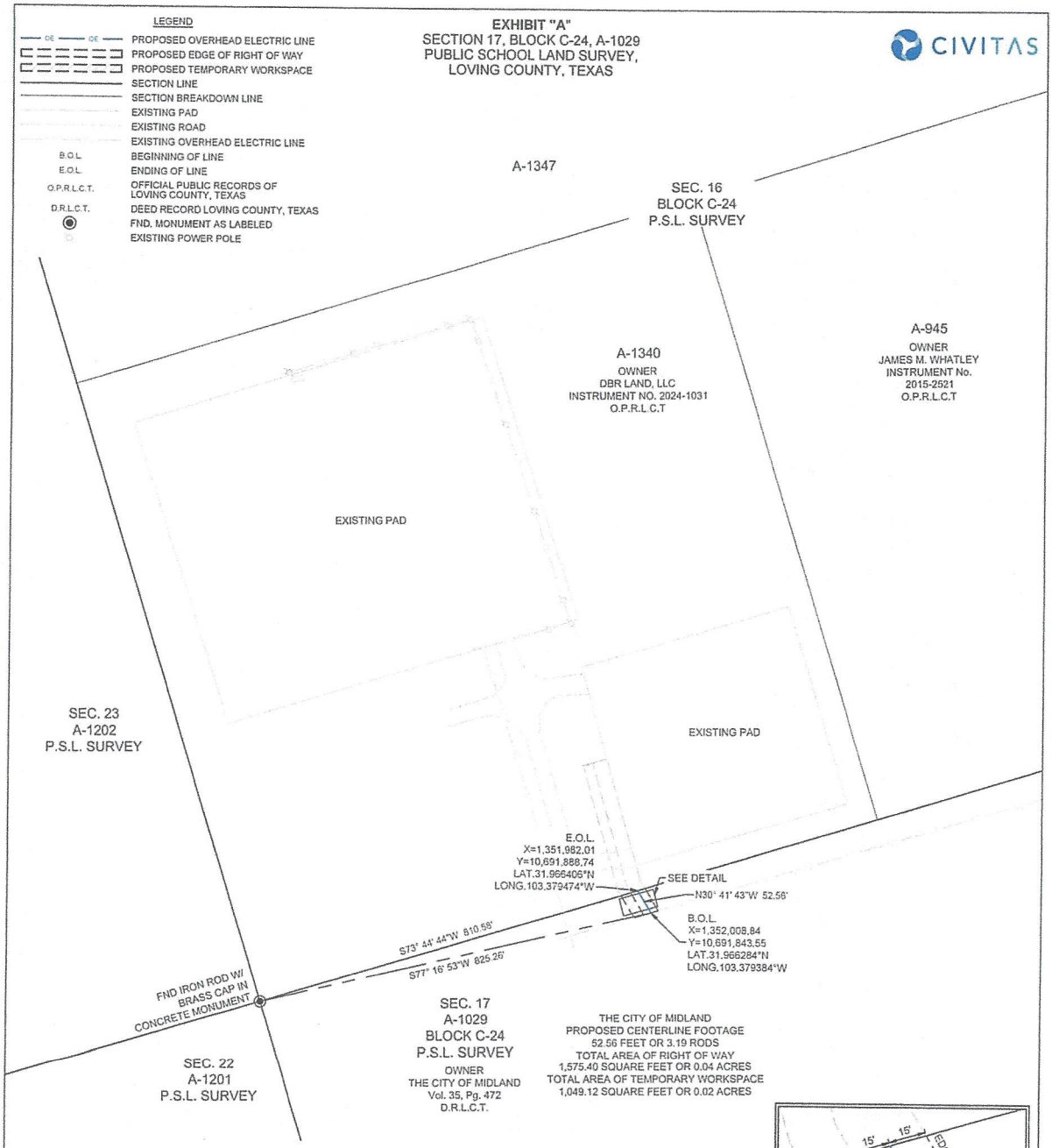
THE STATE OF Texas §
§
COUNTY OF Dallas §

BEFORE ME, the undersigned authority, on this 15th day of October, 2025 personally appeared Garrett Kimbell an officer of Civitas Permian Operating, LLC, known to me to be the person and official whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of said entity, for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 15th day of October, 2025.

_____
Notary Public, State of Texas

JON DURAN
My Notary ID # 132457125
Expires April 29, 2028



CENTERLINE DESCRIPTION OF A 30 FOOT WIDE PROPOSED ELECTRICAL RIGHT OF WAY SITUATED IN SECTION 17, BLOCK C-24, ABSTRACT 1029, PUBLIC SCHOOL LAND SURVEY, LOVING COUNTY, TEXAS AND BEING A PORTION OF THE PROPERTY CONVEYED TO THE CITY OF MIDLAND, AS RECORDED IN VOLUME 35, PAGE 472 OF THE DEED RECORDS OF LOVING COUNTY, TEXAS, SAID RIGHT OF WAY BEING PARALLEL AND 15 FEET EITHER SIDE OF SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON AN EXISTING ELECTRIC LINE (X: 1,352,008.84, Y: 10,691,843.55), FROM WHICH AN IRON ROD WITH BRASS CAP IN CONCRETE MONUMENT FOUND AT THE COMMON CORNER OF SECTIONS 16, 17, 22 AND 23, BLOCK C-24, PUBLIC SCHOOL LAND SURVEY, LOVING COUNTY, TEXAS, BEARS S 77°16'53" W, A DISTANCE OF 825.26 FEET;

THENCE N 30°41'43" W, OVER AND ACROSS SAID CITY OF MIDLAND TRACT, A DISTANCE OF 52.56 FEET, TO A POINT ON THE COMMON LINE OF SAID SECTIONS 16 AND 17, FOR THE END OF LINE, FROM WHICH SAID IRON ROD WITH BRASS CAP IN CONCRETE MONUMENT BEARS S 73°44'44" W, A DISTANCE OF 810.58 FEET, IN ALL BEING 52.56 FEET OR 3.19 RODS IN LENGTH AND CONTAINING 1,575.40 SQUARE FEET OR 0.04 ACRES OF LAND.

NOTES:

1. THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY. BOUNDARY LINES AND MONUMENTS SHOWN HEREON ARE FOR REFERENCE USE ONLY. BEARINGS, COORDINATES AND DISTANCES ARE LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, NAD 83, TEXAS CENTRAL ZONE (4203), U.S. SURVEY FOOT. LATITUDE AND LONGITUDE BASED ON WGS84.

2. LOCATION OF EXISTING PIPELINES SHOWN ARE BASED ON STANDARD PIPELINE LOCATING EQUIPMENT. SCARS AND PIPELINE MARKERS. EVERY EFFORT WAS MADE TO LOCATE AND VERIFY SAID PIPELINES. HOWEVER CAUTION SHOULD BE EXERCISED WHEN PERFORMING WORK AS PIPELINES AND OTHER HAZARDS, SUCH AS FIBER OPTIC CABLES, PVC PIPELINES, ETC., MAY EXIST ON SITE THAT COULD NOT BE LOCATED. AS SUCH BE ADVISED THAT TEXAS LAW REQUIRES THAT CONTRACTORS CONTACT TEXAS ONE CALL AT WWW.TEXAS811.ORG FOR ASSISTANCE IN LOCATING AND MARKING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.

SCALE 1" = 200'
0 100 200 400

REVISIONS

AFE: CIV-250911AS

STATE OF TEXAS REGISTERED GILBERT M. YBARRA 6971 PROFESSIONAL LAND SURVEYOR

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 RIGHT OF WAYS THAT MAY EXIST WITHIN THE BOUNDS OF THIS SURVEY.

Gilbert Ybarra 10/08/25

GILBERT M. YBARRA RPLS #6971 DATE

PROJECT MANAGER: AMR
DRAWN BY: RMB
SURVEY DATE: 09/23/25
SHEET 1 OF 1

CIVITAS PERMIAN OPERATING, LLC
QUEEN ROBYN 221
PROPOSED OVERHEAD ELECTRIC LINE
SECTION 17, A-1029, BLOCK C-24,
PUBLIC SCHOOL LAND SURVEY
LOVING COUNTY, TEXAS

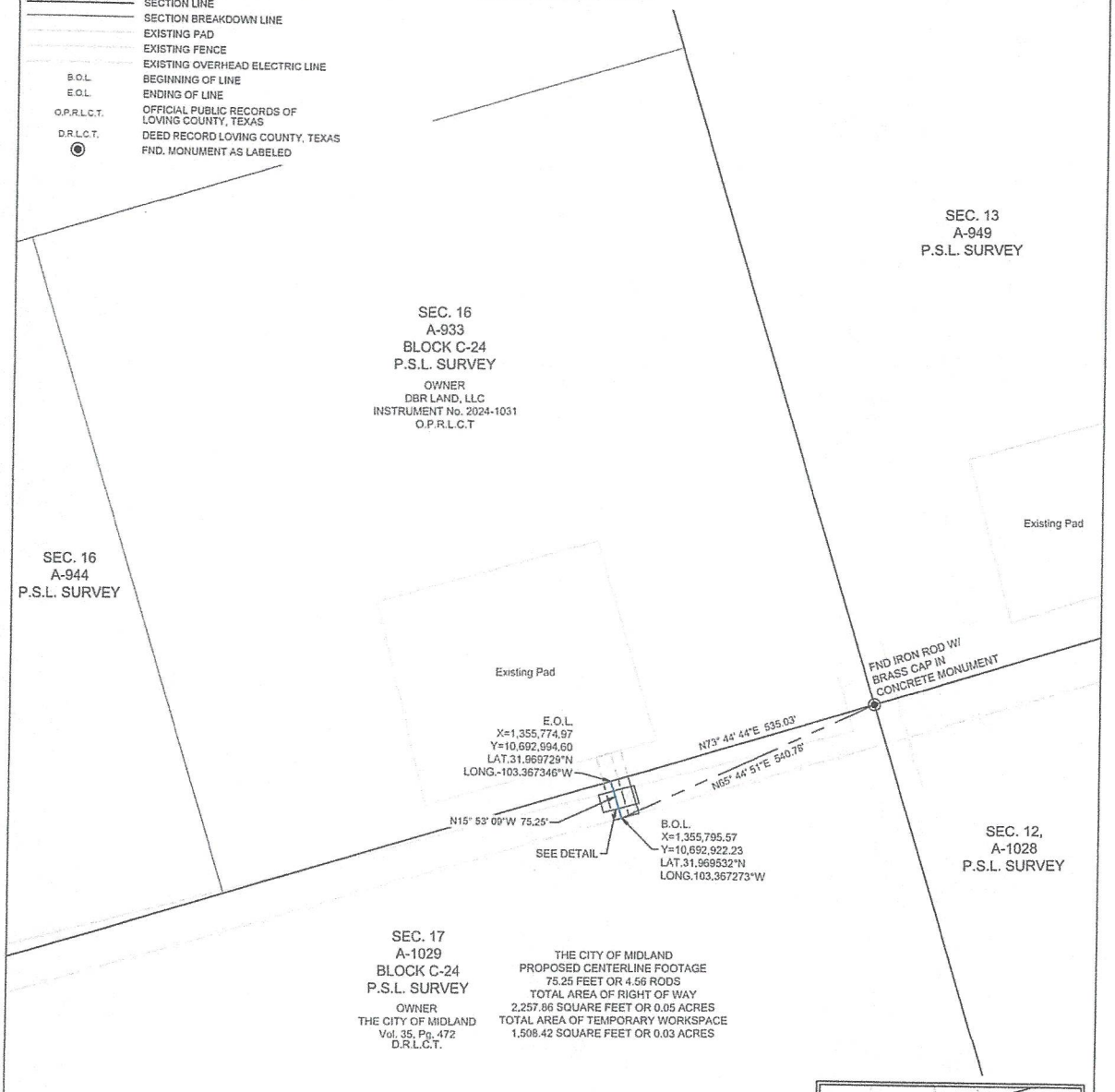
HOLLAND LAND RESOURCES
2028 E. BEN WHITE BLVD., SUITE 240-2012
AUSTIN, TEXAS 78741
Texas Firm No. 10194865
Ph. 281.826.1953
email: engineering@hollandlr.com
Fort Worth • Denver • Houston • Midland
Oklahoma City • Pittsburgh

EXHIBIT "A"
SECTION 17, BLOCK C-24, A-1029
PUBLIC SCHOOL LAND SURVEY,
LOVING COUNTY, TEXAS

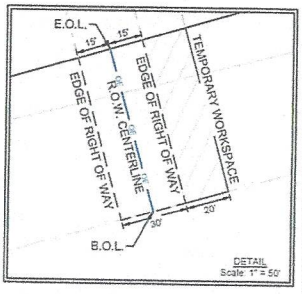
CIVITAS

LEGEND

OE OE	PROPOSED OVERHEAD ELECTRIC LINE
	PROPOSED EDGE OF RIGHT OF WAY
	PROPOSED TEMPORARY WORKSPACE
	SECTION LINE
	SECTION BREAKDOWN LINE
	EXISTING PAD
	EXISTING FENCE
	EXISTING OVERHEAD ELECTRIC LINE
B.O.L.	BEGINNING OF LINE
E.O.L.	ENDING OF LINE
O.P.R.L.C.T.	OFFICIAL PUBLIC RECORDS OF LOVING COUNTY, TEXAS
D.R.L.C.T.	DEED RECORD LOVING COUNTY, TEXAS
◉	FND. MONUMENT AS LABELED



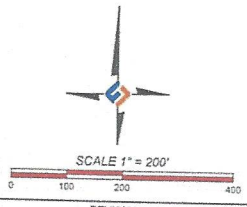
THE CITY OF MIDLAND
PROPOSED CENTERLINE FOOTAGE
75.25 FEET OR 4.56 RODS
TOTAL AREA OF RIGHT OF WAY
2,257.86 SQUARE FEET OR 0.05 ACRES
TOTAL AREA OF TEMPORARY WORKSPACE
1,508.42 SQUARE FEET OR 0.03 ACRES



CENTERLINE DESCRIPTION OF A 30 FOOT WIDE PROPOSED ELECTRICAL RIGHT OF WAY SITUATED IN SECTION 17, BLOCK C-24, ABSTRACT 1029, PUBLIC SCHOOL LAND SURVEY, LOVING COUNTY, TEXAS AND BEING A PORTION OF THE PROPERTY CONVEYED TO THE CITY OF MIDLAND, AS RECORDED IN VOLUME 35, PAGE 472 OF THE DEED RECORDS OF LOVING COUNTY, TEXAS, SAID RIGHT OF WAY BEING PARALLEL AND 15 FEET EITHER SIDE OF SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON AN EXISITNG ELECTRIC LINE (X: 1,355,795.57, Y: 10,692,922.23), FROM WHICH AN IRON ROD WITH BRASS CAP IN CONCRETE MONUMENT FOUND AT THE COMMON CORNER OF SECTIONS 12, 13, 16 AND 17, BLOCK C-24, PUBLIC SCHOOL LAND SURVEY, LOVING COUNTY, TEXAS, BEARS N 65°44'51" E, A DISTANCE OF 540.78 FEET;

THENCE N 15°53'09" W, OVER AND ACROSS SAID CITY OF MIDLAND TRACT, A DISTANCE OF 75.25 FEET, TO A POINT ON THE COMMON LINE OF SAID SECTIONS 16 AND 17, FOR THE **END OF LINE**, FROM WHICH SAID IRON ROD WITH BRASS CAP IN CONCRETE MONUMENT BEARS N 73°44'44" E, A DISTANCE OF 535.03 FEET, **IN ALL BEING 75.25 FEET OR 4.56 RODS IN LENGTH AND CONTAINING 2,257.86 SQUARE FEET OR 0.05 ACRES OF LAND.**



REVISIONS

AFE: CIV-250911BS

NOTES

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STATE OF TEXAS
REGISTERED
GILBERT M. YBARRA
6971
PROFESSIONAL
LAND SURVEYOR

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Gilbert Ybarra 10/08/25

GILBERT M. YBARRA R.P.L.S #6971 DATE

PROJECT MANAGER: AMR
DRAWN BY: RMB
SURVEY DATE: 09/23/25
SHEET 1 OF 1

CIVITAS PERMIAN OPERATING, LLC
QUEEN ROBYN 224
PROPOSED OVERHEAD ELECTRIC LINE
SECTION 17, A-1029, BLOCK C-24,
PUBLIC SCHOOL LAND SURVEY
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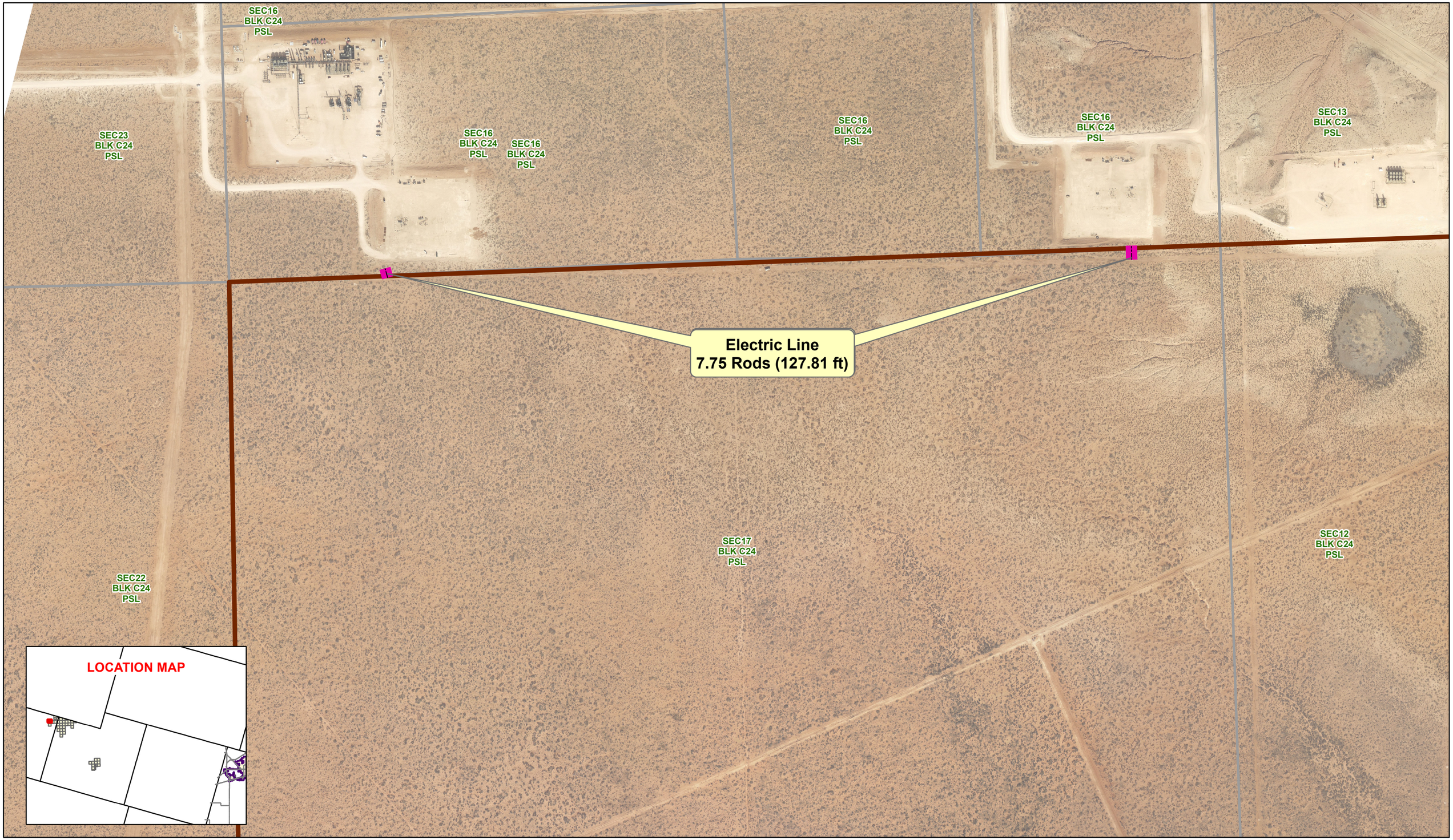

Date: 10/9/2025

- Proposed Electric Line
- Monitor Well
- PSC Water Wells
- PSC Waterlines
- TBar Boundary
- County Boundary

Proposed Electric Line ROW
Civitas Permian Operating, LLC

N
W
E
S

0 250 500 Feet

©THE CITY OF MIDLAND - 2025
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 ON THE DATA.

CERTIFICATE OF LIABILITY INSURANCE

11/1/2025

DATE (MM/DD/YYYY): 10/6/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	Lockton Companies, LLC DBA as Lockton Insurance Brokers, LLC in CA CA license #0F15767 3657 Briarpark Dr., Ste. 700 Houston TX 77042 (866) 260-3538
CONTACT NAME:	
PHONE (A/C, No, Ext):	FAX (A/C, No):
E-MAIL ADDRESS:	
INSURED	Civitas Permian Operating, LLC 1540938 555 17th Street, Ste 3700 Denver CO 80202

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : The Travelers Indemnity Company of America	25666
INSURER B : The Travelers Indemnity Company of Connecticut	25682
INSURER C : --- SEE ATTACHMENT ---	
INSURER D : The Standard Fire Insurance Company	19070
INSURER E :	
INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** 22464853 **REVISION NUMBER:** XXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY [ ] PRO-JECT [ ] LOC OTHER:	Y	N	H-660-9X496865-TIA-24	11/1/2024	11/1/2025	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 2,000,000 $ 1,000,000 $ 10,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
B	AUTOMOBILE LIABILITY X ANY AUTO OWNED AUTOS ONLY [ ] SCHEDULED AUTOS HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY	Y	N	810-A184694A-24-N4-G	11/1/2024	11/1/2025	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ XXXXXXX $ XXXXXXX $ XXXXXXX
C C C	X UMBRELLA LIAB [X] OCCUR X EXCESS LIAB [ ] CLAIMS-MADE DED [ ] RETENTION $	Y	N	CUP-A1897059-24-N4 L24XS3H16501 CRP357046A24	11/1/2024 11/1/2024 11/1/2024	11/1/2025 11/1/2025 11/1/2025	EACH OCCURRENCE AGGREGATE	$ 25,000,000 $ 25,000,000
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N [N] N/A If yes, describe under DESCRIPTION OF OPERATIONS below		N	UB-A1842245-24-N4-G	11/1/2024	11/1/2025	X PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 1,000,000 $ 1,000,000 $ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

22464853

City of Midland
300 N. Loraine
Midland TX 79701

CANCELLATION See Attachment

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

ACORD 25 (2016/03)

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Umbrella: $15M
Carrier: Travelers Property Casualty Company of America
Policy #: CUP-A1897059-24-N4
Effective Date: 11/01/2024
Expiration Date: 11/01/2025
Limit: $15,000,000

Excess $10M xs $15M
Carrier: QBE UK Limited
Policy #: L24XS3H16501
Effective Date: 11/01/2024
Expiration Date: 11/01/2025
Limit: $5,000,000 part of $10,000,000 xs $15,000,000

Carrier: Talbot Specialty Insurance Services
Policy #: CRP357046A24
Effective Date: 11/01/2024
Expiration Date: 11/01/2025
Limit: $5,000,000 part of $10,000,000 xs $15,000,000

All policies (except Workers' Compensation/EL) include a blanket automatic additional insured [provision] that confers additional insured status to the certificate holder only if there is a written contract between the named insured and the certificate holder that requires the named insured to name the certificate holder as an additional insured. In the absence of such a contractual obligation on the part of the named insured, the certificate holder is not an additional insured under the policy.

City Council Meeting

Item Number: 22.
Meeting Date: October 28, 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 (FIRST READING HELD OCTOBER 14, 2025)

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

Rachel Guentensberger, City Secretary Created/Initiated - 10/16/2025

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:

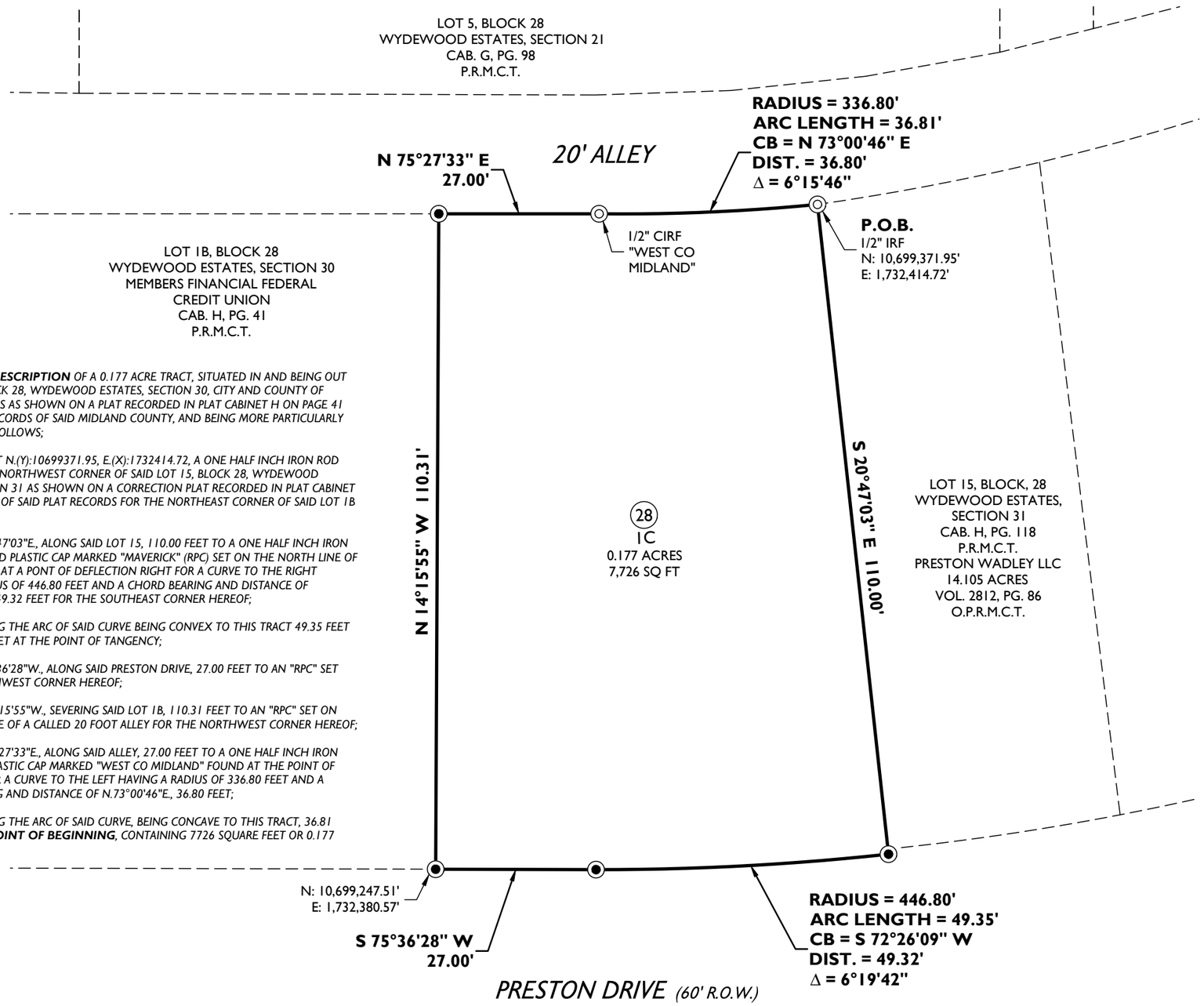
_____
Marcia Bentley-German, City Secretary

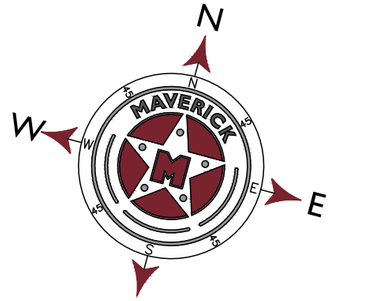
APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
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

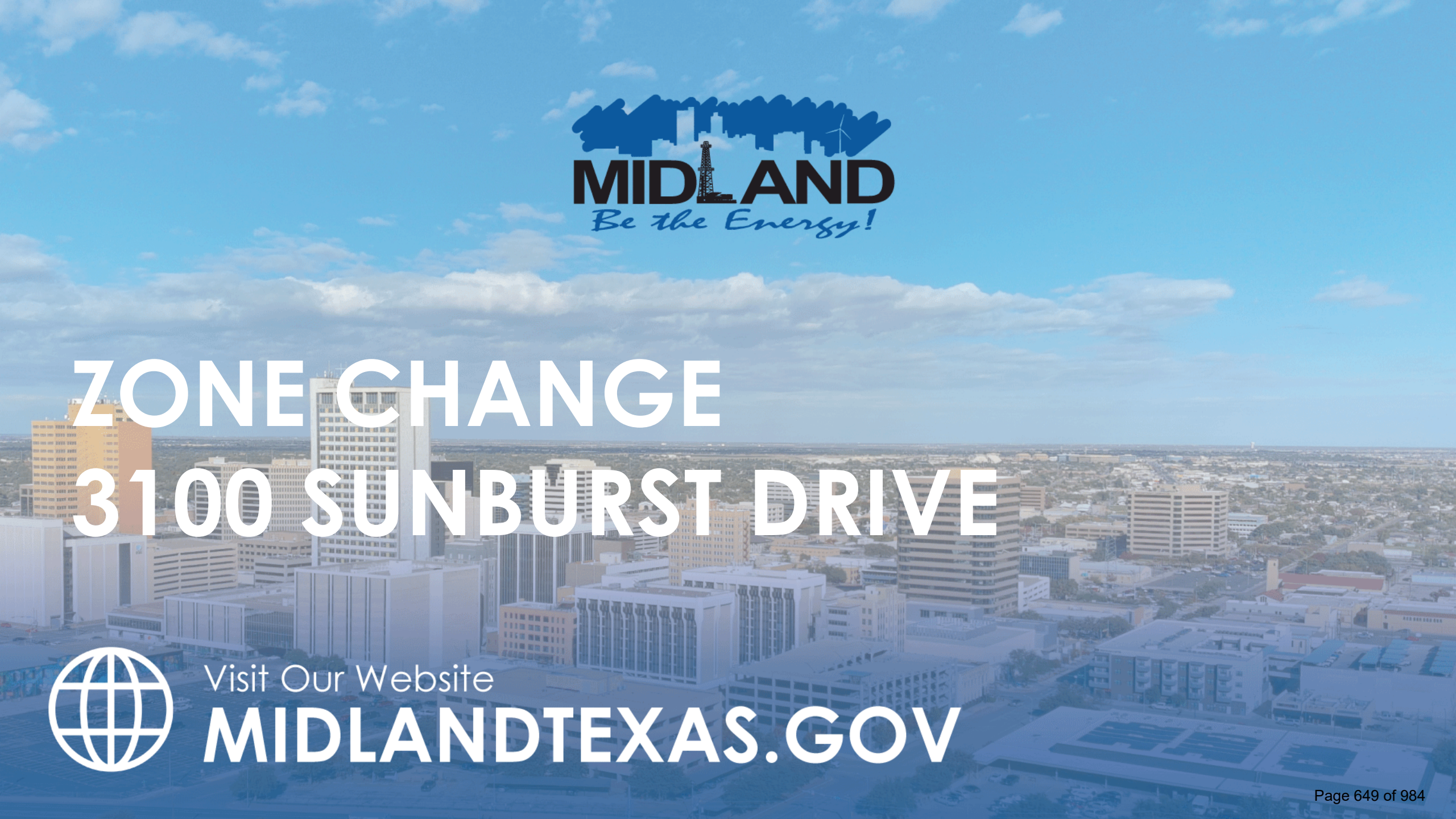
STATE OF TEXAS
REGISTERED
GREGORY W. SHOULTS
5356
PROFESSIONAL
LAND SURVEYOR

EXHIBIT A

ZONING BOUNDARY EXHIBIT

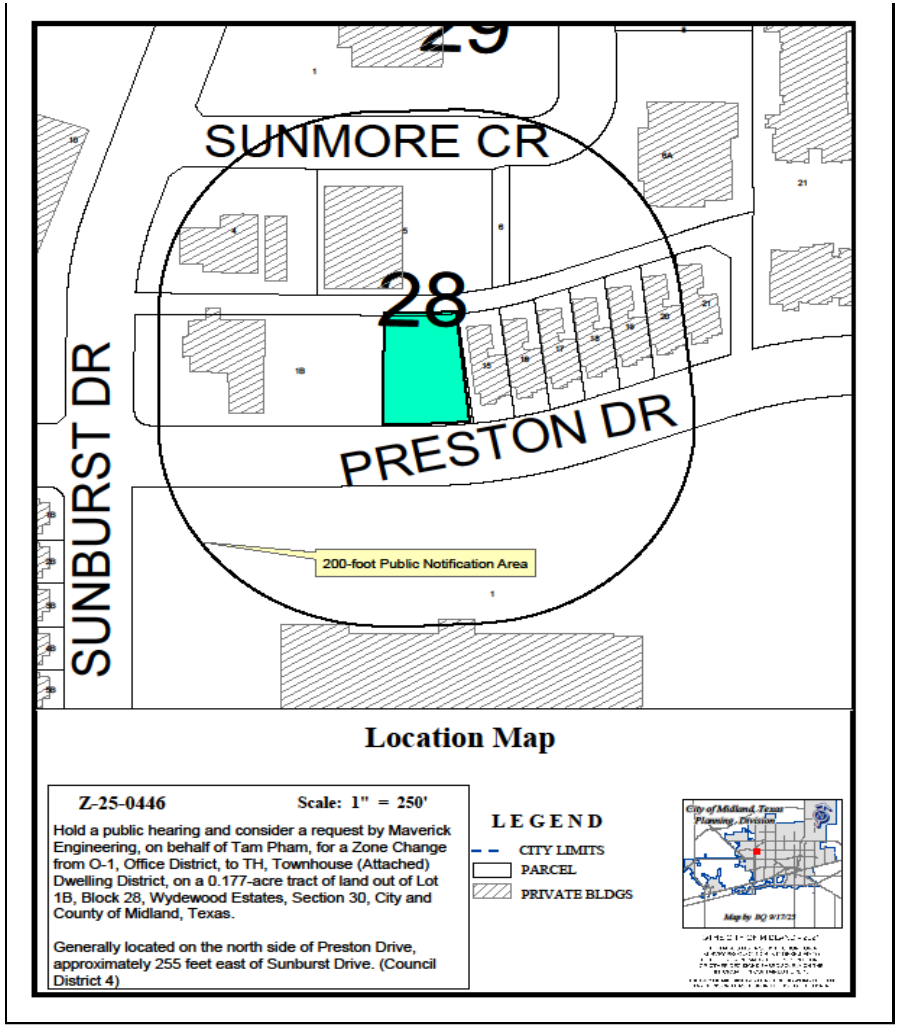
WYDEWOOD ESTATES, SECTION 36

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

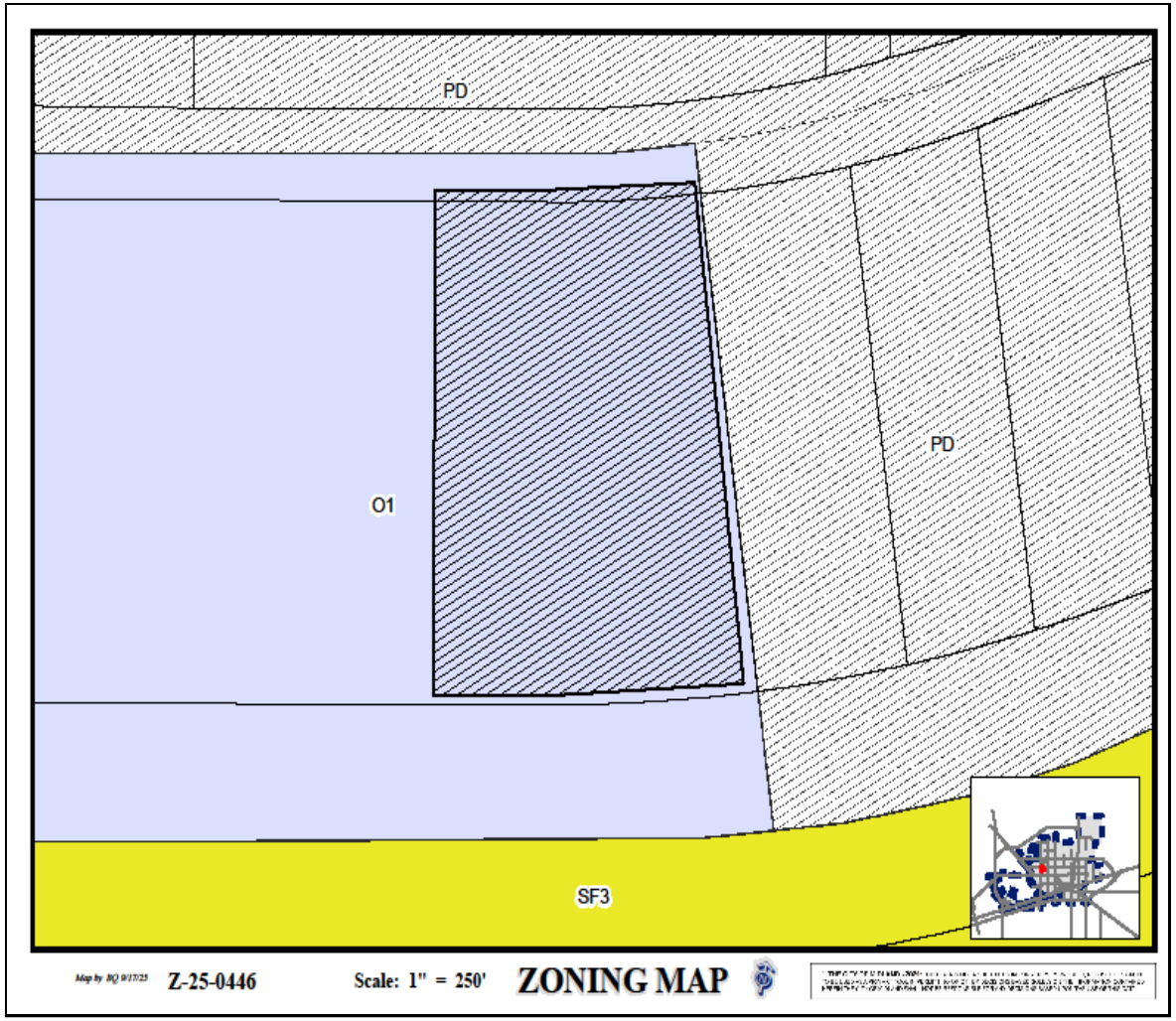
APPLICATION SUMMARY

- **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
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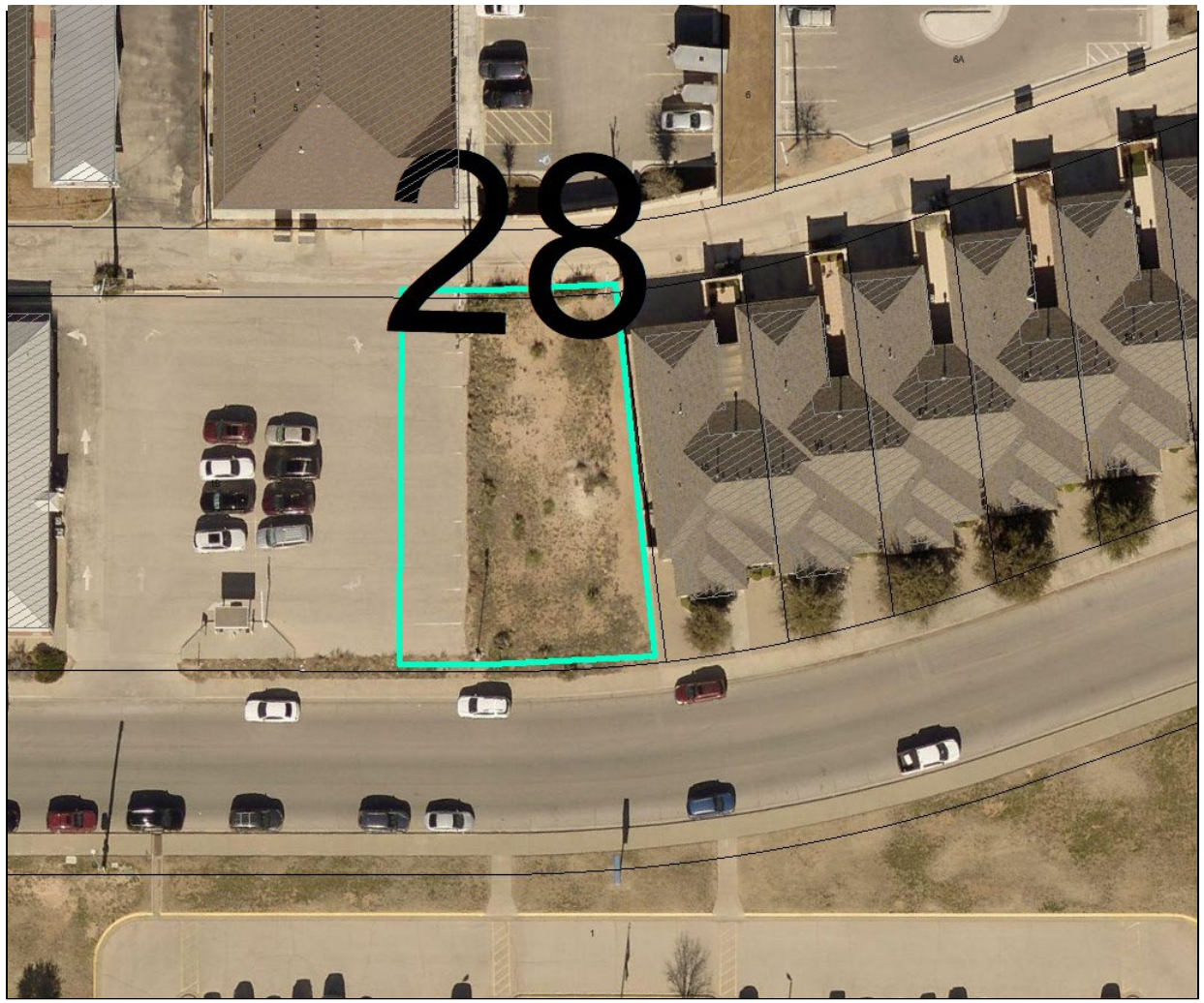
LAND USE

- **Current Use:** Vacant
- **Surrounding Uses:**
  - **North:** Offices
  - **South:** School
  - **East:** Residential
  - **West:** Bank
- **Proposed Use:** Residential



MIDLAND
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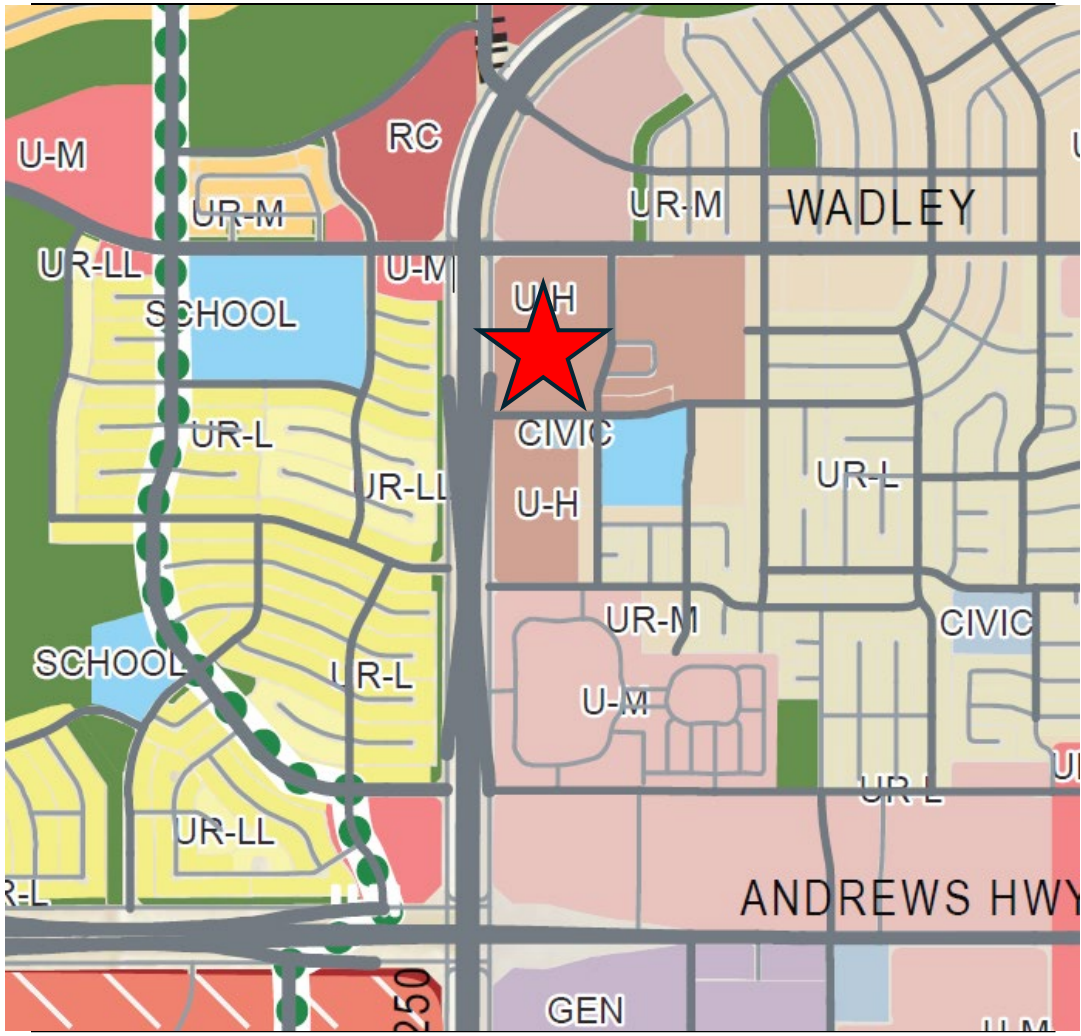
On Preston Drive, Looking North

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.*



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.

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.

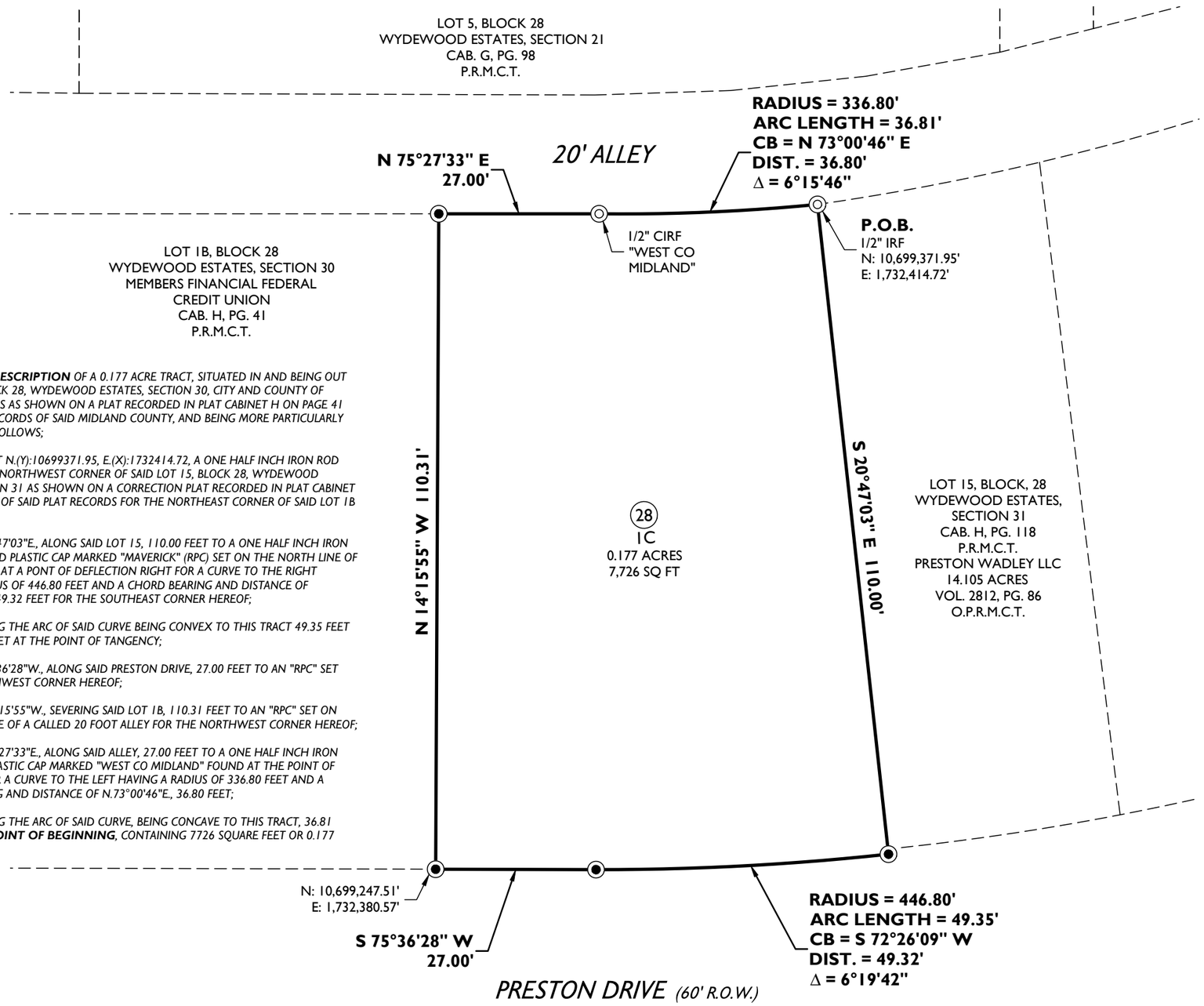
NANCY MOORE NOTARY PUBLIC STATE OF TEXAS ID 8336204 EXP. 01-24-2028

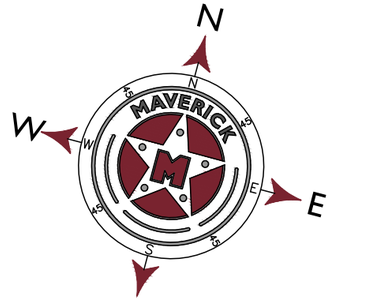
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☑ Property Owner Authorization	☑ Dimensioned Site Plan
☑ Application Fee	☐ Plans in Digital Format (PDF/JPEG)
Check # 5530	RECEIVED
Received By: Beatriz Angel	Date: SEP 08 2025
	Initial: _____

****Application will not be considered for scheduling until reviewed by a planner.****





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.

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250143	7.24.25	JARII		

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AUGUST 18, 2025

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FIRM NO. TX #10194514

STATE OF TEXAS
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ZONING BOUNDARY EXHIBIT

WYDEWOOD ESTATES, SECTION 36

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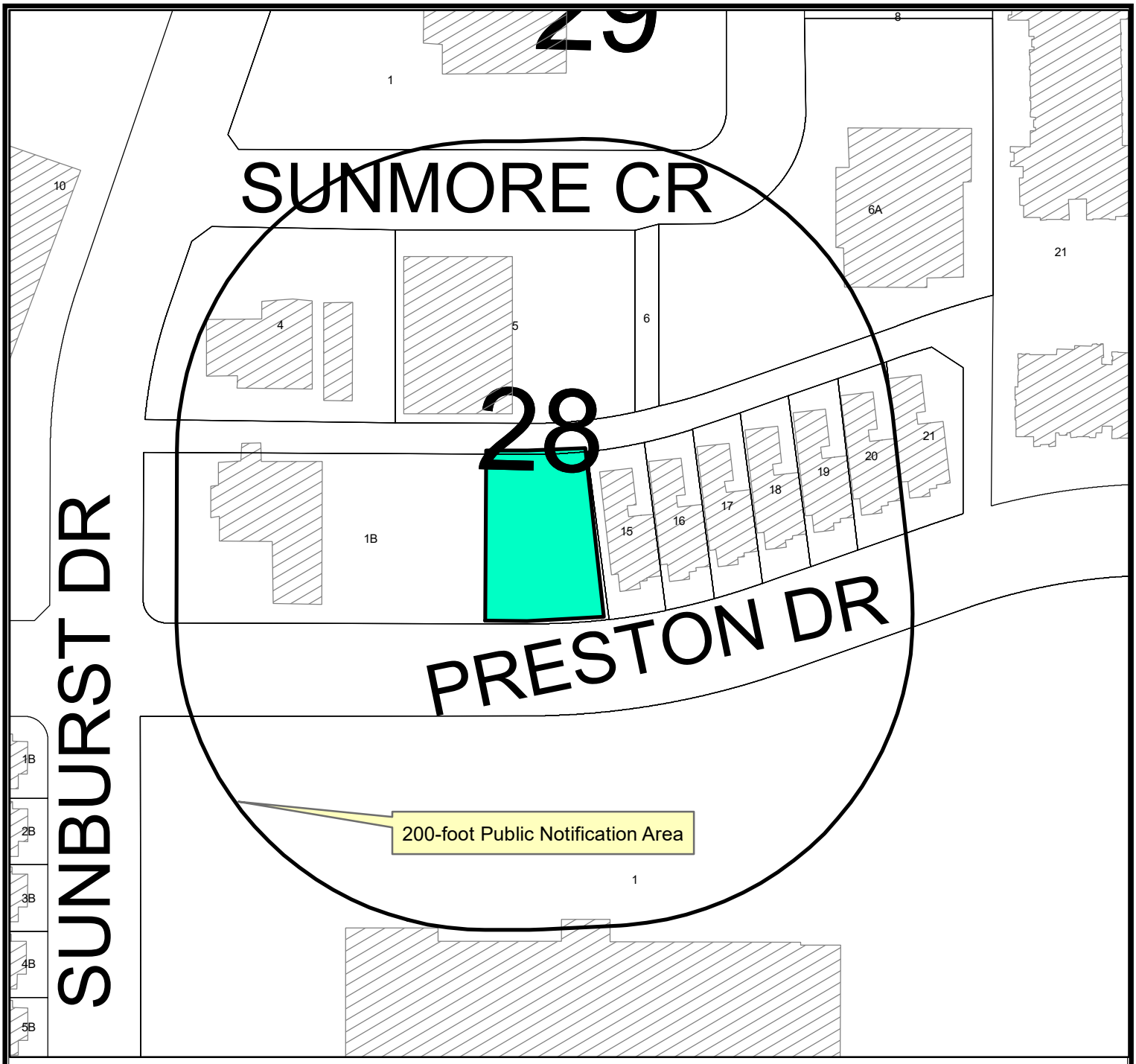


Location Map

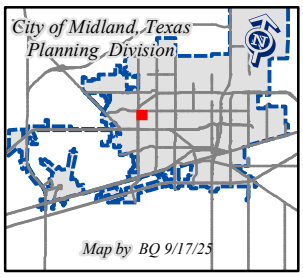
Z-25-0446 **Scale: 1" = 250'**

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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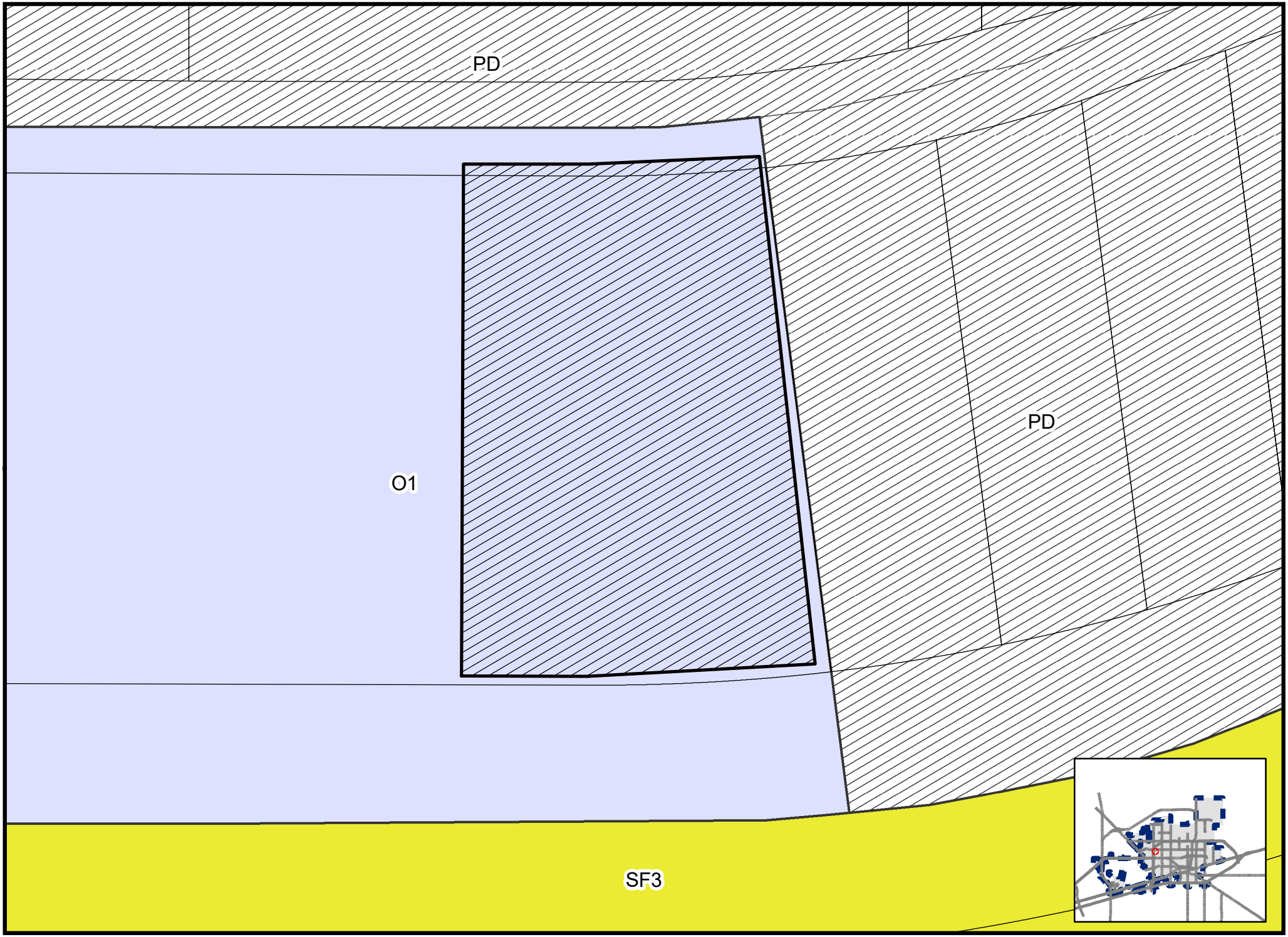
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Map by BQ 9/17/25

Z-25-0446

Scale: 1" = 250'

ZONING MAP

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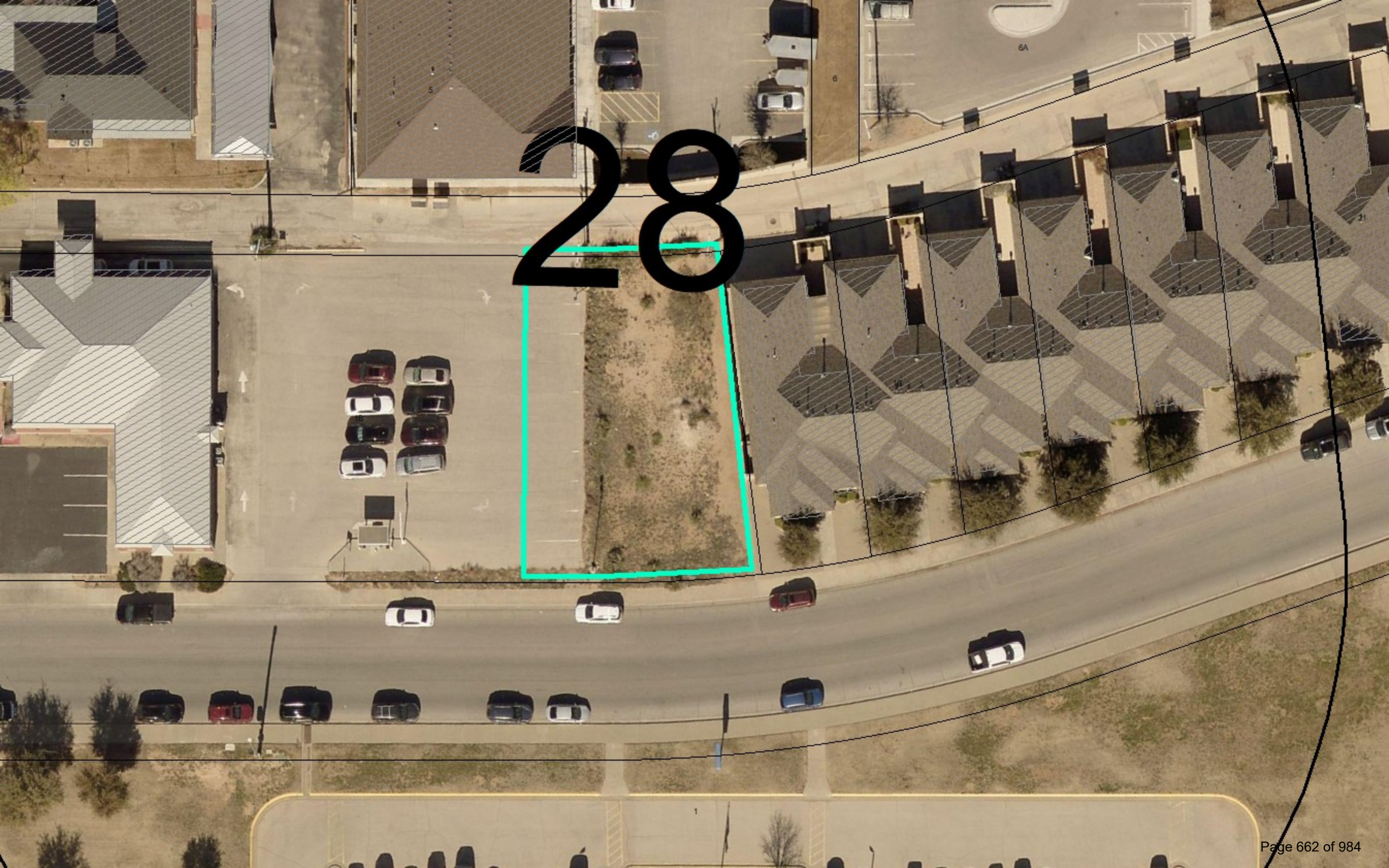

28

City Council Meeting

Item Number: 23.
Meeting Date: October 28, 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 (FIRST READING HELD OCTOBER 14, 2025)

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

Rachel Guentensberger, City Secretary Created/Initiated - 10/16/2025

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;

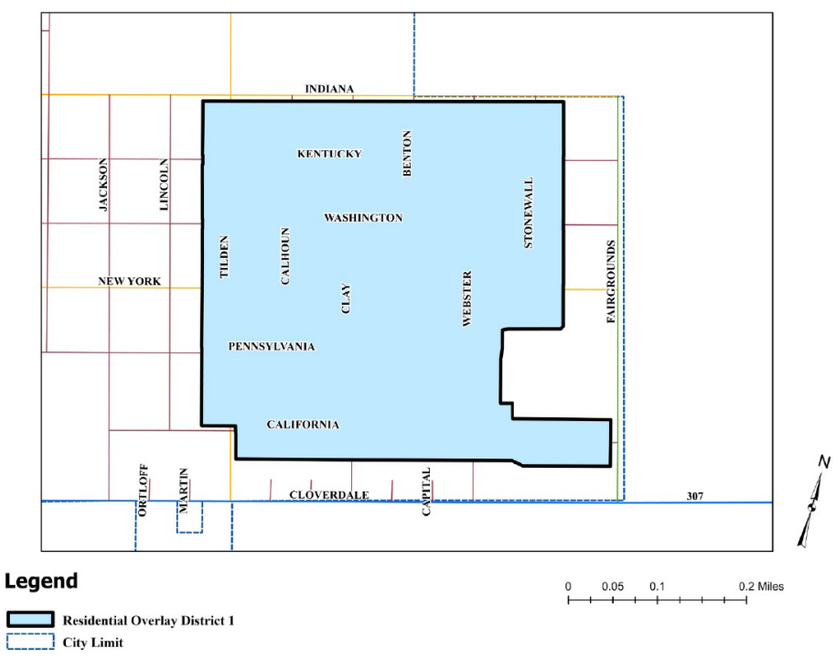
a called 0.129-acre tract of land as conveyed in Document Number 2024-23004 of the OPRMCT, and having an address of 2412 East California Avenue;

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:

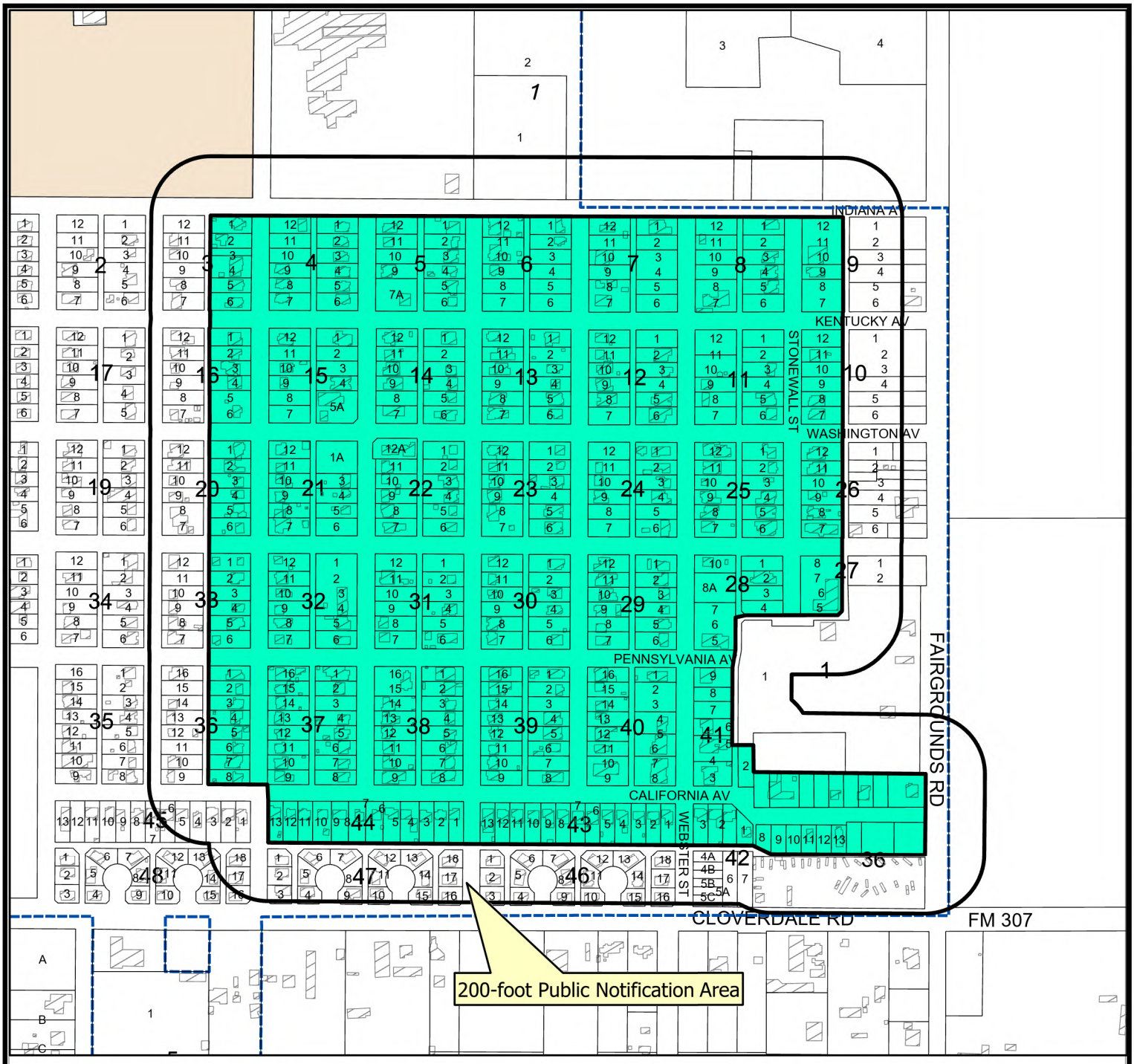
_____
Marcia Bentley-German, City Secretary

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

City of Midland, Texas
Planning Division

Map by

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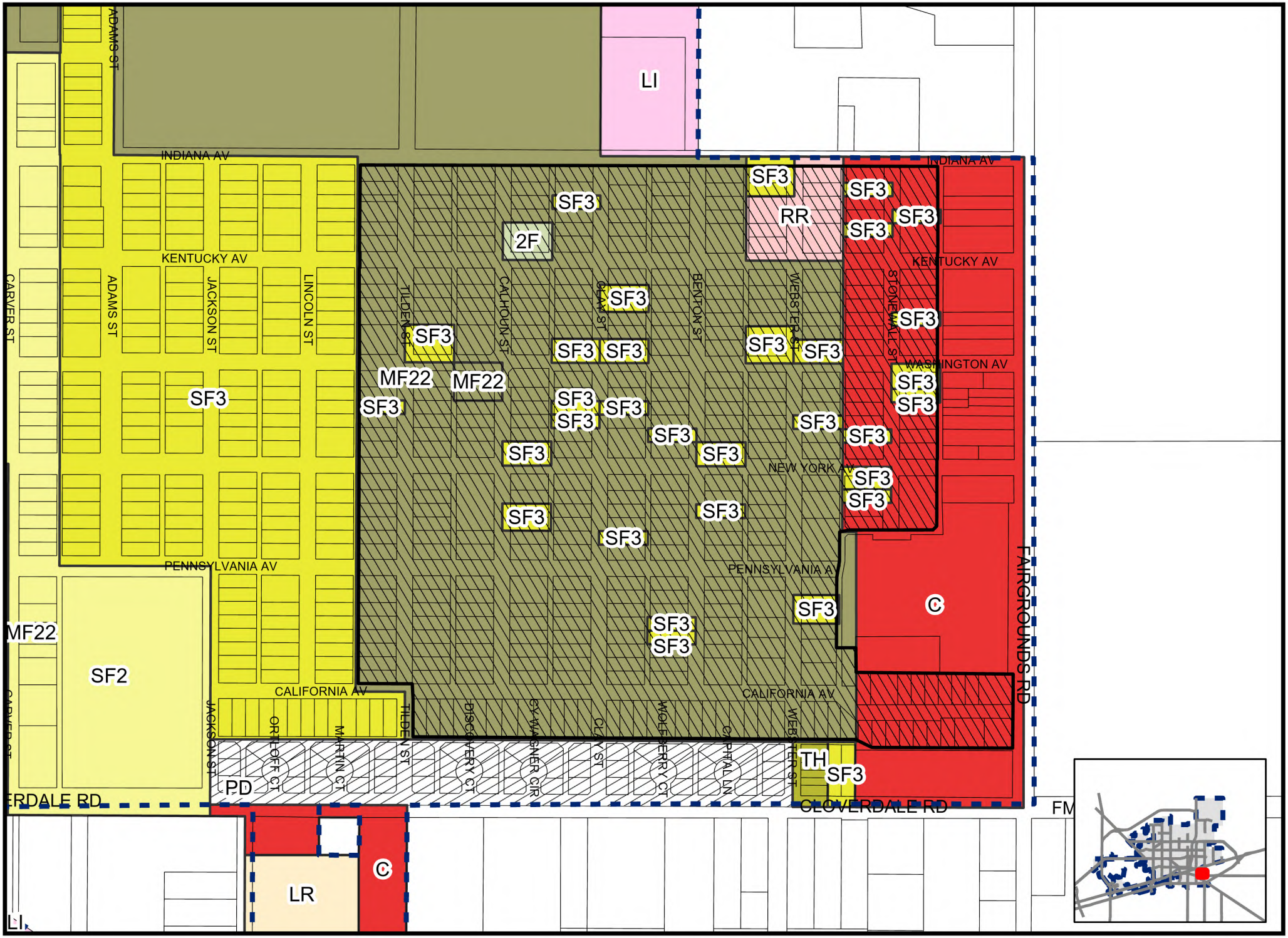
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Created 7/16/2025

District Overlay

Scale: 1" = 600'

ZONING MAP

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City Council Meeting

Item Number: 24.
Meeting Date: October 28, 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 (FIRST READING HELD OCTOBER 14, 2025)

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

Jan Hamilton, City Secretary Created/Initiated - 10/16/2025

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: 25.
Meeting Date: October 28, 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 (FIRST READING HELD OCTOBER 14, 2025)

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

Rachel Guentensberger, City Secretary Created/Initiated - 10/16/2025

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: 26.
Meeting Date: October 28, 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 (FIRST READING HELD OCTOBER 14, 2025)

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

Jan Hamilton, City Secretary Created/Initiated - 10/16/2025

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

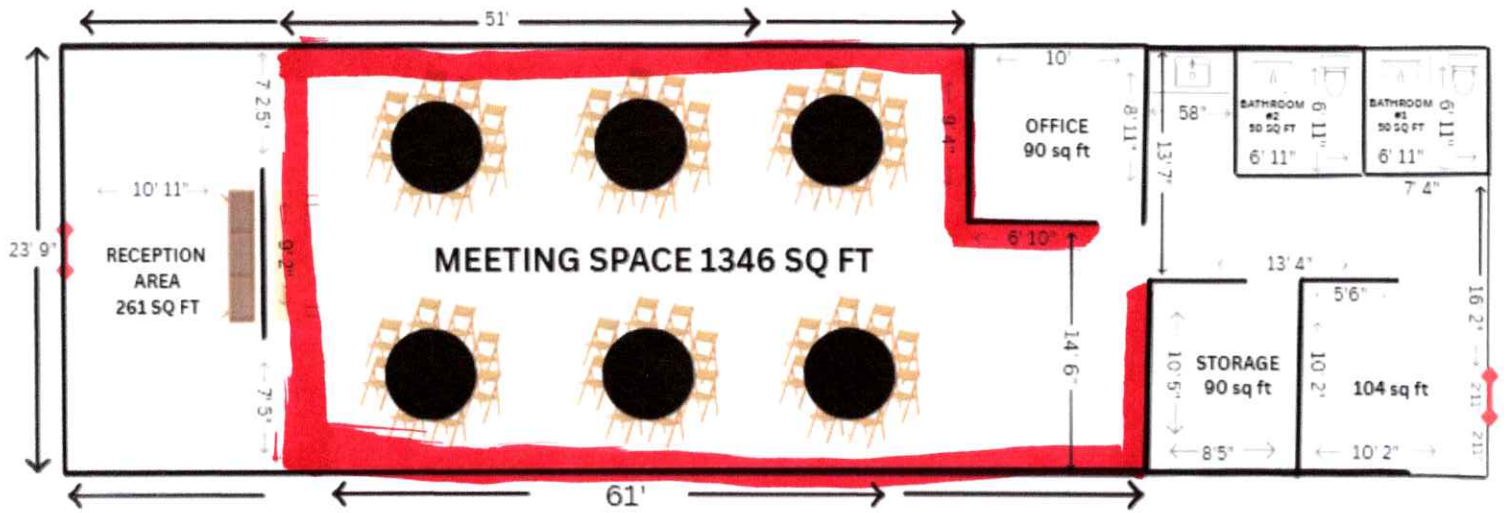
APPROVED ONLY AS TO FORM:

_____
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.

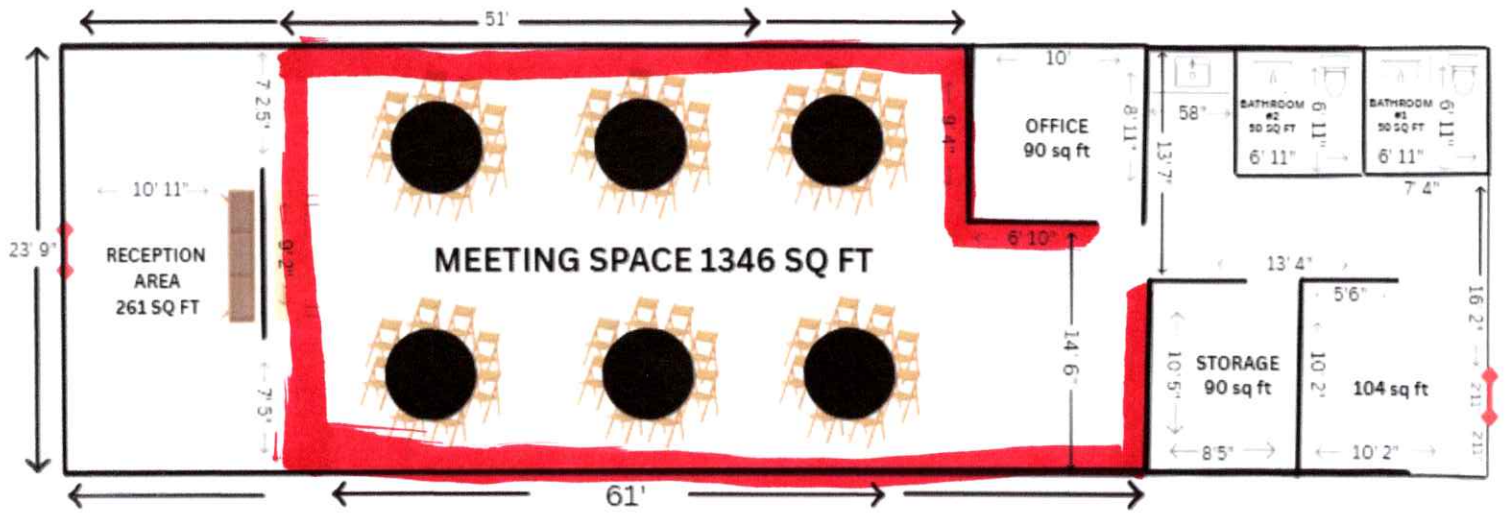
_____
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

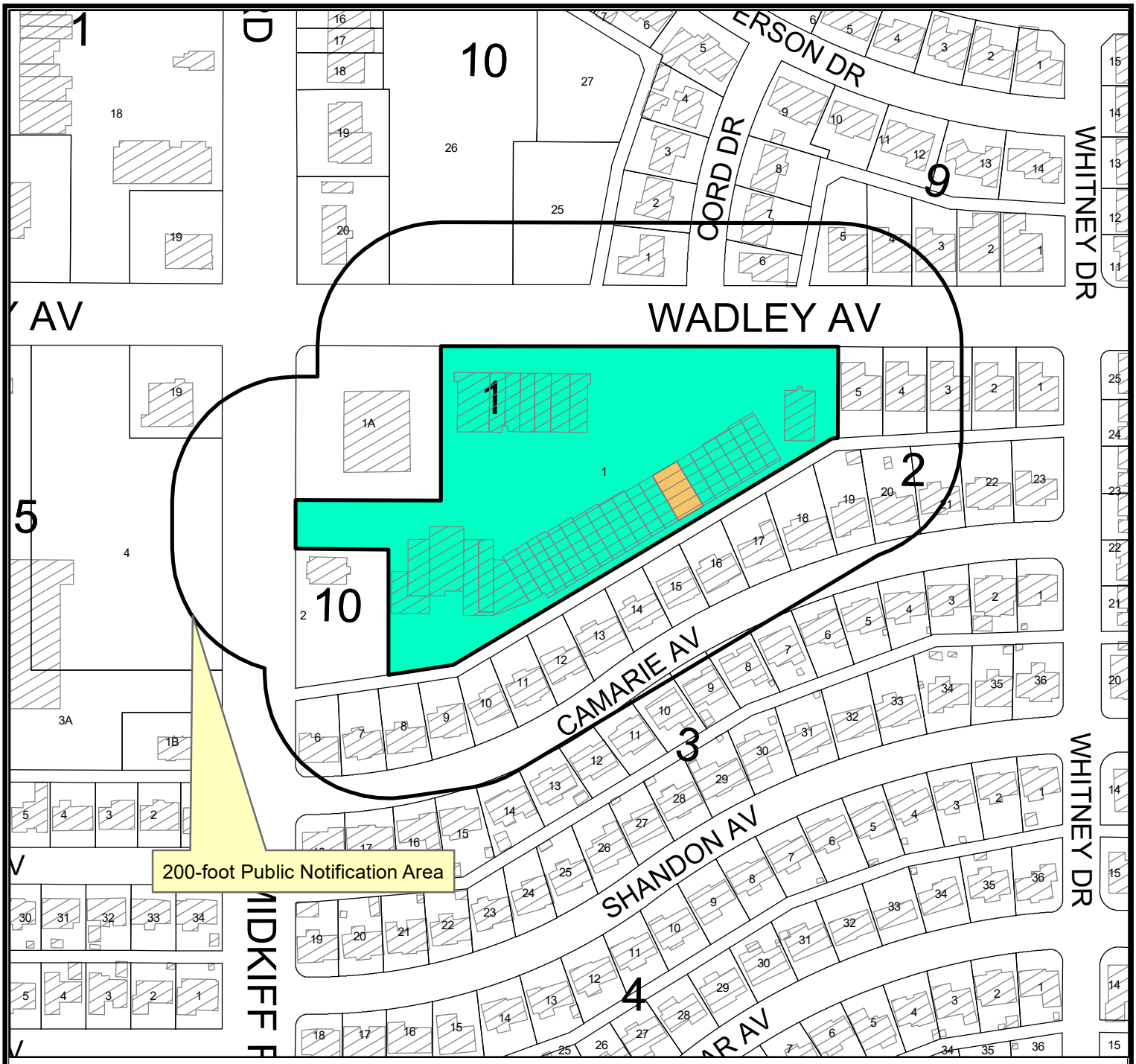
Application will not be considered for scheduling until reviewed by a planner.

RECEIVED
AUG 25 2025
Initial: BC

IMPERIAL SHOPPING CENTER - SUITE 3B

3211 W WADLEY AVE, SUITE 3B,
MIDLAND TEXAS 79705





Location Map

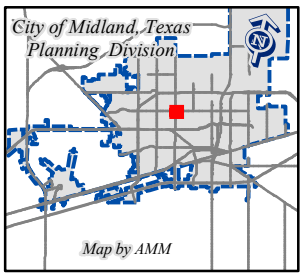
SUD-25-0208 **Scale: 1" = 3,331'**

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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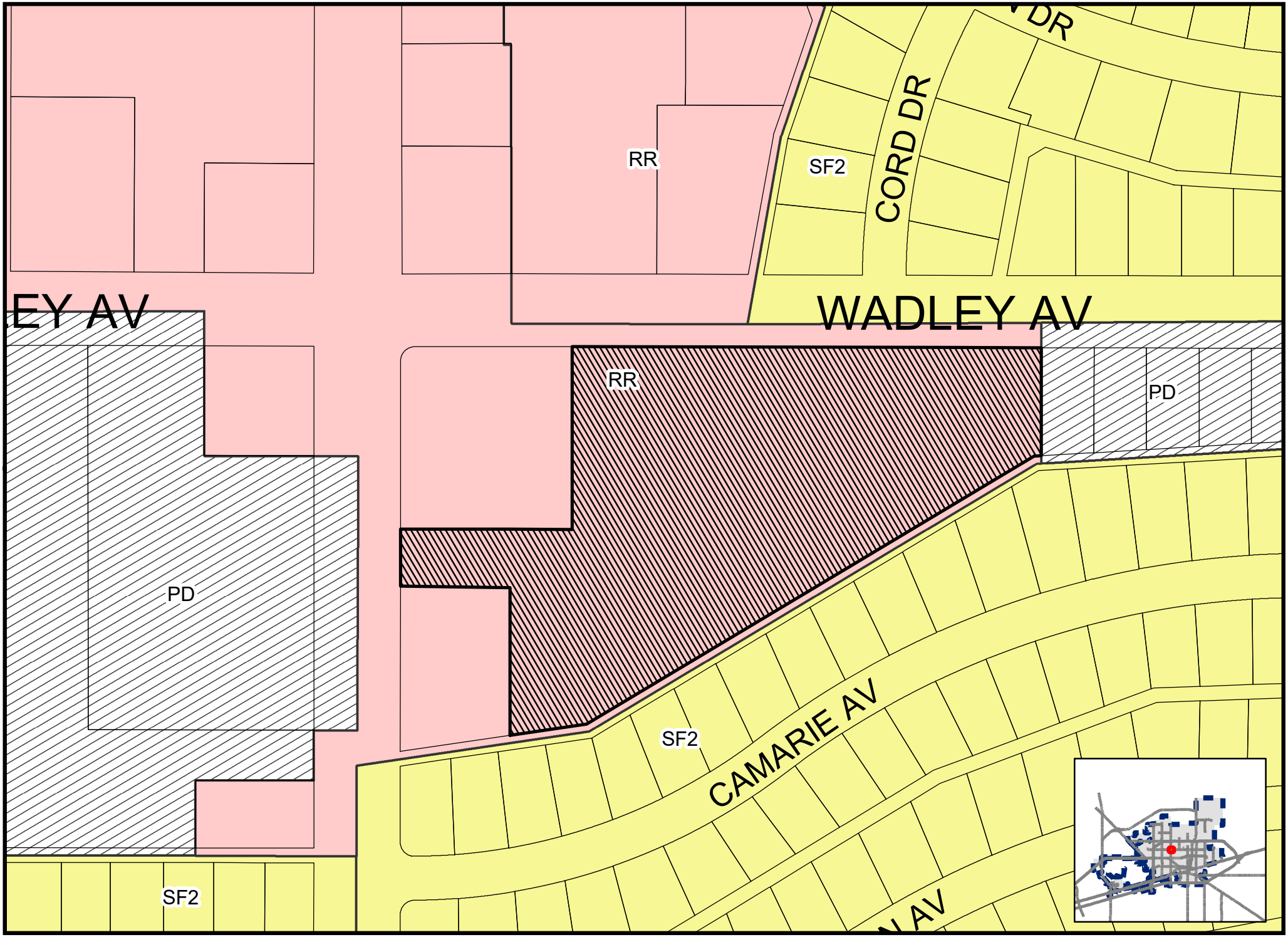
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



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 DECISION MADE OR ACTION TAKEN BY USER OR THIRD

WADLEY AV

CAMARIE AV

WHITNEY DR

CORD

1

2

3

5

9

10

VII
BEAUTY LOUNGE
TOKYO 1
Weichert of the Permian Basin
Nails
Lashes
PILATES

City Council Meeting

Item Number: 27.
Meeting Date: October 28, 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 (FIRST READING HELD OCTOBER 14, 2025)

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

Rachel Guentensberger, City Secretary Created/Initiated - 10/16/2025

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

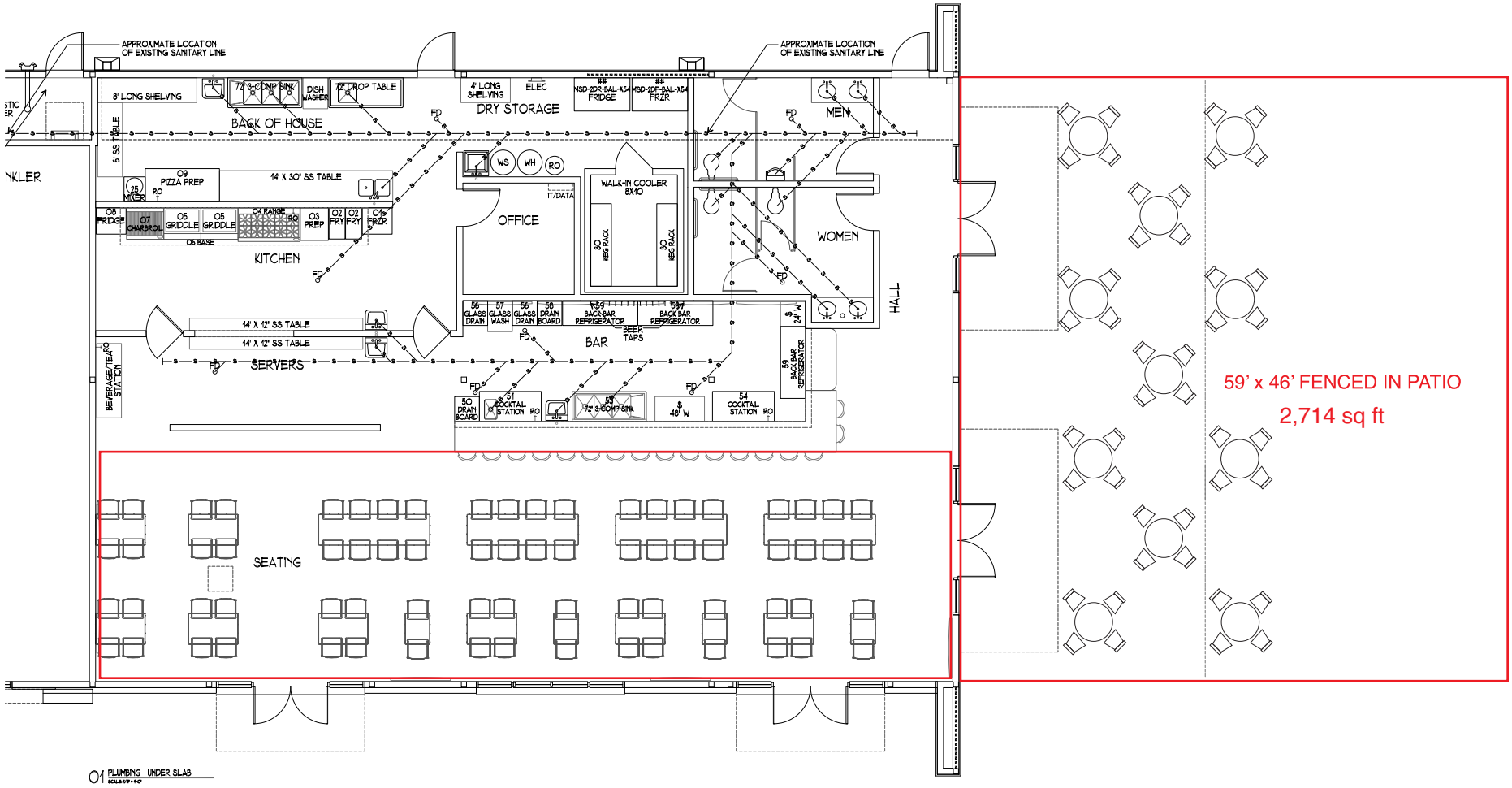
APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
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

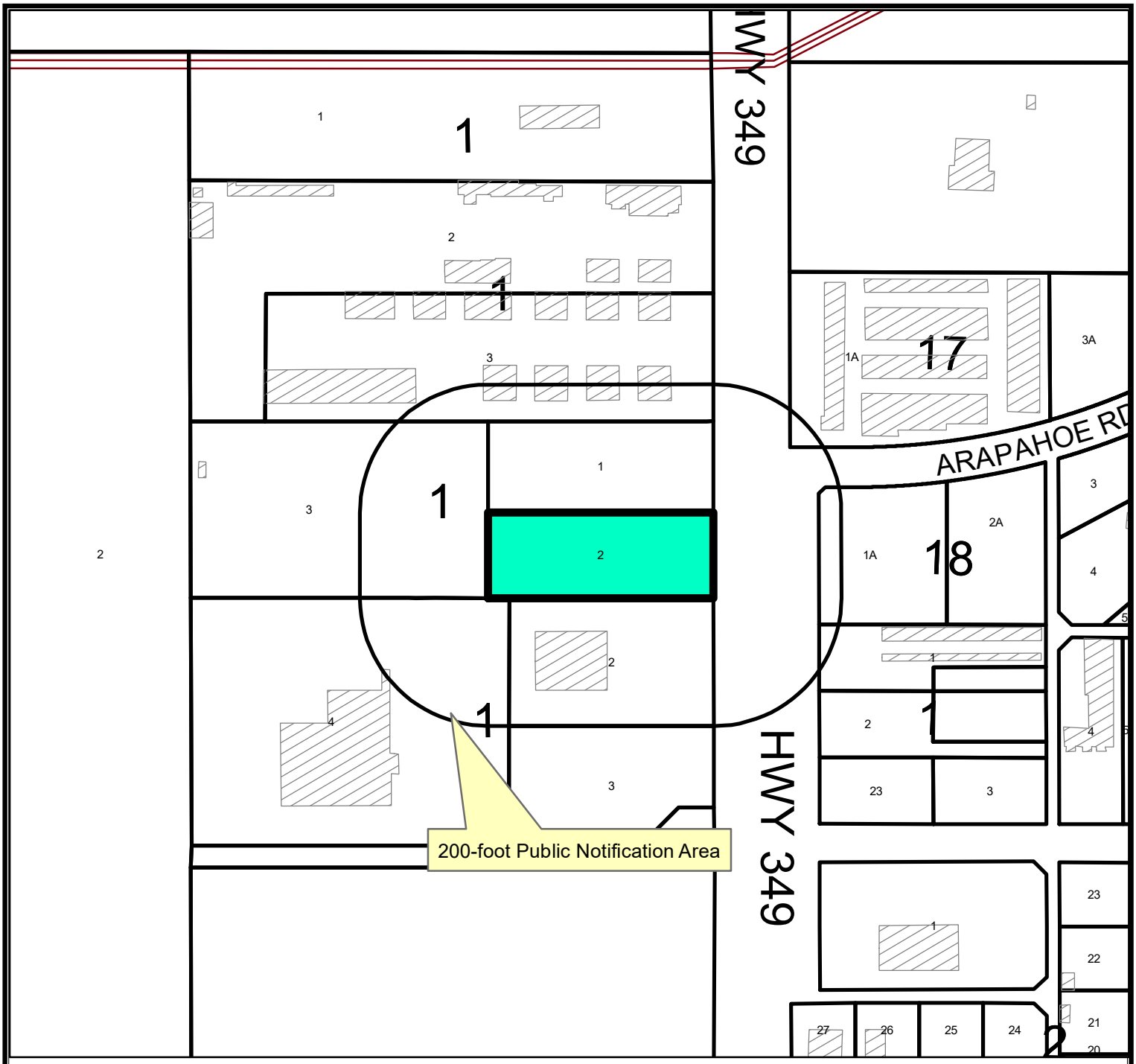
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

****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

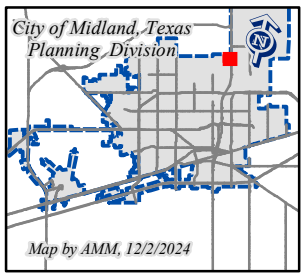
SUD-25-0209 **Scale: 1" = 684'**

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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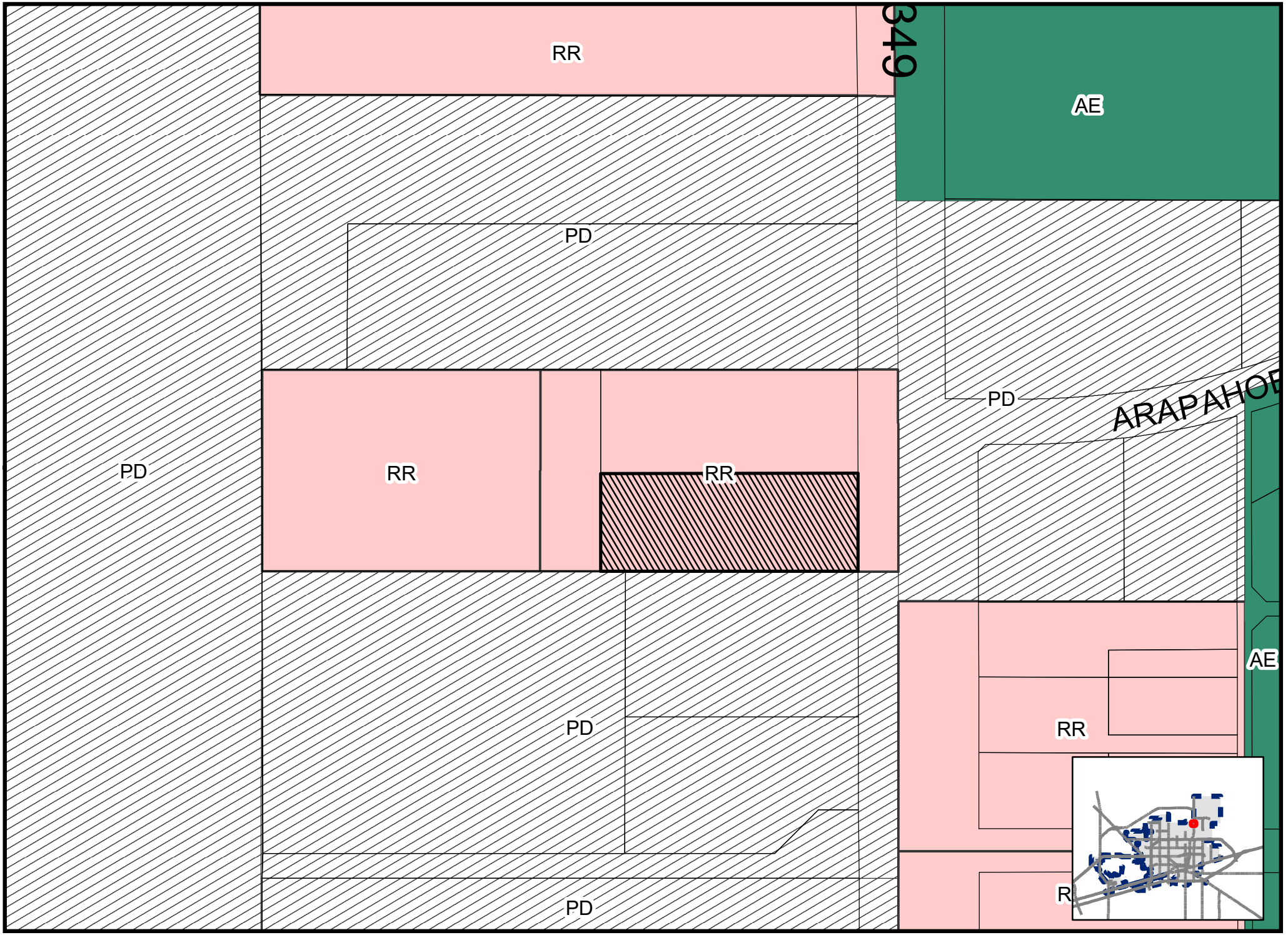
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



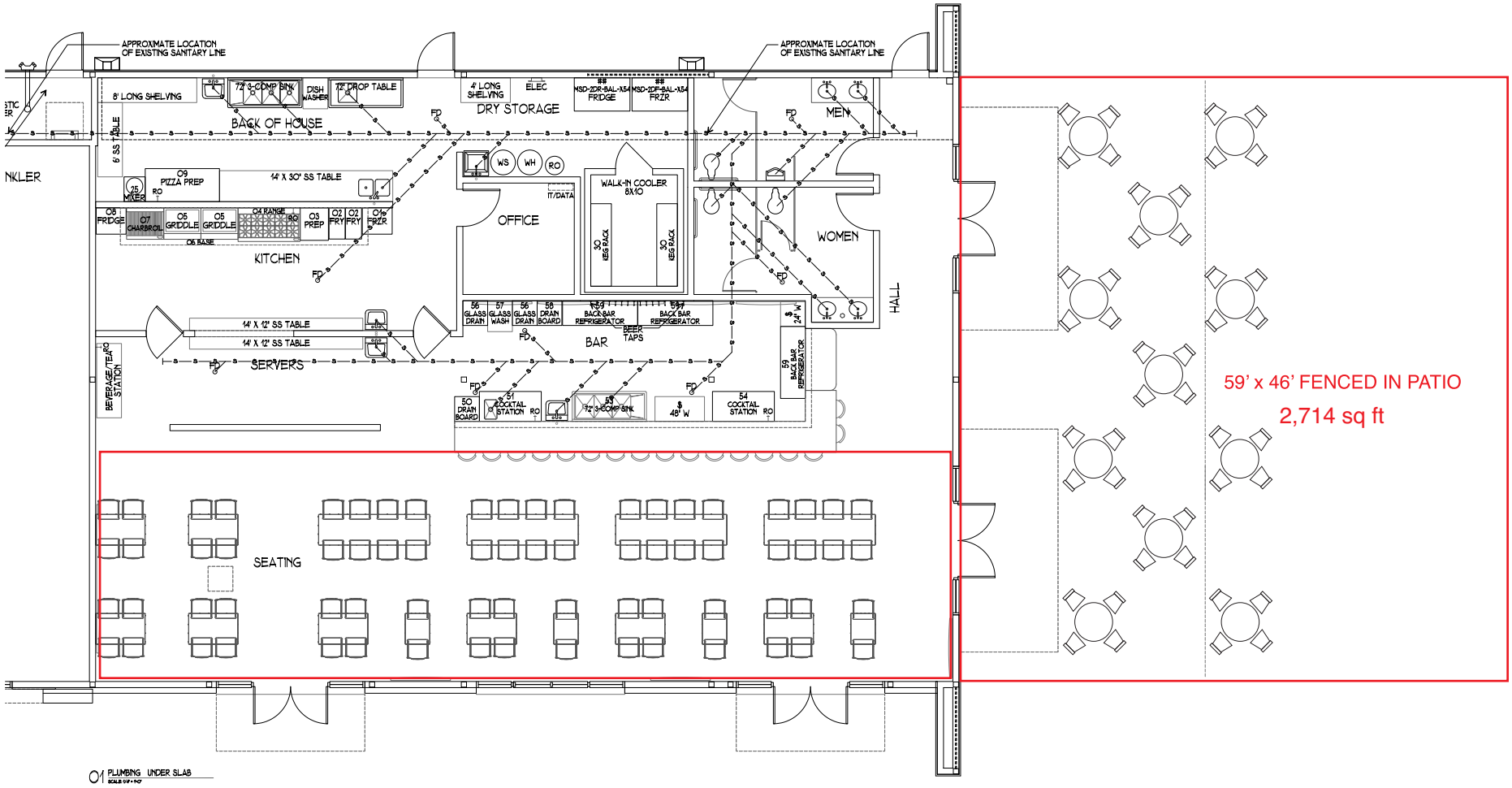
Map AMM, 09/15/2025

SUD-25-0209

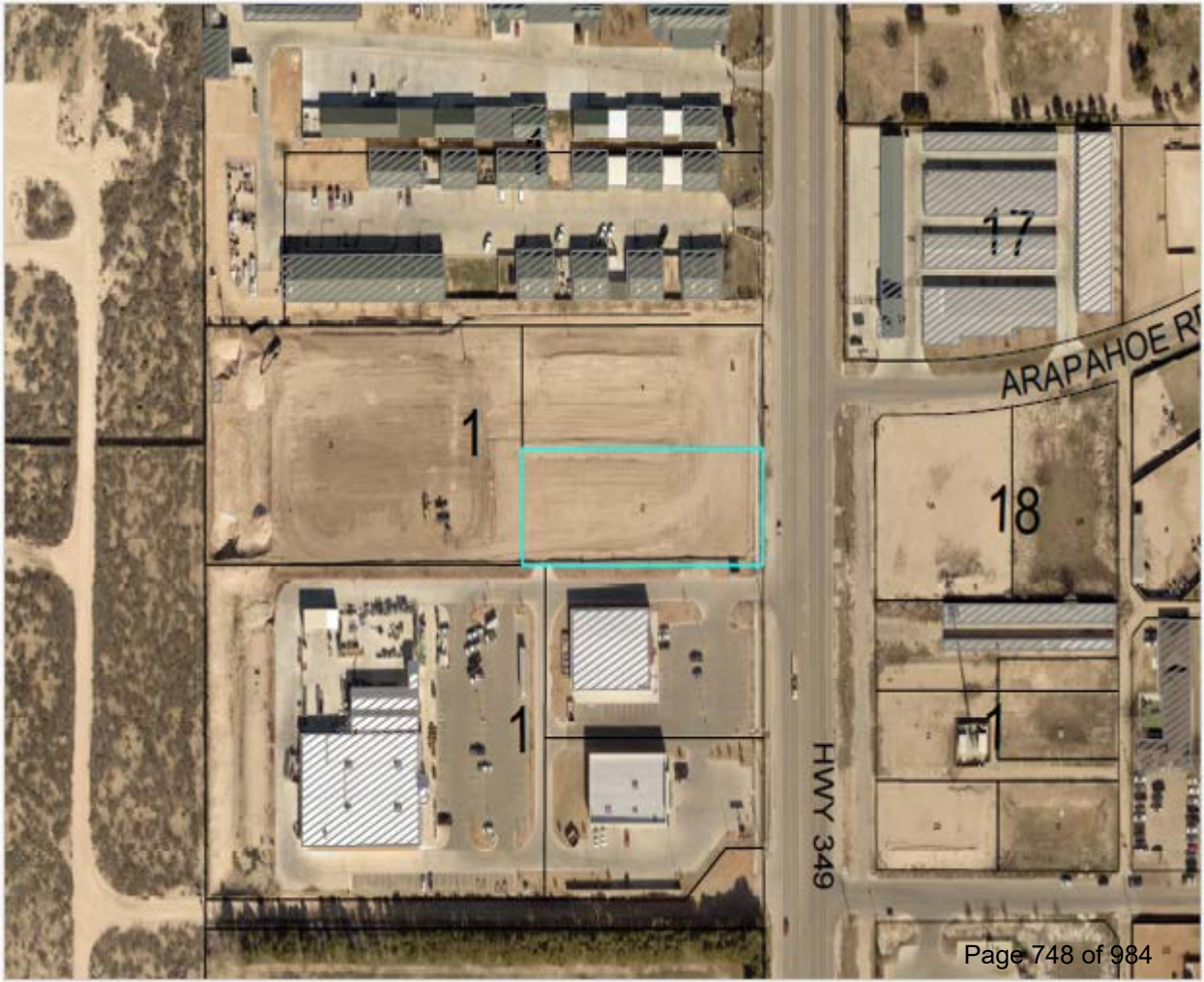
Scale: 1" = 977'

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 DECISION MADE OR ACTION TAKEN BASED THEREON.



21' x 70'
1,470sq ft for customer seating indoors

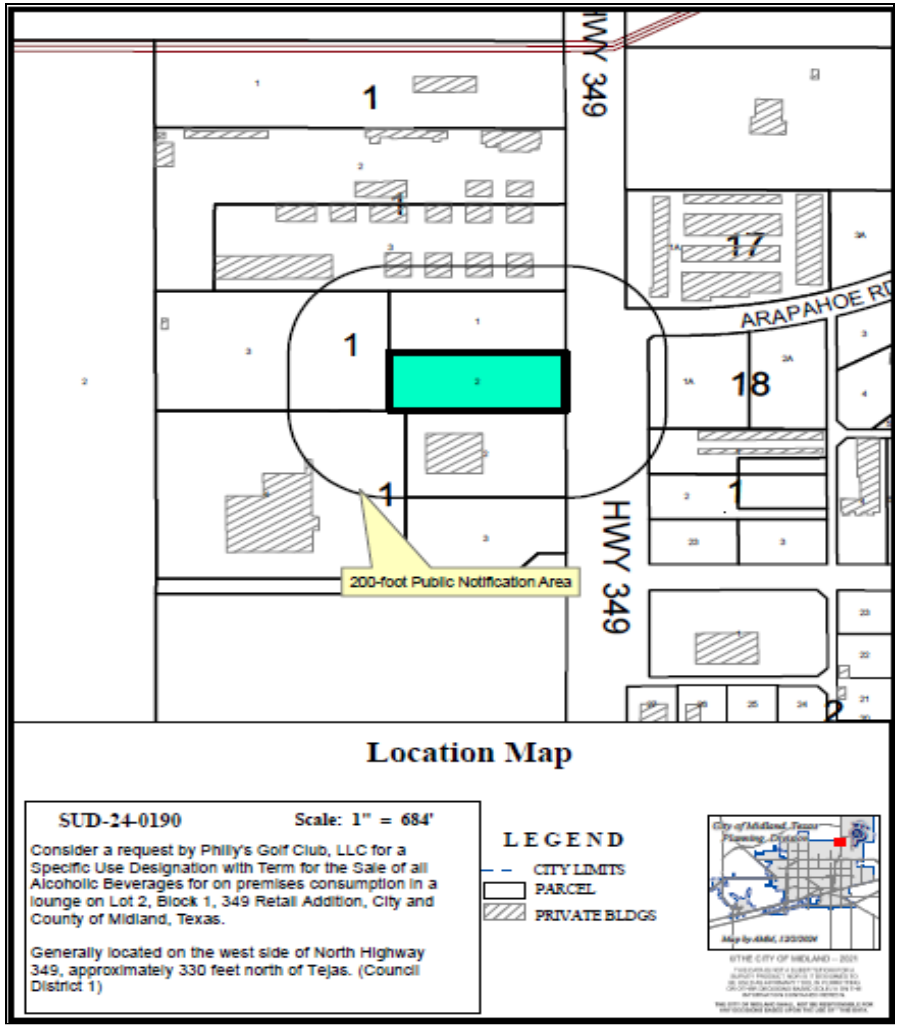

17
ARAPAHOE R
18
1
1
HWY 349

NO PARKING FIRE LANE

MIDLAND
Be the Energy!
ITEM
SPECIFIC USE DESIGNATION
TAPHOUSE KITCHEN & BAR
Visit Our Website
MIDLANDTEXAS.GOV

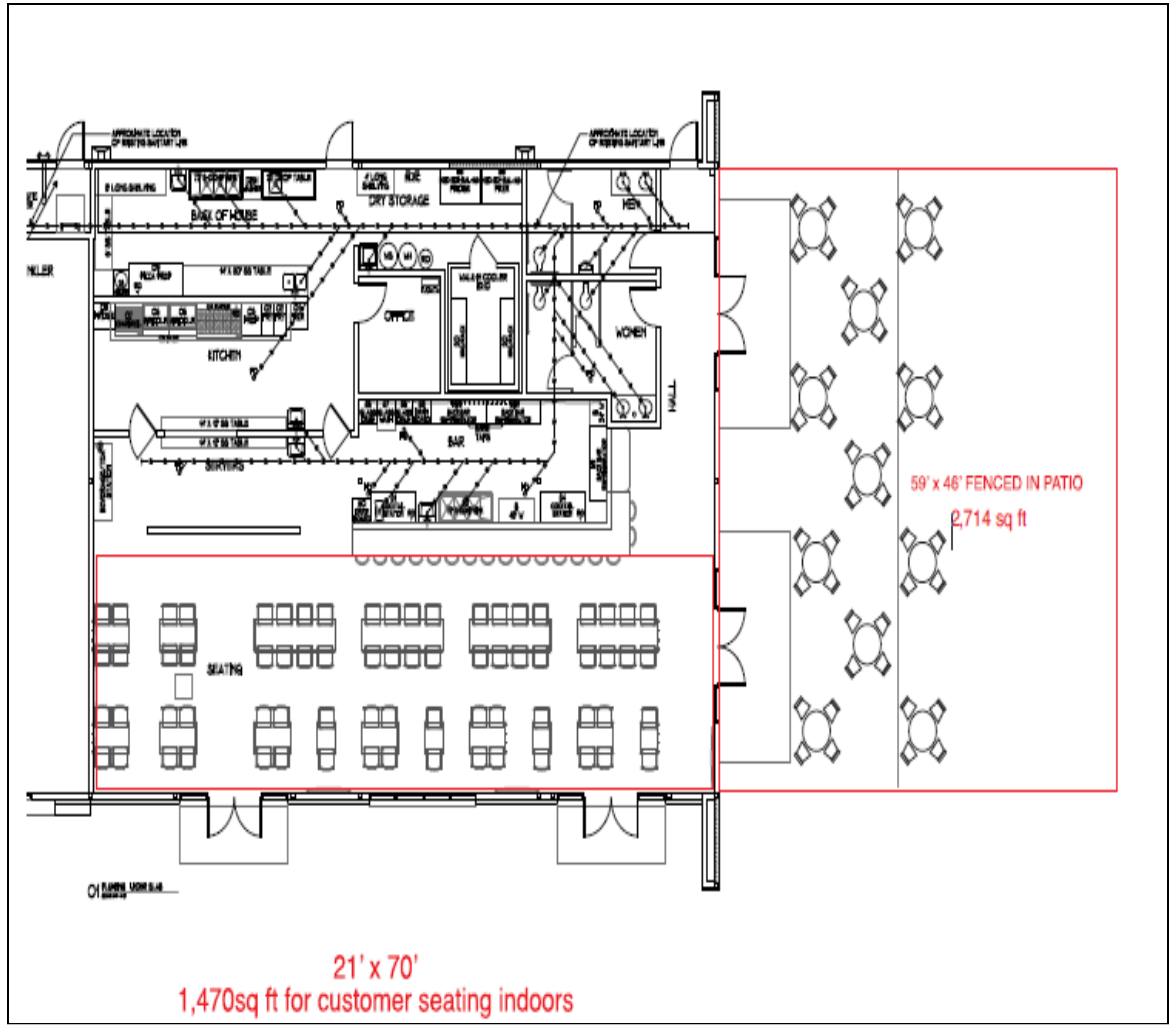
APPLICATION SUMMARY

- **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



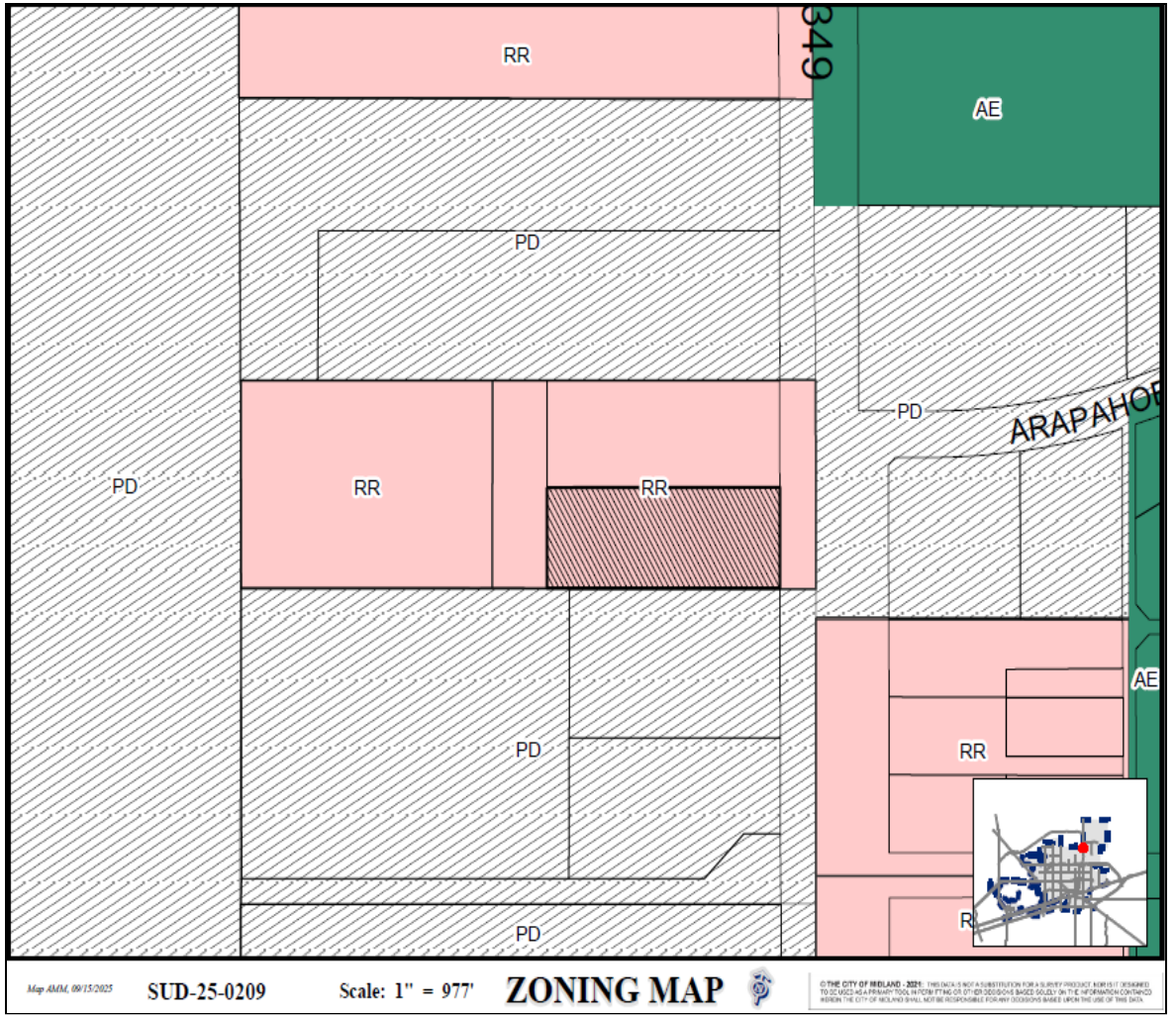
DETAILS OF REQUEST

- **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

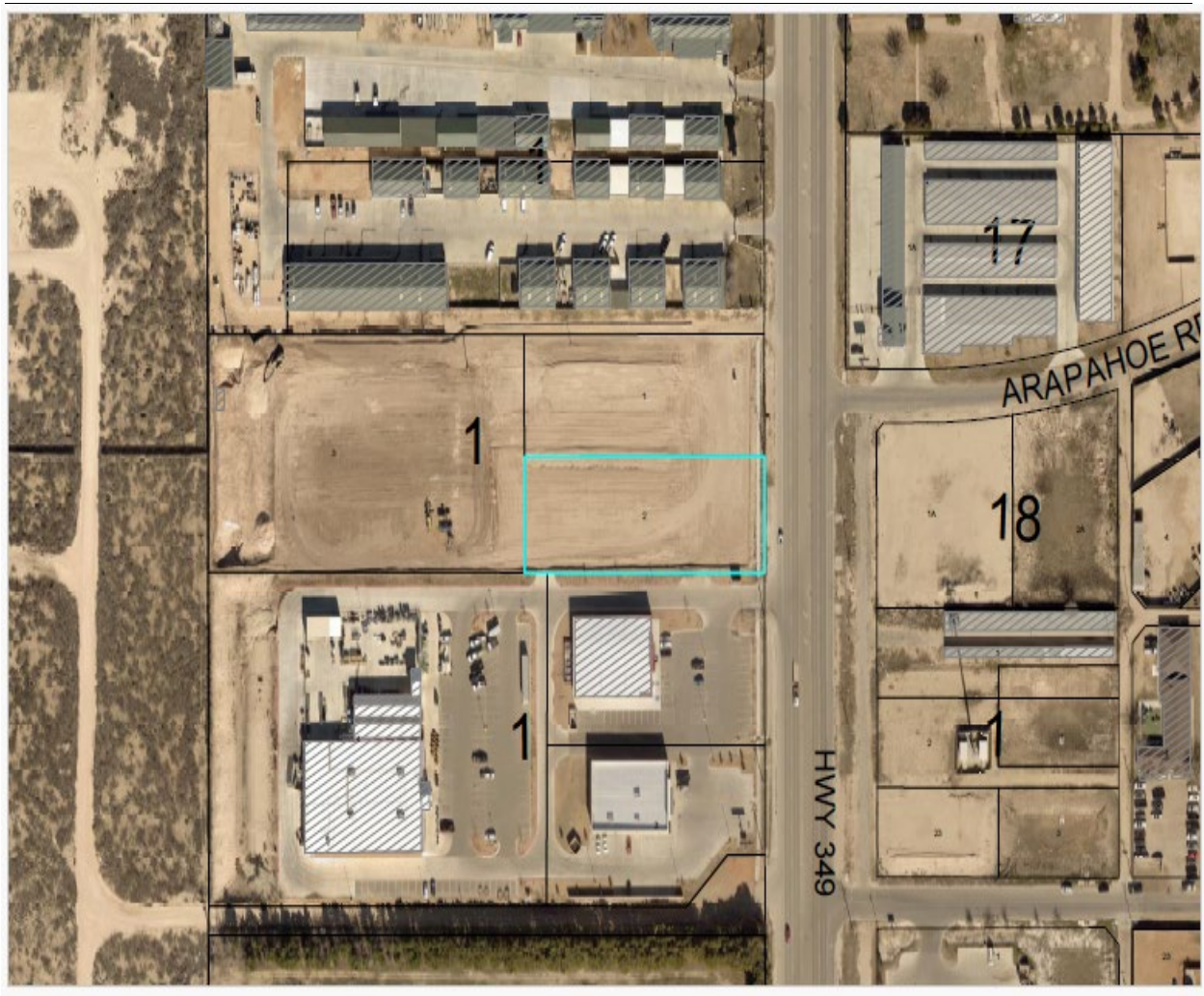
- **Current Zoning**: RR, Regional Retail District
- **Surrounding Zoning:**
  - **North: RR, Regional Retail**
  - **East, West and South:** PD, Planned Development District for a Shopping Center and Housing Development
- The use of an SUD for the sale and on-premises consumption is allowed in this zoning.



MIDLAND
Be the Energy!

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

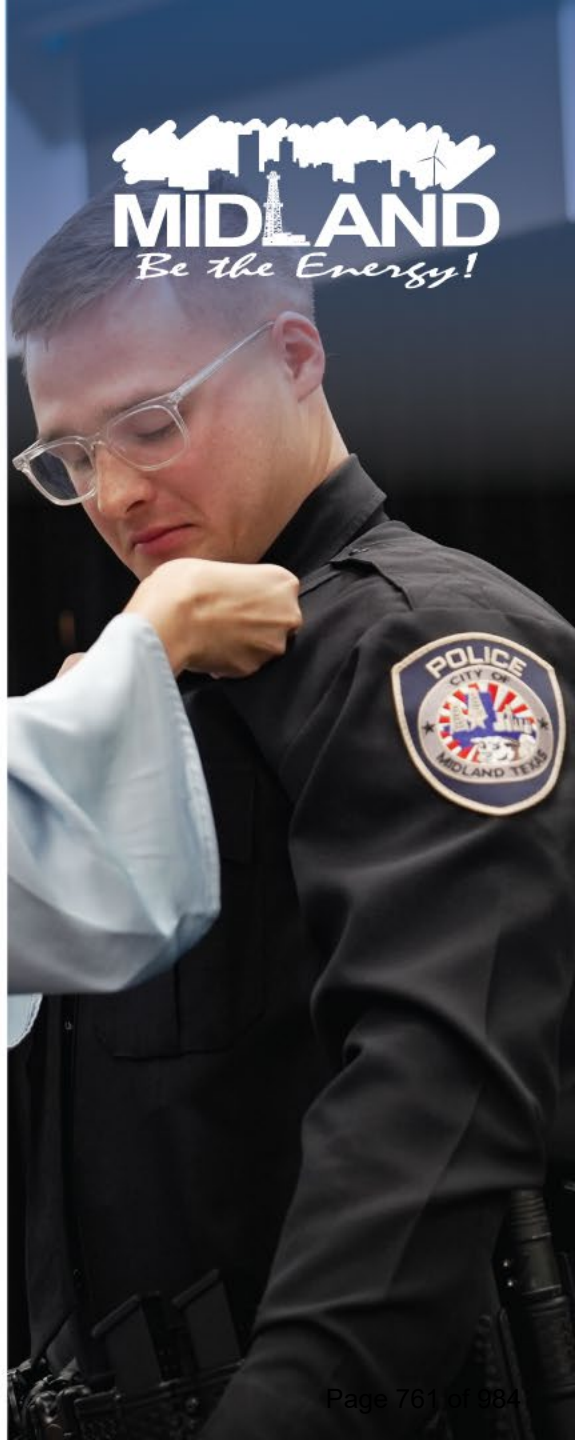
D. That the occupancy of the Establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.

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: 28.
Meeting Date: October 28, 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 (FIRST READING HELD OCTOBER 14, 2025)**

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

Jan Hamilton, City Secretary Created/Initiated - 10/16/2025

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

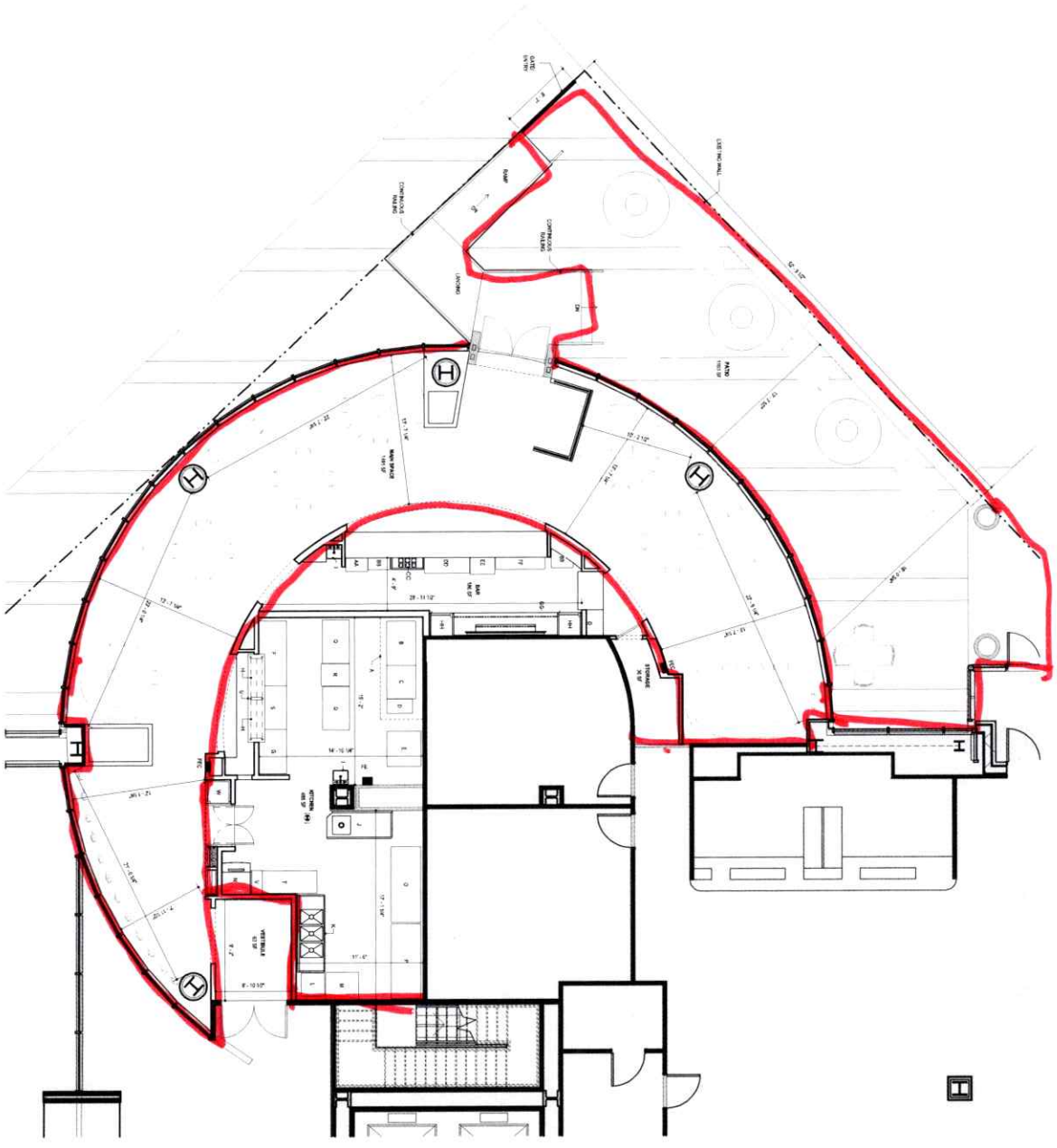
APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
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) HEATH 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.HEIN@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 / LP 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.

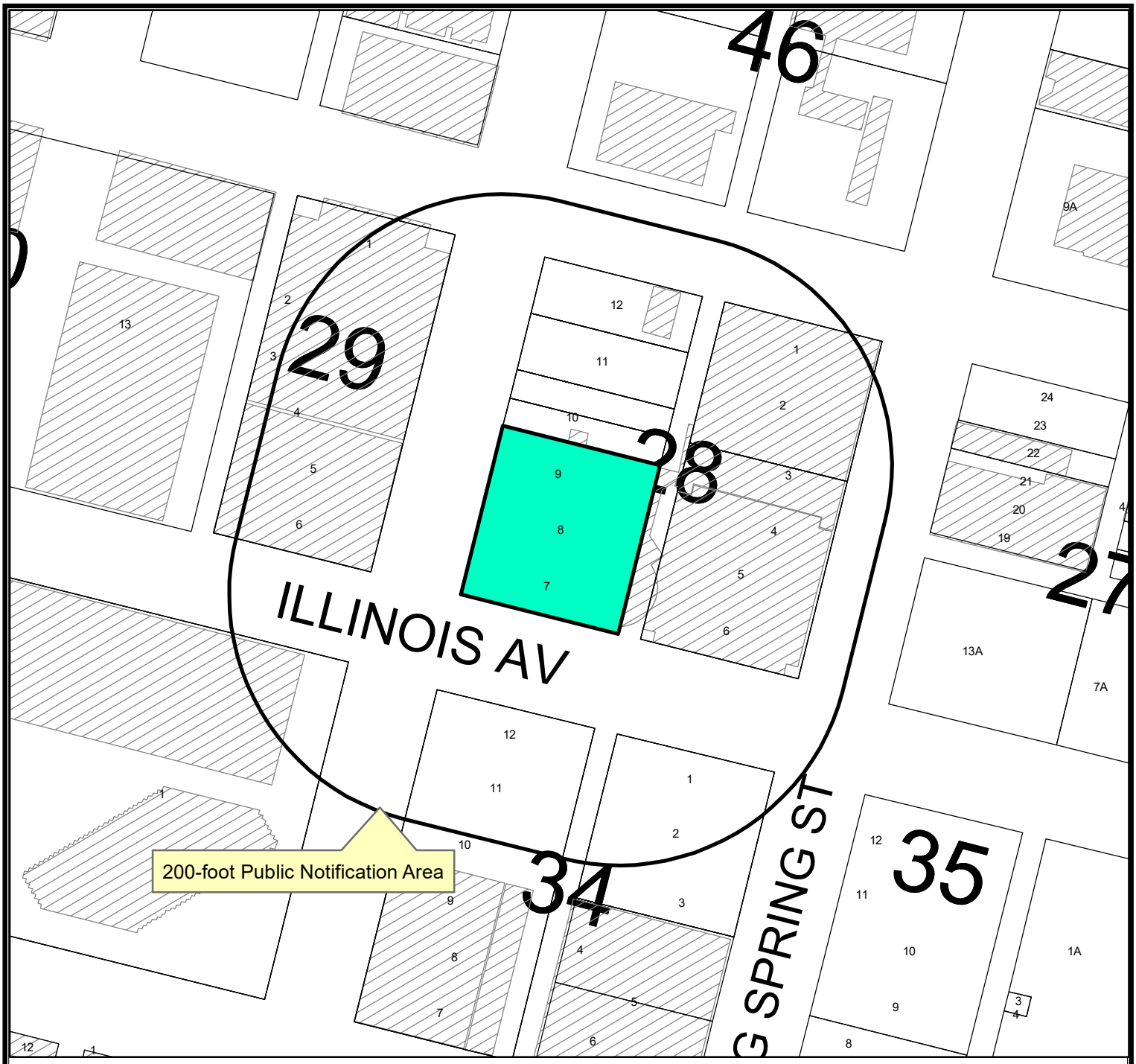
MADELINE HORTON
Notary Public, State of Texas
Comm. Expires 05-12-2028
Notary ID 132473456

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

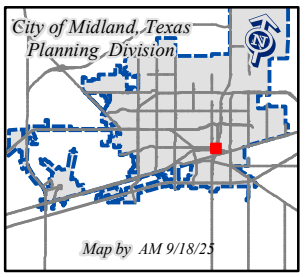
SUD-25-0211 **Scale: 1" = 800 '**

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



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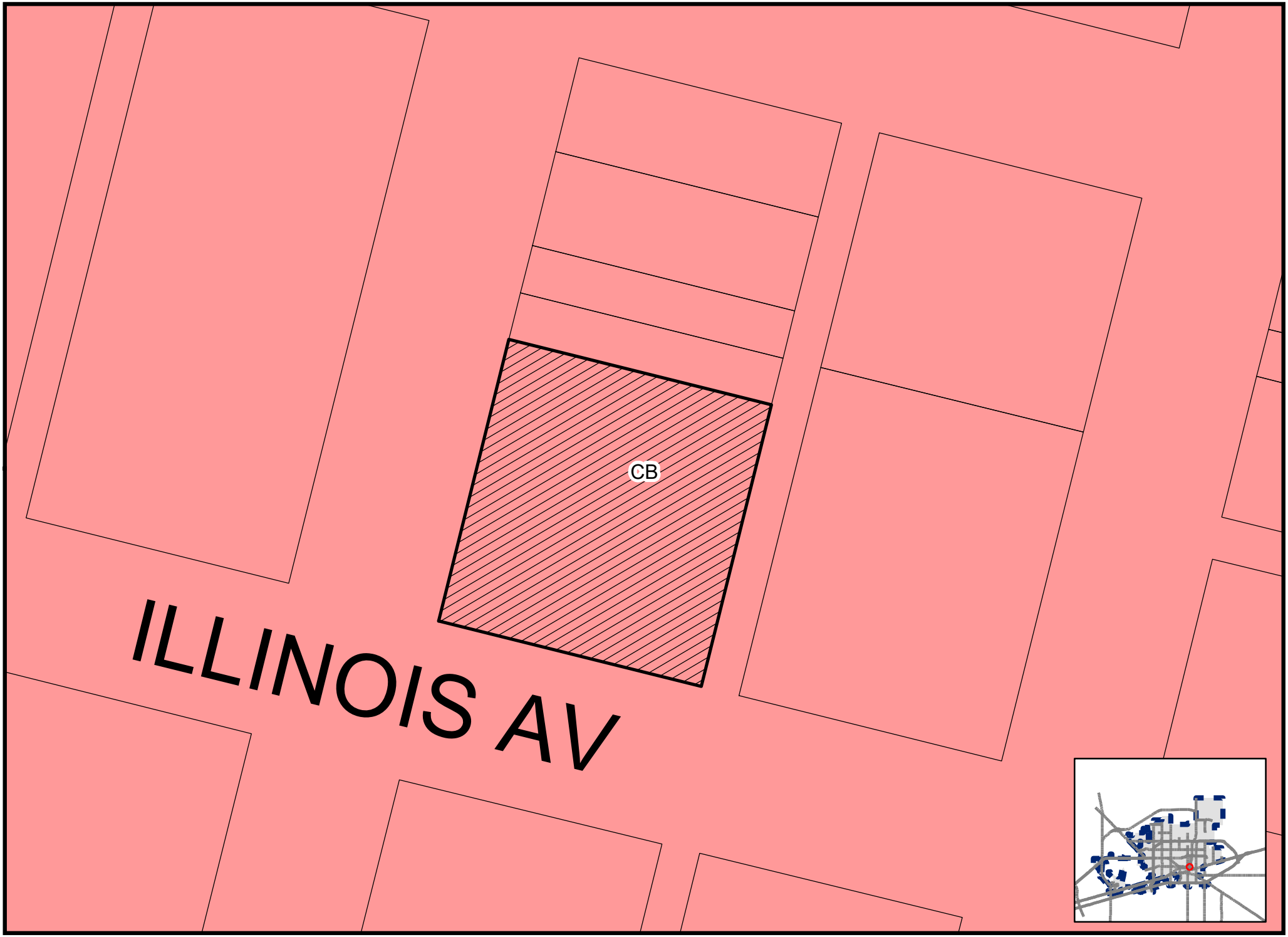
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



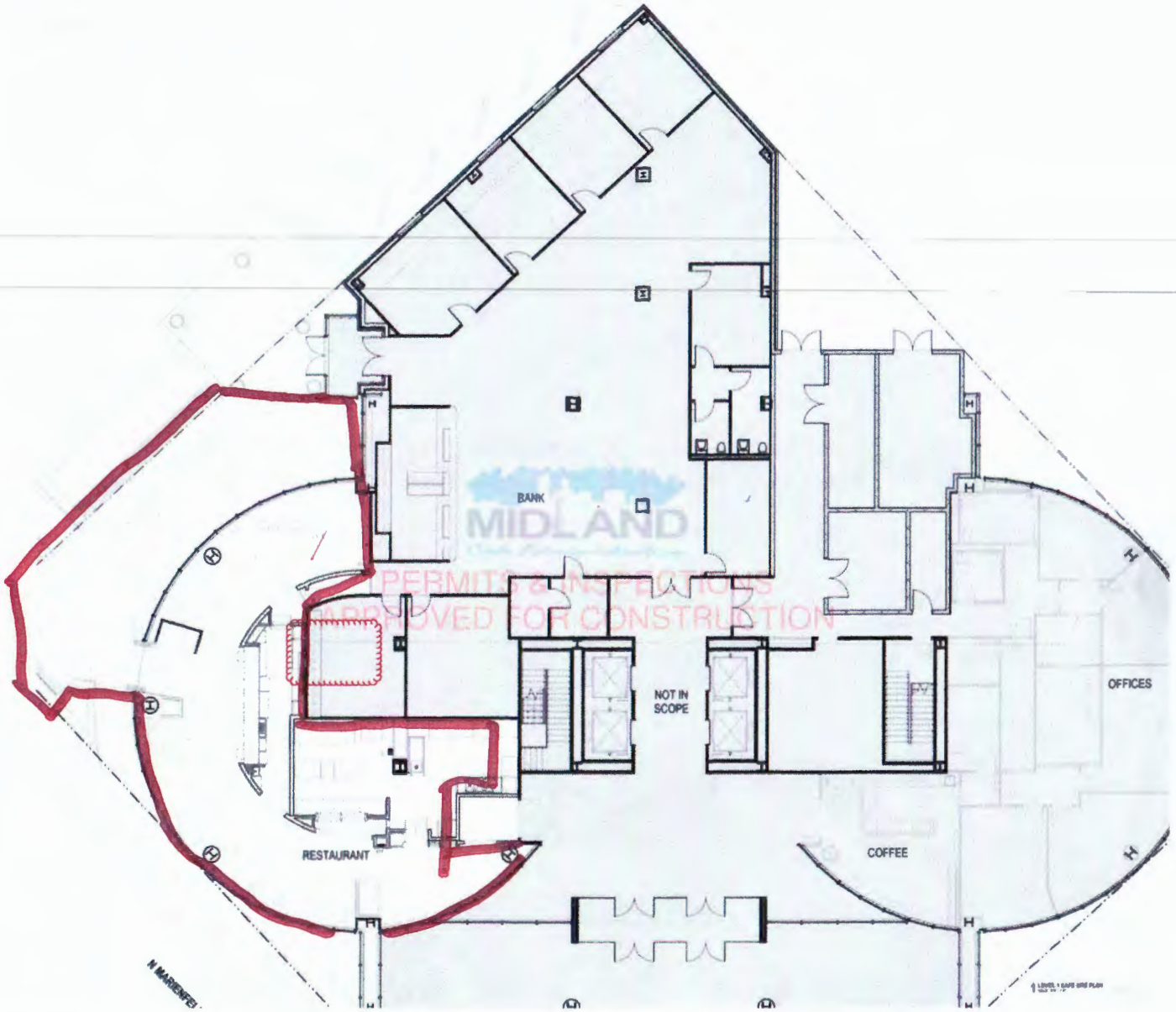
Map by AMM 9/18/2025

SUD-25-0211

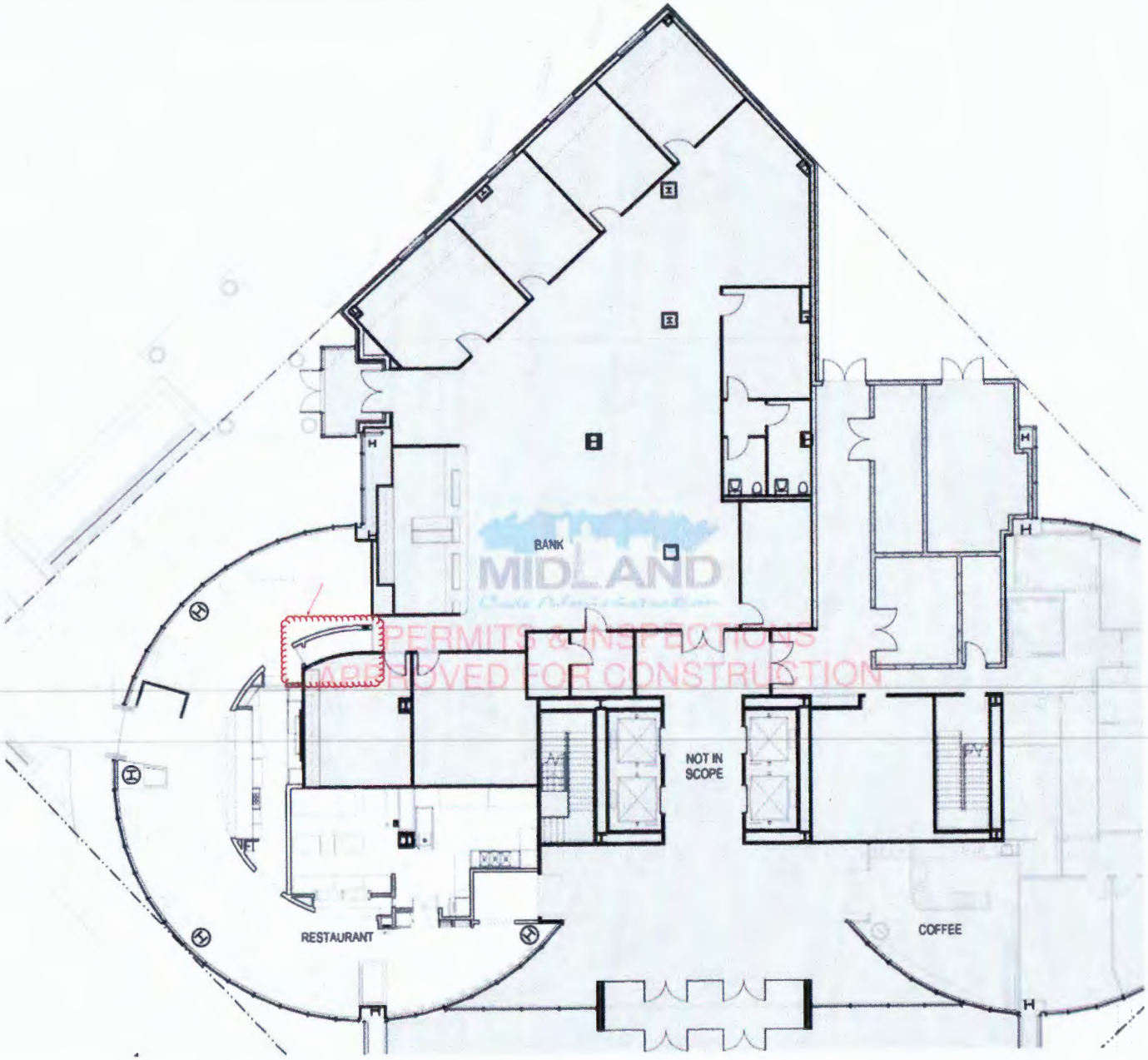
Scale: 1" = 600'

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 DECISION MADE OR ACTION TAKEN BASED THEREON.



MIDLAND
PERMITS & INSPECTIONS
APPROVED FOR CONSTRUCTION

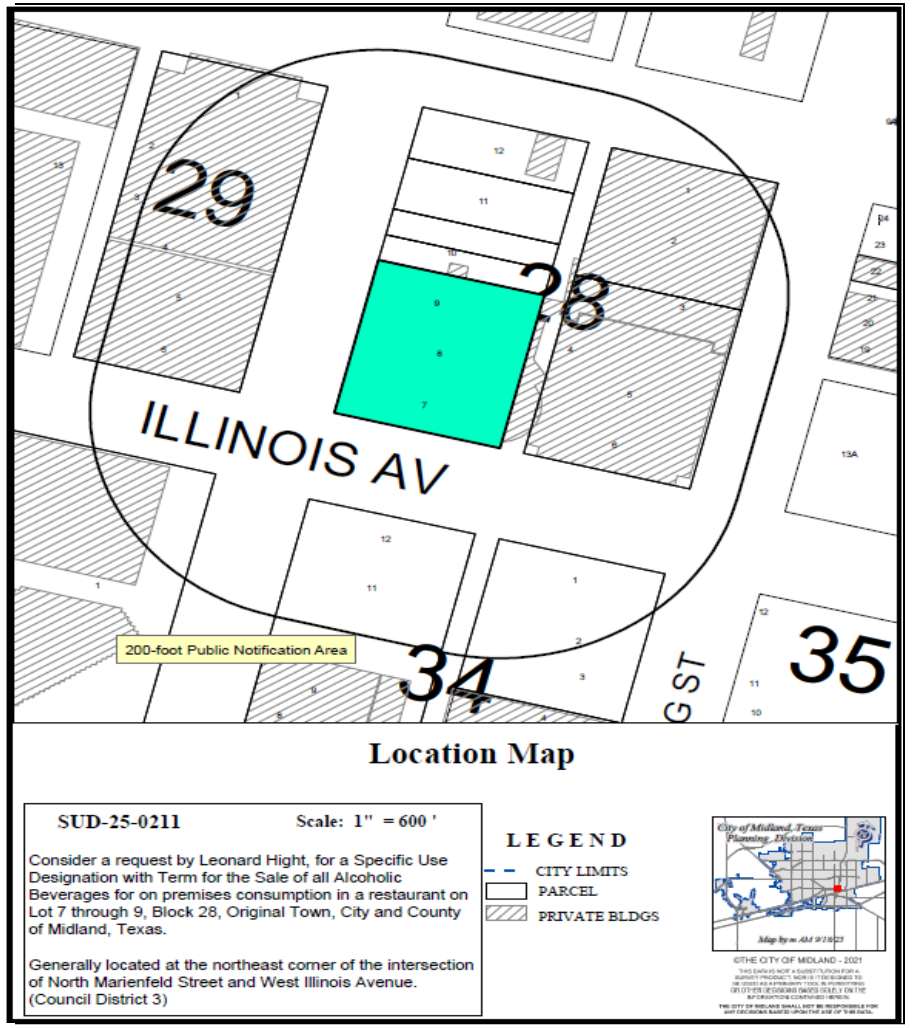

BANK
NOT IN SCOPE
RESTAURANT
COFFEE
MIDLAND
PERMITS & INSPECTIONS
APPROVED FOR CONSTRUCTION

29
28
ILLINOIS AV

MIDLAND
Be the Energy!
SPECIFIC USE DESIGNATION
GEORGIE'S PLACE
Visit Our Website
MIDLANDTEXAS.GOV

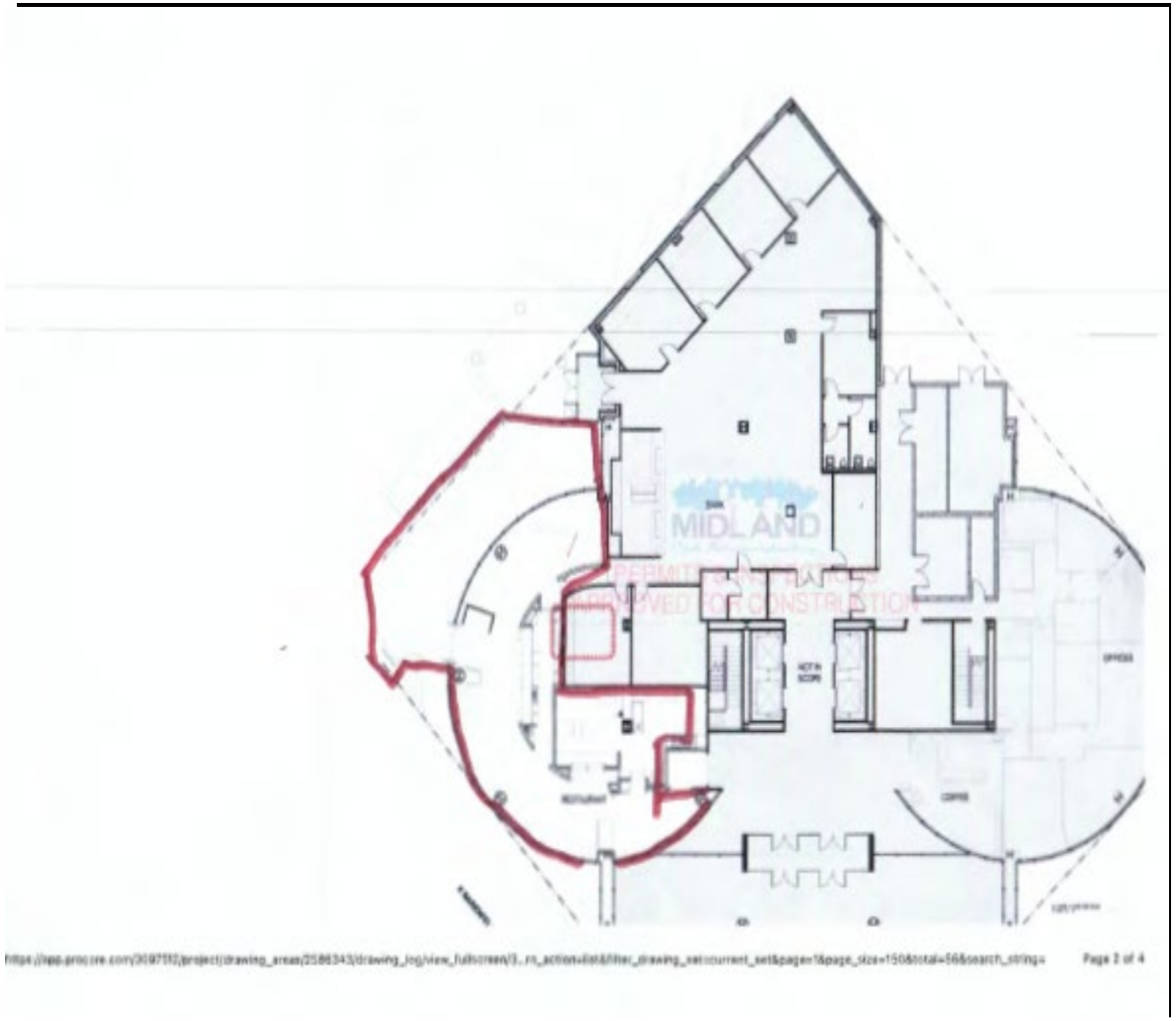
APPLICATION SUMMARY

- **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



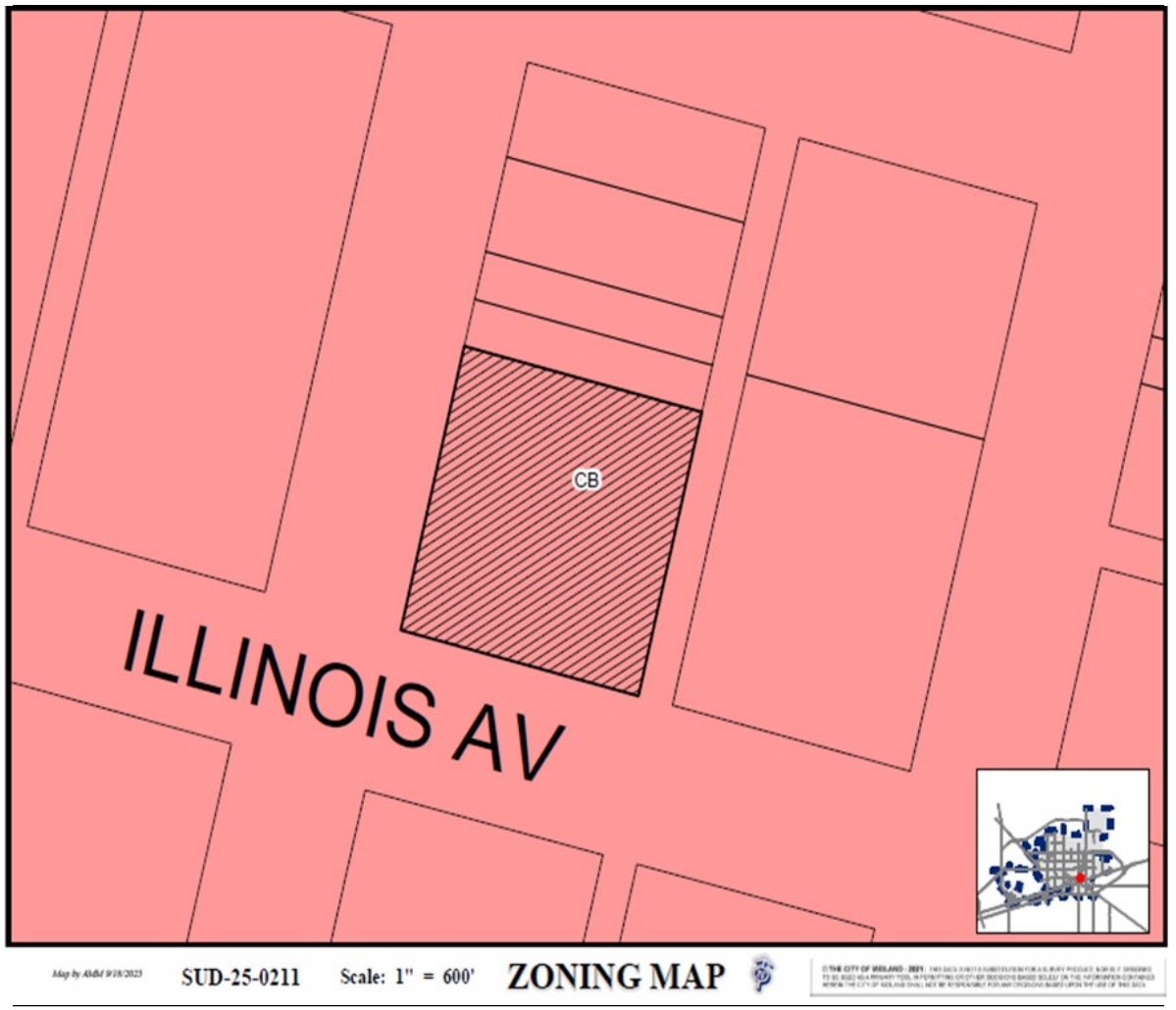
DETAILS OF REQUEST

- **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

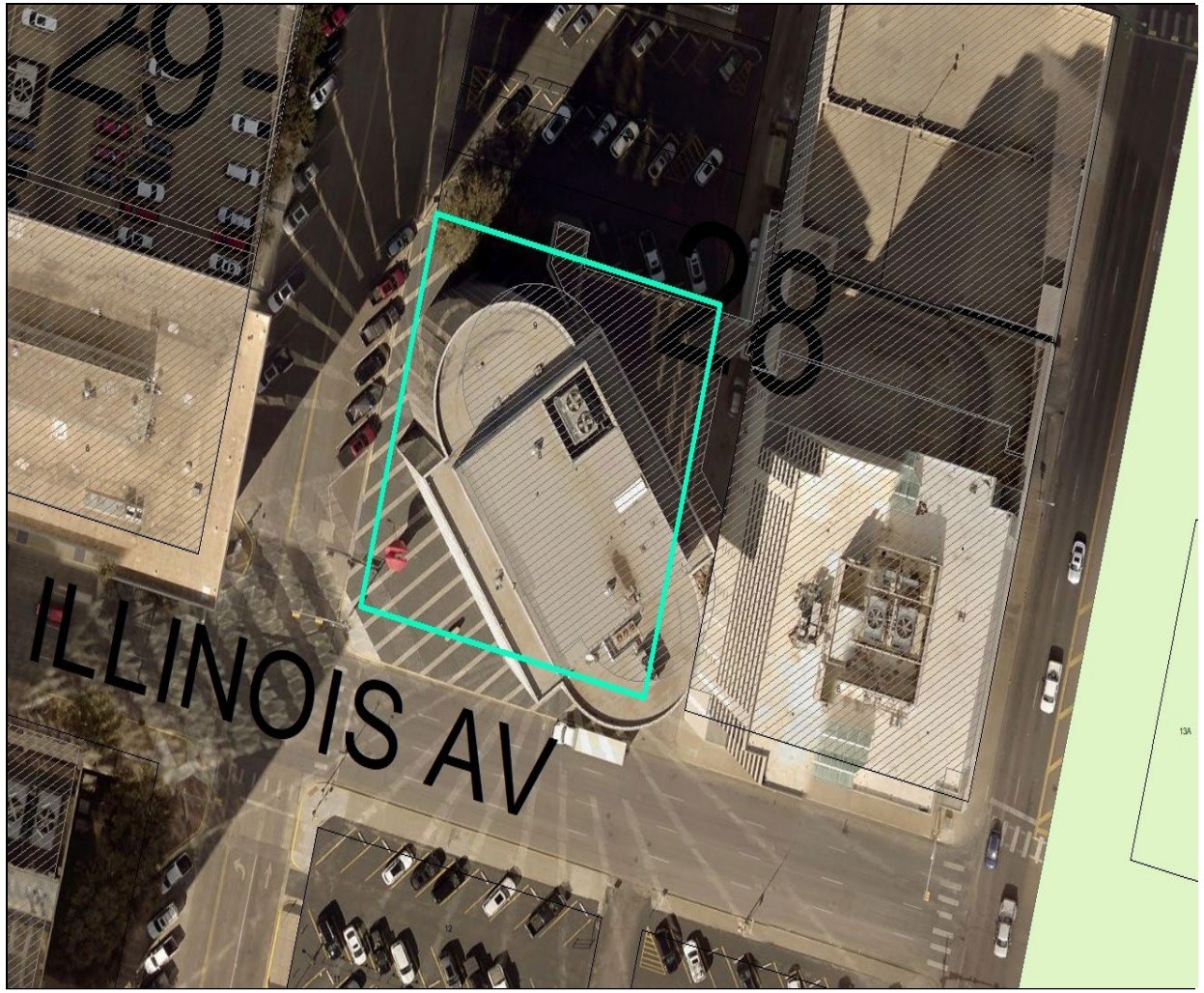
- **Current Zoning**: CB, Central Business District
- **Surrounding Zoning:**
  - **North/South/East/West:** CB, Central Business District
- The use of an SUD for the sale and on-premises consumption is allowed in this zoning.



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

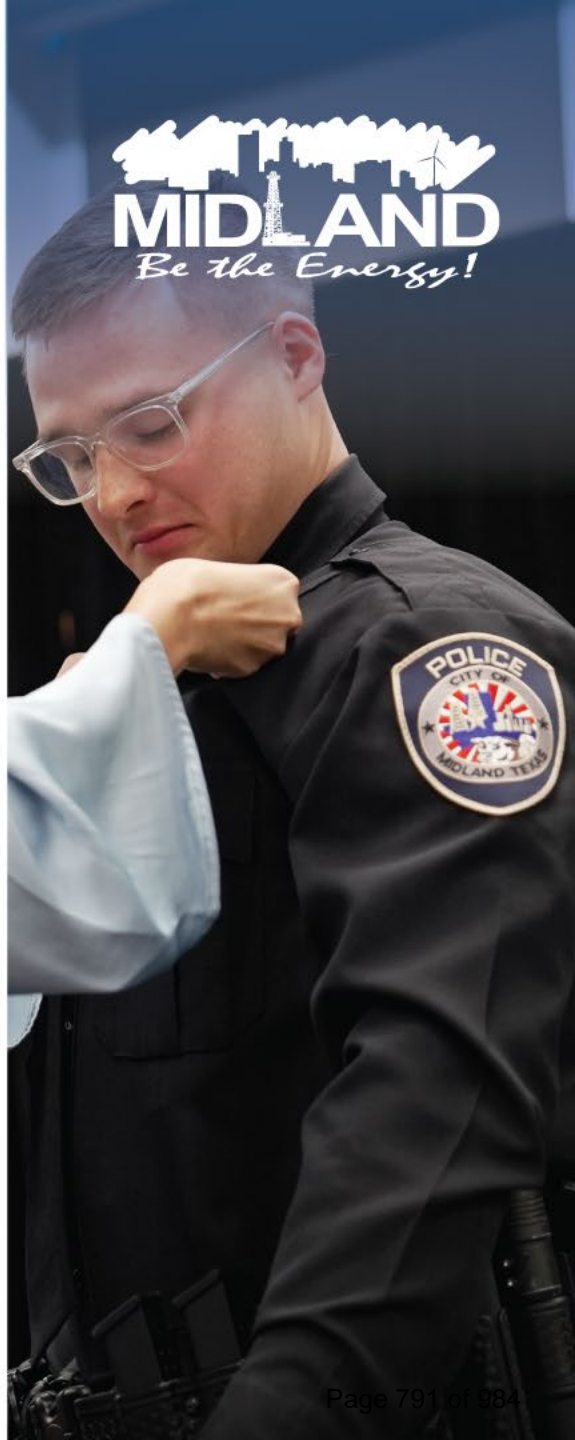
D. That the occupancy of the Establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.

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: 29.
Meeting Date: October 28, 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 (FIRST READING HELD OCTOBER 14, 2025)

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

Rachel Guentensberger, City Secretary Created/Initiated - 10/16/2025

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: ~~##~~ 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.

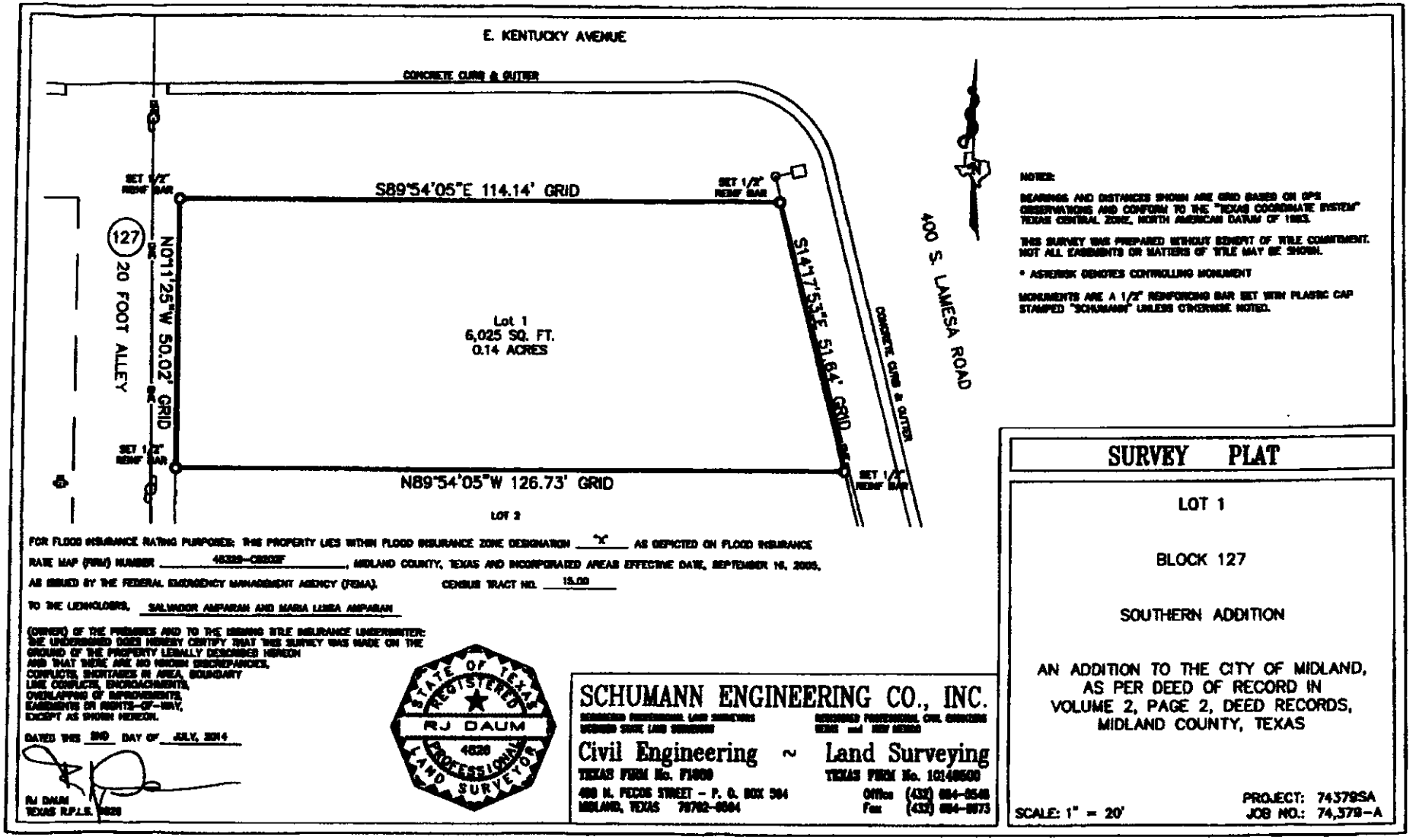
_____
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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, 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
LICENSED 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

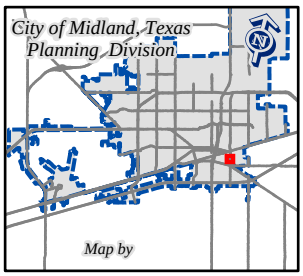
E-25-0145 **Scale: 1" = 100 '**

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



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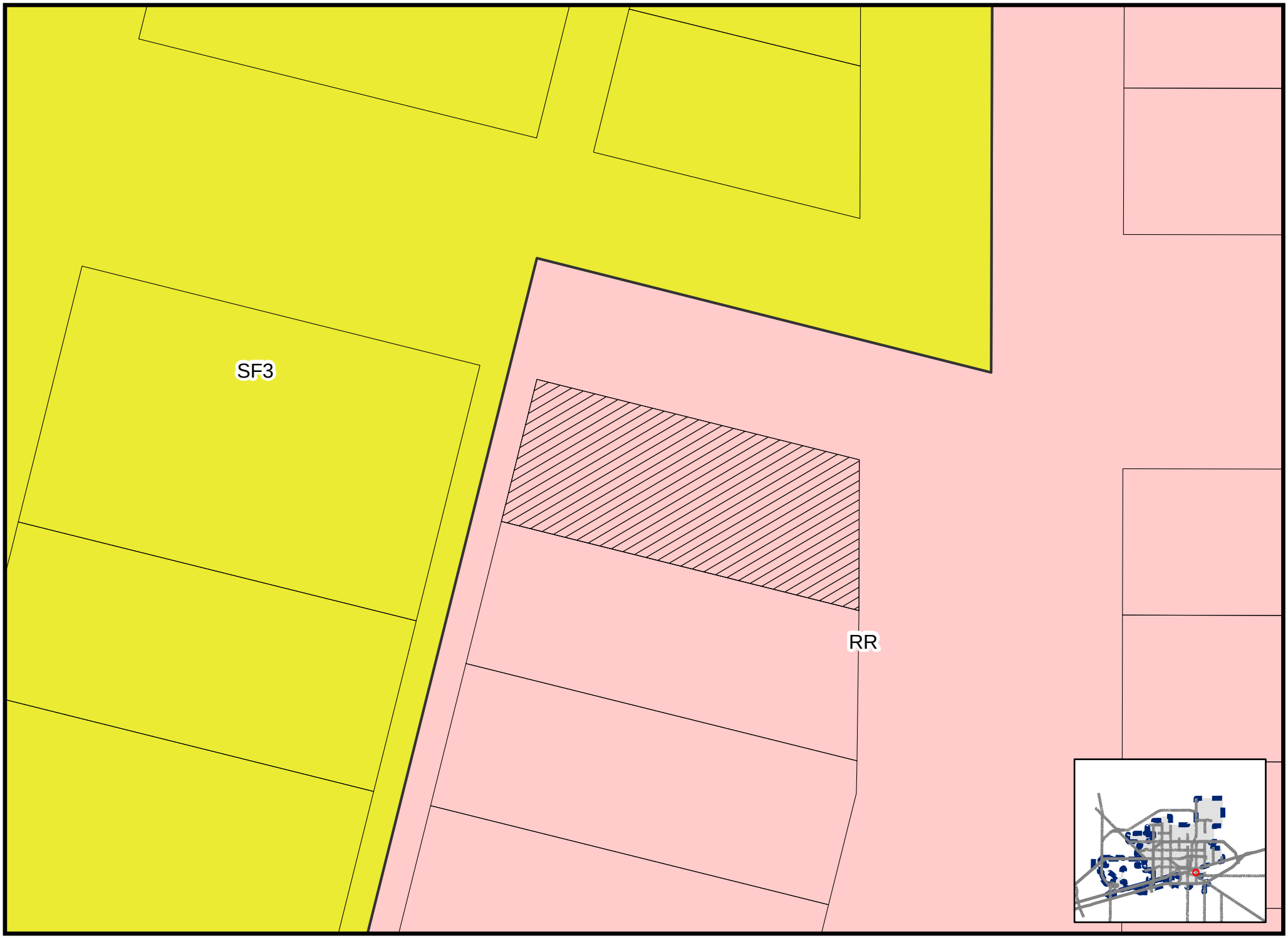

Created: 9/19/2025

E-25-0145

Scale: 1" = 41 '

ZONING MAP

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FOR SALE

City Council Meeting

Item Number: 30.
Meeting Date: October 28, 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 (FIRST READING HELD OCTOBER 14, 2025)

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

Jan Hamilton, City Secretary Created/Initiated - 10/16/2025

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

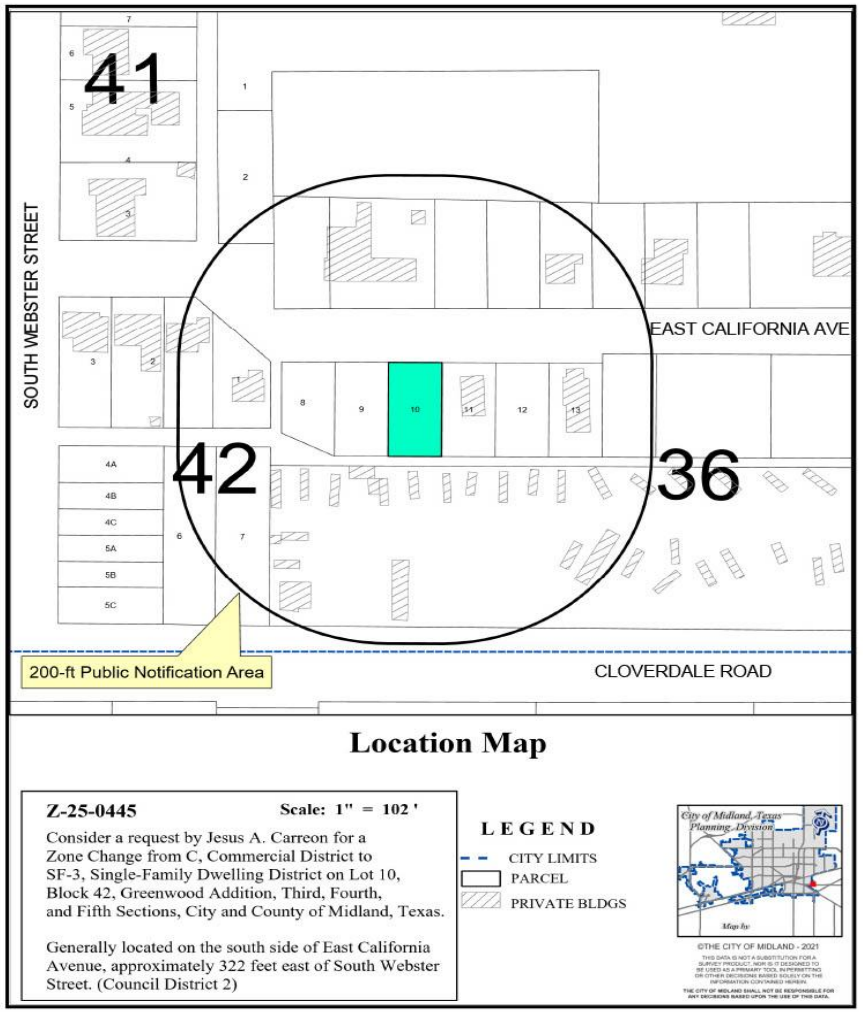
APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

MIDLAND
Be the Energy!
ITEM
ZONE CHANGE
2404 EAST CALIFORNIA AVENUE
Visit Our Website
MIDLANDTEXAS.GOV

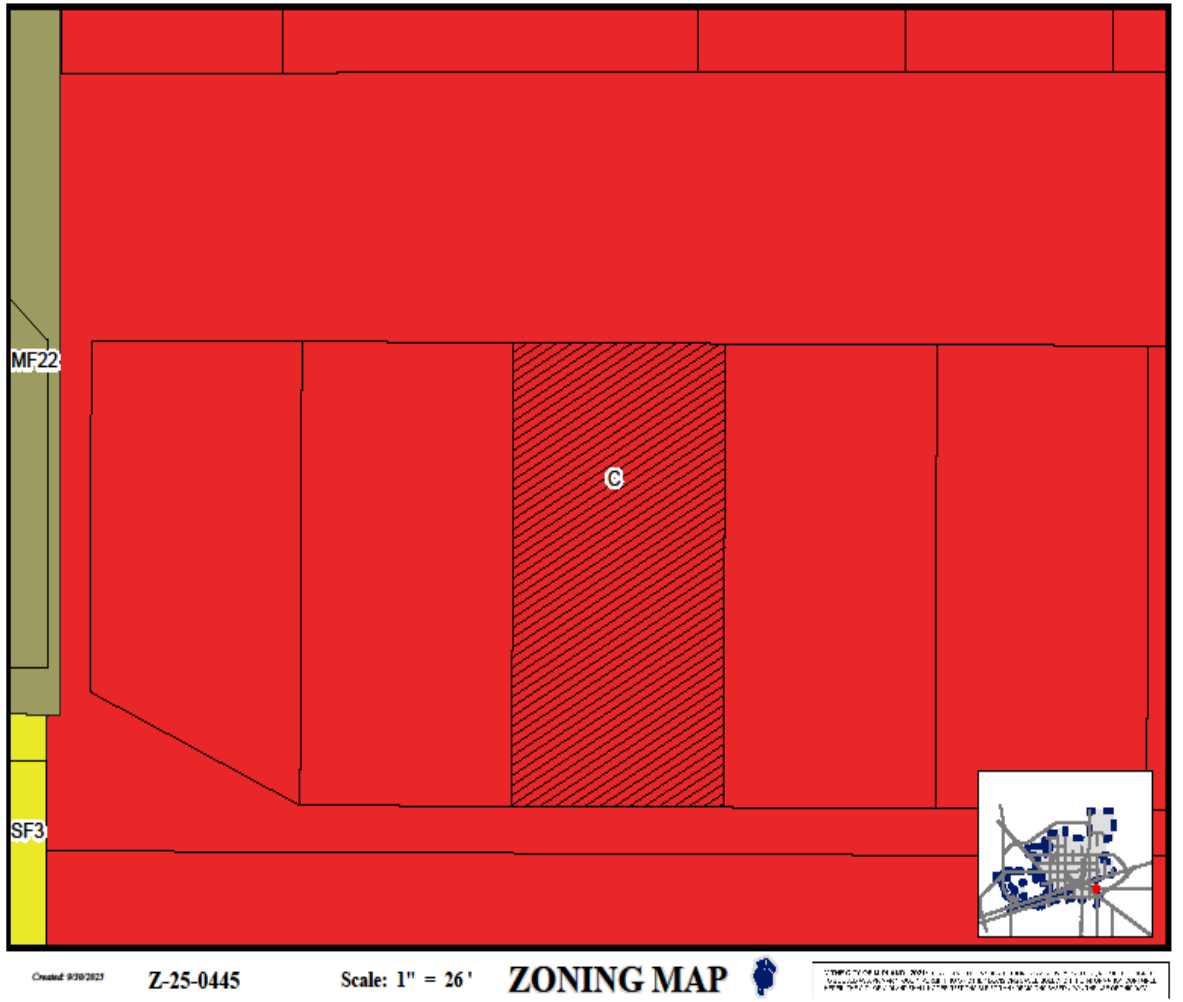
APPLICATION SUMMARY

- **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



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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
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On East California Avenue, Looking South

5

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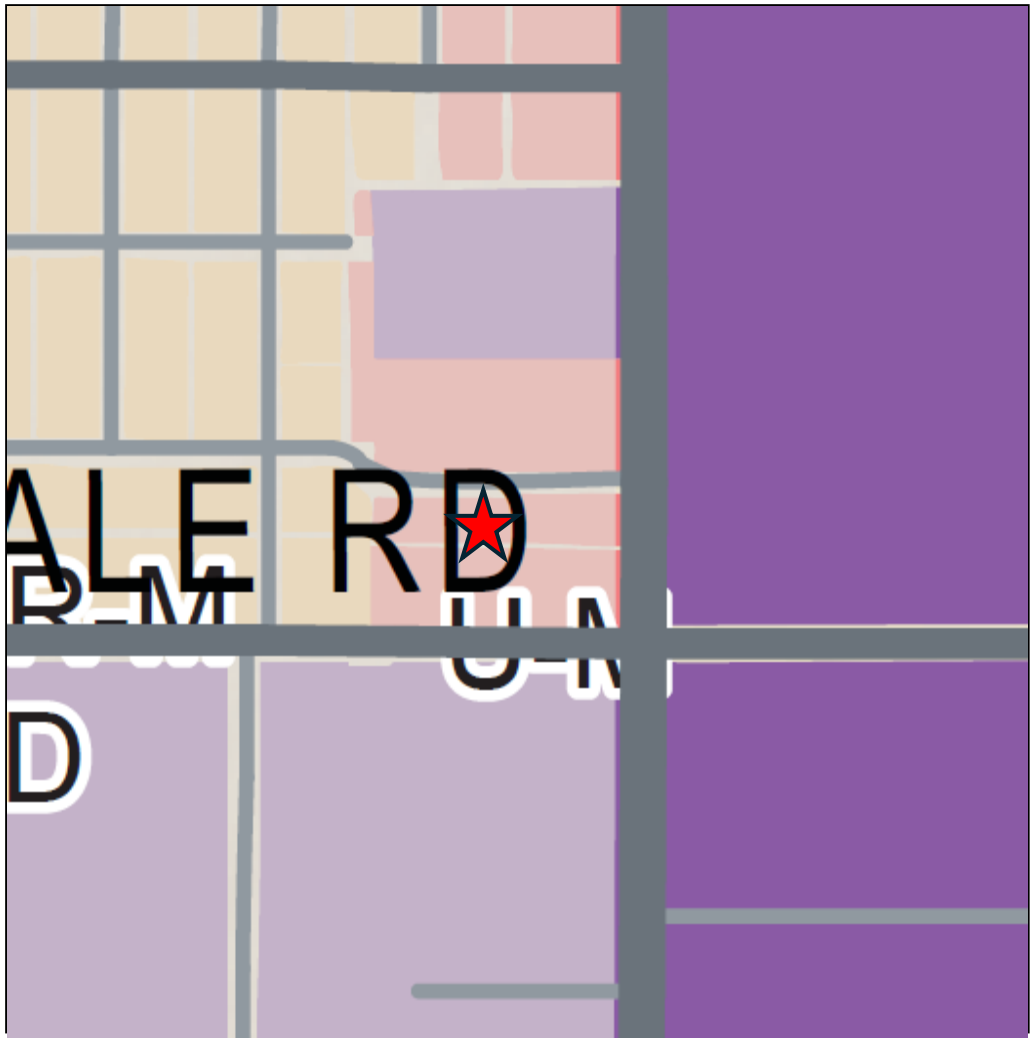
COMPREHENSIVE PLAN

- **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.*



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.

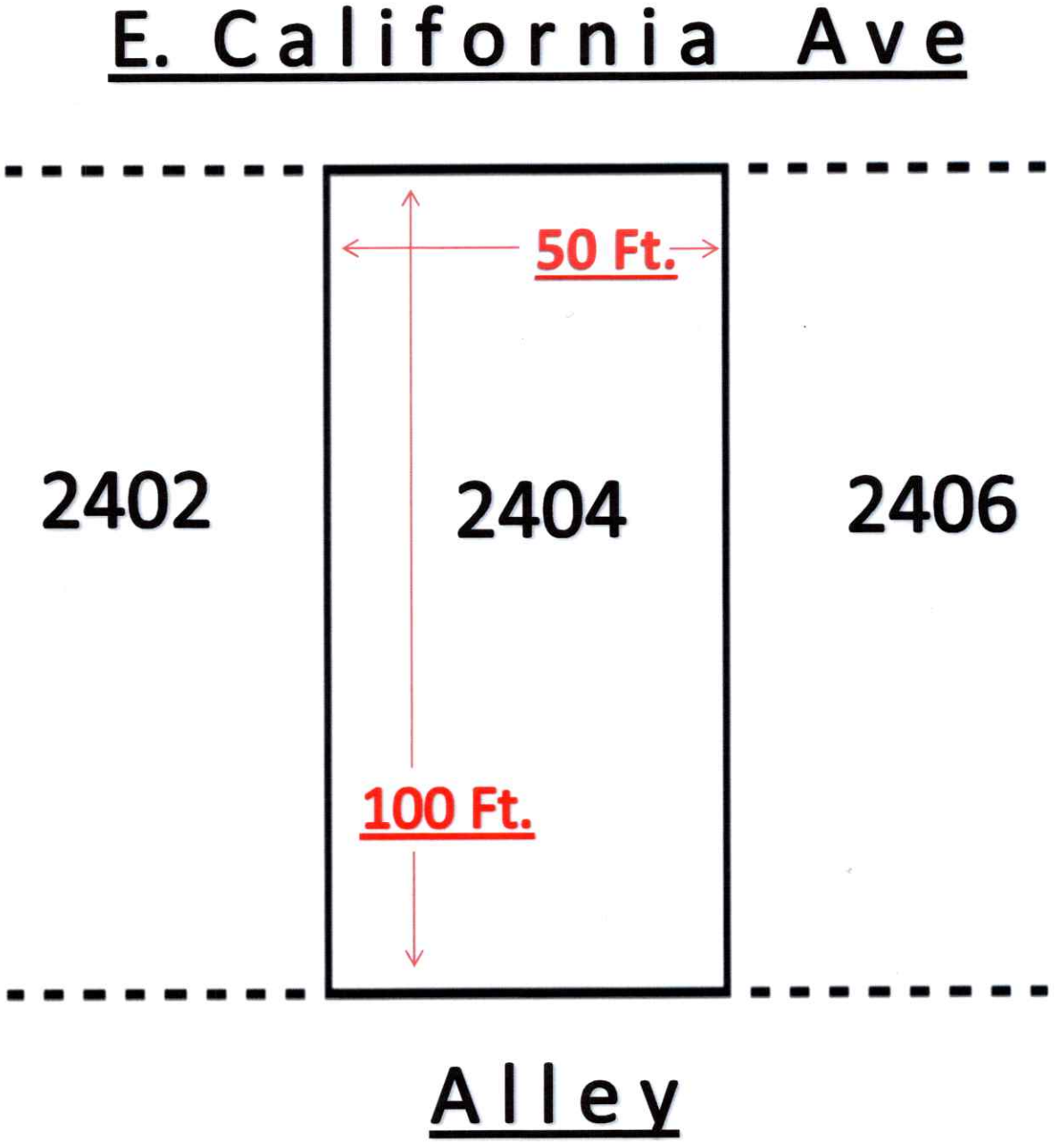
_____
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

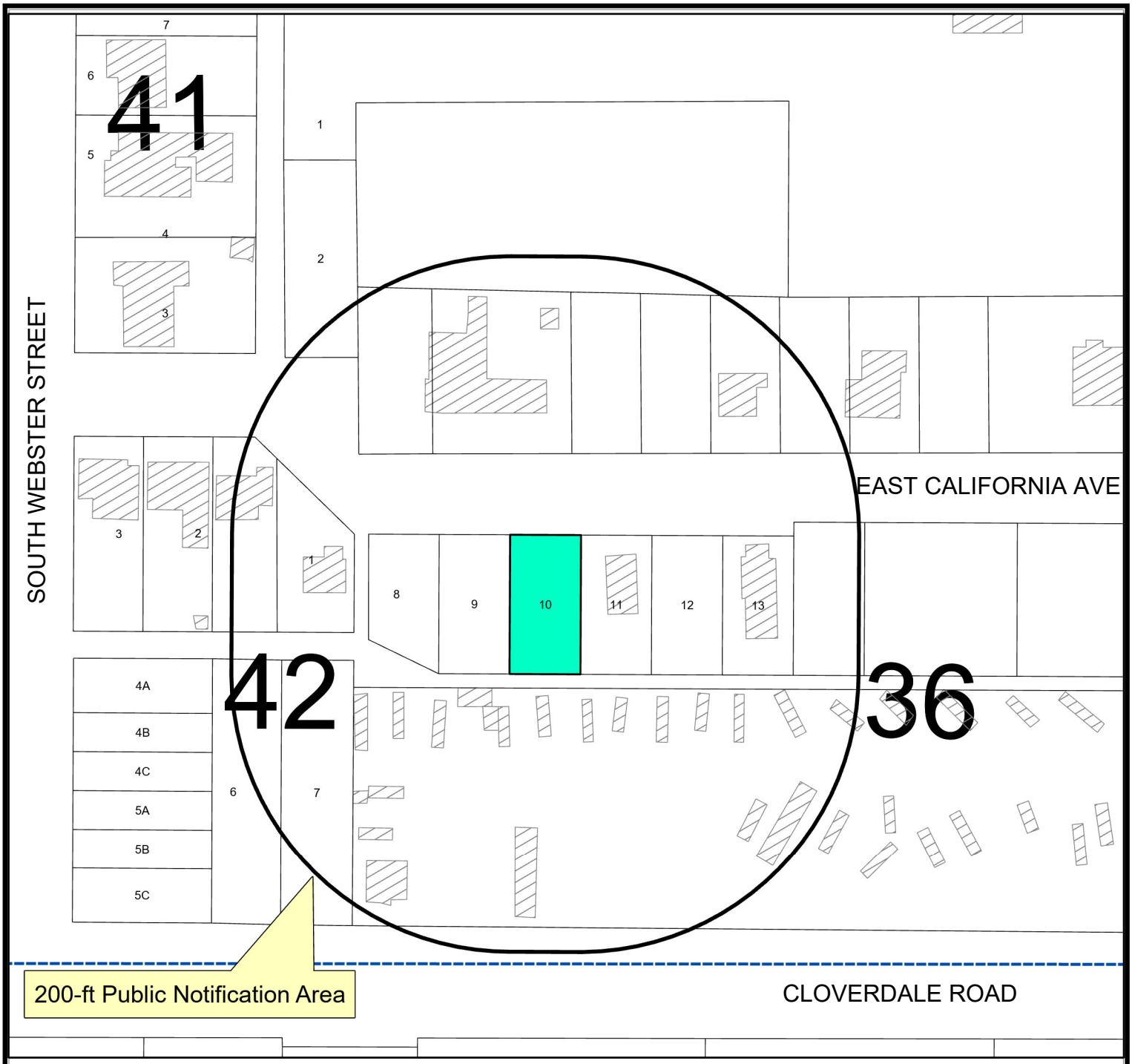
FOR OFFICE USE ONLY

☑ 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.****


E. California Ave
50 Ft.
2402
2404
2406
100 Ft.
Alley



Location Map

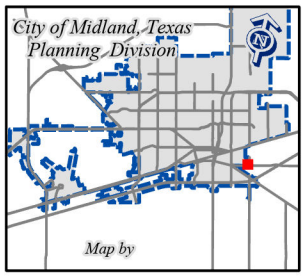
Z-25-0445 **Scale: 1" = 102 '**

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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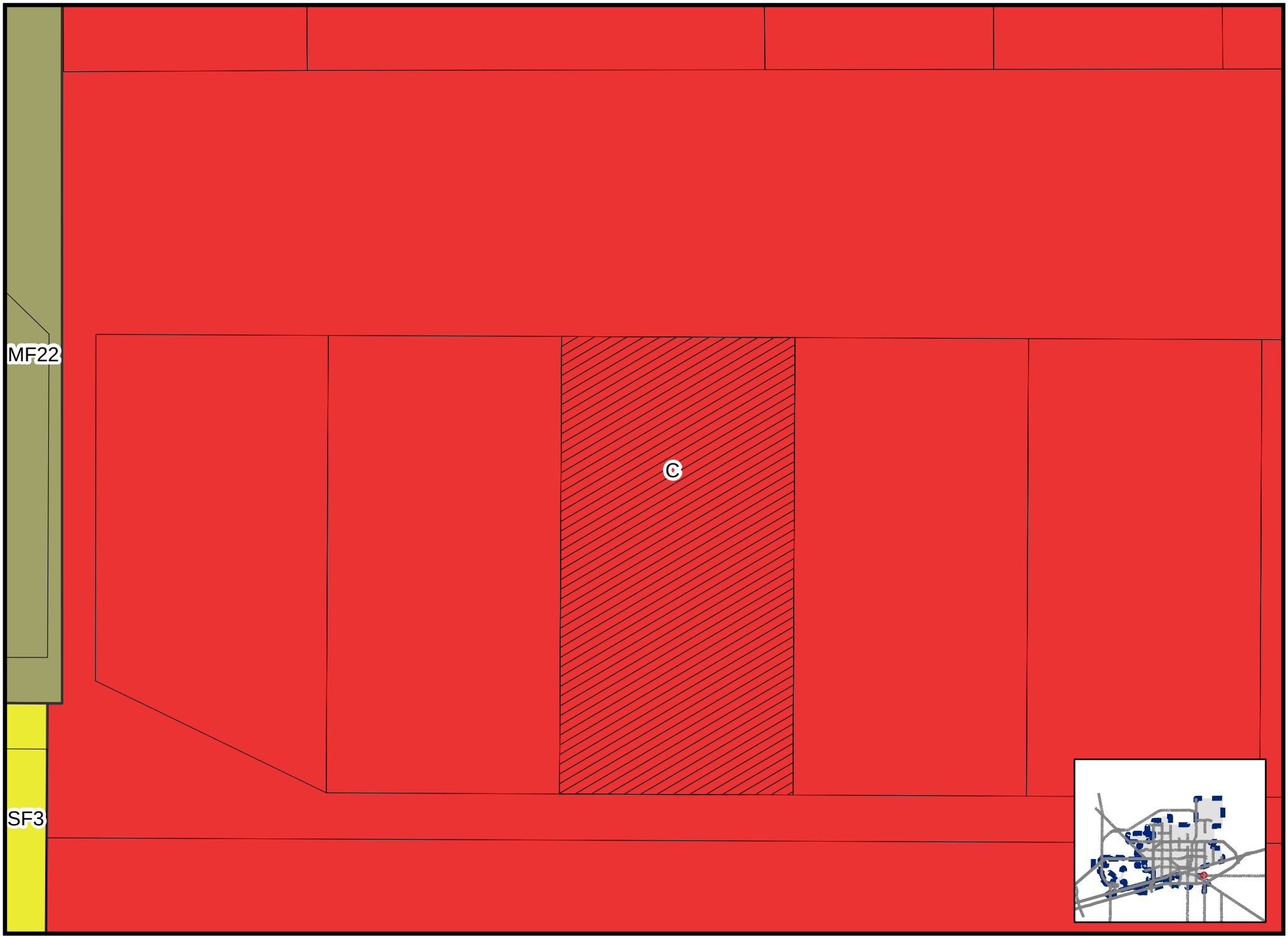

Created: 9/30/2025

Z-25-0445

Scale: 1" = 26 '

ZONING MAP

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City Council Meeting

Item Number: 31.
Meeting Date: October 28, 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 (FIRST READING HELD OCTOBER 14, 2025)

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

Rachel Guentensberger, City Secretary	Created/Initiated - 10/16/2025
Landon Ochoa, City Secretary	Approved - 10/16/2025
Elizabeth Triggs, City Secretary	Final Approval - 10/16/2025

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

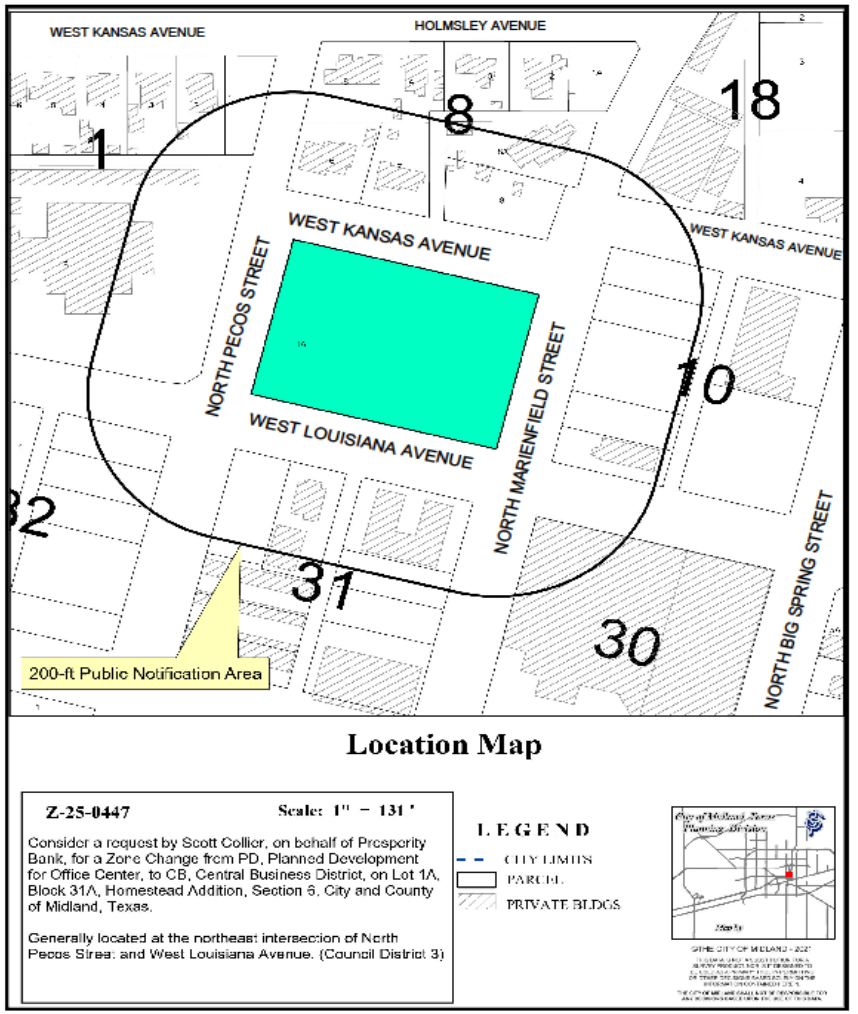
APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

MIDLAND
Be the Energy!
ZONE CHANGE
PROSPERITY BANK
Visit Our Website
MIDLANDTEXAS.GOV

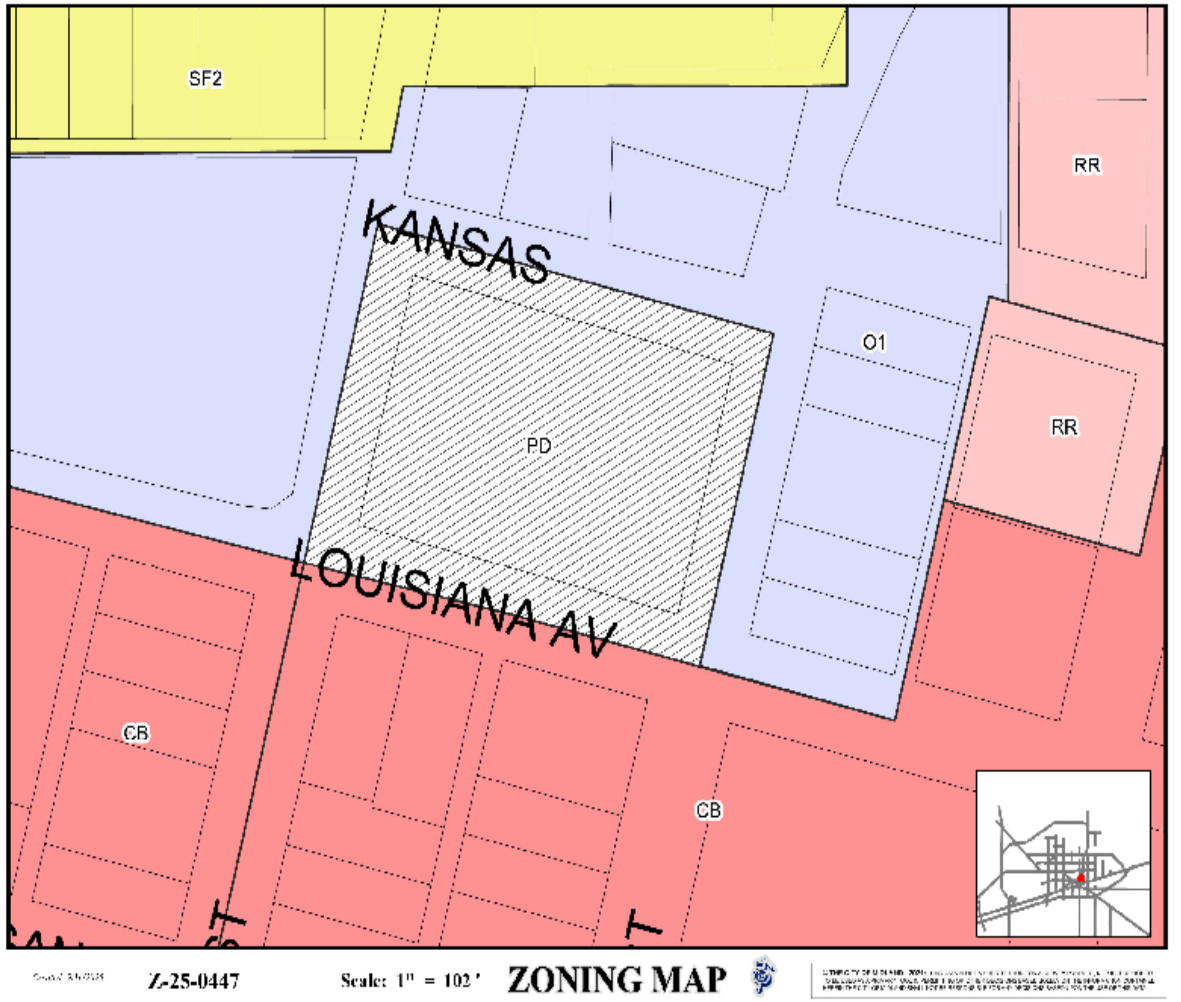
APPLICATION SUMMARY

- **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



3

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

On North Pecos Street, Looking East

5

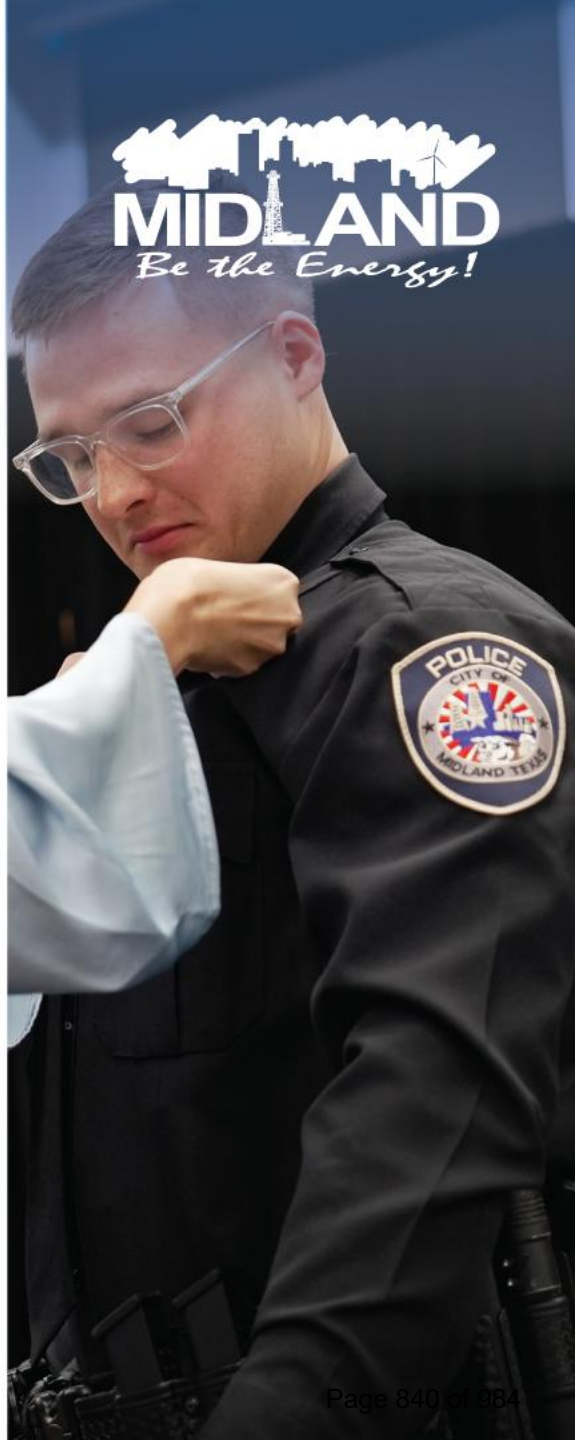
MIDLAND
Be the Energy!

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*)

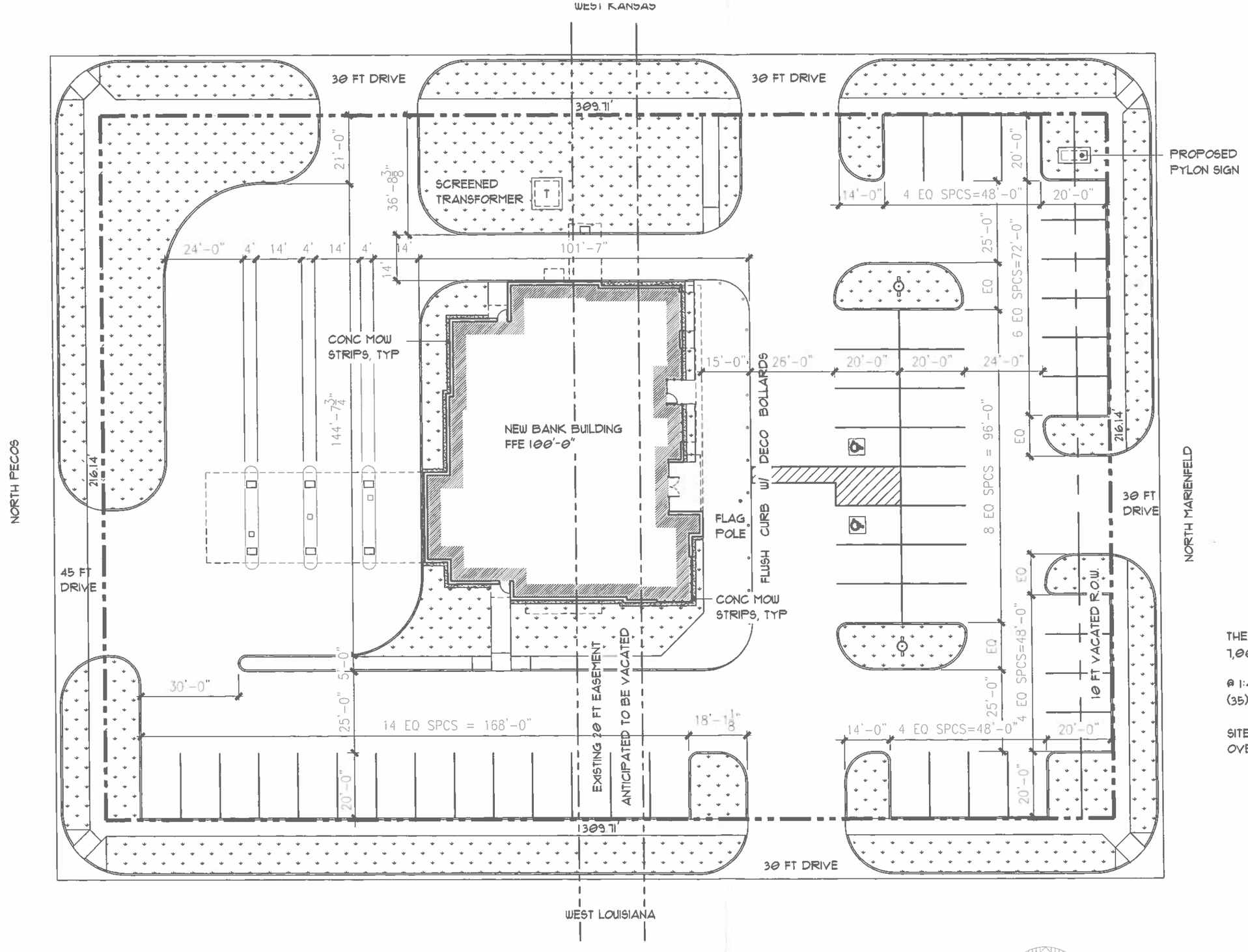
Subscribed and sworn to before me, this 3rd day of September, 2025, to certify which witness my hand and seal of office.

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

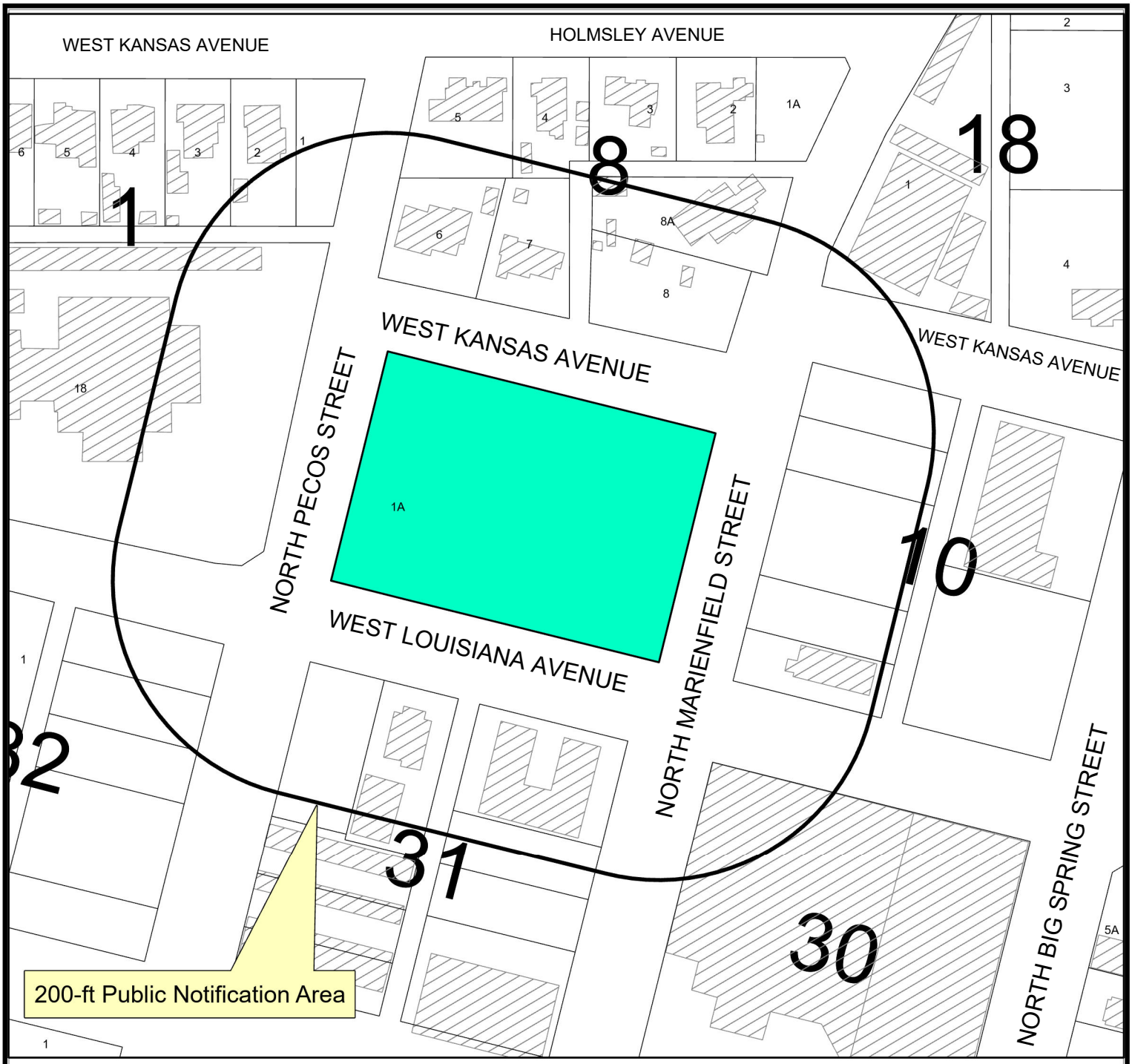
SITE PLAN IS CURRENTLY (12) SPACES OVER-PARKED

PRELIM SITE PLAN - PROSPERITY BANK, MIDLAND

SCALE: 1" = 30'-0"

NORTH

MWM architects



Location Map

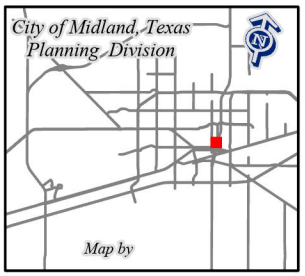
Z-25-0447 **Scale: 1" = 131 '**

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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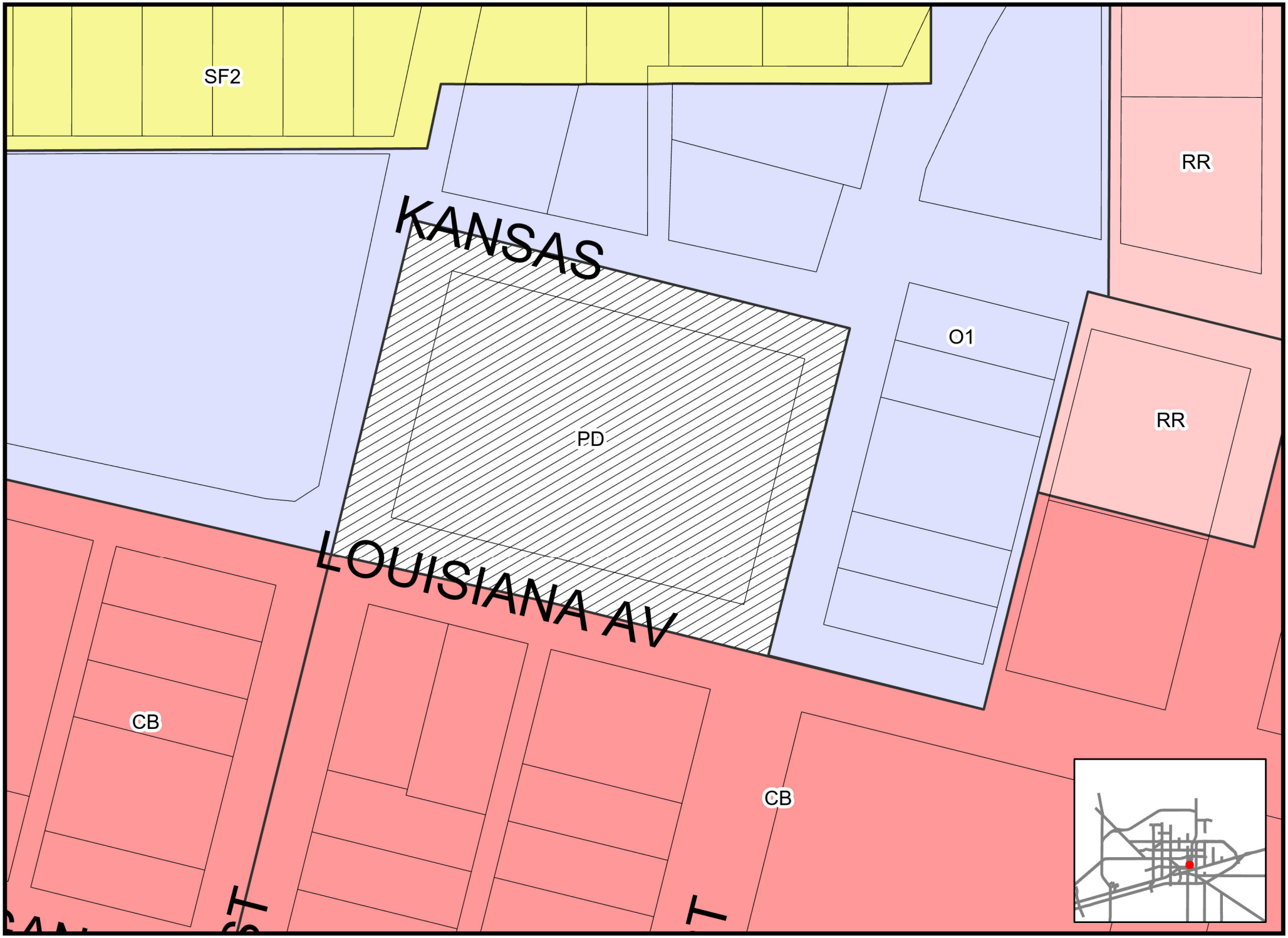

Created: 9/16/2025

Z-25-0447

Scale: 1" = 102 '

ZONING MAP

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City Council Meeting

Item Number: 32.
Meeting Date: October 28, 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 (FIRST READING HELD OCTOBER 14, 2025)

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

Jan Hamilton, City Secretary Created/Initiated - 10/16/2025

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

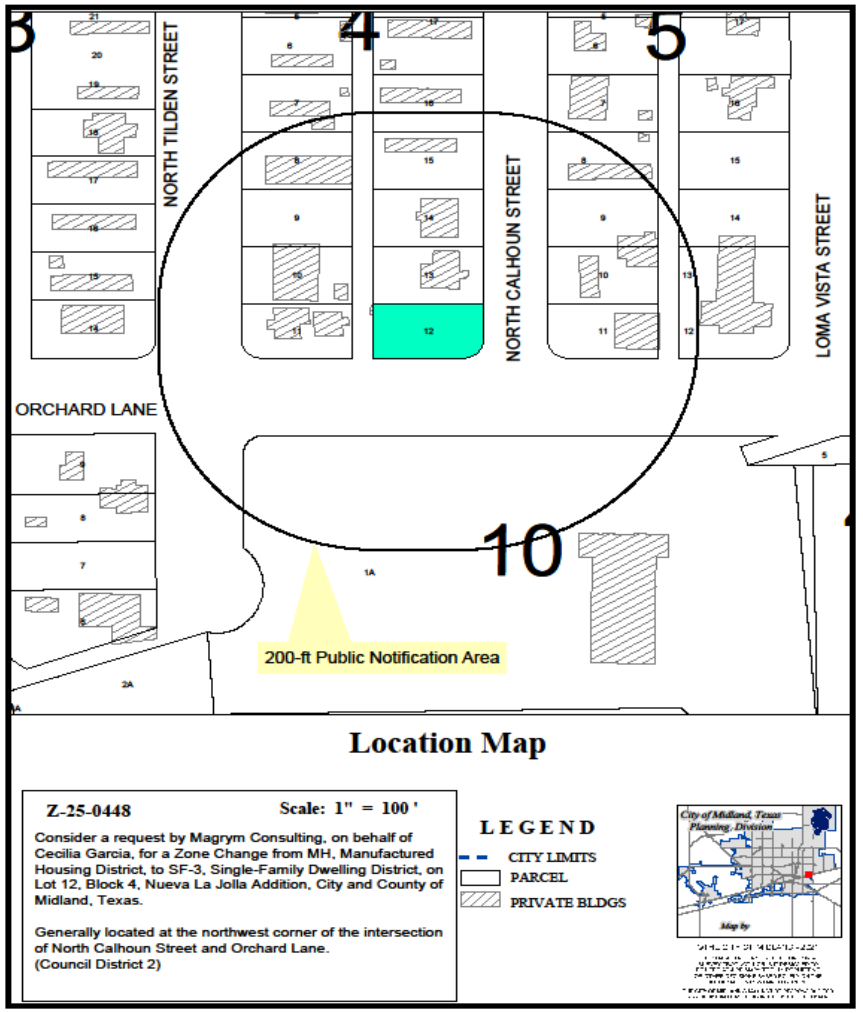
APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney

MIDLAND
Be the Energy!
ITEM
ZONE CHANGE
701 NORTH CALHOUN STREET
Visit Our Website
MIDLANDTEXAS.GOV

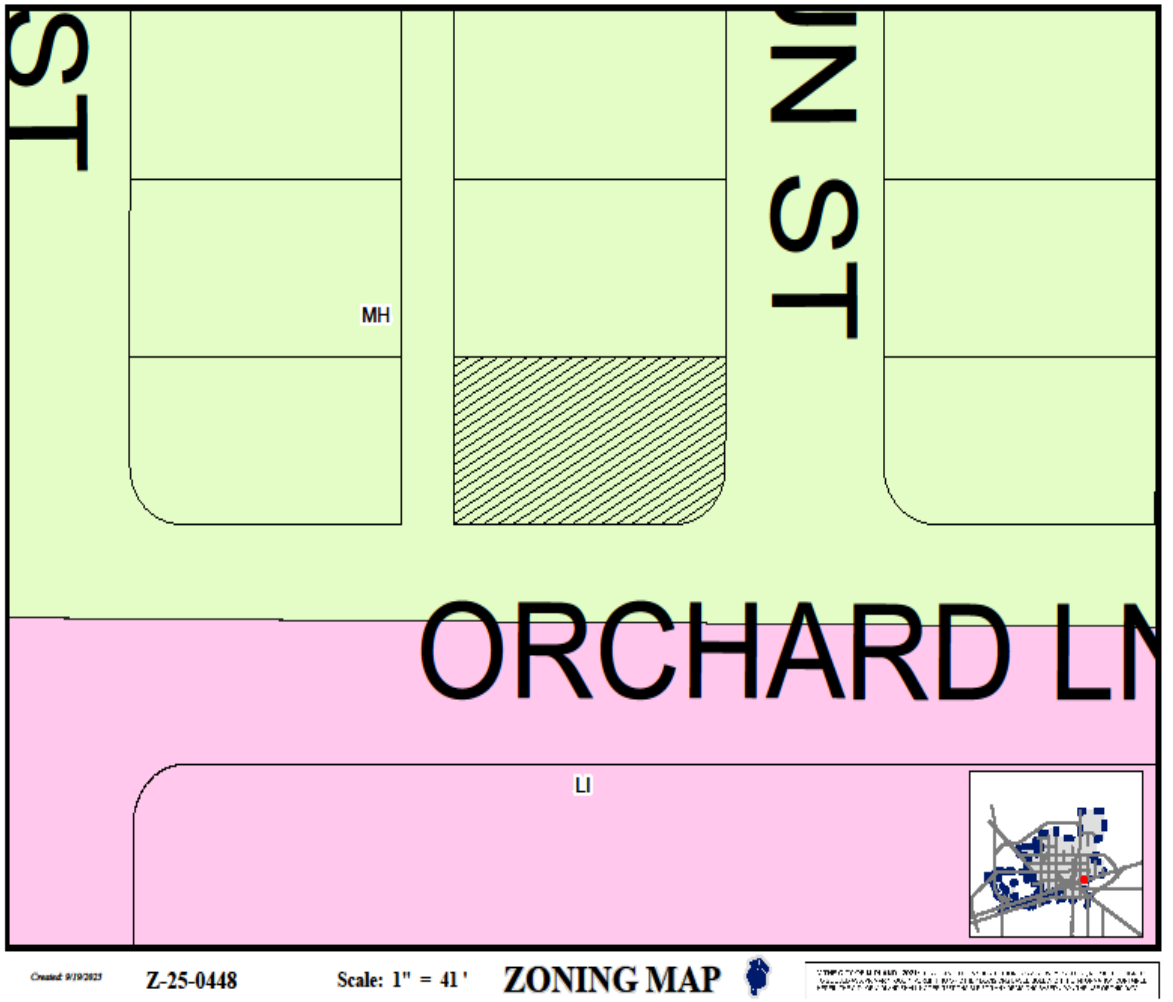
APPLICATION SUMMARY

- **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

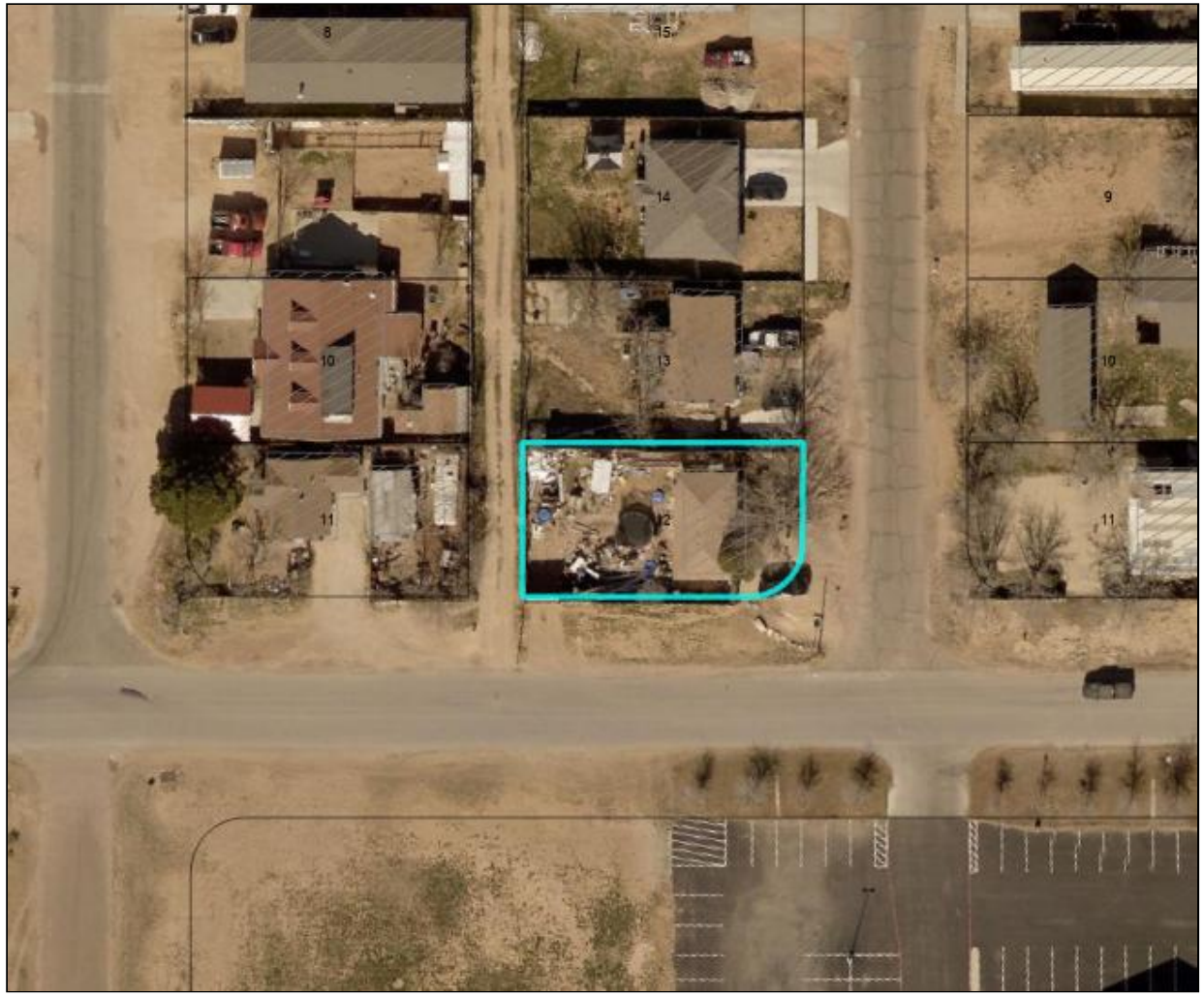
- **Current Zoning:** MH, Manufactured Housing District
- **Surrounding Zoning:**
  - **North, East, & West:** MH, Manufactured Housing District
  - **South:** LI, Light Industrial District
- **Proposed Zoning:** SF-3, Single-Family Dwelling District



MIDLAND
Be the Energy!

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



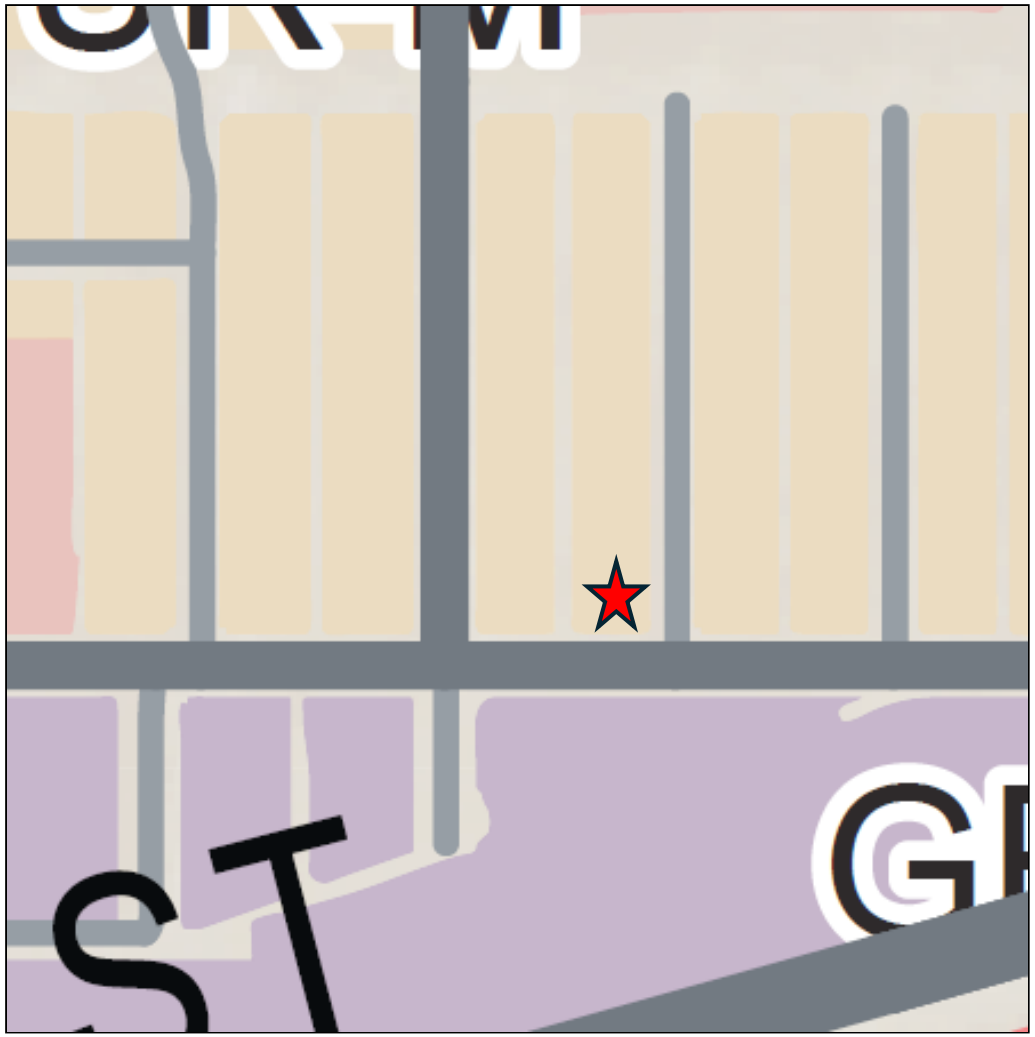
On Orchard Lane, Looking North

5

MIDLAND
Be the Energy!

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.*



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.****

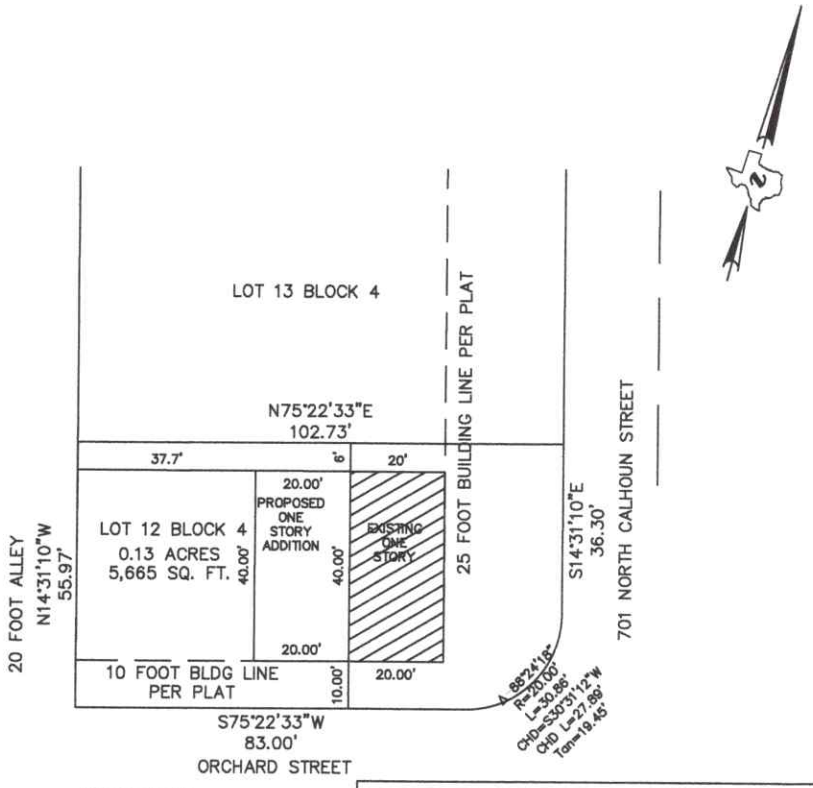
NOTES:

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

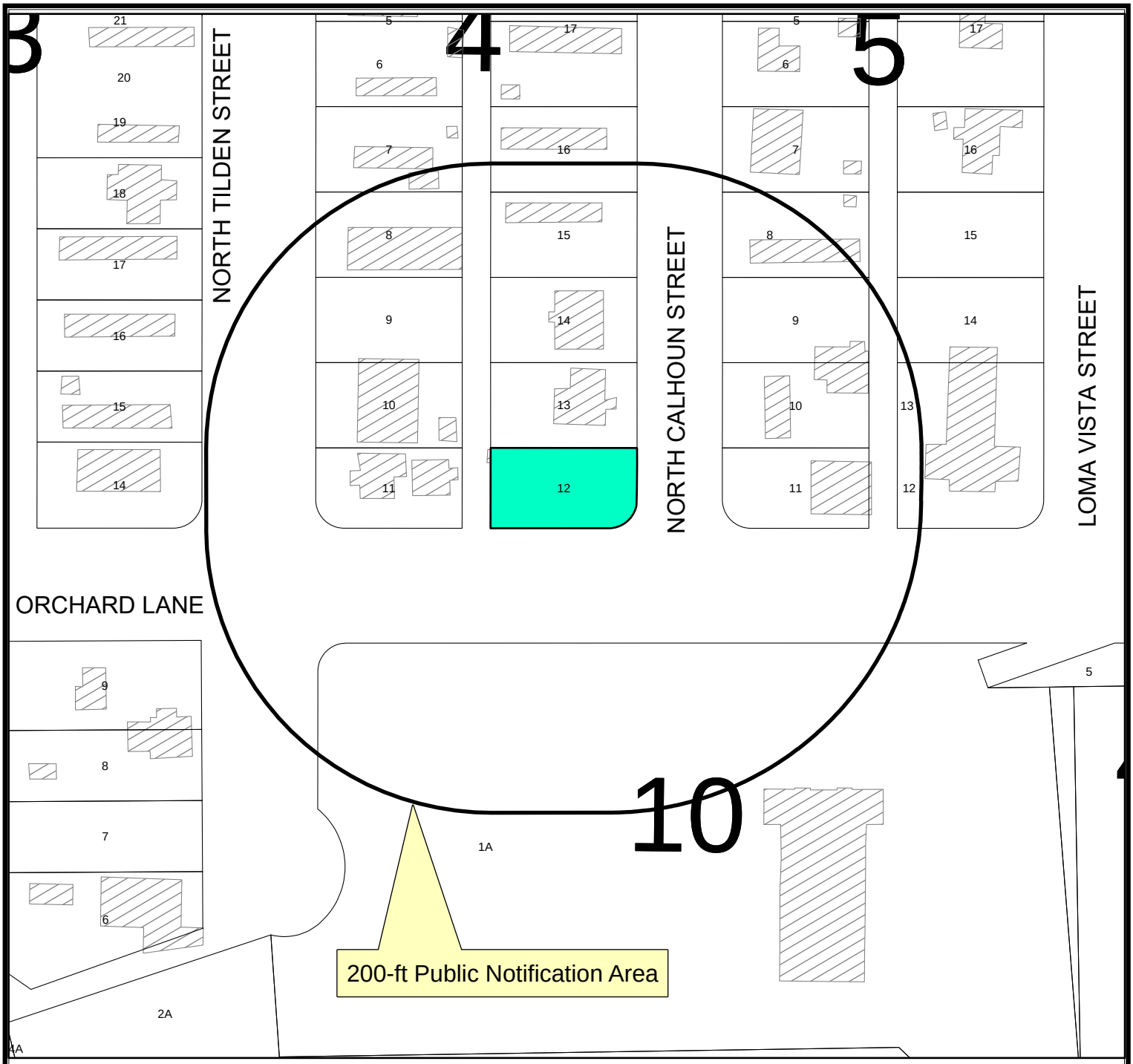
BLOCK 4

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

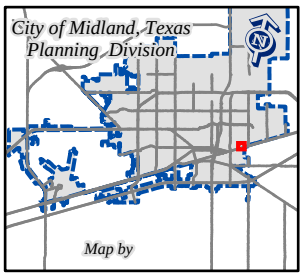
Z-25-0448 **Scale: 1" = 100 '**

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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THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

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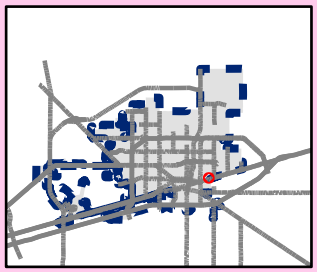

Created: 9/19/2025

Z-25-0448

Scale: 1" = 41 '

ZONING MAP

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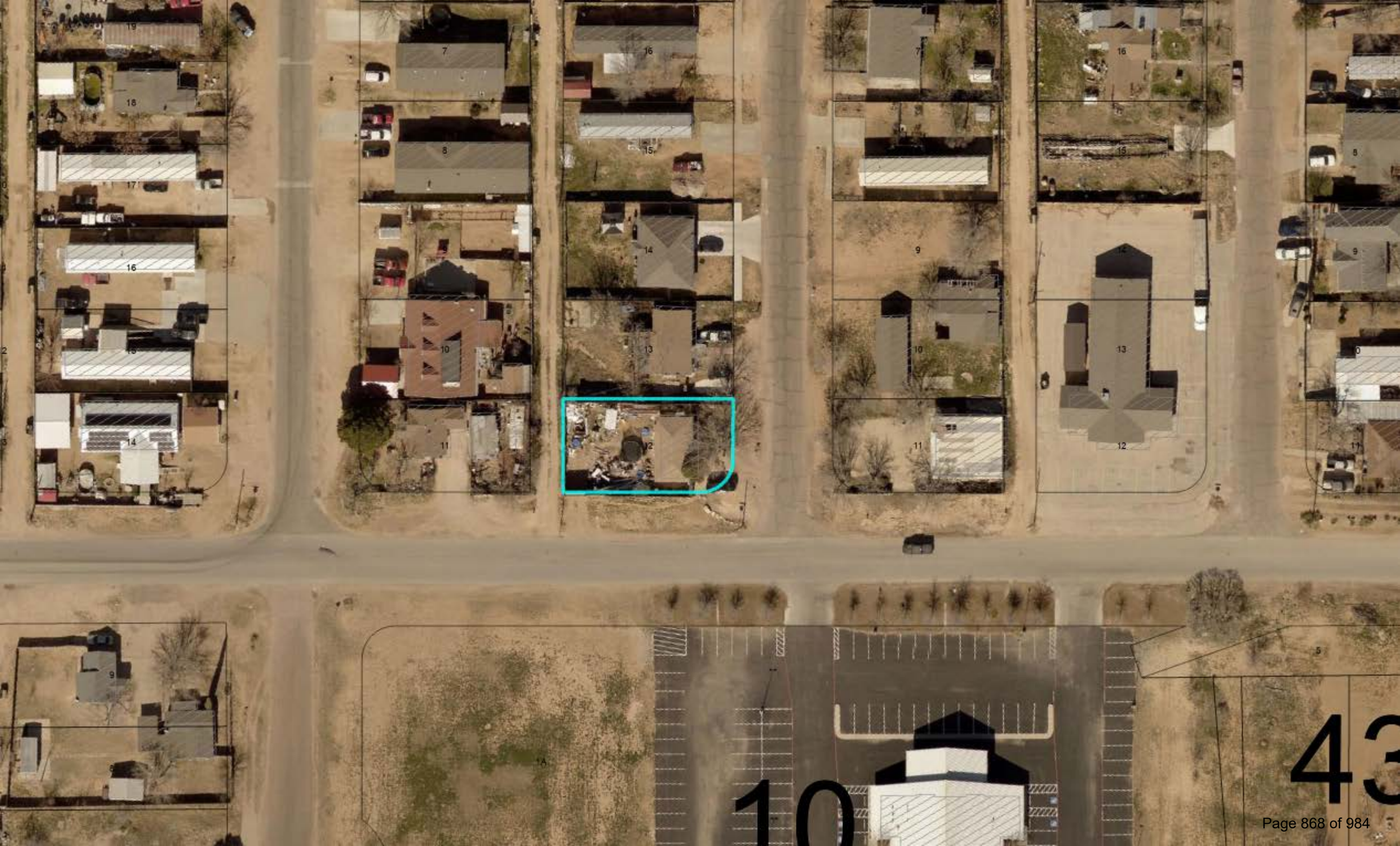
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Orchard
W Calhoun

City Council Meeting

Item Number: 33.
Meeting Date: October 28, 2025
To: City Council
From: Beatriz Quezada, Planner
Subject: AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR A 1.0-ACRE TRACT OF LAND OUT OF SECTION 23, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF GLADIOLA AVENUE, APPROXIMATELY 465 FEET EAST OF GOLDEN GATE DRIVE), BY PERMITTING A REDUCED MINIMUM LOT AREA; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION

Purpose:
Maverick Engineering, on behalf of Brandon McMorries and Adrian Hernandez, 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 area for the property located at 6500 Gladiola Avenue in order to develop two residential lots.

Recommended Action:
Informational/Directional

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
The subject property, located at 6500 Gladiola Avenue, is currently the site of a single-family residence. The applicant is requesting a special exception to reduce the minimum lot area to allow the property to be subdivided into two lots with both being 0.50 acres. The proposed parcel exceeds this requirement, comprising approximately 21,774 square feet.

Per the City of Midland Zoning Ordinance, Section 5.04 – Residential Zoning District Dimensional Regulations Chart, the minimum lot area required within the CE, Country Estate District, is 43,560 square feet (1.00 acre). The property located at 6500 Gladiola currently

consists of a 1.00-acre parcel. In addition to the special exception request, the property is currently being platted. The proposed subdivision would create two lots, each comprising approximately 21,774 square feet (0.50 acres), which does not meet the minimum lot size requirement for the district. In addition, pursuant to the Restrictive Covenants, Article IV – Building Restrictions, a minimum lot size of 10,000 square feet is required.

It is also noted that several properties located directly south of the subject parcel are existing nonconforming lots, each with a lot area below the minimum threshold established by the CE 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 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.

Oil & Gas Review (Approved)

No Oil & Gas issue for Zoning.

Engineering: (Approved)

No objection. [For Applicant's Information Only.]

Transportation: (Approved)

No objection. [For the Applicant's information only.]

Planning (Informational/Directional):

Should this request be approved, staff recommends that it be subject to condition A.

Condition:

A. That said special exception shall be of no force or effect unless the Property is subdivided into no more than two lots after the final adoption of this ordinance; provided, however, that each lot shall have an area of 0.5 acres.

Letters of Objection:

Staff has received four letters of objection as of October 17, 2025.

Attachments:
Meets and Bounds
Survey
Application
Maps

Attachments:
A. ORDINANCE WITH EXHIBIT - (E-25-0141.B) McMorries & A Hernandez - Red Min Lot Area Ord w Exh
B. E-25-0141, Combined Files
C. CC - - 6500 Gladiola Ave, Special Exception Lot Size

Beatriz Quezada, Development Services	Created/Initiated - 10/15/2025
Landon Ochoa, Development Services	Approved - 10/17/2025
Elizabeth Triggs, Development Services	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/20/2025
Morris Williams, City Manager	Approved - 10/20/2025
Jose Ortiz, City Manager	Approved - 10/21/2025
Jan Hamilton, City Secretary	Final Approval - 10/21/2025

ORDINANCE NO. _____

AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR A 1.0-ACRE TRACT OF LAND OUT OF SECTION 23, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF GLADIOLA AVENUE, APPROXIMATELY 465 FEET EAST OF GOLDEN GATE DRIVE), BY PERMITTING A REDUCED MINIMUM LOT AREA; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION

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 a 1.0-acre tract of land out of Section 23, Block 40, T-1-S, T&P RR Co.

Survey, City and County of Midland, Texas (the "Property"), said Property being more fully described by metes and bounds in Exhibit A, which is attached hereto and incorporated herein for all purposes. Said special exception shall allow a reduced minimum lot area for all lots on the Property.

SECTION TWO. Said special exception is subject to the following special conditions:

> That said special exception shall be of no force or effect unless the Property is subdivided into no more than two lots after the final adoption of this ordinance; provided, however, that each lot shall have an area of 0.5 acres.

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

EXHIBIT "A"

A description of a 1.0 acre tract of land out of the East half of the Southeast 1/4 of Section 23, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, near F.M. Highway 868, and being otherwise known as Tract 123, Llano Estacado (First Part), said 1.0 acre tract being described more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with cap marked "BRADSHAW" found for the Northeast corner of this tract, also being the Northwest corner of Tract 122, from which the Southeast corner of said Section 23 bears S 15°19'30" E a distance of 2640 feet and N 74°22'00" E a distance of 584.50 feet;

THENCE S 15° 22' 23" E (record S 15°19'30" E) along the East line of said Tract 123 and the West line of said Tract 122 at a distance of 10.0 feet pass the South line of a 10' alley, at a distance of 129.92 feet pass a 1/2" iron rod with cap marked "BRADSHAW" found in the North right-of-way line of Gladiola Avenue, in all a total distance of 159.92 feet (record 160.00 feet) to a nail in the centerline of said Gladiola Avenue;

THENCE S 74° 22' 00" W along the centerline of said Gladiola Avenue a distance of 272.06 feet (record 272.00 feet) to a point in the centerline of said Gladiola Avenue for the Southeast corner of Tract 124 and the Southwest corner of this tract;

THENCE N 15° 20' 24" W (record N 15°19'30" W) along the east line of said Tract 124 and the West line of this tract at a distance of 30.00 feet pass a 1/2" iron rod with cap marked "RPLS 4170" found in the North right-of-way line of said Gladiola Avenue, at a distance of 149.91 feet pass a 1/2" iron rod with cap marked "RPLS 4170" found in the South line of a 10' alley, in all a total distance of 159.91 feet (record 160.00 feet) to a 1/2" iron rod with cap marked "RPLS 4170" set for the Northeast corner of said Tract 124 and the Northwest corner of this tract;

THENCE N 74° 21' 47" E (record N 74°22'00" E) a distance of 271.97 (record 272.00 feet) to the POINT OF BEGINNING.

Docusign Envelope ID: 81FE9B37-DDFE-4DFC-81B2-906684A59669

MIDLAND Planning Division

Special Exception Application

Project Number: _____

Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: See Representative		Phone ( ) Email	
Address	City	State	Zip

Property Owner Printed Name: Brandon McMorries & Adrian Hernandez		Phone (432) 664-8264 Email ahernand202000@yahoo.com brandon@brandonmcmorries.com	
Address PO Box 11	City Stanton	State TX	Zip 79782

Representative *(if different from Applicant or Property Owner)* Firm: Maverick Engineering Printed Name:		Phone (432) 270-1645 Email adevine@maverick-eng.com	
Address 1909 W. Wall Street Suite K	City Midland	State TX	Zip 79701

Street Address: 6500 Gladiola Ave

Legal Description
Lot: 123 Block: Subdivision: Llano Estacado (see also attached proposed replat)

Current Zoning: CE

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: Applicant is seeking to replat Tract 123 of Llano Estacado (1.00-acre) into 2 lots less that are less than the 1-acre min required by existing zoning. Other areas directly south are also non conforming lots. Restrictive covenants allow for a min lot size of 10,000 sf

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): Ashlee Devine	Date: 4/23/25
Applicant (printed): Ashlee Devine	
Property Owner (signature): DocuSigned by: Brandon McMorries 5E8A4A656B28441...	Date: 6/17/2025
Property Owner (printed) : Brandon McMorries	

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 Ashlee Devine who, being by me duly sworn, upon oath says: That (s)he is authorized by Brandon McMorries, 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.

Ashlee Devine
Authorized Agent (*signature*)

Subscribed and sworn to before me, this 23rd day of June, 20 25, to certify which witness my hand and seal of office.

SAVANNAH DAVIS
Notary Public, State of Texas
Comm. Expires 05-20-2028
Notary ID 134907724

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☑ Property Owner Authorization	☑ Dimensioned Site Plan
☑ Application Fee	☑ Plans in Digital Format (PDF/JPEG)
Check # 5410	
Received By: Beatriz	Date: 6/24/25

RECEIVED
JUN 24 2025
Initial:

****Application will not be considered for scheduling until reviewed by a planner.****

Signatures	
Applicant (signature): Ashlee Devine	Date: 6/23/25
Applicant (printed): Ashlee Devine	
Property Owner (signature): DocuSigned by: ADRIAN HERNANDEZ 7C3EFDE9EB6A40C...	Date: 6/17/2025
Property Owner (printed) : ADRIAN HERNANDEZ	

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STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ashlee Devine who, being by me duly sworn, upon oath says: That (s)he is authorized by Adrian Hernandez, 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.

Ashlee Devine
Authorized Agent (signature)

Subscribed and sworn to before me, this 23rd day of June, 2025, to certify which witness my hand and seal of office.

SAVANNAH DAVIS
Notary Public, State of Texas
Comm. Expires 05-20-2028
Notary ID 134907724

SL D

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: 6/24/25

RECEIVED
JUN 24 2025
Initial:

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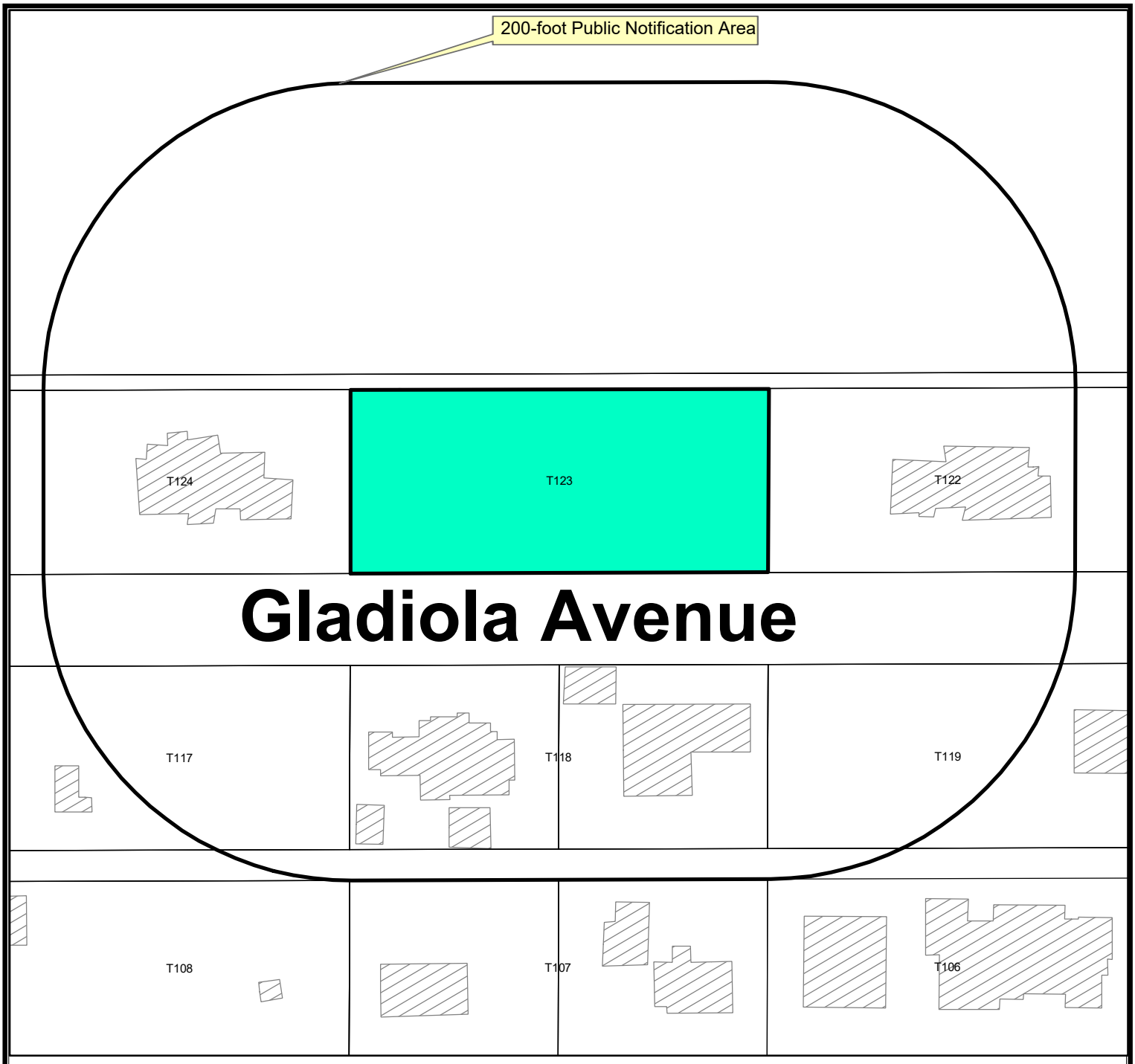


Location Map

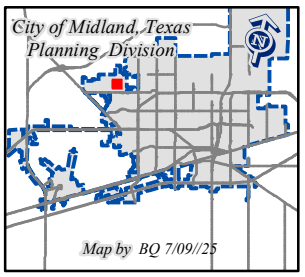
E-25-0141 **Scale: 1" = 600'**

Consider a request by Maverick Engineering, on behalf of Brandon McMorries and Adrian Hernandez, 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 area for a 1.0-acre tract of land out of Section 23, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas

Generally located on the north side of Gladiola Avenue, approximately 465 feet east of Golden Gate. (Council District 4)

L E G E N D

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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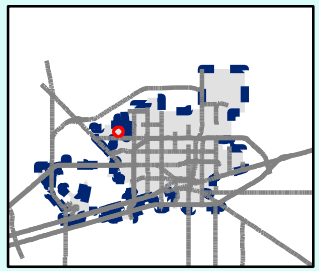
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

SF1

CE

GLADIOLA AV



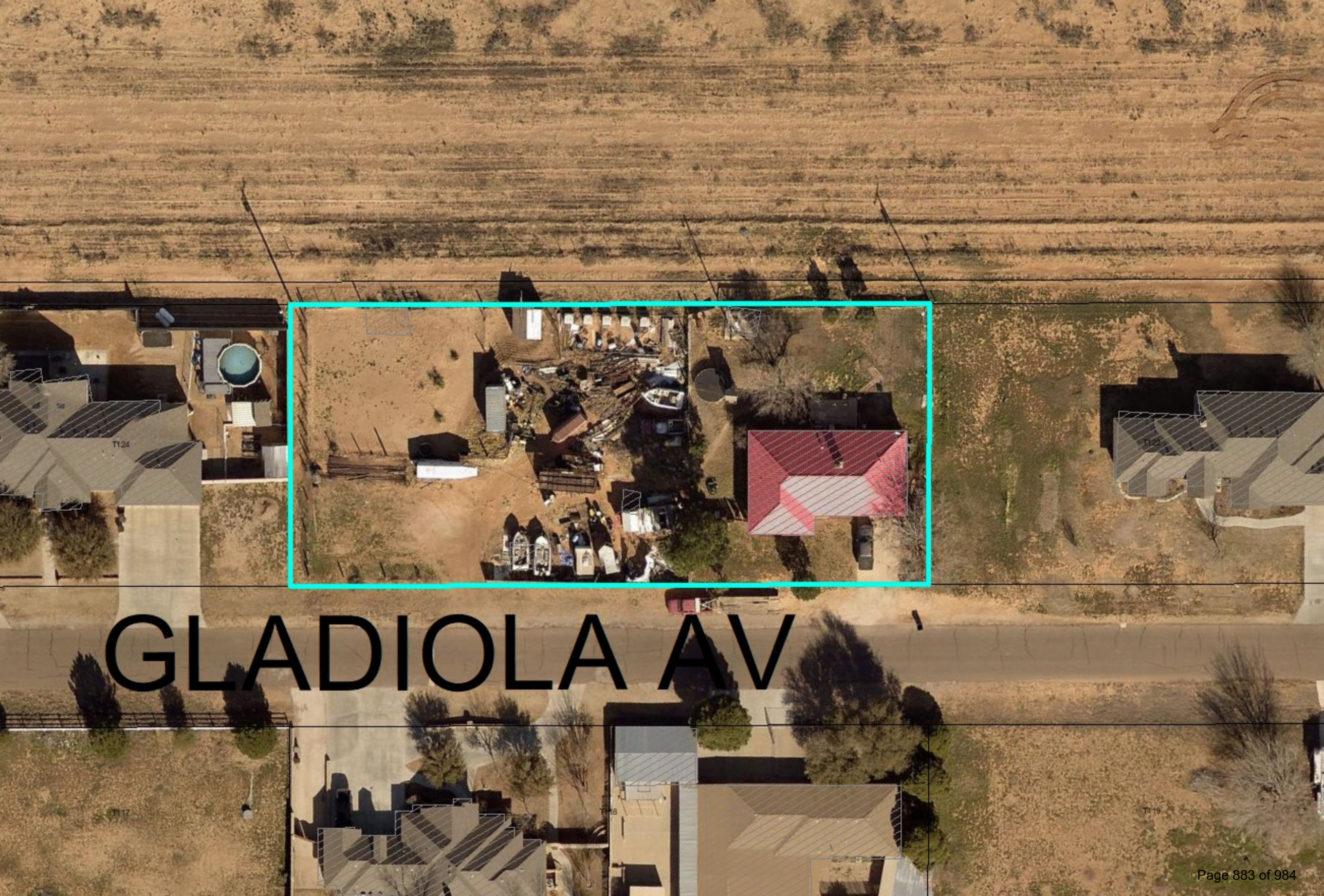
Map by BQ, 7/10/25

E-25-0141

Scale: 1" = 400'

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 DECISION MADE OR ACTION TAKEN BASED ON THE DATA CONTAINED HEREIN.

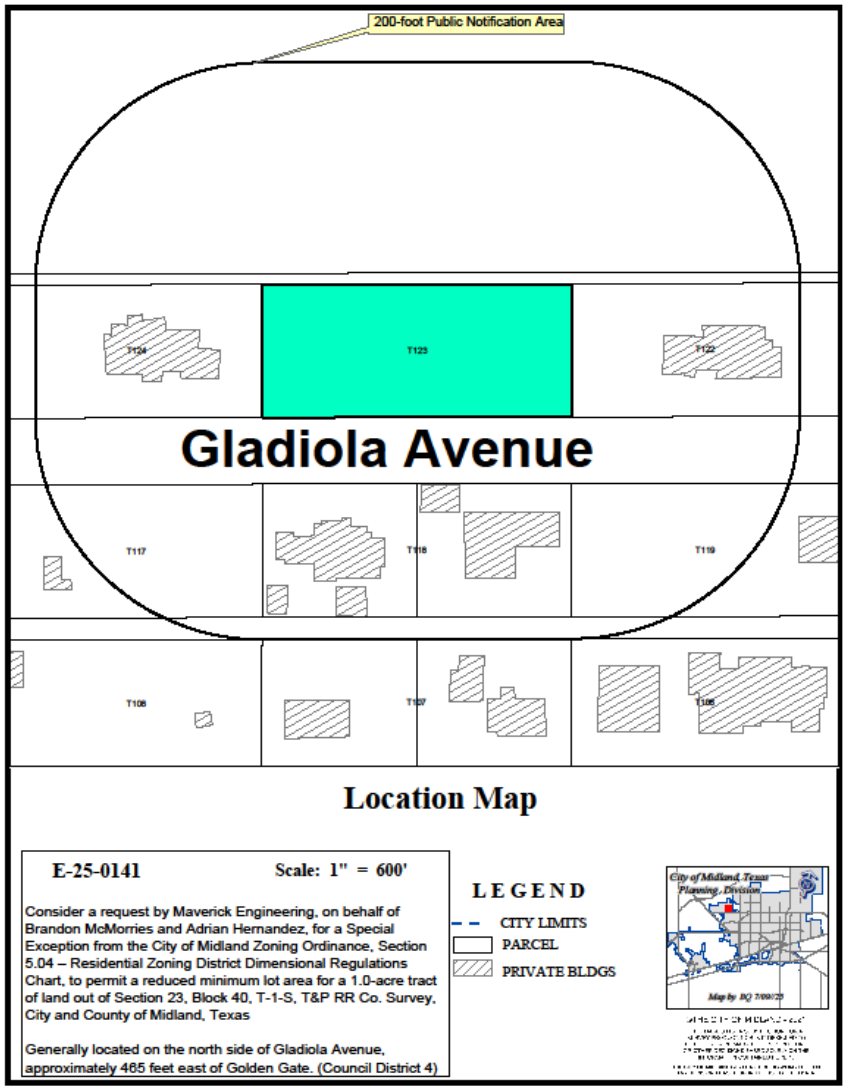

GLADIOLA AV

REPUBLIC
SERVICES
432-561-7600

MIDLAND
Be the Energy!
SPECIAL EXCEPTION
6500 GLADIOLA AVE
Visit Our Website
MIDLANDTEXAS.GOV

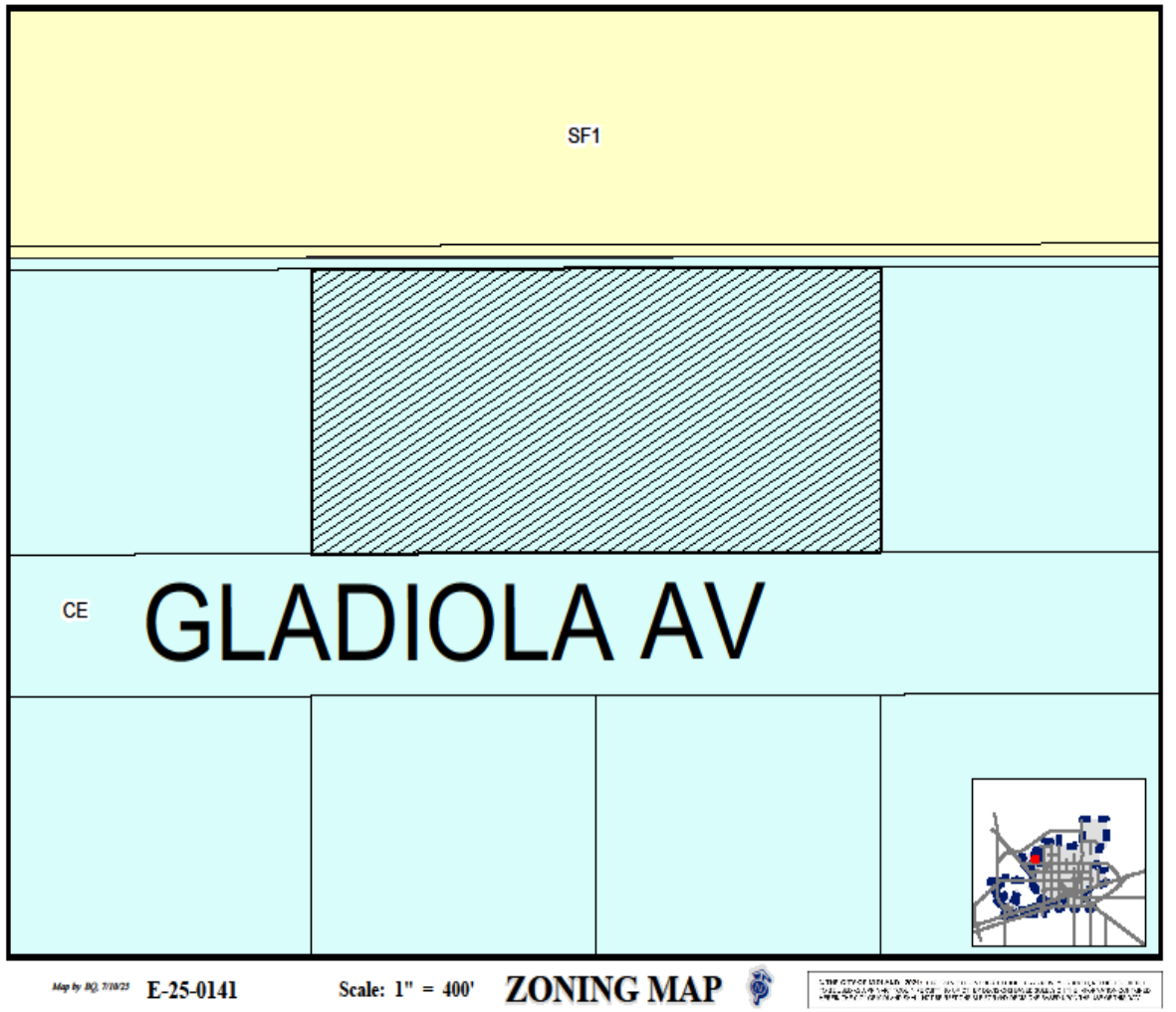
APPLICATION SUMMARY

- **Property Owner:** Brandon McMorries & Adrian Hernandez
- **Representative:** Ashlee Devine, with Maverick Engineering
- **Location:** 6500 Gladiola Ave (District 4)
- **Reason for Request:** To be able to subdivide the property into two lots, each approximately 0.5 acres



ZONING

- **Current Zoning:** Country Estate District, CE
- **Surrounding Zoning:**
  - **North:** Single-Family Dwelling District, SF-1
  - **South/East/West:** Country Estate District, CE



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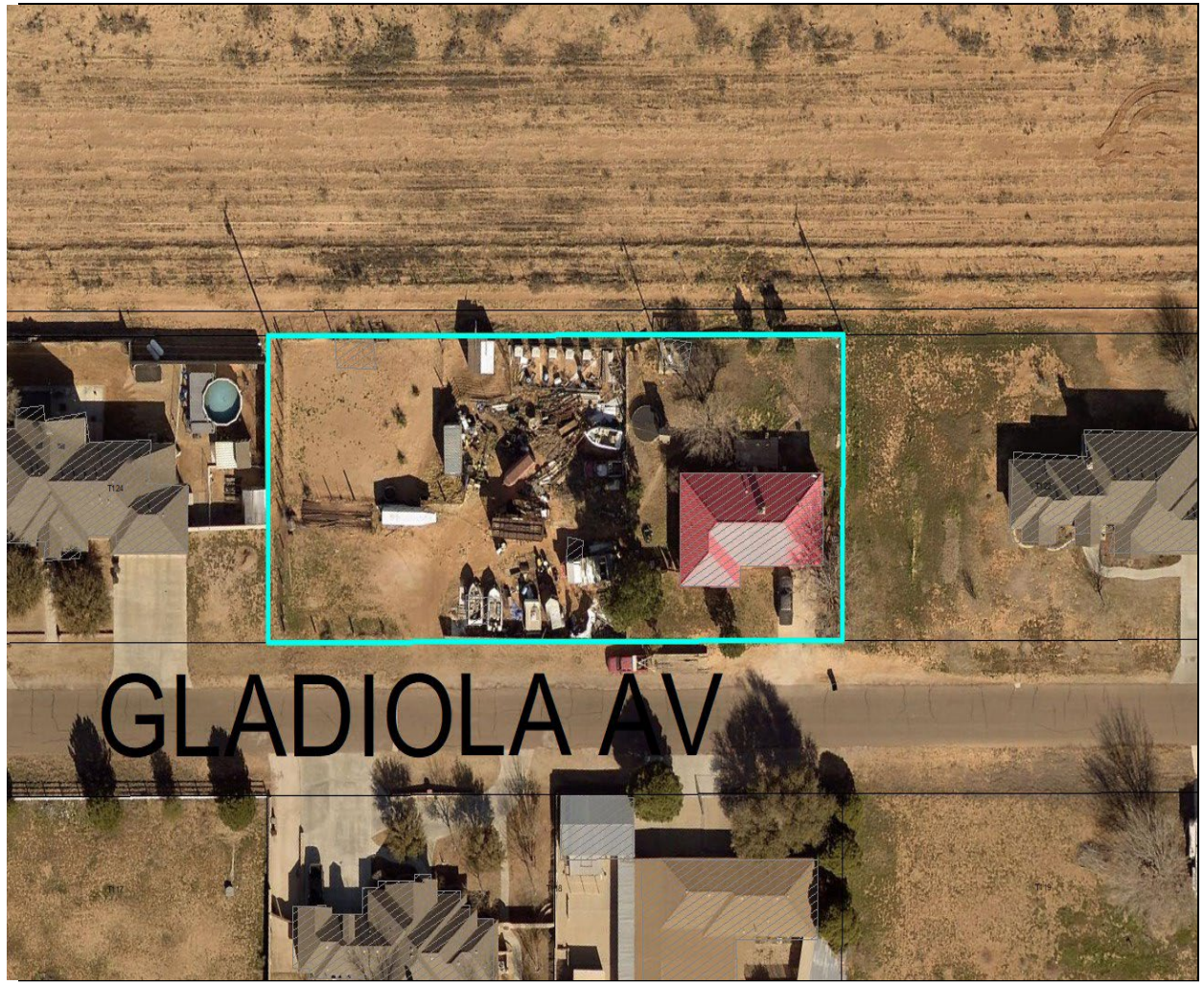
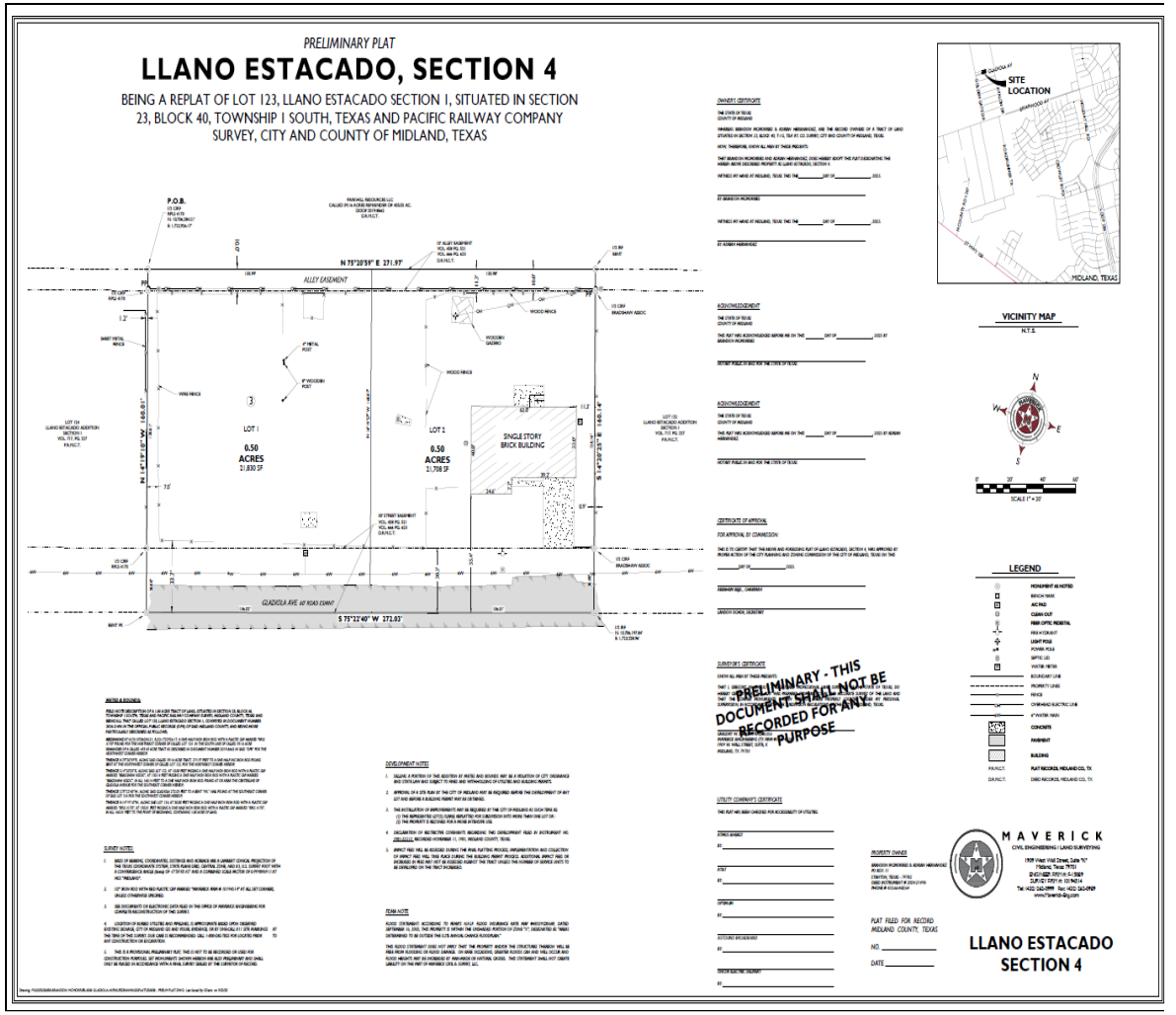
LAND USE

- **Current Use:** Residential
- **Surrounding Uses:**
  - **North:** Vacant
  - **South/East/West:** Residential



DETAILS OF REQUEST

- **Code Requirement:** Lot size must be at least 1 acre
- **Variance Requested:** Two lots measuring 0.5 acres
- Nearby properties do not meet the standard required by the zoning district



5

On Gladiola Avenue, Looking East

6

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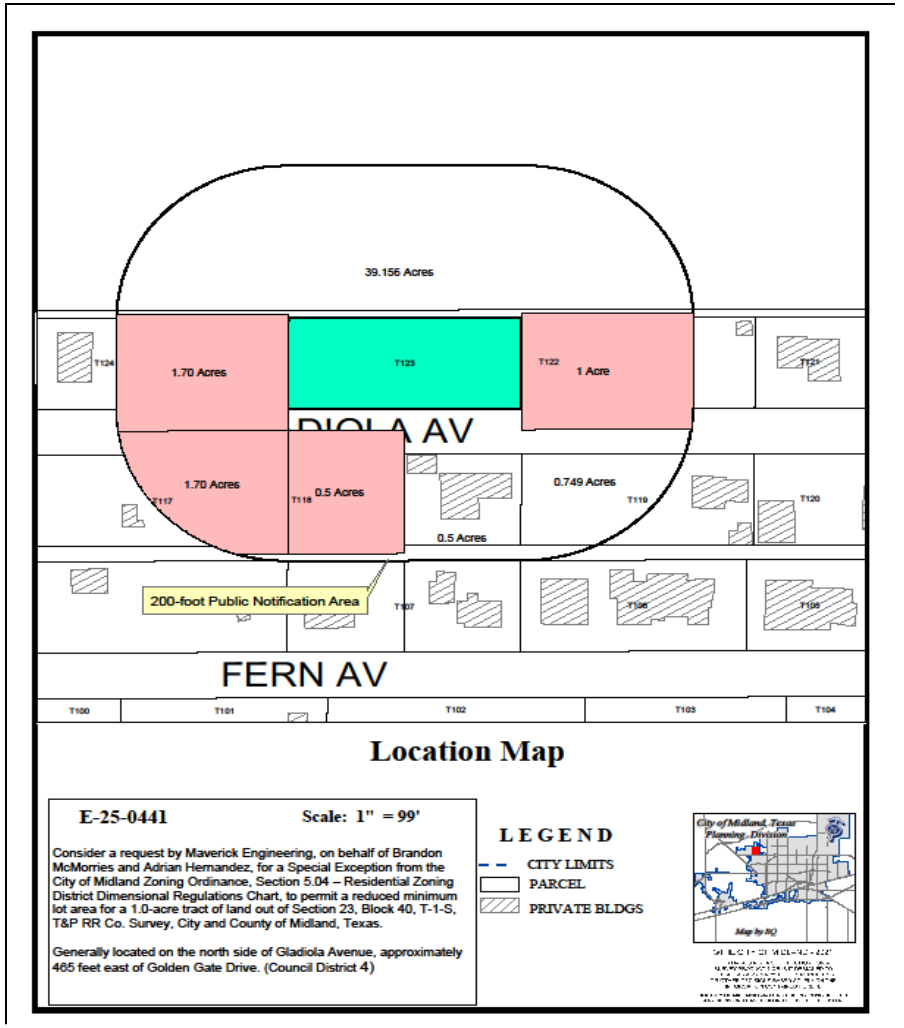
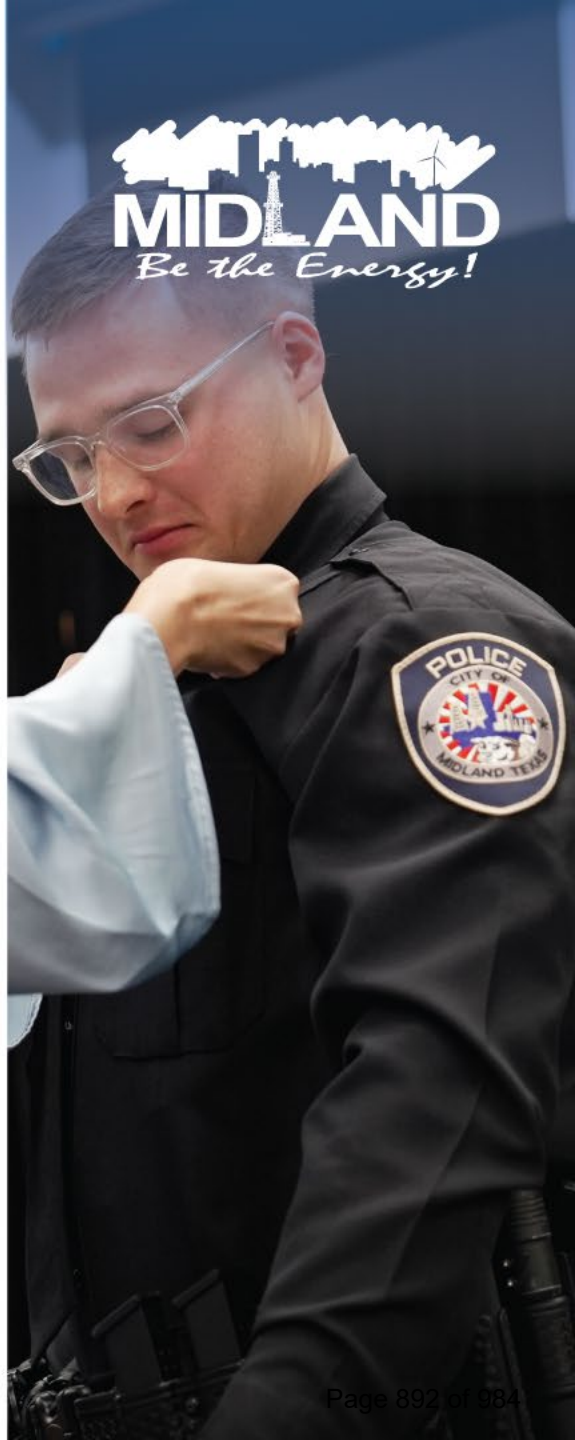
OBJECTIONS

- 4 objections have been received resulting in a 40.1% objection percentage. Supermajority vote is not required for approval.
- Protestors voiced concerns about the lot sizes, the allowance of mobile homes, and increased traffic in the neighborhood.



RESTRICTIVE COVENANTS

- Minimum lot size: 10,000 sq. ft (≈0.229 Acres) [Article IV(a)]
- Minimum ground floor area: 1,200 sq. ft. and at least 60% of exterior walls must be masonry [Article IV(d)]
- Setbacks: [Article IV(e)]
  - 25 ft from easement
  - 55 ft from front street easement boundary
  - 5 ft from side/rear lot lines



RESTRICTIVE COVENANTS

- Certain strips of land are reserved as Street Easements and Alley Easements for access, utilities and public use. [Article II(c)]
- Specific tracts are designated as Drill Sites for oil and gas operations. [Article III(c)]
- Tracks 1-4 are designated Commercial Sites [Article V]
- No trailers, basements, tents, shacks or temporary buildings may be used as residence [Article IV(i)]

NEARBY RESIDENTIAL LOT SIZE/USE

- Average Residential Lot Size (Within 200 feet) : 0.72 Acres
- Median of Residential Lot Size (Within 200 feet): 0.749 Acres
- Average Residential Lot Size (Within 500 feet): 0.612 Acres
- Median of Size (Within 500 feet): 0.601 Acres
- Mobile homes are only permitted within the MH, Manufactured Housing District.

NEARBY RESIDENTIAL LOT WITHIN 500 FT

Owner	Owner 2	Address	City	State	Zip Code	Length	Sg Ft	Acres	Medium
SMALL BRIAN K		6401 FERN AVE	MIDLAND	TX	79707	53.5290907	121.2446	0.002	
COX CLAYTON ALLEN		6515 FERN AV	MIDLAND	TX	79707	362.194551	5766.562	0.132	
SUCHIL ALAN ISACC		6501 GLADIOLA AVE	MIDLAND	TX	79707-9639	512.24932	16334.75	0.375	
MONTANEZ ORLANDO		6500 FERN AV	MIDLAND	TX	79707	512.24932	16334.75	0.375	
ALEMAN FELICIDAD D		6501 GLADIOLA AV	MIDLAND	TX	79707-9639	512.249322	16334.75	0.375	
SCHRADER MONTE GENE		5850 FM 2125 N	BROWNWOOD	TX	76801 0119	512.249721	16334.77	0.375	
NUNEZ ELIZABETH		6415 FERN AV	MIDLAND	TX	79707	622.817958	17972.85	0.412	
REYNOLDS JASON JOHN		6400 FERN AV	MIDLAND	TX	79707	579.32954	19537.21	0.448	
SALAZAR NOE		6401 GLADIOLA AVENUE	MIDLAND	TX	79707	663.330279	25469.45	0.584	
NELMS JANICE		PO BOX 8613	MIDLAND	TX	79708-8613	685.180009	26208.7	0.601	M
BERNARD ABRAHAM		6400 GLADIOLA AV	MIDLAND	TX	79707	695.518596	27331.6	0.627	
DOSSEY JOHNNY D		6408 FERN AVE	MIDLAND	TX	79707	765.482587	31487.65	0.722	
AYLOR DOUGLAS A		6408 GLADIOLA AV	MIDLAND	TX	79707	784.479932	32668.38	0.749	
MORENO ESTEBAN A		6409 GLADIOLA AV	MIDLAND	TX	79707	784.480168	32668.39	0.749	
PENA GREGORY SCOTT &	AMANDA DAWN PENA	1913 LOMA LINDA ST	VERNON	TX	76384 4934	784.499504	32669.55	0.749	
NELMS JANICE L		PO BOX 8613	MIDLAND	TX	79708	834.974219	35864.78	0.823	
CRITES WELDON TRACY JR		6516 FERN AV	MIDLAND	TX	79707	1071.50303	50250.82	1.153	
GARMON PAUL MARTIN III		6516 GLADIOLA AV	MIDLAND	TX	79707	1106.52022	51990.61	1.193	
BRADSHAW NOLAN M AND JOANN E		6515 GLADIOLA AV	MIDLAND	TX	79707	1106.52046	51990.63	1.193	
							Average	0.612474	

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NEARBY RESIDENTIAL LOT SIZE WITHIN 200 FT

Owner	Address	City	State	Zip Code	Lenght	Sq Ft	Acres	Median
MONTANEZ ORLANDO	6500 FERN AV	MIDLAND	TX	79707	512.24932	16334.7479	0.375	
SUCHIL ALAN ISACC	6501 GLADIOLA AVE	MIDLAND	TX	79707-9639	512.24932	16334.7479	0.375	
ALEMAN FELICIDAD D	6501 GLADIOLA AV	MIDLAND	TX	79707-9639	512.249322	16334.7497	0.375	
DOSSEY JOHNNY D	3323 N MIDLAND DR 113-107	MIDLAND	TX	79707	765.482587	31487.6534	0.722	
MORENO ESTEBAN A	6409 GLADIOLA AV	MIDLAND	TX	79707	784.480168	32668.3852	0.749	M
PENA GREGORY SCOTT & AMANDA DAWN PENA	6500 GLADIOLA AV	MIDLAND	TX	79707	784.499504	32669.5518	0.749	
AYLOR DOUGLAS A	6408 GLADIOLA AV	MIDLAND	TX	79707	784.479932	32668.3774	0.749	
BRADSHAW NOLAN M AND JOANN E	6515 GLADIOLA AV	MIDLAND	TX	79707	1106.52046	51990.6349	1.193	
GARMON PAUL MARTIN III	6516 GLADIOLA AV	MIDLAND	TX	79707	1106.52022	51990.6077	1.193	
						Average	0.72	Acres

MIDLAND
Be the Energy!

STAFF'S RECOMMENDATION

- Four objections were received.
- Staff recommends approval of this request with the following condition:

A. That said special exception shall be of no force or effect unless the **Property is subdivided into no more than two lots** after the final adoption of this ordinance; provided, however, that **each lot shall have an area of 0.5 acres**.

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.

City Council Meeting

Item Number: 34.
Meeting Date: October 28, 2025
To: City Council
From: Beatriz Quezada, Planner
Subject: AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR A 3.919-ACRE TRACT OF LAND OUT OF SECTION 9, BLOCK X, H.P. HILLARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF MAYFIELD PLACE, APPROXIMATELY 165 FEET NORTH OF FAIRFIELD LANE), BY PERMITTING A REDUCED MINIMUM LOT WIDTH; 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:
Maverick Engineering, on behalf Joshua R. Hoisager, 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 a 3.919-acre tract of land located on the east side of Mayfield Place for future residential development.

Recommended Action:
Informational/Directional

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
The subject property consists of a 3.919-acre tract located on the east side of Mayfield Place. The property is currently zoned AE, Agricultural Estate District. Maverick Engineering, on behalf of Josh Hoisager, is requesting a special exception to reduce the minimum lot width to 30 feet on Mayfield Place. Per Section 5.04 – Residential Zoning District Dimensional Regulations Chart, the minimum lot width is 150 feet for the AE, Agricultural Estate District. The purpose of this request is to facilitate the platting of the property into one lot for the construction of a single-family dwelling. Approval of the special exception is required prior to the submittal and approval of the final plat.

The proposed use as a single-family dwelling would be consistent with the existing residential character of the surrounding neighborhood. The applicant is proposing a flag-lot that provides 30 feet of frontage along Mayfield Place. This lot design would create a narrow access leading to the larger portion of the lot. The overall property consists of 3.919 acres, which exceeds the minimum lot area required by the AE, Agricultural Estates District. However, one of the portions that would remain after the subdivision would not meet any of the dimensions of the AE.

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 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 objection. [For Applicant's Information Only.]

Transportation: (Approved)

No objection. [For the Applicant's information only.]

Planning (Informational):

Should the special exception be approved, it should be subject to the following conditions.

A. That the minimum lot width shall be 30 feet.
B. That said special exception shall be of no force or effect unless and until the entire Property, as described in Exhibit A, is platted into one lot.

Letters of Objection:

Staff has not received any letters of objection as of October 16, 2025.

Attachments:
A. ORDINANCE WITH EXHIBIT - (E-25-0146.)Joshua Hoisager - Reduced Min Lot Width Ord w Exh
B. E-25-0146, Combined Files
C. CC - - Mayfield Place Special Exception Reduced Min Lot Width

Beatriz Quezada, Development Services — Created/Initiated - 10/15/2025
Landon Ochoa, Development Services — Approved - 10/15/2025

Elizabeth Triggs, Development Services	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/20/2025
Morris Williams, City Manager	Approved - 10/20/2025
Jose Ortiz, City Manager	Approved - 10/21/2025
Jan Hamilton, City Secretary	Final Approval - 10/21/2025

ORDINANCE NO. _____

AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR A 3.919-ACRE TRACT OF LAND OUT OF SECTION 9, BLOCK X, H.P. HILLARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF MAYFIELD PLACE, APPROXIMATELY 165 FEET NORTH OF FAIRFIELD LANE), BY PERMITTING A REDUCED MINIMUM LOT WIDTH; 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 a 3.919-acre tract of land out of Section 9, Block X, H.P. Hillard Survey, 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. Said special exception shall allow a reduced minimum lot width.

SECTION TWO. Said special exception is subject to the following special conditions:

A. That the minimum lot width shall be 30 feet.

B. That said special exception shall be of no force or effect unless and until the entire Property, as described in Exhibit A, is platted into one lot.

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

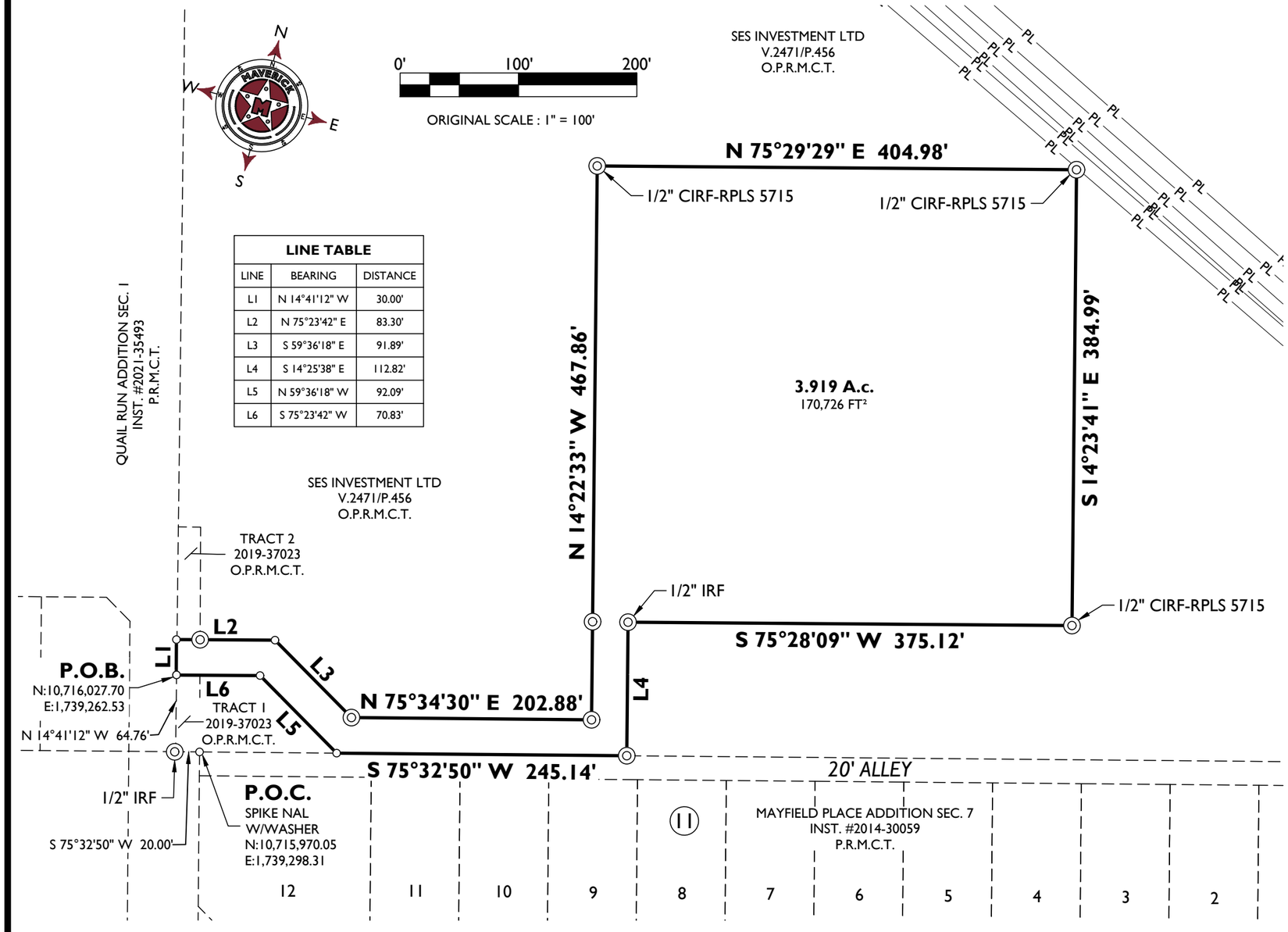
APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____

Nicholas Toulet, Interim City Attorney



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 14°41'12" W	30.00'
L2	N 75°23'42" E	83.30'
L3	S 59°36'18" E	91.89'
L4	S 14°25'38" E	112.82'
L5	N 59°36'18" W	92.09'
L6	S 75°23'42" W	70.83'

LEGEND

◎	FOUND 1/2" IRON ROD OR AS NOTED
○	LOT CORNER
———	BOUNDARY
— — — — — —	EXISTING LOTS
——— PL ———	EXISTING PIPELINE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
P.R.M.C.T.	PLAT RECORDS, MIDLAND CO., TX
O.P.R.M.C.T.	OFFICIAL PUBLIC 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. SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.

3. LOCATION OF BURIED UTILITIES AND PIPELINES, IF ANY, IS APPROXIMATE BASED UPON OBSERVED EXISTING SIGNAGE, CITY OF MIDLAND GIS AND VISUAL EVIDENCE, OR BY ONE-CALL 811 SITE MARKINGS AT THE TIME OF THIS SURVEY. DUE CARE IS RECOMMENDED: CALL 1-800-DIG-TESS FOR LOCATES PRIOR TO ANY CONSTRUCTION OR EXCAVATION.

METES & BOUNDS

FIELD NOTE DESCRIPTION OF A 3.919 ACRE TRACT OF LAND, SITUATED IN SECTION 9, BLOCK X, H.P. HILLIARD SURVEY, MIDLAND COUNTY, TEXAS AND BEING THAT SAME TRACT AS DESCRIBED IN DOCUMENT NUMBER 2013-20580 OF THE OFFICIAL PUBLIC RECORDS (OPR) OF SAID MIDLAND COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

***COMMENCING** AT N.(Y): 10715970.05, E.(X): 1739298.31, A SPIKE NAIL WITH A WASHER FOUND AT THE SOUTHEAST CORNER OF A CALLED TRACT 1 AS DESCRIBED AS EXHIBIT "B" IN DOCUMENT NUMBER 2019-37023 IN SAID "OPR", BEING THE SOUTHEAST CORNER OF QUAIL RUN SECTION 1, A SUBDIVISION AS DEPICTED ON A PLAT RECORDED AS DOCUMENT NUMBER 2021-35493 IN THE PLAT RECORDS OF SAID MIDLAND COUNTY, BEING THE NORTHWEST CORNER OF MAYFIELD PLACE SECTION 7, A SUBDIVISION AS DEPICTED ON A PLAT RECORDED AS DOCUMENT NUMBER 2014-30059 IN SAID PLAT RECORDS, **THENCE** S.75°32'50"W., 20.00 FEET AND N.14°41'12"W., 64.76 FEET TO A POINT LYING IN MAYFIELD PLACE STREET, AT OR NEAR THE NORTHWEST CORNER OF SAID TRACT 1, FOR THE **POINT OF BEGINNING** AND THE WEST SOUTHWEST CORNER HEREOF;*

***THENCE** N.14°41'12"W., 30.00 FEET TO A POINT IN SAID MAYFIELD PLACE STREET AT OR NEAR THE SOUTHWEST CORNER OF "TRACT 2" IN SAID EXHIBIT "B" FOR THE WEST NORTHWEST CORNER HEREOF;*

***THENCE** N.75°23'42"E., AT 20.00 FEET PASSING A BENT ONE HALF INCH IRON ROD AT OT NEAR THE EAST LINE OF SAID MAYFIELD PLACE BEING THE SOUTHEAST CORNER OF SAID TRACT 2, IN ALL 83.30 FEET TO A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK FIRM# 10194514" (RPC) SET FOR AN ANGLE CORNER HEREOF;*

***THENCE** THE FOLLOWING TEN (10) COURSES AND DISTANCES AROUND THIS TRACT.*

1. *S.59°36'18"E., 91.89 FEET TO A ONE HALF INCH IRON ROD FOUND FOR AN ANGLE CORNER HEREOF;*
2. *N.75°34'30"E., 202.88 FEET TO A ONE HALF INCH IRON ROD FOUND FOR AN ANGLE CORNER HEREOF;*
3. *N.14°22'33"W., AT 82.90 FEET PASSING A ONE HALF INCH IRON ROD, IN ALL 467.86 A ONE HALF INCH IRON ROD WITH A PLASTIC CAP MARKED "RPLS 5715" (5715) FOUND FOR THE NORTH NORTHWEST CORNER HEREOF;*
4. *N.75°29'29"E., 404.98 FEET TO A "5715" FOUND FOR THE NORTHEAST CORNER HEREOF;*
5. *S.14°23'41"E., 384.99 FEET TO A "5715" FOUND FOR THE SOUTH SOUTHEAST CORNER HEREOF;*
6. *S.75°28'09"W., 375.12 FEET TO A ONE HALF INCH IRON ROD FOUND FOR AN ANGLE CORNER HEREOF;*
7. *S.14°25'38"E., 112.82 FEET TO A ONE HALF INCH IRON ROD FOUND ON THE NORTH LINE OF SAID MAYFIELD PLACE SECTION 7, FOR THE SOUTH SOUTHEAST CORNER HEREOF;*
8. *S.75°32'50"W., ALONG SAID MAYFIELD PLACE SECTION 7, 245.14 FEET TO AN "RPC" SET FOR THE SOUTH SOUTHWEST CORNER HEREOF;*
9. *N.59°36'18"W., 92.09 FEET TO AN "RPC" SET FOR AN ANGLE CORNER HEREOF;*
10. *S.75°23'42"W., AT 50.83 FEET PASSING AN "RPC" SET IN THE EAST LINE OF SAID MAYFIELD PLACE STREET, IN ALL 70.83 FEET TO THE **POINT OF BEGINNING**, CONTAINING 170726 SQUARE FEET OR 3.919 ACRES OF LAND, WITH THE WEST 600 SQUARE FEET OR 0.014 ACRE BEING WITHIN THE RIGHT OF WAY OF MAYFIELD PLACE STREET.*

MAVERICK
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:
250161	8.20.25	LL		

I, GREGORY W. SHOULTS, DO HEREBY CERTIFY THAT THE SURVEY INFORMATION FOUND ON THIS PLAT WAS DERIVED FROM FIELD NOTES AND/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. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND NO WARRANTY IS MADE OR INTENDED FOR THE LOCATION OF ANY OR ALL EASEMENTS THAT MAY EXIST WITHIN THE BOUNDS OF THIS SURVEY.

GREGORY W. SHOULTS, RPLS #5356
FIRM NO. TX #10194514

SEPTEMBER 16, 2024

STATE OF TEXAS
REGISTERED
GREGORY W. SHOULTS
5356
PROFESSIONAL
LAND SURVEYOR

JOSH HOISAGER

BOUNDARY SURVEY

A 3.919 ACRE TRACT OUT OF THE SE/4 NW/4 OF SECTION 9, BLOCK X, H.P. HILLIARD SURVEY, MIDLAND COUNTY , TEXAS

EXHIBIT A

Drawing : F:\2025\250161-JOSH HOISAGER-MIDLAND FLAG LOT\DRAWINGS\BOUNDARY SUVEY\250161 - BOUNDARY SURVEY.DWG Last Saved By: SDavis on 9/17/25

MIDLAND
Planning Division

Special Exception Application

Project Number: _____

Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name:		Phone ( ) Email	
Address	City	State	Zip

Property Owner Printed Name: JOSHUA R. HOISAGER		Phone (432) 247-8766 Email josh.hoisager@gmail.com	
Address 4823 SPRING MEADOW LANE #4	City MIDLAND	State TX	Zip 79705

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: SEE ATTACHED

Legal Description
Lot: Block: Subdivision:

Current Zoning: AE

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: REDUCED MINIMUM 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):	Date:
Applicant (printed):	
Property Owner (signature):	Date: 9/17/2025
Property Owner (printed): Joshua R. Hoisager	

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 Andrew Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Joshua R. Hoisager, 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. Mellen
Authorized Agent (*signature*)

Subscribed and sworn to before me, this 17 day of September, 2025, to certify which witness my hand and seal of office.

SAVANNAH DAVIS
Notary Public, State of Texas
Comm. Expires 05-20-2028
Notary ID 134907724

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

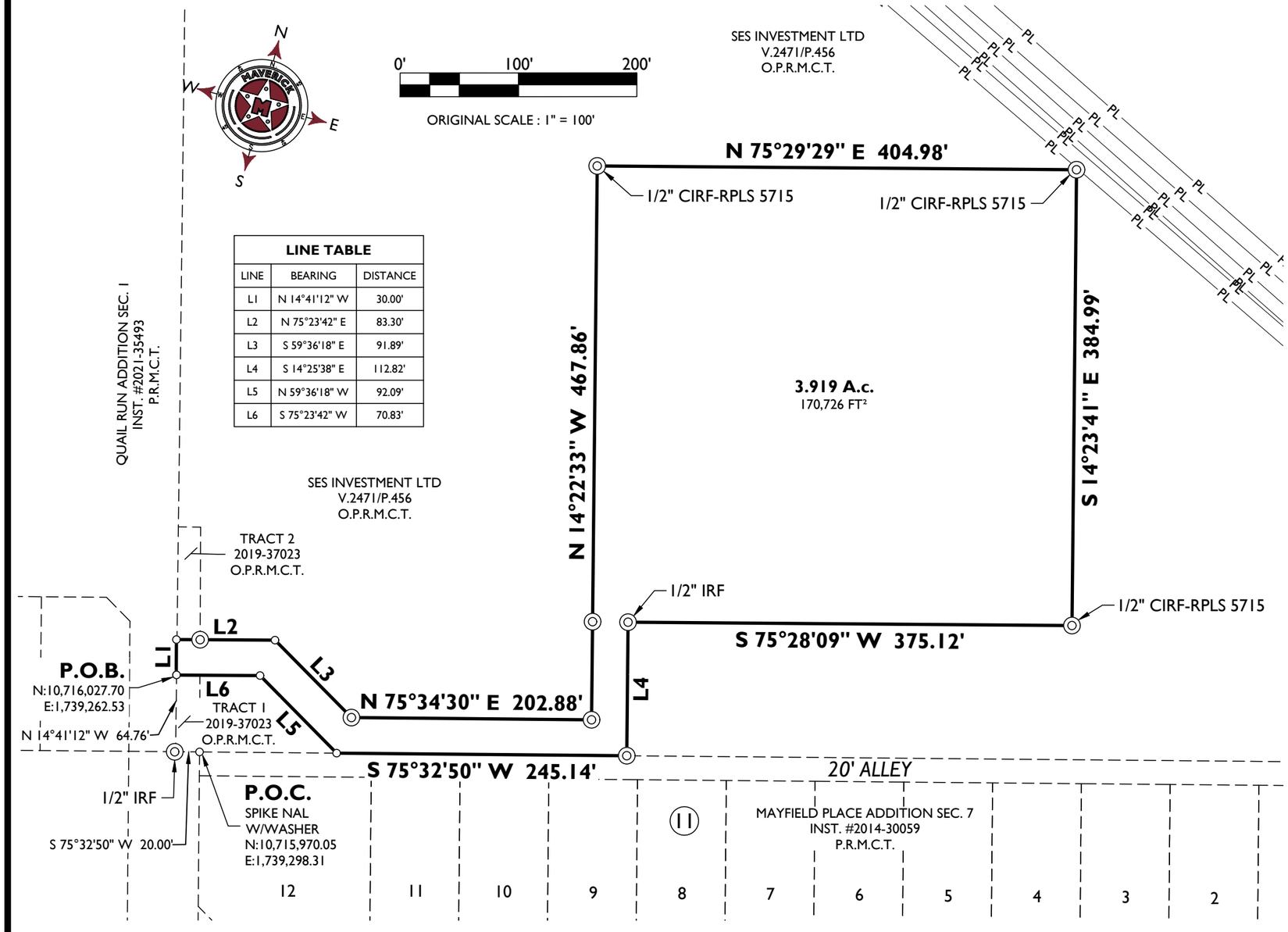
FOR OFFICE USE ONLY

- ☑ Property Owner Authorization
- ☑ Application Fee
  Check # 5561
- ☑ Dimensioned Site Plan
- ☑ Plans in Digital Format (PDF/JPEG)

Received By: Angelina Betancourt | Date: 9/22/25

RECEIVED
SEP 22 2025
Initial:

****Application will not be considered for scheduling until reviewed by a planner.****



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2. *N.75°34'30"E., 202.88 FEET TO A ONE HALF INCH IRON ROD FOUND FOR AN ANGLE CORNER HEREOF;*
3. *N.14°22'33"W., AT 82.90 FEET PASSING A ONE HALF INCH IRON ROD, IN ALL 467.86 A ONE HALF INCH IRON ROD WITH A PLASTIC CAP MARKED "RPLS 5715" (5715) FOUND FOR THE NORTH NORTHWEST CORNER HEREOF;*
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5. *S.14°23'41"E., 384.99 FEET TO A "5715" FOUND FOR THE SOUTH SOUTHEAST CORNER HEREOF;*
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MAVERICK
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:
250161	8.20.25	LL		

I, GREGORY W. SHOULTS, DO HEREBY CERTIFY THAT THE SURVEY INFORMATION FOUND ON THIS PLAT WAS DERIVED FROM FIELD NOTES AND/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. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND NO WARRANTY IS MADE OR INTENDED FOR THE LOCATION OF ANY OR ALL EASEMENTS THAT MAY EXIST WITHIN THE BOUNDS OF THIS SURVEY.

GREGORY W. SHOULTS, RPLS #5356
FIRM NO. TX #10194514

SEPTEMBER 16, 2024

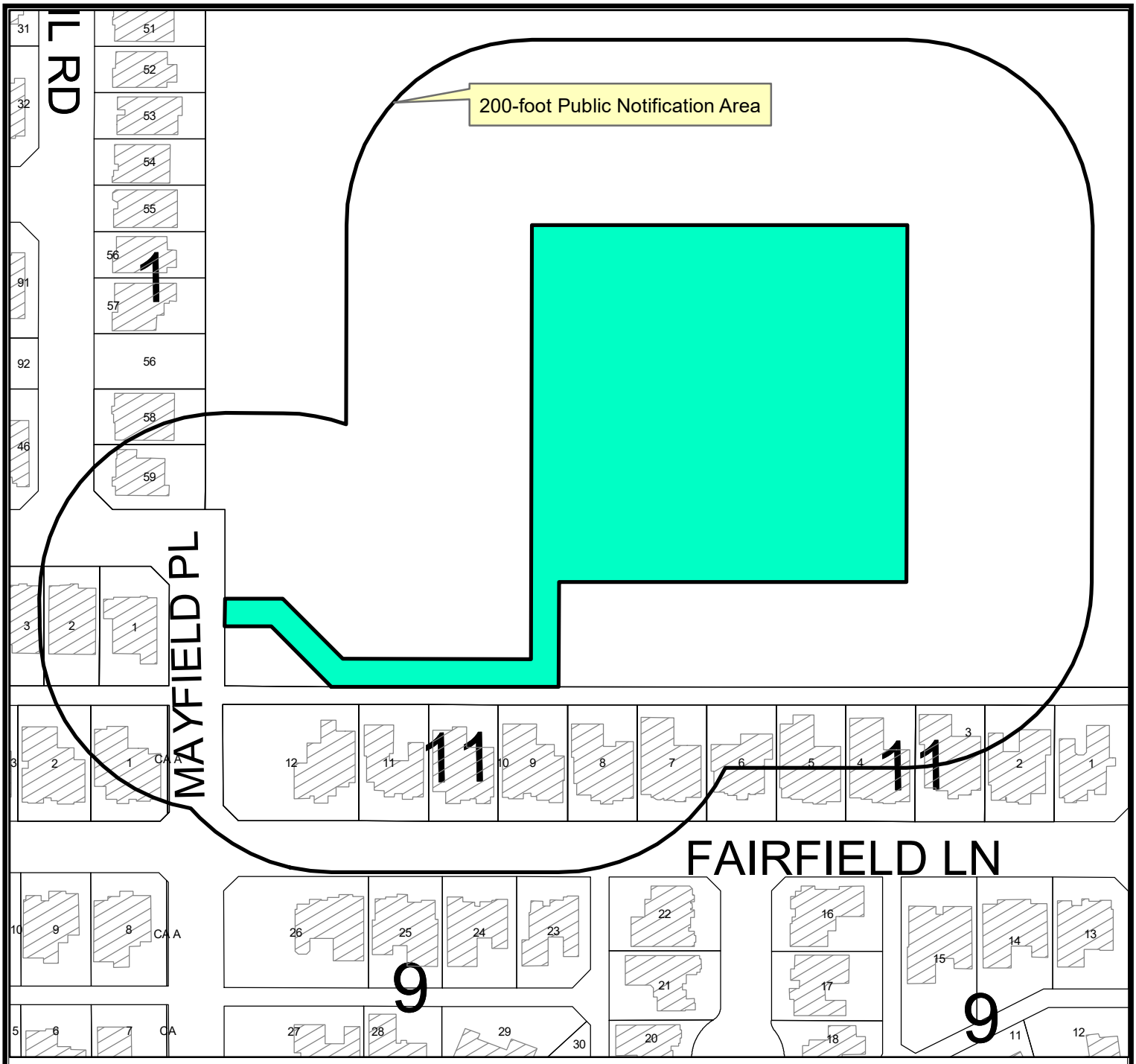
STATE OF TEXAS
REGISTERED
GREGORY W. SHOULTS
5356
PROFESSIONAL
LAND SURVEYOR

JOSH HOISAGER

BOUNDARY SURVEY

A 3.919 ACRE TRACT OUT OF THE SE/4 NW/4 OF SECTION 9, BLOCK X, H.P. HILLIARD SURVEY, MIDLAND COUNTY , TEXAS

Drawing : F:\2025\250161-JOSH HOISAGER-MIDLAND FLAG LOT\DRAWINGS\BOUNDARY SUVEY\250161 - BOUNDARY SURVEY.DWG Last Saved By: SDavis on 9/17/25



Location Map

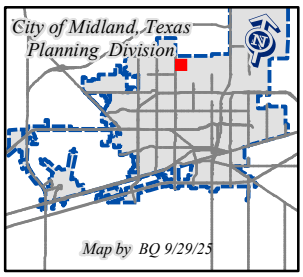
E-25-0146 **Scale: 1" = 1,000 '**

Consider a request by Maverick Engineering, on behalf of Joshua R. Hoisager, 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 a 3.919-acre tract of land out of Section 9, Block X, H. P. Hillard Survey, City and County, Midland, Texas.

Generally located on the east side of Mayfield Place, approximately 165 feet north of Fairfield Lane. (Council District 1)

L E G E N D

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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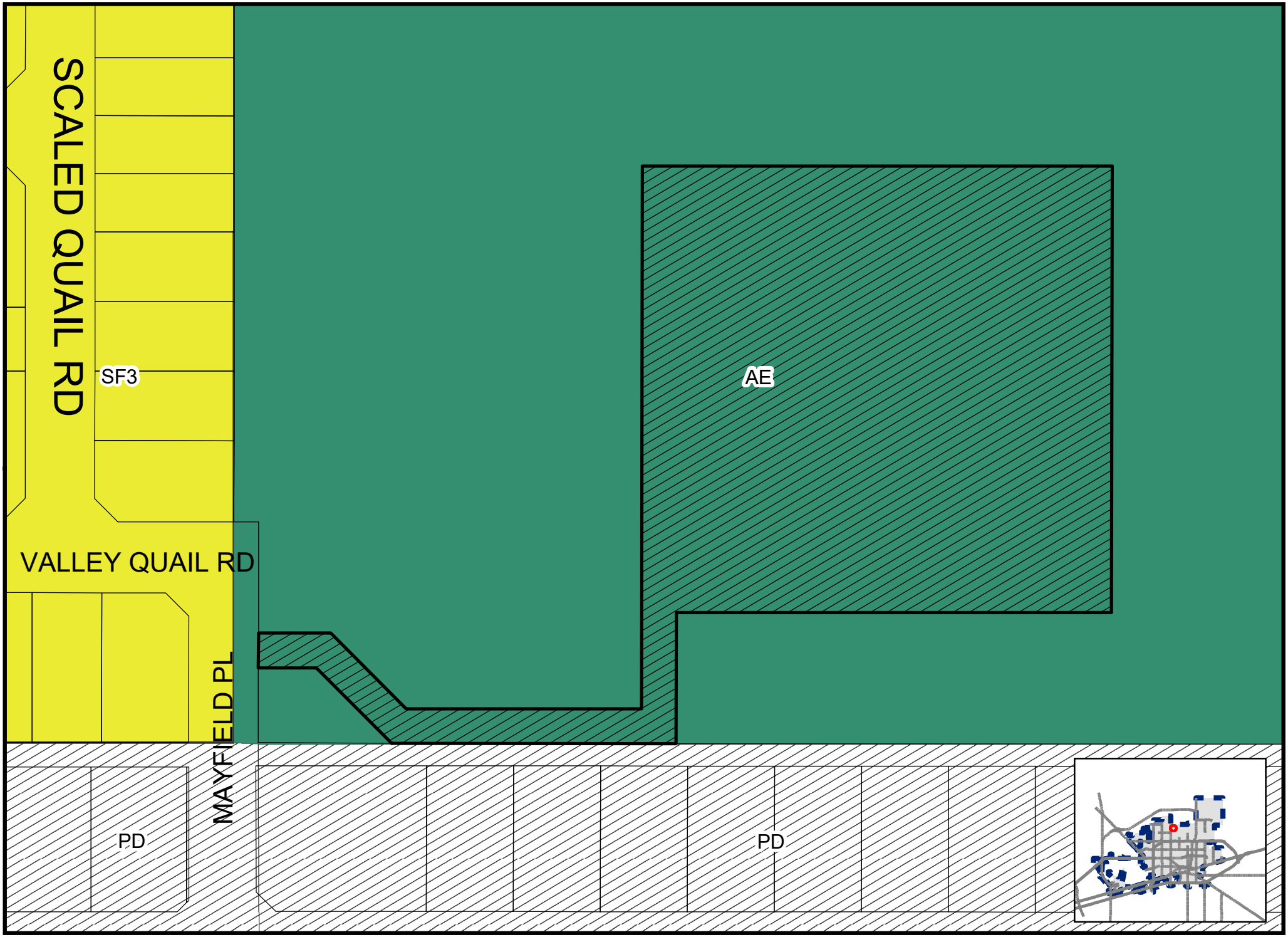
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



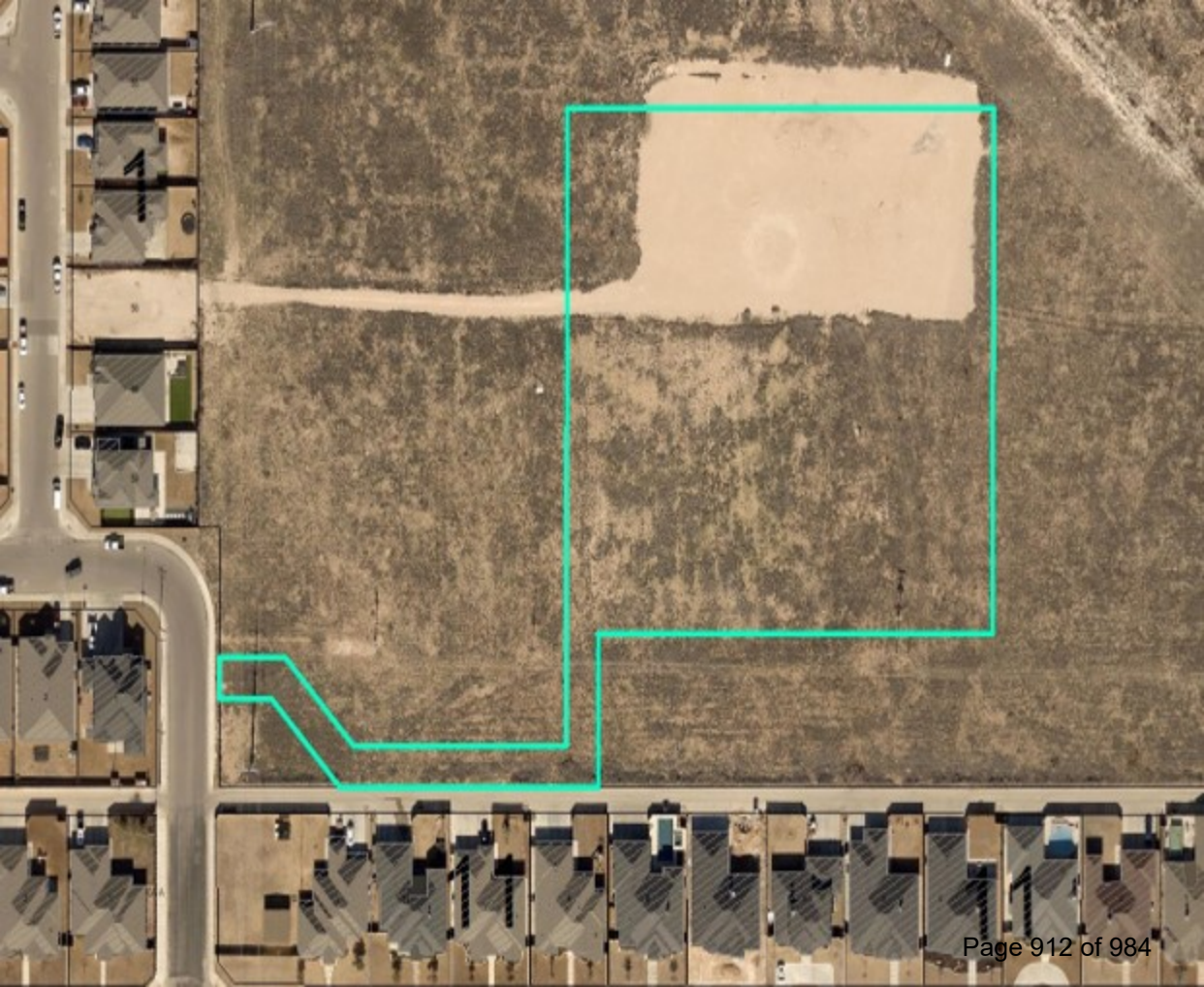
Map by BQ 9/29/25

E-25-0146

Scale: 1" = 1000'

ZONING MAP

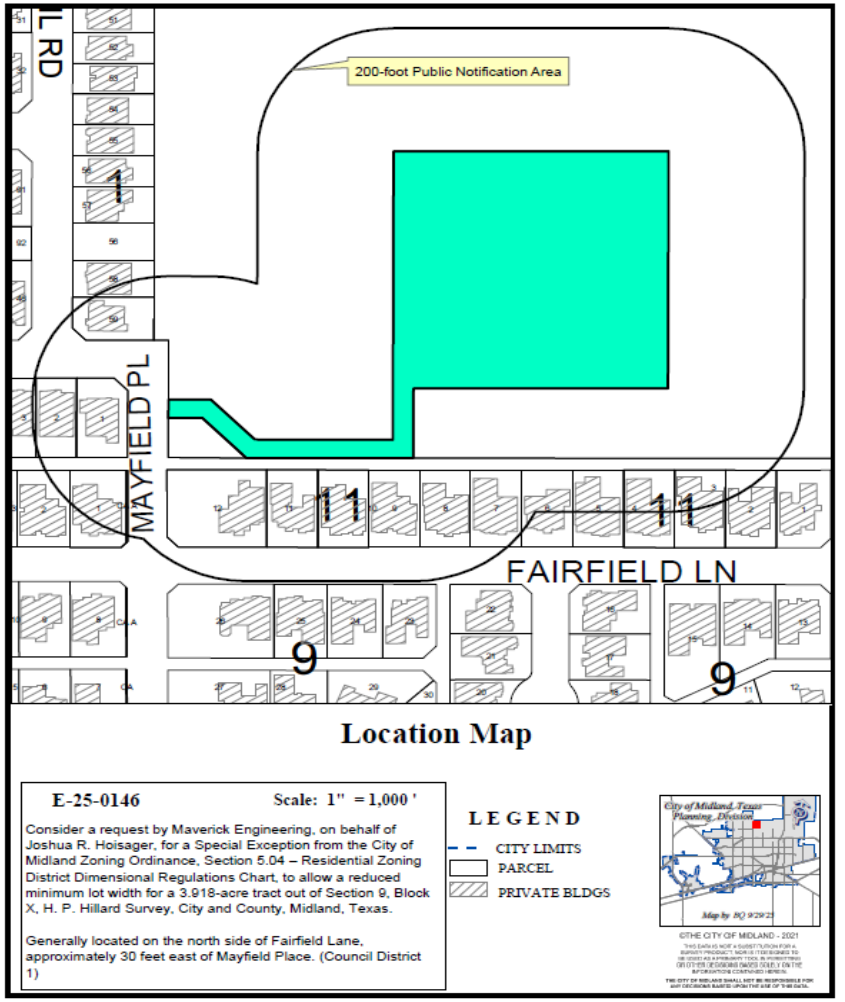
© THE CITY OF MIDLAND - 2021: THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISION MADE OR ACTION TAKEN BY USER OR THIRD



MIDLAND
Be the Energy!
ITEM
SPECIAL EXCEPTION
MAYFIELD PLACE
Visit Our Website
MIDLANDTEXAS.GOV

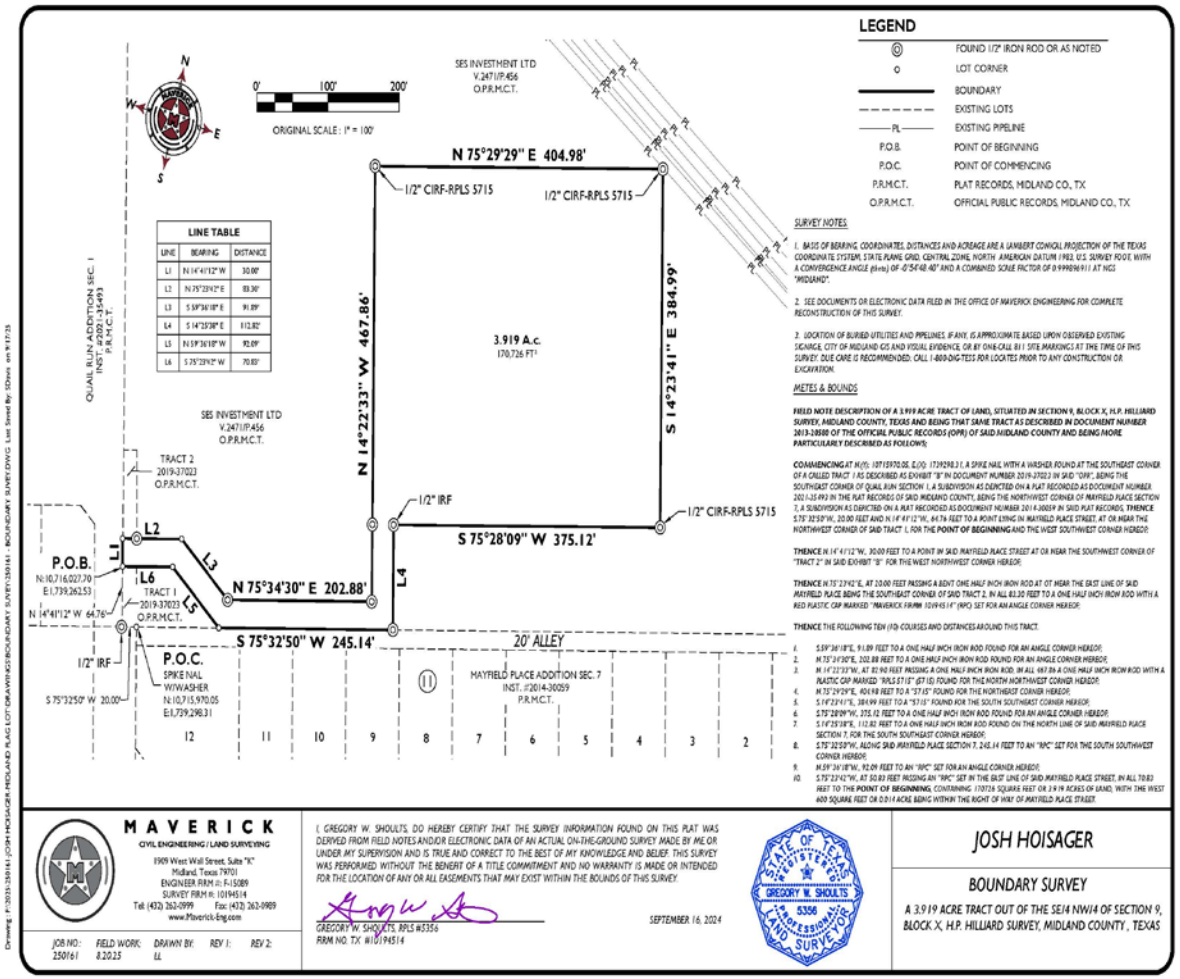
APPLICATION SUMMARY

- **Property Owner:** Joshua R. Hoisager
- **Representative:** Andrew Mellen, with Maverick Engineering
- **Location:** Generally located on the north side of Fairfield Lane, approximately 30 feet east of Mayfield Place. (District 1)
- **Reason for Request:** to be able to build a single-family dwelling



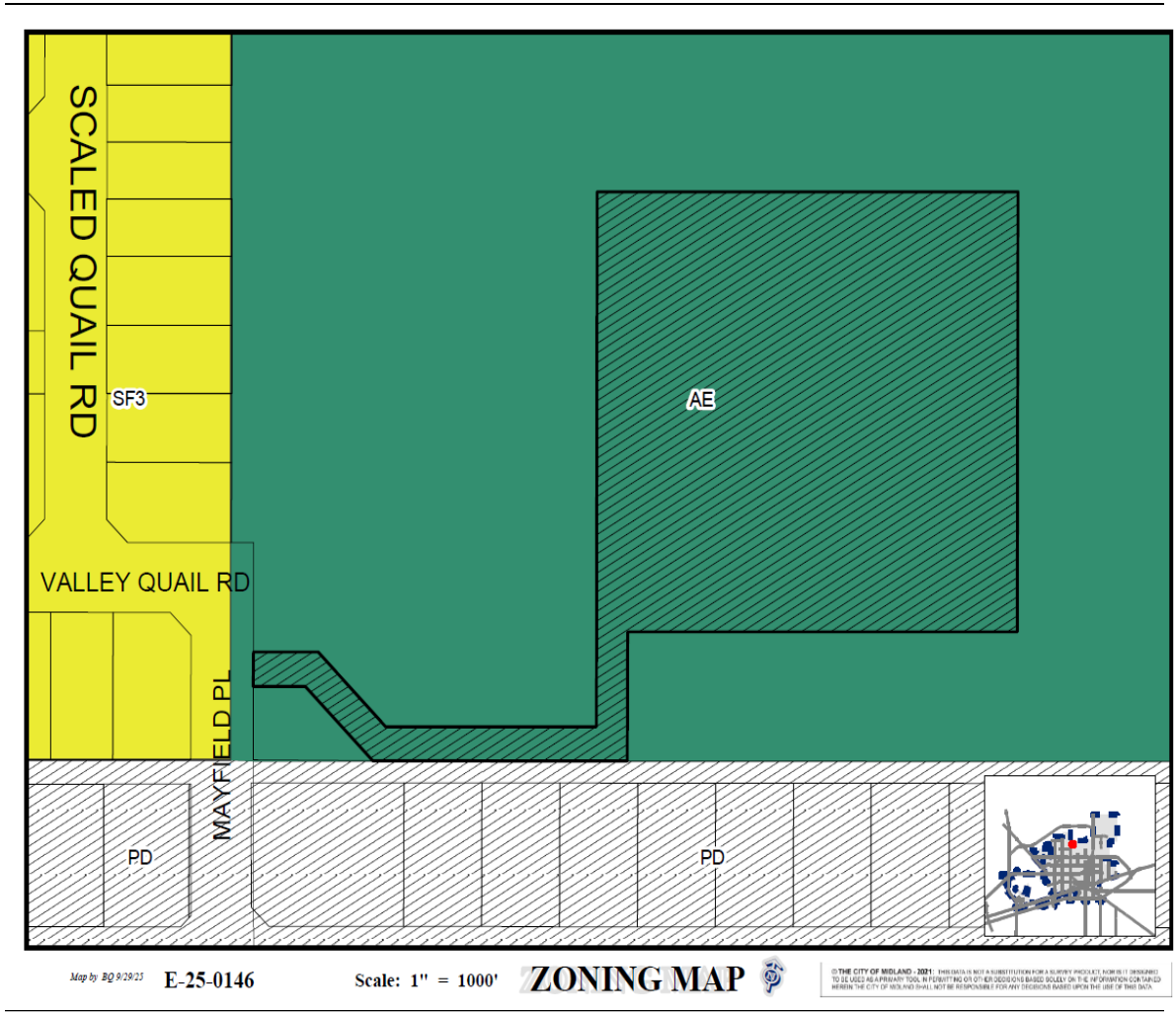
DETAILS OF REQUEST

- **Code Requirement:** Minimum lot width must be 150 feet
- **Variance Requested:** To reduce the minimum lot width to 30 feet



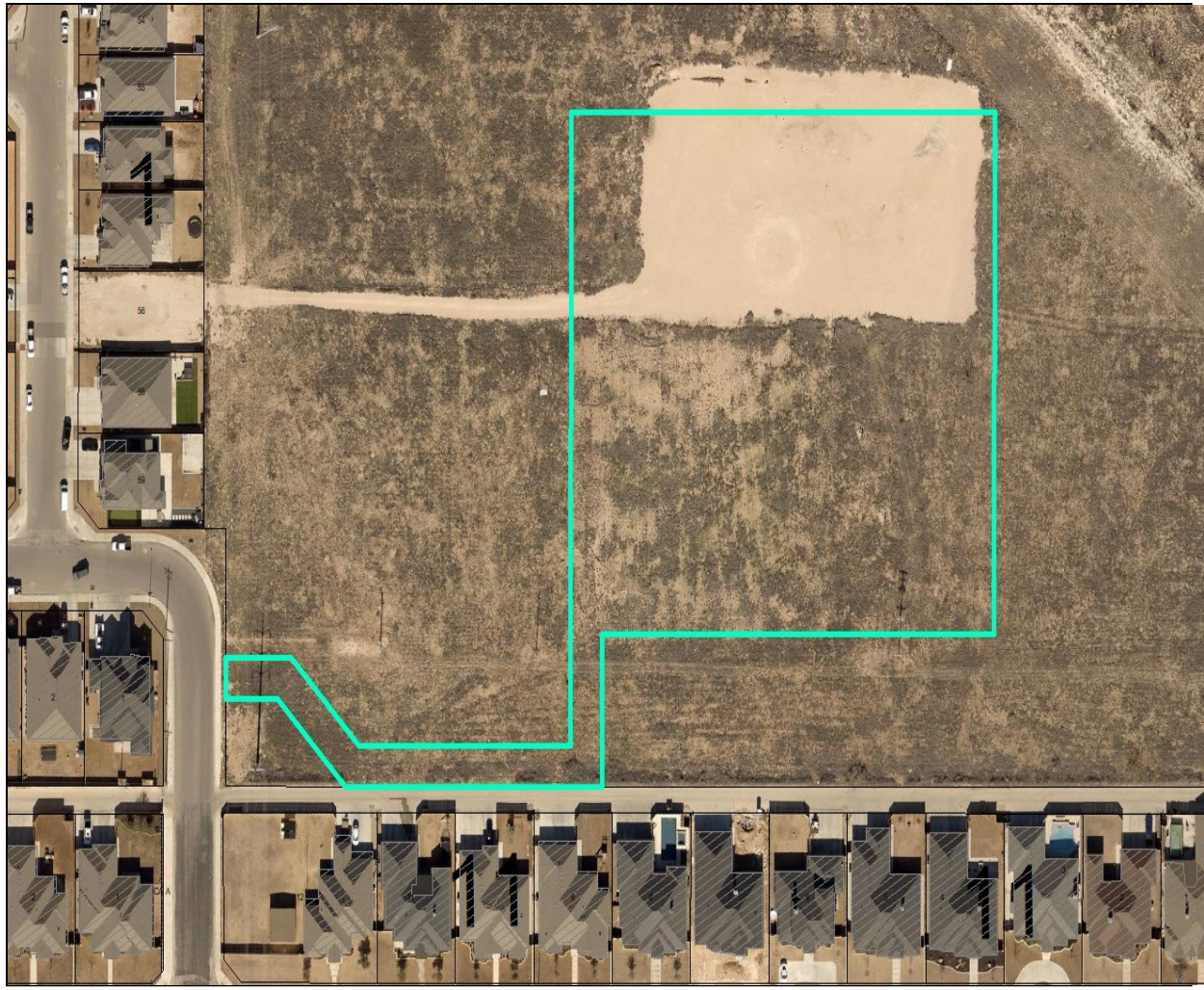
ZONING

- **Current Zoning:** Agricultural Estate District, AE
- **Surrounding Zoning:**
  - **North/East:** Agricultural Estate District, AE
  - **South:** Planned Development for a Housing Development, PD
  - **West:** Single-Family Dwelling District, SF-3



LAND USE

- **Current Use:** Vacant
- **Surrounding Uses:**
  - **North/East:** Vacant
  - **South/West:** Residential
- **Proposed Use:** Residential



On Mayfield Place, Looking East

6

MIDLAND
Be the Energy!

STAFF'S REPORT

- No objections were received.
- Should the special exception be approved, it should be subject to the following conditions.

A. That the minimum lot width shall be 30 feet.

B. That said special exception shall be of no force or effect unless and until the entire Property, as described in Exhibit A, is platted into one lot.

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.

City Council Meeting

Item Number: 35.
Meeting Date: October 28, 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 LOT 11A, BLOCK 8, WESTRIDGE PARK ADDITION, SECTION 52, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF WINDHAVEN DRIVE, APPROXIMATELY 190 FEET SOUTH OF DEAUVILLE BOULEVARD), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A HOTEL 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:
Maverick Engineering on behalf of Midland TW, INC,, is requesting a Specific Use Designation with term, for the sale of all alcoholic beverages for on-premises consumption, on a property located at 1107 Windhaven Drive for Hampton Inn Hotel.

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:

All properties to the North and East are zoned RR, Regional Retail, and consist of a bar and hotels. The properties to the South and West are PD, Planned Development District, and consist of apartments

Analysis:

The property is zoned RR, Regional Retail District. The regional retail zoning allows for alcoholic beverages sales for on-premises consumption in a hotel with the approval of an SUD. The property currently does not have an SUD. The total area of the hotel is 36,000-square feet, the proposed alcohol serviceable area is 5,000 square feet.

The proposed days and hours of operation are:

Monday through Sunday from 12 a.m. to 12 p.m.

The applicant is requesting the following alcohol serviceable hours.

Monday through Saturday from 7 a.m. to 2 a.m.
Sunday 12 p.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)

The SUD for Hampton Inn is acceptable. The property must adhere to the maximum occupant

load of 333 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 Hotel, subject to Condition A through G.

Conditions:
A. That the serviceable area of the establishment shall be limited to approximately 5,000 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 beverage sales and consumption shall be limited to Monday through Saturday from 7 a.m. to 2 a.m.; Sunday, 12 p.m. to 12 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 all requirements of the Fire Department and Code Administration
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 10, 2025 staff has not received any letters of objections.

Attachments:
A. ORDINANCE WITH EXHIBIT - SUD-25-0212.Hampton Inn - Alcohol Sales Ord w Exh
B. SUD-25-0212, New Combined Documents
C. SUD-25-0212, Alcohol SUD w Term Hampton Inn

Alexis Martinez, Development Services	Created/Initiated - 10/15/2025
Landon Ochoa, Development Services	Approved - 10/17/2025
Elizabeth Triggs, Development Services	Approved - 10/17/2025
Christy Weakland, Finance	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/20/2025
Jose Ortiz, City Manager	Approved - 10/21/2025
Morris Williams, City Manager	Approved - 10/21/2025
Jan Hamilton, City Secretary	Final Approval - 10/21/2025

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR LOT 11A, BLOCK 8, WESTRIDGE PARK ADDITION, SECTION 52, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF WINDHAVEN DRIVE, APPROXIMATELY 190 FEET SOUTH OF DEAUVILLE BOULEVARD), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A HOTEL 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 Lot 11A, Block 8, Westridge Park Addition, Section 52, 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 hotel (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 5,000 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 Saturday from 7:00 a.m. to 2:00 a.m. of the following day; and Sunday from 12:00 p.m. (noon) 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:

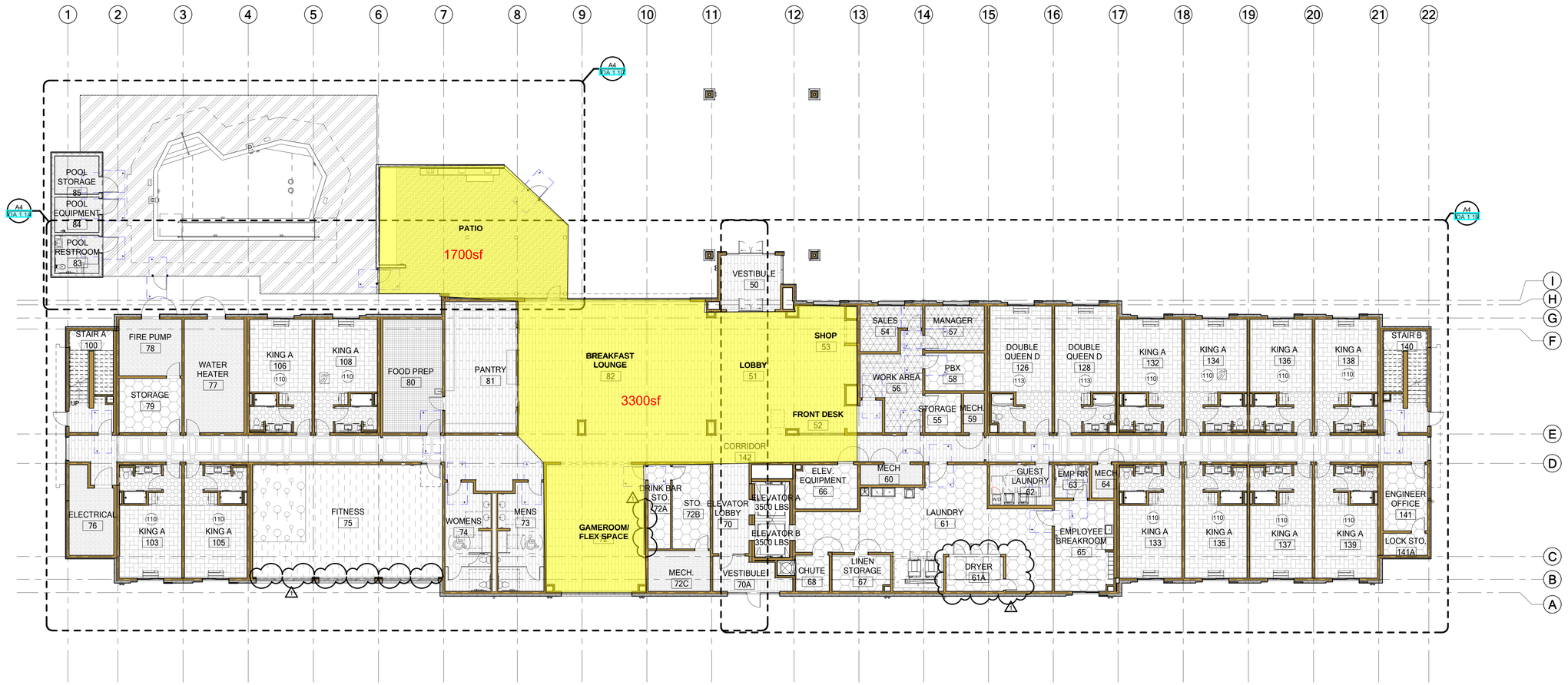
_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, Interim City Attorney



B4 FLOOR PLAN - LEVEL 1 FINISH

IDA 1.1 3/32" = 1'-0"

EXHIBIT A

GENERAL NOTES

1. PROPERTY OWNER TO REFER TO INTERIOR DESIGN SPECIFICATIONS VISUAL DECOR MANUAL TO PROPERLY SELECT INTERIOR FINISHES.
2. REFER TO SHEETS A4.3 - A4.10 FOR ALL GUESTROOM FF&E
3. ALL MATERIALS END ON INSIDE CORNER UNLESS NOTED OTHERWISE
4. DIMENSIONING IS BASED ON WOOD FRAME CONSTRUCTION & WALL ASSEMBLIES SHOWN ON SHEETS A1.0 & A9.04. FLOOR/ROOF & CEILING SYSTEMS SHOWN ON SHEET A9.05. ALL DIMENSIONS ARE TO FACE OF STUD; U.N.O.
5. REFER TO THE A8 SHEETS FOR MILLWORK. ALL MILLWORK WILL BE VERIFIED VIA SUBMITTAL

KEYNOTE LEGEND

110	REFER TO A4.3 FOR KING A ENLARGED FLOOR PLAN
113	REFER TO A4.6 FOR DOUBLE QUEEN D ENLARGED FLOOR PLAN

FINISH FLOOR LEGEND

- LVT
- CARPET C-11
- CARPET C-14 C-1
- CARPET C-14 C-2
- LVT
- RESILIENT (ACCENT) RF-11
- RESILIENT (MAIN) RF-10
- SEALED CONCRETE SC
- TILE QUARRY
- TILE T-01
- TILE T-10
- VCT T-15
- BRICK PAVER BP-1
- BRICK PAVER BP-2
- KOOL DECK K-1

FINISH SYMBOL LEGEND

FLOOR FINISH (000) (000) WALL FINISH
BASE FINISH (000) (000) CEILING FINISH

NOTE: IF CALL OUTS ARE MISSING, REFER TO ENLARGED SHEETS.

NOTE: IF MORE THAN 1 TYPE OF FINISH IS USED THEN THEY WILL BE NEXT TO EACH OTHER.

XXX XXX TRANSITION STRIP REQUIRED

MAYSE & ASSOCIATES, INC.
Architecture + Planning + Construction Management

14881 Quorum Dr. Suite 800
Dallas, Texas 75254
Phone: (972) 386-0338 Fax: (972) 386-0576
www.MayseAssociates.com

SEAL:

Engineer:

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HAMPTON INN

WINDHAVEN DR
MIDLAND, TX 79706

INSIGNIA
Where Hospitality Begins

INSIGNIA HOSPITALITY

401 N. TRADEWINDS BLVD.
MIDLAND, TEXAS 79706

Revisions:

01 03/26/2024 - ISSUE FOR PERMIT
05/22/2024 - ISSUE FOR CONSTRUCTION & ASI #1

date 05/22/2024
job no. 22153
sheet title 1ST FLOOR FINISH PLAN
sheet no. IDA 1.1

© 2023 MAYSE & ASSOCIATES, INC.
UNAUTHORIZED DUPLICATION PROHIBITED.

5/22/2024 2:50:03 PM
Autodesk Docs://22153 - Hampton Inn - Midland TX/22153_Hampton Inn_ Midland_TX_R22.rvt

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: Maverick Engineering Andrew L. Mellen			Phone (432)262-0999 Email amellen@maverick-eng.com
Address 1909 West Wall St	City Midland	State TX	Zip 79701

Property Owner Printed Name: Midland TW, Inc (Darpan Bhakta)			Phone (432)699-0989 Email darpan@insigniamgmt.com
Address 401 Tradewinds Blvd	City Midland	State TX	Zip 79706

Representative *(if different from Applicant or Property Owner)* Firm: _____ Printed Name:			Phone ( ) Email
Address	City	State	Zip

Street Address: 1107 Windhaven Dr

Business Name: Hampton Inn

Reason for Request: To sale Beer and Wine

Type of Business *(restaurant, bar, lounge, nightclub, etc.)*: Hotel

Proposed/Current Days and Hours of Operation: 24 hr 7 days

Proposed Days and Hours of Alcohol Service: M-F 7:00am to 2:00am, Saturday 7:00am to 2:00am Sunday 12:00am ending at Midnight.

Total Square Footage of Business: Midland TW, Inc

Square Footage of Alcohol Serviceable Area: 3300SF Indoor 1700SF Patio Outdoor

(Outline in red on floor plan) First Floor

Restroom Fixtures: *Men*	**Toilets/Urinals:** 1/1 /	**Bathroom Sinks:** 1
Women	**Toilets:** 2	**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: 9/8/2025
Applicant (printed): SAVANNAH DAVIS	
Property Owner (signature):	Date: 9/5/2025
Property Owner (printed) : DARPAN BHAKTA	

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 Andrew Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Midland TW, Inc, 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.

SAVANNAH DAVIS
Notary Public, State of Texas
Comm. Expires 05-20-2028
Notary ID 134907724

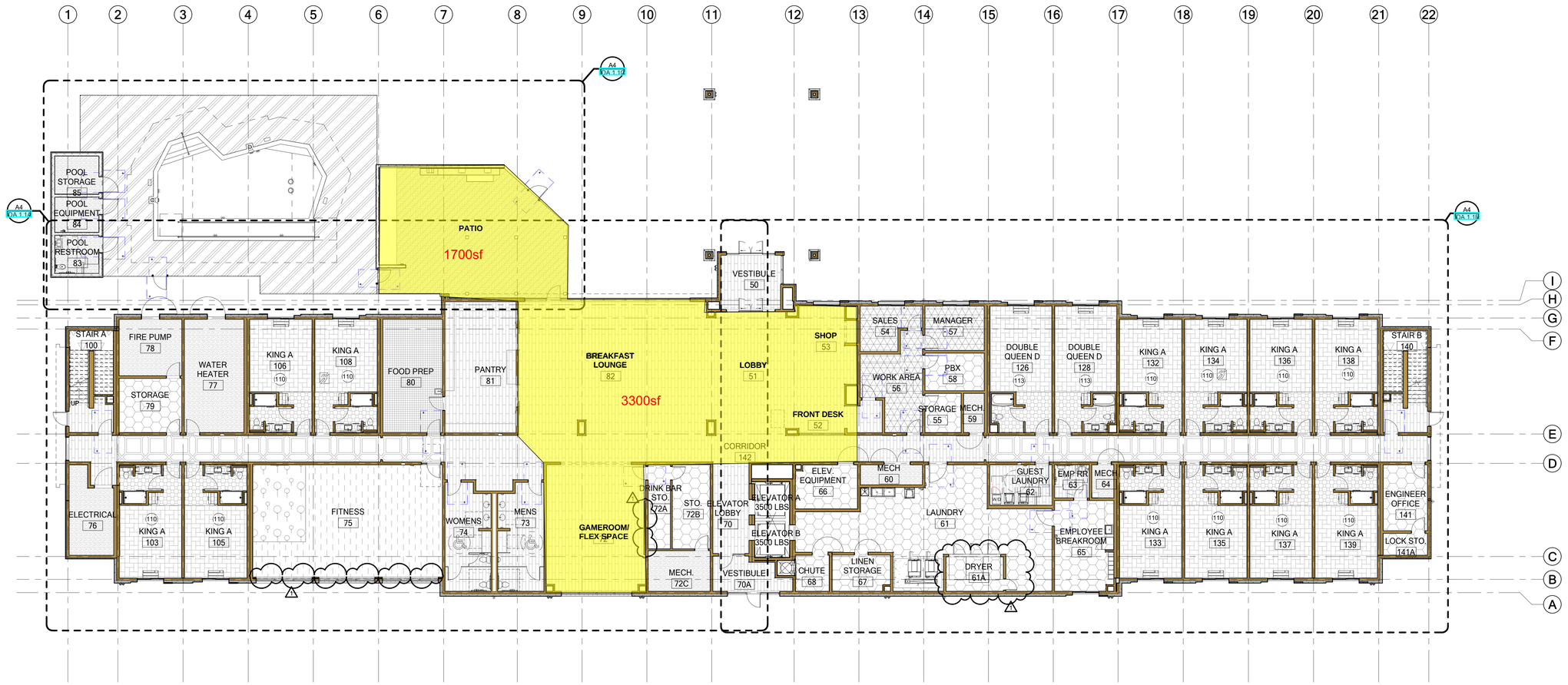
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

****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 # 5539	☑ Plans in Digital Format (PDF/JPEG)
Received By: Alexis	Date:

RECEIVED
SEP 08 2025
Initial:

****Application will not be considered for scheduling until reviewed by a planner.****



B4 FLOOR PLAN - LEVEL 1 FINISH

IDA 1.1 3/32" = 1'-0"

GENERAL NOTES

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2. REFER TO SHEETS A4.3 - A4.10 FOR ALL GUESTROOM FF&E
3. ALL MATERIALS END ON INSIDE CORNER UNLESS NOTED OTHERWISE
4. DIMENSIONING IS BASED ON WOOD FRAME CONSTRUCTION & WALL ASSEMBLIES SHOWN ON SHEETS A1.1B & A9.0A FLOOR/ROOF & CEILING SYSTEMS SHOWN ON SHEET A9.0B. ALL DIMENSIONS ARE TO FACE OF STUD; U.N.O.
5. REFER TO THE A8 SHEETS FOR MILLWORK. ALL MILLWORK WILL BE VERIFIED VIA SUBMITTAL

KEYNOTE LEGEND

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113	REFER TO A4.6 FOR DOUBLE QUEEN D ENLARGED FLOOR PLAN

FINISH FLOOR LEGEND

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- CARPET C-14 C-1
- CARPET C-14 C-2
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- RESILIENT (MAIN) RF-10
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- TILE QUARRY
- TILE T-01
- TILE T-10
- VCT T-15
- BRICK PAVER BP-1
- BRICK PAVER BP-2
- KOOL DECK K-1

FINISH SYMBOL LEGEND

FLOOR FINISH (000) (000) WALL FINISH
BASE FINISH (000) (000) CEILING FINISH

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NOTE: IF MORE THAN 1 TYPE OF FINISH IS USED THEN THEY WILL BE NEXT TO EACH OTHER.

XXX XXX TRANSITION STRIP REQUIRED

MAYSE & ASSOCIATES, INC.
Architecture + Planning + Construction Management

14881 Quorum Dr. Suite 800
Dallas, Texas 75254
Phone: (972) 386-0338 Fax: (972) 386-0576
www.MayseAssociates.com

SEAL:

Engineer:

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HAMPTON INN

WINDHAVEN DR
MIDLAND, TX 79706

Hampton Inn by Hilton

INSIGNIA
Where Hospitality Begins

INSIGNIA HOSPITALITY

401 N. TRADEWINDS BLVD.
MIDLAND, TEXAS 79706

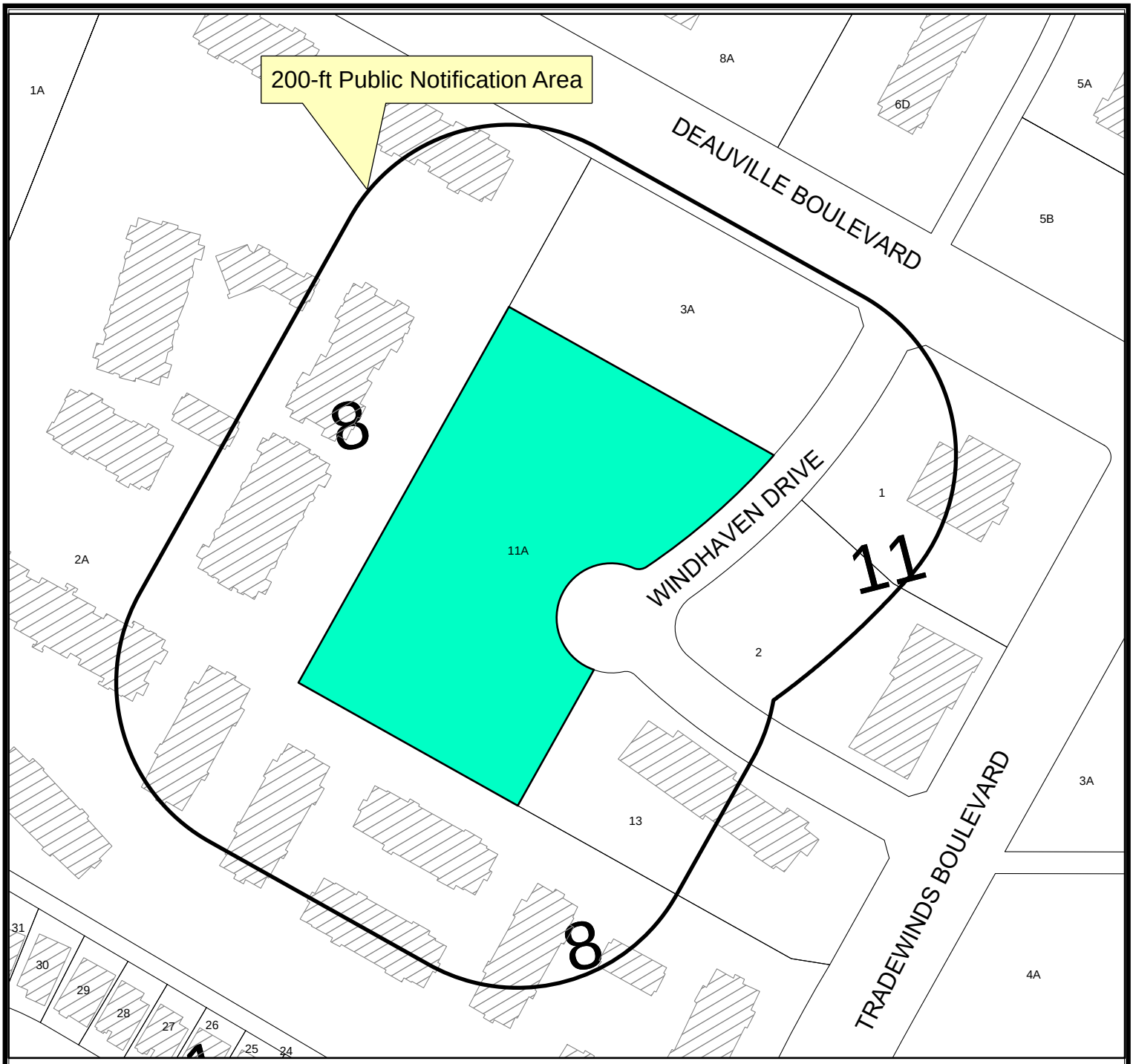
Revisions:

01 03/26/2024 - ISSUE FOR PERMIT
01 05/22/2024 - ISSUE FOR CONSTRUCTION & ASI #1

date 05/22/2024
job no. 22153
sheet title 1ST FLOOR FINISH PLAN
sheet no. IDA 1.1

© 2023 MAYSE & ASSOCIATES, INC.
UNAUTHORIZED DUPLICATION PROHIBITED.

5/22/2024 2:50:03 PM
Autodesk Docs://22153_Hampton Inn - Midland TX/22153_Hampton Inn_ Midland_TX_R22.rvt



Location Map

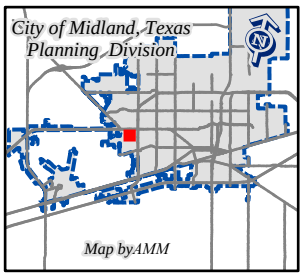
SUD-25-0212 **Scale: 1" = 157 '**

Consider a request by Maverick Engineering, on behalf of Midland TW, INC, for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages for on premises consumption in a Hotel on Lot 11A, Block 8, Westridge Park, Section 52, City and County of Midland, Texas.

Generally located on the west side of Windhaven Drive, approximately 190 feet south of Deauville Boulevad. (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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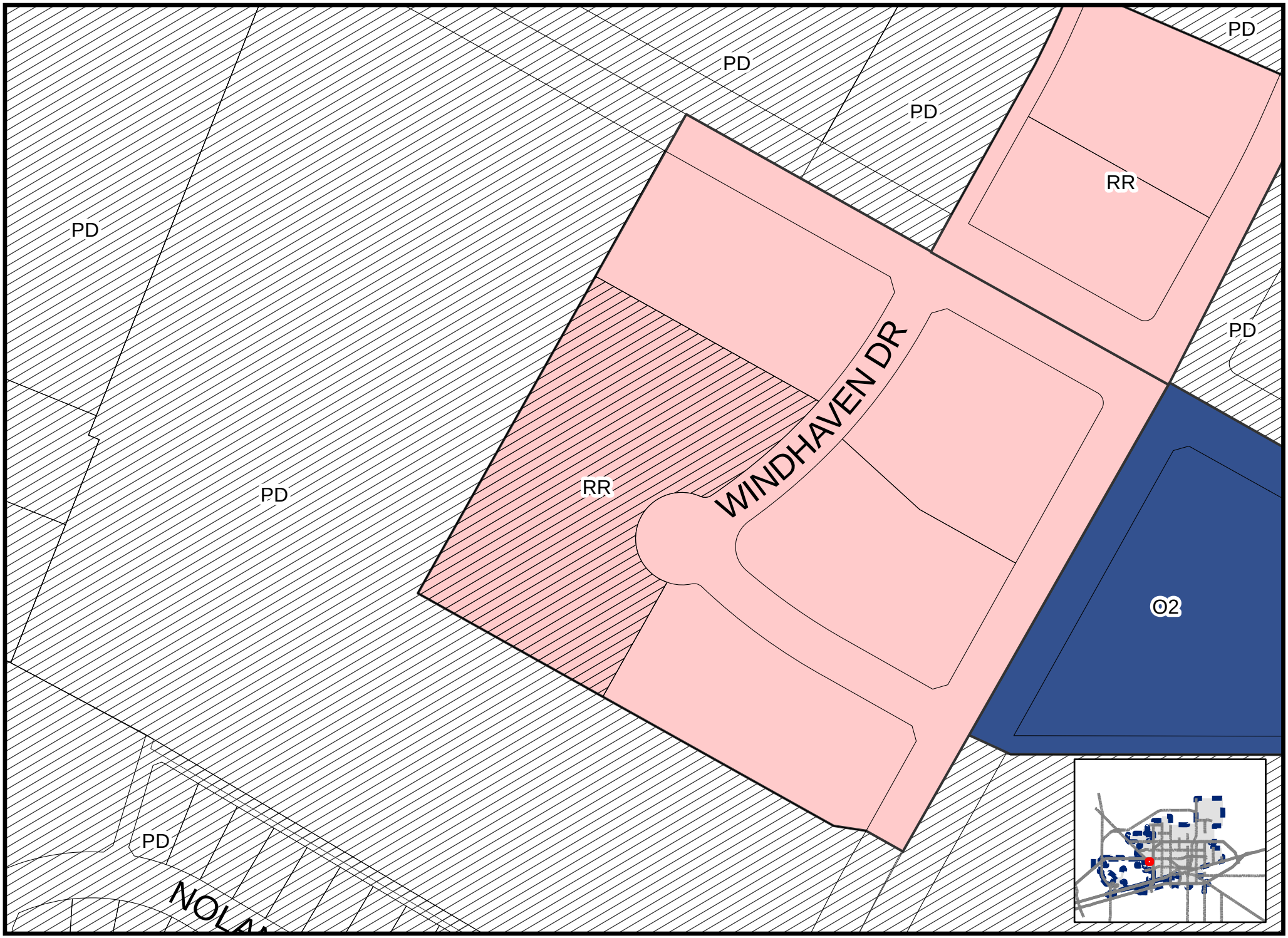
THIS DATA S NOT A SUBSTITUT ON FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITT NG OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Created: 10/3/2025

SUD-25-0212

Scale: 1" = 157 '

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 DECISION MADE OR ACTION TAKEN BASED ON THE DATA SHOWN HEREIN.

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Oct 7, 2025 at 10:56:17 AM

MIDLAND
Be the Energy!

ITEM

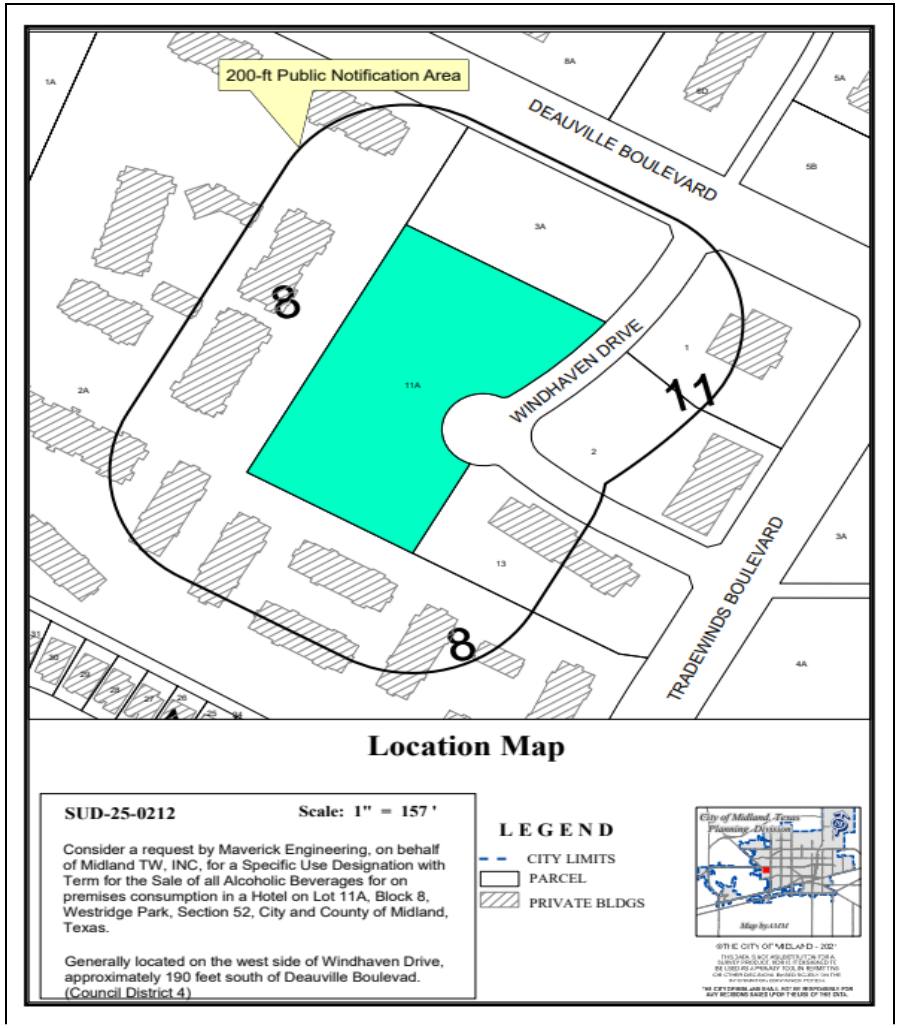
SPECIFIC USE DESIGNATION

HAMPTON INN

Visit Our Website
MIDLANDTEXAS.GOV

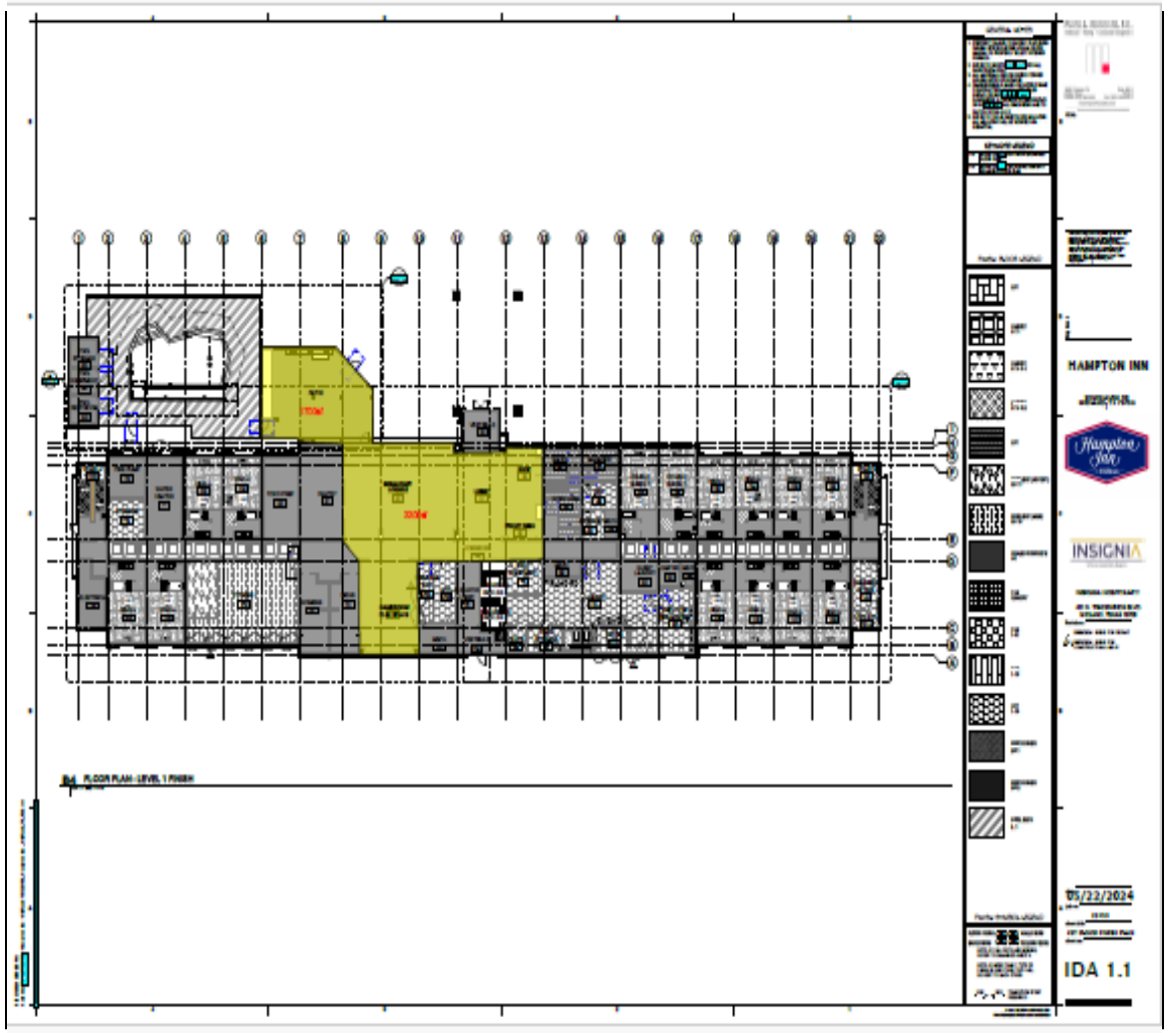
APPLICATION SUMMARY

- **Applicant:** Andrew Mellen, with Maverick Engineering
- **Property Owner:** Midland TW, INC
- **Location:** 1107 Windhaven Drive (Council District 4)
- **Reason for Request:** For the sale and on-premises consumption of alcohol in a hotel



DETAILS OF REQUEST

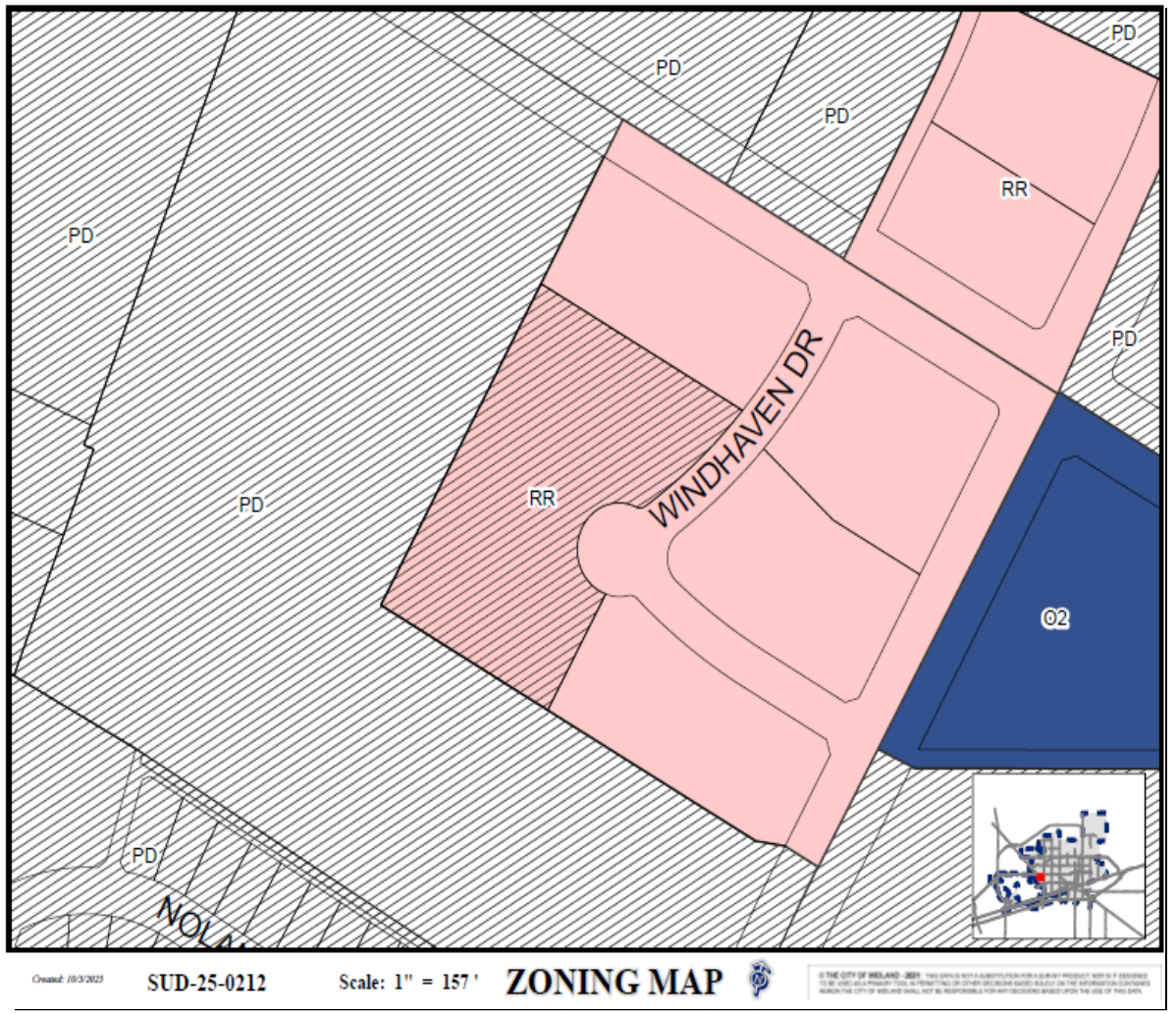
- **For new hotel**
- **Area of Business:** 36,000 SF
- **Serviceable Area:** 5,000 SF
- **Hours of Operation and Sales of Alcohol :**
  - Monday through Saturday 7:00 a.m. to 2:00 a.m. and Sundays from 12:00 p.m. (noon) to 12:00 a.m. (midnight)



MIDLAND
Be the Energy!

ZONING

- **Current Zoning**: RR, Regional Retail District
- **Surrounding Zoning:**
  - **North and East:** RR, Regional Retail District
  - **South and West:** PD, Planned Development District for a Housing Development
- The use of an SUD for the sale and on-premises consumption is allowed in this zoning.



LAND USE

- **Current Use:** Vacant Land
- **Surrounding Uses:**
  - **North:** Vacant Land
  - **East:** Hotel, Restaurant, and a bar
  - **West and South:** Apartment Complex
- **Proposed Use**: Hotel

MIDLAND
Be the Energy!

On Windhaven Drive, Looking West

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 5,000 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 Saturday from 7:00 a.m. to 2:00 a.m. of the following day; and Sunday from 12:00 p.m. (noon) to 12:00 a.m. (midnight)

STAFF'S RECOMMENDATION

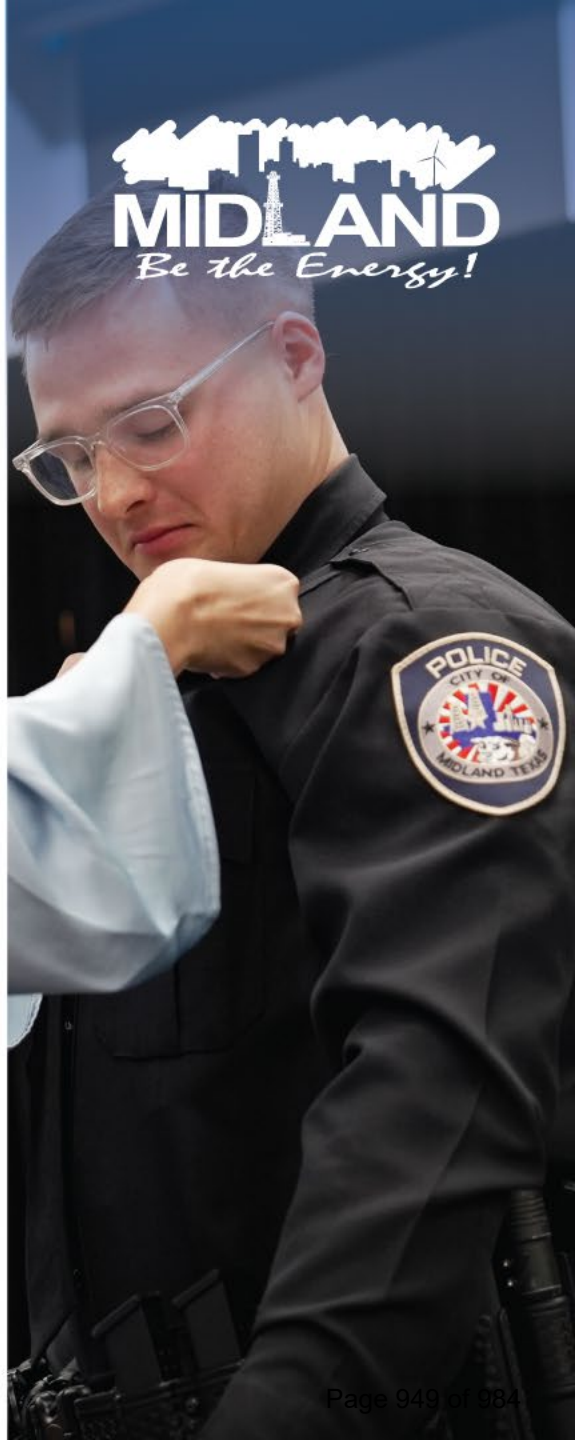
D. That the occupancy of the Establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.

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: 36.
Meeting Date: October 28, 2025
To: City Council
From: Britton Murry, Senior Planner
Subject: AN ORDINANCE VACATING AND ABANDONING A 0.1377-ACRE PORTION OF ALLEY RIGHT-OF-WAY OUT OF BLOCK 35, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST TEXAS AVENUE, APPROXIMATELY 140 FEET EAST OF NORTH BIG SPRING STREET) IN ACCORDANCE WITH THAT CERTAIN MASTER DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIDLAND, MIDLAND DEVELOPMENT CORPORATION, AND MIDLAND DOWNTOWN RENAISSANCE, LP THAT WAS EXECUTED ON JANUARY 25, 2024, AS AMENDED; RETAINING A NONEXCLUSIVE UTILITY EASEMENT; AND ORDERING RECORDATION BY THE CITY SECRETARY

Purpose:

Dunaway Associates, on behalf of the City of Midland and the Midland Development Corporation, is requesting to vacate a 0.1377-acre portion of alley right-of-way located at 210 Big Spring Street for the development of a hotel.

Recommended Action:
Approve

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:

The applicant is seeking to vacate a 0.1377-acre (6,000.00 square feet) portion of alley right-of-way located directly east of 210 Big Spring Street. This portion of right-of-way currently serves as an unpaved, vacant alley. The applicant is requesting to vacate the alley in order for a new hotel to be developed. Once the alley right-of-way has been vacated, the applicant will replat the vacated portion into the new lot.

This request has been circulated and reviewed by all pertinent City departments and franchise

utility companies. Their comments, conditions, and requests are as follows:

Oil and Gas: (Approved)

No Oil and Gas Issues

Building Code: (Approved)

No comments

Engineering: (Approved)

No objections to vacation. Applicant shall be responsible for relocating any utilities, if existing, abandoning exiting utilities if not needed, or providing easements as needed. [For Applicant's Information Only.]

Fire: (Approved)

No comments or objections.

Transportation: (Approved)

No objections to vacation. Applicant shall be responsible for relocating any utilities, if existing, or providing easements as needed.

GIS: (Approved)

Add directions to street names.

AT&T: (Approved)

I do show we have a conduit run in that ROW with working service. We are fine with moving forward. We will need payment for relocation.

Atmos: (Approved)

Atmos Energy has no objection to the above-referenced changes to the alley right-of-way located between Big Spring & Colorado Street in Midland. We currently have no active lines or facilities located within the right of way proposed to be vacated.

Astound: (Approved)

I do not show anything on our maps to have anything in that location but just south of W Texas Ave on the other side we do. If there is anything it would be underground, but my maps do not show us to be there. So, we should be good.

Oncor: (Approved)

Oncor Electric Delivery has an objection to the vacation of the above-referenced right-of-way along the 0.1377-acre portion of the platted alley right-of-way located out of Block 35, Original Town, City and County of Midland, Texas. Oncor Electric Delivery has existing underground

electric facilities located in the 20' wide dedicated R.O.W. as noted on the attached plat that will remain in the dedicated easement as indicated on the plat.

Optimum: (Approved)

We, Optimum have active fibers at the SE corner of West Illinois Ave. & NW corner of Colorado St. We have our fiber in the ROW, if there will be some reconstruction on the ROW, we will not vacate. If we need to relocate our underground fiber, the property owners will be responsible for any & all relocations. We are good with moving forward.

Planning:

Pertinent City departments and franchise utility companies have reviewed this vacation request and have approved the request.

Therefore, staff recommends approval of this vacation subject to the following conditions.

Conditions:

A. That this ordinance shall not be effective until a replat of the Property is approved by the City of Midland and filed and recorded with the County Clerk of Midland, Texas.

Letters of Objection:

As of October 17, 2025, staff has not received any letters of objection.

Attachments:

A. ORDINANCE W/EXH - V-25-0070 - Alley, Blk 35, Original Town Ord w Exh
B. V-25-0070, New Combined Documents
C. CC - - 210 Big Spring Street Vacation

Britton Murry, Development Services	Created/Initiated - 10/17/2025
Landon Ochoa, Development Services	Approved - 10/17/2025
Elizabeth Triggs, Development Services	Approved - 10/17/2025
Christy Weakland, Finance	Approved - 10/17/2025
Linda Ochoa, Legal	Approved - 10/20/2025
Jose Ortiz, City Manager	Approved - 10/21/2025
Morris Williams, City Manager	Approved - 10/21/2025
Jan Hamilton, City Secretary	Final Approval - 10/21/2025

ORDINANCE NO. _____

AN ORDINANCE VACATING AND ABANDONING A 0.1377-ACRE PORTION OF ALLEY RIGHT-OF-WAY OUT OF BLOCK 35, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST TEXAS AVENUE, APPROXIMATELY 140 FEET EAST OF NORTH BIG SPRING STREET) IN ACCORDANCE WITH THAT CERTAIN MASTER DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIDLAND, MIDLAND DEVELOPMENT CORPORATION, AND MIDLAND DOWNTOWN RENAISSANCE, LP THAT WAS EXECUTED ON JANUARY 25, 2024, AS AMENDED; RETAINING A NONEXCLUSIVE UTILITY EASEMENT; AND ORDERING RECORDATION BY THE CITY SECRETARY

WHEREAS, it has been determined by the Midland City Council that a 0.1377-acre portion of alley right-of-way out of Block 35, Original Town Addition, City and County of Midland, Texas, as described in Exhibit A attached hereto and made a part hereof for all legal purposes (the "Property"), is no longer needed for public use; and

WHEREAS, the Property is land described by Section 272.001(b) of the Texas Local Government Code; and

WHEREAS, Section 272.001(b) of the Texas Local Government Code provides that the notice and bidding requirements of Section 272.001(a) that generally apply to a political subdivision's conveyance, sale, or exchange of land or real property interests owned by the political subdivision do not apply to:

A. narrow strips of land, or land that because of its shape, lack of access to public roads, or small area cannot be used independently under its current zoning or under applicable subdivision or other development control ordinances;

B. streets or alleys, owned in fee or used by easement;

C. land or a real property interest originally acquired for streets, rights-of-way, or easements that the political subdivision chooses to exchange for other land to be used for streets, rights-of-way, easements, or other public purposes, including transactions partly for cash;

D. land that the political subdivision wants to have developed by contract with an independent foundation;

E. a real property interest conveyed to a governmental entity that has the power of eminent domain;

F. a municipality's land that is located in a reinvestment zone designated as provided by law and that the municipality desires to have developed under a project plan adopted by the municipality for the zone; or

G. a property interest owned by a defense base development authority established under Chapter 378, Local Government Code, as added by Chapter 1221, Acts of the 76th Legislature, Regular Session, 1999; and

WHEREAS, the land and those interests described by Section 272.001(b) of the Texas Local Government Code may not be conveyed, sold, or exchanged for less than the fair market value of the land or interest unless the conveyance, sale, or exchange is with one or more abutting property owners who own the underlying fee simple; and

WHEREAS, that certain Master Development Agreement (the "Agreement") between the City of Midland, Midland Development Corporation, and Midland Downtown Renaissance, LP that was executed on January 25, 2024, as amended, requires the City to vacate the Property; and

WHEREAS, Chapter 380 of the Local Government Code authorizes the City's real property obligations in the Agreement; and

WHEREAS, an application for vacating the Property has been received by the City from one or more abutting fee simple property owner(s); and

WHEREAS, the Council finds it to be in the public interest to vacate and abandon the Property in accordance with the Agreement;

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

SECTION ONE. That the Property is hereby vacated and abandoned for all public purposes; provided, however, that the City is hereby abandoning only the public interest in the Property, and this ordinance in no way affects any private easement or access easement which abutting property owners may have in the Property.

SECTION TWO. That this ordinance shall not be effective until a replat of the Property is approved by the City of Midland and filed and recorded with the County Clerk of Midland County, Texas.

SECTION THREE. That the City herein retains an accessible nonexclusive utility easement across, through, over, under, on and along the Property until all entities that were

using the Property for utility purposes as of the date of approval of this ordinance have abandoned their uses of the Property.

SECTION FOUR. That the City Secretary is hereby authorized and directed to file a certified copy of this ordinance with the County Clerk of Midland County, Texas, for purposes of recording in the Official Records of Midland County, Texas.

SECTION FIVE. That to the extent it is necessary or appropriate for the City to execute (a) an instrument memorializing the vacation and abandonment of the Property other than this ordinance or (b) an instrument conveying the Property, the City Manager or a Deputy City Manager is hereby authorized and directed to execute any such instrument on behalf of the City.

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'

METES AND BOUNDS

BEING a 0.1377-acre parcel of land situated in the Texas and Pacific Railway Company Survey, Abstract No. 46, Midland County, Texas, and being all of the 20-foot Alley of Block 35, Original Town of Midland , an addition to the City of Midland, as recorded in Volume 3, page 232 and 233, Deed Records, Midland County, Texas, (D.R.M.C.T.), said 0.1377-acre parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a found 5/8-inch iron rod with cap stamped “DUNAWAY ASSOC.” (herein referred to as “with cap”) for the northwest corner of said 20-foot Alley, being the northeast corner of Lot 12, of said Block 35, and being on the south right-of-way line of Illinois Avenue (80-foot width), being locatable by NAD83 Grid Coordinate: N=10,695,207.51, E=1,755,854.15, and from which a found 5/8-inch iron rod with cap for the northwest corner of said Lot 12, being the intersection of said south right-of-way line with the east right-of-way line of Big Spring Street (80-foot width), bears South 89 degrees 14 minutes 06 seconds West, a distance of 140.00 feet;

THENCE North 89 degrees 14 minutes 06 seconds East, along the south right-of-way line of said Illinois Avenue, a distance of 20.00 feet to a found 5/8-inch iron rod with cap for the northeast corner of said 20-foot Alley, being the northwest corner of Lot 1A, Block 35, Original Town Addition Section 8, as recorded on Cabinet J, Page 8, Plat Records of Midland County Texas (P.R.M.C.T.), and from which a found “X” cut in concrete for the northeast corner of said Lot 1A in the intersection of said south right-of-way line with the west right-of-way line of Colorado Street (80-foot width), bears North 89 degrees 14 minutes 06 seconds East, a distance of 140.00 feet;

THENCE South 00 degrees 45 minutes 54 seconds East, along the east line of said 20-foot Alley, passing at a distance of 136.00 feet a found 5/8-inch iron rod with cap for corner on the west line of said Lot 1A, and continuing a cumulative distance of 153.00 feet to pass a found 5/8-inch iron rod with cap for corner on the west line of said Lot 1A, and continuing a cumulative distance of 200.00 feet to pass a found 5/8-inch iron rod with cap for the common southwest corner of said Lot 1A and the northwest corner of Lot 5, of said Block 35, and continuing a total cumulative distance of 300.00 feet to a found 5/8-inch iron rod with cap for the southeast corner of said 20-foot Alley, being the southwest corner of Lot 6, of said Block 35, and being on the north right-of-way line of Texas Avenue (80-foot width), and from which a found 5/8-inch iron rod with cap for the southeast corner of said Lot 6, being the intersection of said north right-of-way line with the west right-of-way line of said Colorado Street, bears North 89 degrees 14 minutes 06 seconds East, a distance of 140.00 feet;

THENCE South 89 degrees 14 minutes 06 seconds West, along the north right-of-way line of said Texas Avenue, a distance of 20.00 feet to a found 5/8-inch iron rod with cap for the southwest corner of said 20-foot alley, being locatable by NAD83 Grid Coordinate: N=10,694,907.57, E=1,755,858.15, and being the southeast corner of Lot 7, of said Block 35, and from which a found Mag nail with shiner stamped “DUNAWAY ASSOC.” for the southwest corner of said Lot 7, being the intersection of said north right-of-way line with the east right-of-way line of said Big Spring Street, bears South 89 degrees 14 minutes 06 seconds West, a distance of 140.00 feet;

THENCE North 00 degrees 45 minutes 54 seconds West, along the west line of said 20-foot Alley, a distance of 300.00 feet to the POINT OF BEGINNING and containing 0.1377 acres (or 6,000 square feet) of land, more or less.

The basis of bearings for this survey is the Texas State Coordinate System (NAD83), Central Zone, based upon GPS measurements. Distances and areas hereon are surface values. A combined scale factor of 0.999899 was used for this project.

A plat of even date accompanies this metes and bounds description.

JUNE 19TH, 2025

DUNAWAY

550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121
TEXAS REGISTERED SURVEYING FIRM NO. 10098100

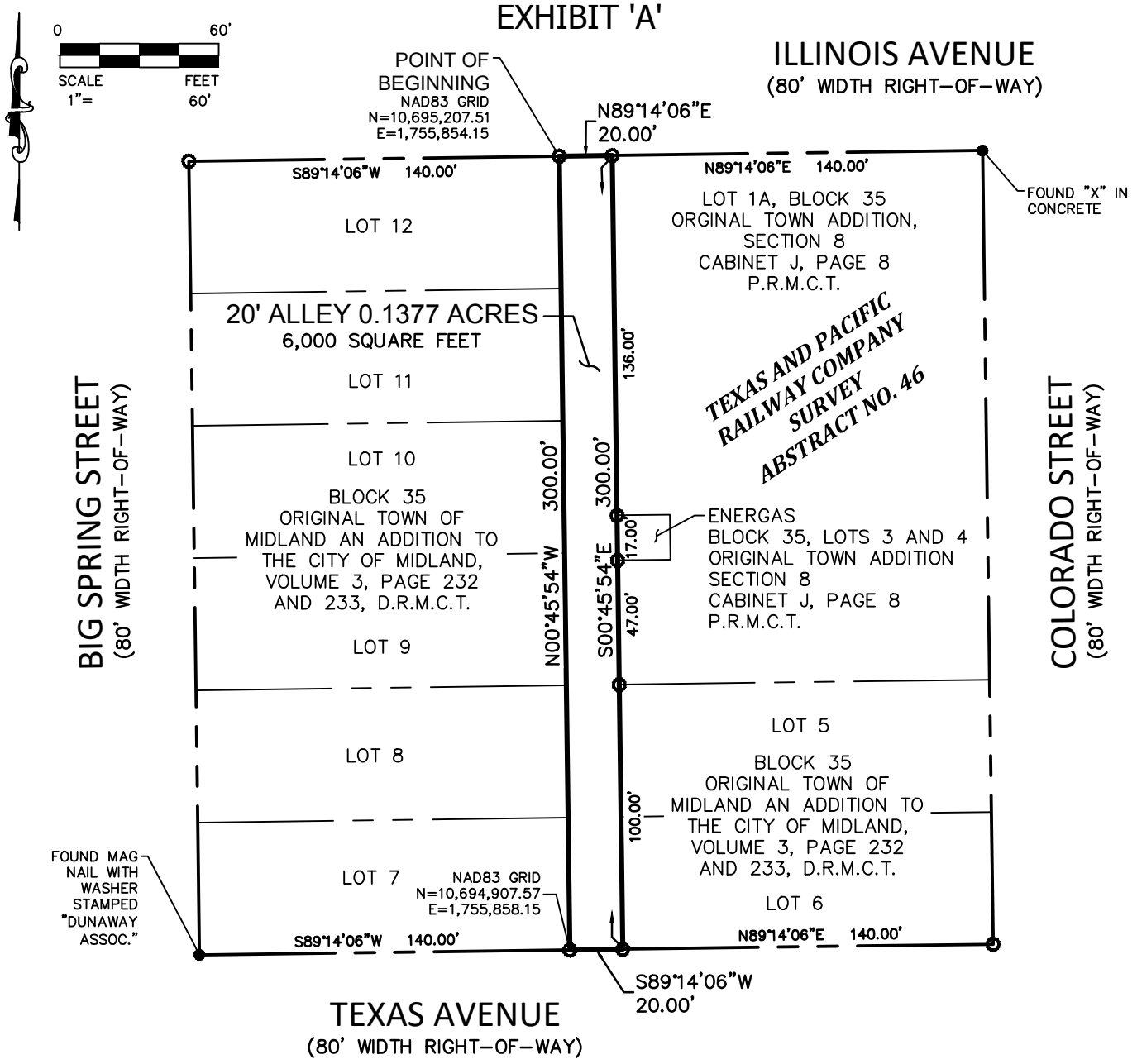
Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

20-FOOT ALLEY VACATION

0.1377 ACRES OR 6,000 SQUARE FEET
OF
BLOCK 35, ORIGINAL TOWN OF MIDLAND, VOLUME 3, PAGE 232 AND 233, D.R.M.C.T.
SITUATED IN THE TEXAS AND PACIFIC RAILWAY COMPANY SURVEY, ABSTRACT NO. 46
CITY AND COUNTY OF MIDLAND, TEXAS

PLOTTED BY: Brandon Bullard ON: Thursday, June 19, 2025 AT: 11:34 AM FILEPATH: P:\011200\011275\003\Survey\Drawings\B011275.003 Alley Vacation Exhibit.dwg

EXHIBIT 'A'



O.R.G.C.T. = Official Public Records of Gillespie County, Texas
P.R.G.C.T. = Plat Records of Gillespie County, Texas
● = Found monument as noted
○ = Found 5/8-inch iron rod with cap stamped "DUNAWAY ASSOC"

NOTE:
The basis of bearings for this survey is the Texas State Coordinate System (NAD83), Central Zone, based upon GPS measurements. Distances and areas hereon are surface values. A combined scale factor of 0.999899 was used for this project.

B011275.003

A metes and bounds description of even date accompanies this plat.

JUNE 19TH, 2025

DUNAWAY
550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121
TEXAS REGISTERED SURVEYING FIRM NO. 10098100

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

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0.1377 ACRES OR 6,000 SQUARE FEET
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CITY AND COUNTY OF MIDLAND, TEXAS

PLOTTED BY: Brandon Bullard ON: Thursday, June 19, 2025 AT: 11:34 AM FILEPATH: P:\011200\011275\003\Survey\Drawings\B011275.003 Alley Vacation Exhibit.dwg

Dunaway Job No. B011275.003

MIDLAND Planning Division

Vacate Right-of-Way/Public Utility Easement/Land/Street Application

Project Number: _____

Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: Dunaway Associates LLC. (Agent)		Phone (432)217-0221 Email mmartinez@dunaway.com jtaylor@dunaway.com	
Address 4000 N. Big Spring St. Ste. 101	City Midland	State TX	Zip 79705

Application is hereby made to the City Council to vacate the following:

- ☒ Right-of-Way (20-FT Alley)
- ☐ Public Utility Easement
- ☐ Land
- ☐ Street

Description of Address: 0.1377 Acres of 6,000 S.F. of Block 35, Original Town of Midland Volume 3, Page 232 and 233 D.R.M.C.T Situated in the T&P RR Co. Survey, Abstract No. 46 City and Midland County, Texas. (North and South Alley between Illinois Avenue & Texas Avenue)

Reason for Request: The alley vacation will allow for the proposed hotel to be built across the site.

Reasons, in applicant's opinion, why the requested vacation will not adversely affect the public welfare or will contribute to it in a positive way: _____

The alley vacation will allow for the proposed hotel to be built bringing new improvements to the site in a positive direction.

Submittal and Fees

Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Sealed metes and bounds description of the property to be vacated (included on the map) and total square feet of vacation. Include ownership, legal and deed information for adjacent property owners
- Digital Copies of Site Plan (PDF/JPEG)

Utility Company Approval

Clearance is needed from the following utility companies:

- City of Midland
- Atmos Energy
- Sharyland Utilities
- Oncor Electric
- AT&T
- Suddenlink Cable TV Co.
- Grande Communications

The City will route the request to these companies, but it is the applicant's responsibility to ensure clearance has been obtained to resolve any issues that may arise.

Policies

1. If the vacation request involves only a portion of a section right-of-way, such that approval would not affect the public's ability to travel along said right-of-way, then the request will be scheduled for consideration by the City Council. No public hearing will be needed.

2. If the vacation request involves an entire section of right-of-way, such that approval would cause the public to lose all rights to use it, then the following procedures apply:

   a. Nearby land owners who have a reasonable expectation to use said right-of-way, as determined by the Transportation Division, must first agree to the proposed vacation. It is the applicant's responsibility to obtain a letter of concurrence signed by the affected landowners.

   b. If all letters are received indicating that the affected landowners agree to the request, then a public hearing before the City Council will be scheduled. The Transportation Division will mail public notice of the hearing to landowners within 400 feet of the affected right-of-way.

   c. If a request is approved, the right-of-way shall be divided into two equal parts, with each half becoming the property of the respective abutting owner. If the applicant desires to own the entire width, he or she must negotiate with the opposite landowner.

Signatures

Applicant (signature):		Date:
Affected Property Owners:		
Signature:	Print:	Date:
Signature:	Print:	Date
Signature:	Print:	Date
Signature:	Print:	Date

The Vacation of right-of-way/public utility easement/land/street 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.

FOR OFFICE USE ONLY

☑ 1 FOLDED Copy of Survey Plat ☑ Plans in Digital Format (PDF/JPEG)

☑ Application Fee

Check # Invoice

Received By: [signature] Date: RECEIVED JUN 17 2025

BY: .....

****Application will not be considered for scheduling until reviewed by a planner.****

Property Owner Printed Name: City of Midland Attn: Home Rule Municipal Texas		Phone (432) 685-7100 Email	
Address PO Box 1152	City Midland	State TX	Zip 79702

Signature *(by property owner only – authorized agent must sign affidavit below)*

Property Owner (signature): Jose Ortiz Date: 6/25/25

Property Owner (printed) : Jose ortiz

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.

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 Jose ortiz who, being by me duly sworn, upon oath says: That (s)he is authorized by City of Midland, 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.

Jose Ortiz
Authorized Agent (*signature*)

Subscribed and sworn to before me, this 25th day of July, 2025, to certify which witness my hand and seal of office.

Melanie Martinez
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

MELANIE MARTINEZ
My Notary ID # 130046270
Expires December 9, 2026

Property Owner Printed Name: Midland Development Corporation		Phone (432) 686-3579 Email	
Address PO Box 1152	City Midland	State TX	Zip 79702

Signature *(by property owner only – authorized agent must sign affidavit below)*

Property Owner (signature): Sara M. Harris Date: 6-25-25

Property Owner (printed) : Sara Harris

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.

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 Sara Harris who, being by me duly sworn, upon oath says: That (s)he is authorized by Midland Development Corp, 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 25 day of July, 20 25, to certify which witness my hand and seal of office.

Melanie Martinez

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

MELANIE MARTINEZ
My Notary ID # 130046270
Expires December 9, 2026

EXHIBIT 'A'

METES AND BOUNDS

BEING a 0.1377-acre parcel of land situated in the Texas and Pacific Railway Company Survey, Abstract No. 46, Midland County, Texas, and being all of the 20-foot Alley of Block 35, Original Town of Midland , an addition to the City of Midland, as recorded in Volume 3, page 232 and 233, Deed Records, Midland County, Texas, (D.R.M.C.T.), said 0.1377-acre parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a found 5/8-inch iron rod with cap stamped “DUNAWAY ASSOC.” (herein referred to as “with cap”) for the northwest corner of said 20-foot Alley, being the northeast corner of Lot 12, of said Block 35, and being on the south right-of-way line of Illinois Avenue (80-foot width), being locatable by NAD83 Grid Coordinate: N=10,695,207.51, E=1,755,854.15, and from which a found 5/8-inch iron rod with cap for the northwest corner of said Lot 12, being the intersection of said south right-of-way line with the east right-of-way line of Big Spring Street (80-foot width), bears South 89 degrees 14 minutes 06 seconds West, a distance of 140.00 feet;

THENCE North 89 degrees 14 minutes 06 seconds East, along the south right-of-way line of said Illinois Avenue, a distance of 20.00 feet to a found 5/8-inch iron rod with cap for the northeast corner of said 20-foot Alley, being the northwest corner of Lot 1A, Block 35, Original Town Addition Section 8, as recorded on Cabinet J, Page 8, Plat Records of Midland County Texas (P.R.M.C.T.), and from which a found “X” cut in concrete for the northeast corner of said Lot 1A in the intersection of said south right-of-way line with the west right-of-way line of Colorado Street (80-foot width), bears North 89 degrees 14 minutes 06 seconds East, a distance of 140.00 feet;

THENCE South 00 degrees 45 minutes 54 seconds East, along the east line of said 20-foot Alley, passing at a distance of 136.00 feet a found 5/8-inch iron rod with cap for corner on the west line of said Lot 1A, and continuing a cumulative distance of 153.00 feet to pass a found 5/8-inch iron rod with cap for corner on the west line of said Lot 1A, and continuing a cumulative distance of 200.00 feet to pass a found 5/8-inch iron rod with cap for the common southwest corner of said Lot 1A and the northwest corner of Lot 5, of said Block 35, and continuing a total cumulative distance of 300.00 feet to a found 5/8-inch iron rod with cap for the southeast corner of said 20-foot Alley, being the southwest corner of Lot 6, of said Block 35, and being on the north right-of-way line of Texas Avenue (80-foot width), and from which a found 5/8-inch iron rod with cap for the southeast corner of said Lot 6, being the intersection of said north right-of-way line with the west right-of-way line of said Colorado Street, bears North 89 degrees 14 minutes 06 seconds East, a distance of 140.00 feet;

THENCE South 89 degrees 14 minutes 06 seconds West, along the north right-of-way line of said Texas Avenue, a distance of 20.00 feet to a found 5/8-inch iron rod with cap for the southwest corner of said 20-foot alley, being locatable by NAD83 Grid Coordinate: N=10,694,907.57, E=1,755,858.15, and being the southeast corner of Lot 7, of said Block 35, and from which a found Mag nail with shiner stamped “DUNAWAY ASSOC.” for the southwest corner of said Lot 7, being the intersection of said north right-of-way line with the east right-of-way line of said Big Spring Street, bears South 89 degrees 14 minutes 06 seconds West, a distance of 140.00 feet;

THENCE North 00 degrees 45 minutes 54 seconds West, along the west line of said 20-foot Alley, a distance of 300.00 feet to the POINT OF BEGINNING and containing 0.1377 acres (or 6,000 square feet) of land, more or less.

The basis of bearings for this survey is the Texas State Coordinate System (NAD83), Central Zone, based upon GPS measurements. Distances and areas hereon are surface values. A combined scale factor of 0.999899 was used for this project.

A plat of even date accompanies this metes and bounds description.

JUNE 19TH, 2025

DUNAWAY
550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121
TEXAS REGISTERED SURVEYING FIRM NO. 10098100

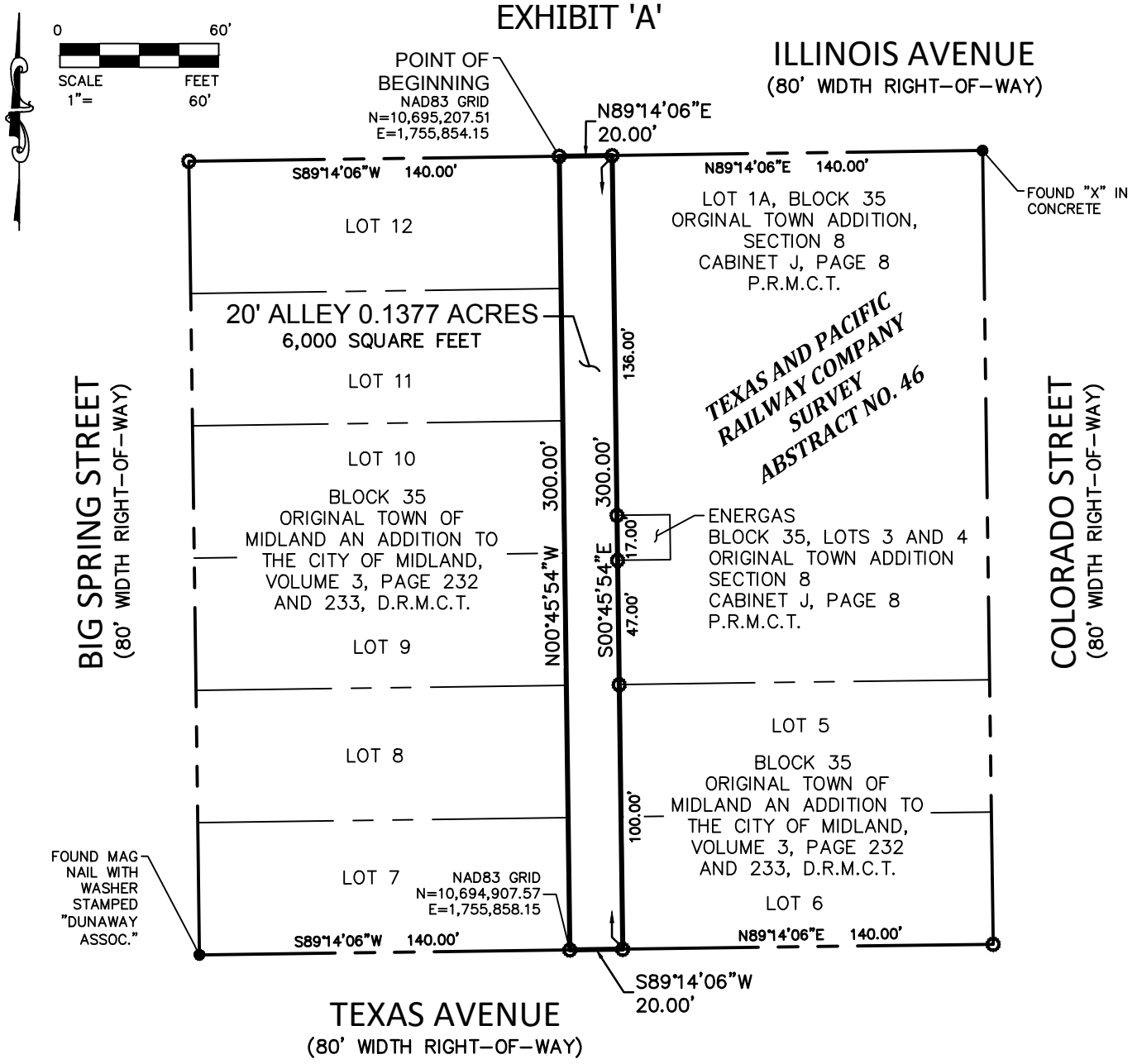
Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

20-FOOT ALLEY VACATION

0.1377 ACRES OR 6,000 SQUARE FEET
OF
BLOCK 35, ORIGINAL TOWN OF MIDLAND, VOLUME 3, PAGE 232 AND 233, D.R.M.C.T.
SITUATED IN THE TEXAS AND PACIFIC RAILWAY COMPANY SURVEY, ABSTRACT NO. 46
CITY AND COUNTY OF MIDLAND, TEXAS

PLOTTED BY: Brandon Bullard ON: Thursday, June 19, 2025 AT: 11:34 AM FILEPATH: P:\011200\011275\003\Survey\Drawings\B011275.003 Alley Vacation Exhibit.dwg

EXHIBIT 'A'



O.R.G.C.T. = Official Public Records of Gillespie County, Texas
P.R.G.C.T. = Plat Records of Gillespie County, Texas
● = Found monument as noted
○ = Found 5/8-inch iron rod with cap stamped "DUNAWAY ASSOC"

NOTE:
The basis of bearings for this survey is the Texas State Coordinate System (NAD83), Central Zone, based upon GPS measurements. Distances and areas hereon are surface values. A combined scale factor of 0.999899 was used for this project.

B011275.003

A metes and bounds description of even date accompanies this plat.

JUNE 19TH, 2025

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550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121
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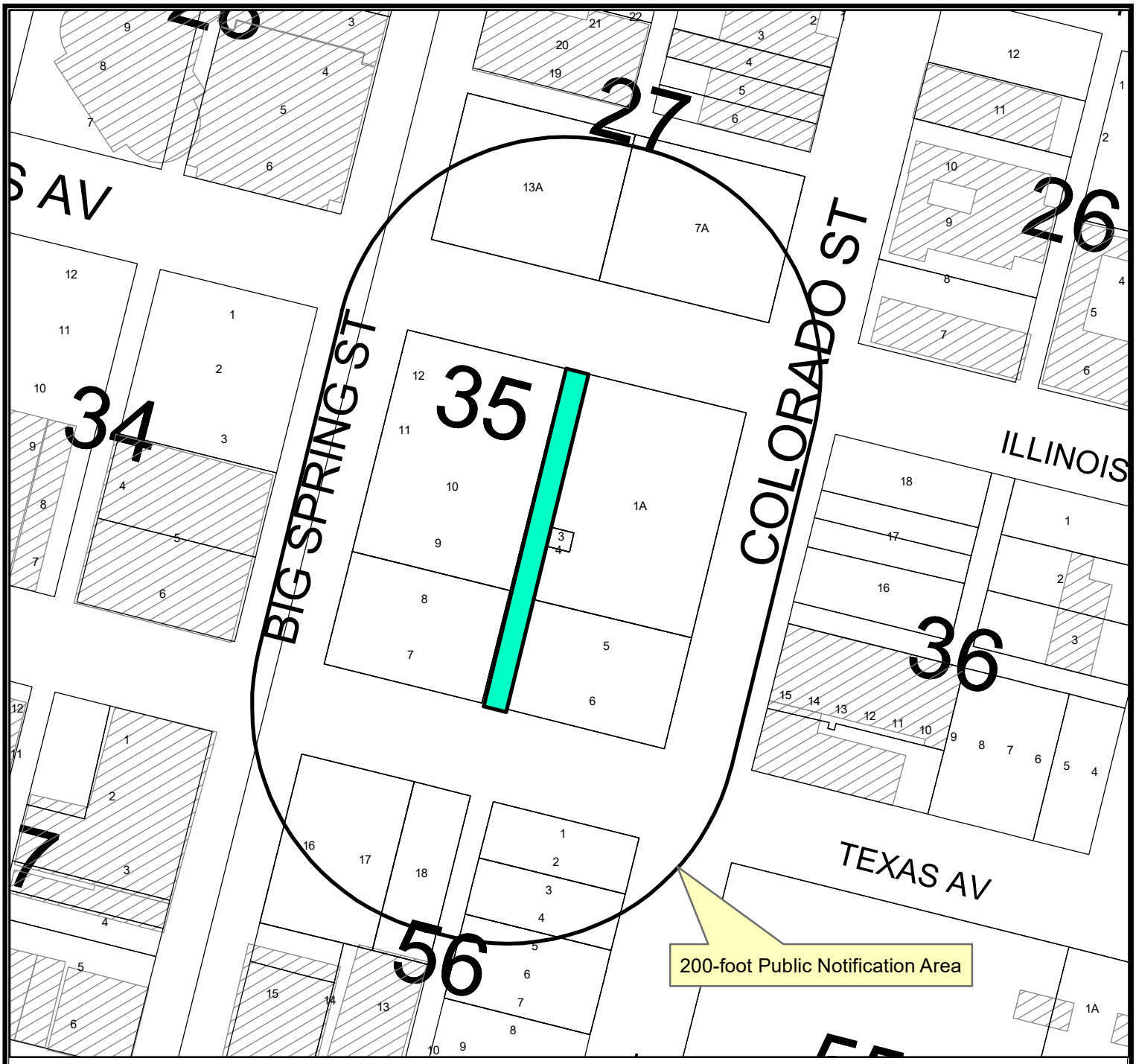


Location Map

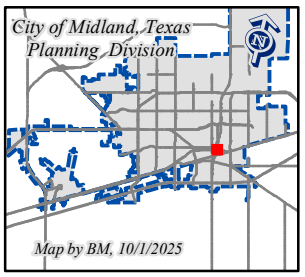
V-25-0070 **Scale: 1" = 123'**

Consider a request by Dunaway vacating and abandoning a 0.1377-acre portion of alley right-of-way out of Block 35, Original Town, City and County of Midland, Texas.

Generally located on the north side of West Texas Avenue, approximately 140 feet east of North Big Spring Street. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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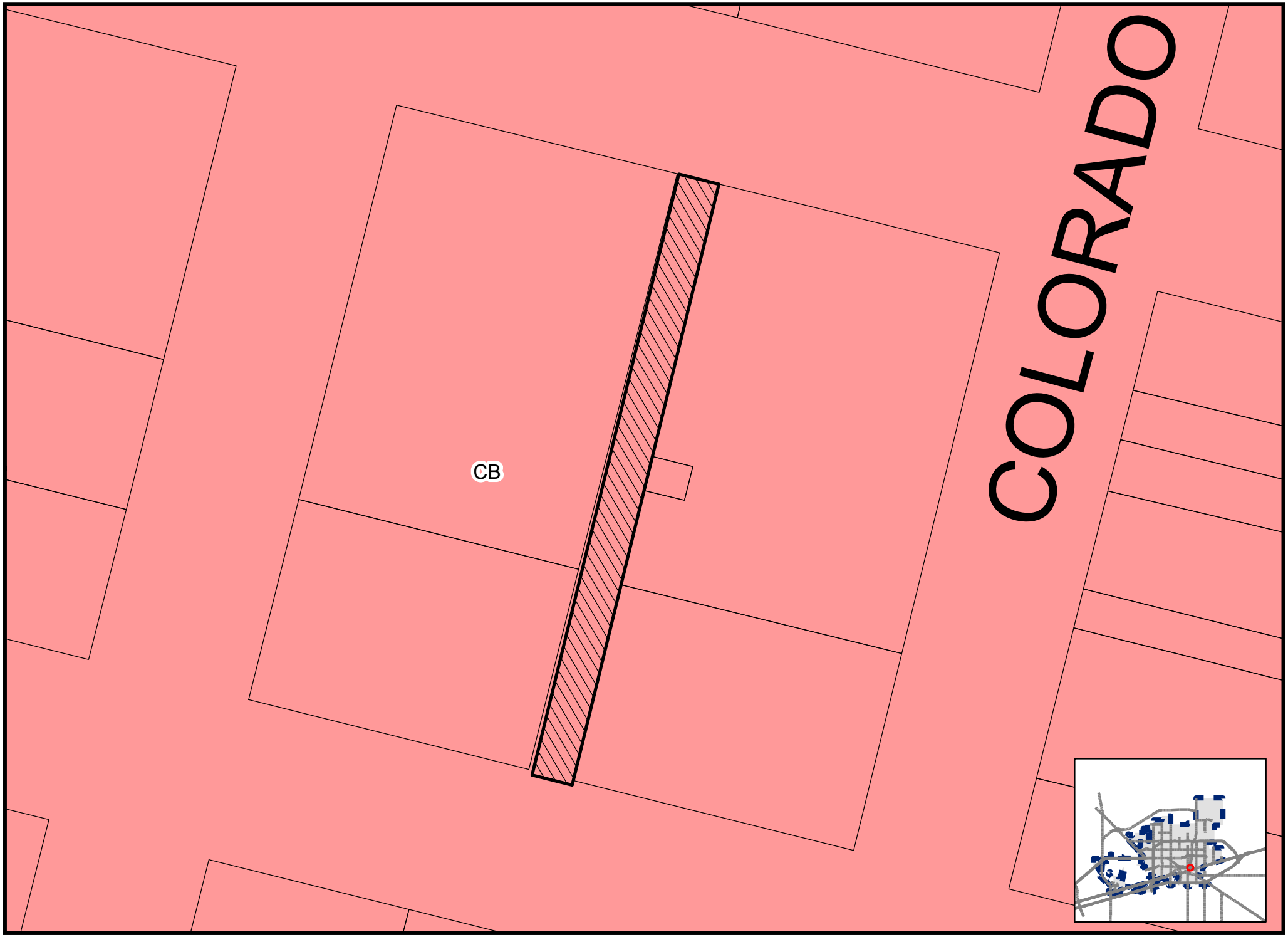
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Map by BM, 10/1/2025

V-25-0070

Scale: 1" = 58'

ZONING MAP

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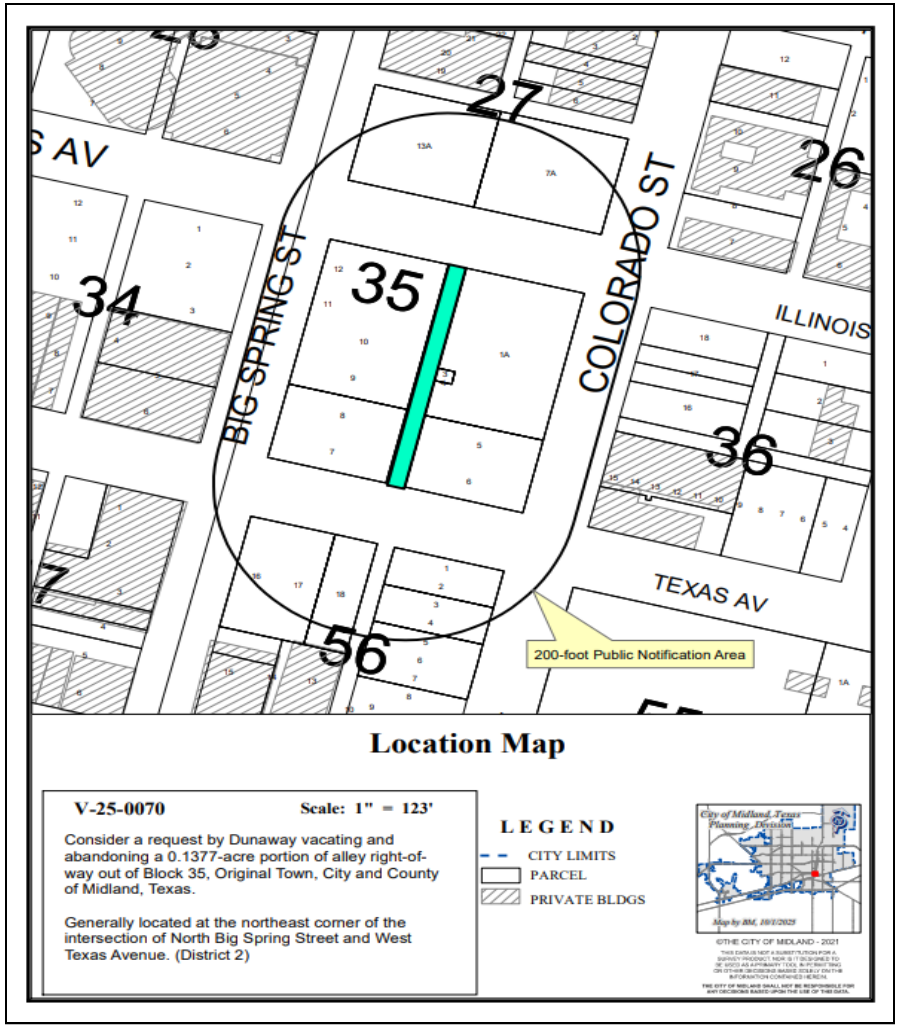
BIG SPRING ST

MIDLAND
Be the Energy!
ITEM
VACATION
210 BIG SPRING STREET
Visit Our Website
MIDLANDTEXAS.GOV

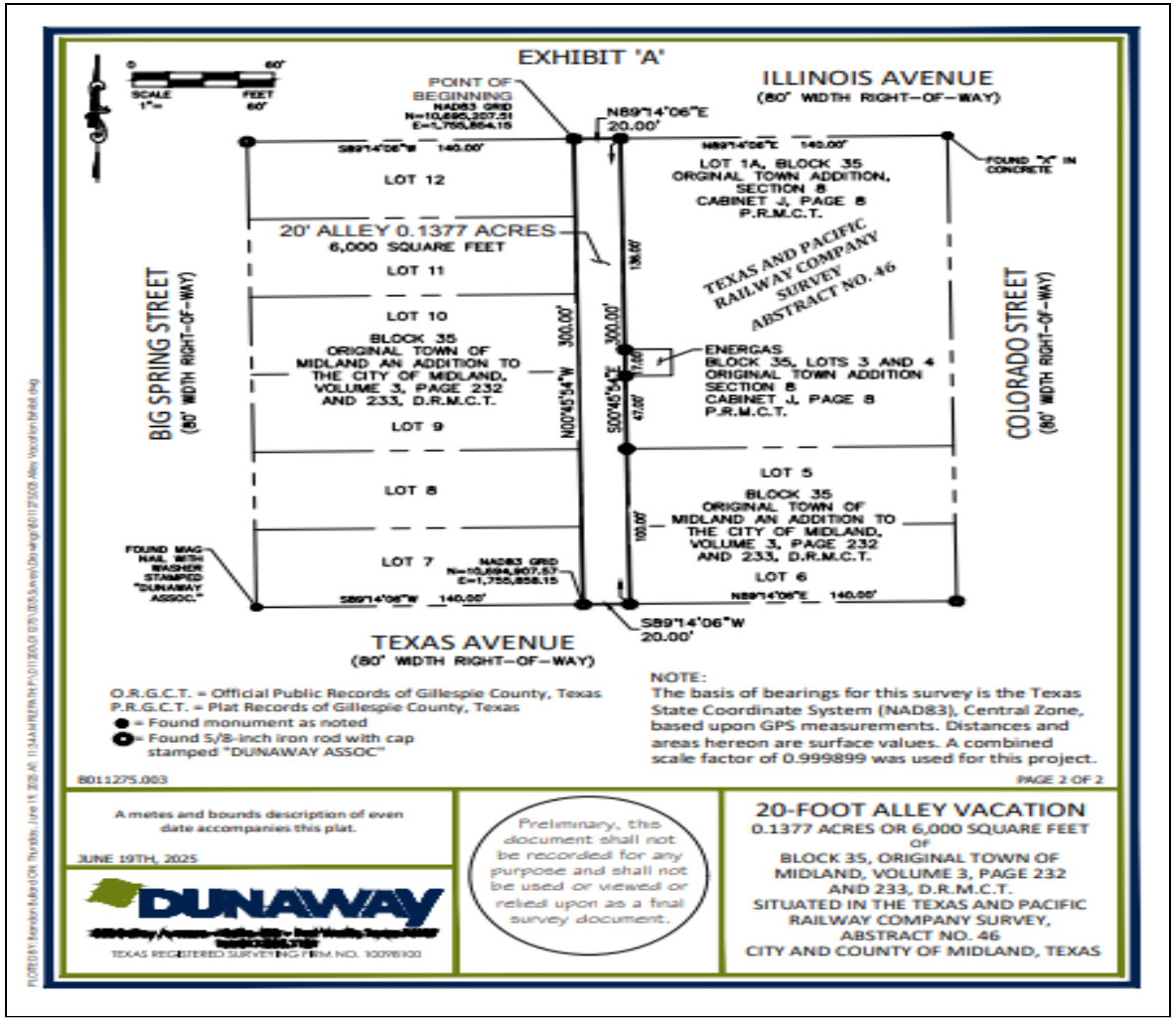
APPLICATION SUMMARY

- **Applicant/Representative:** Melanie Martinez, with Dunaway
- **Location:** Generally located at the northeast corner of the intersection of North Big Spring Street and West Texas Avenue. (Council District 2)
- **Reason for Request:** For the removal of an alley to allow for the development of a hotel



DETAILS OF REQUEST

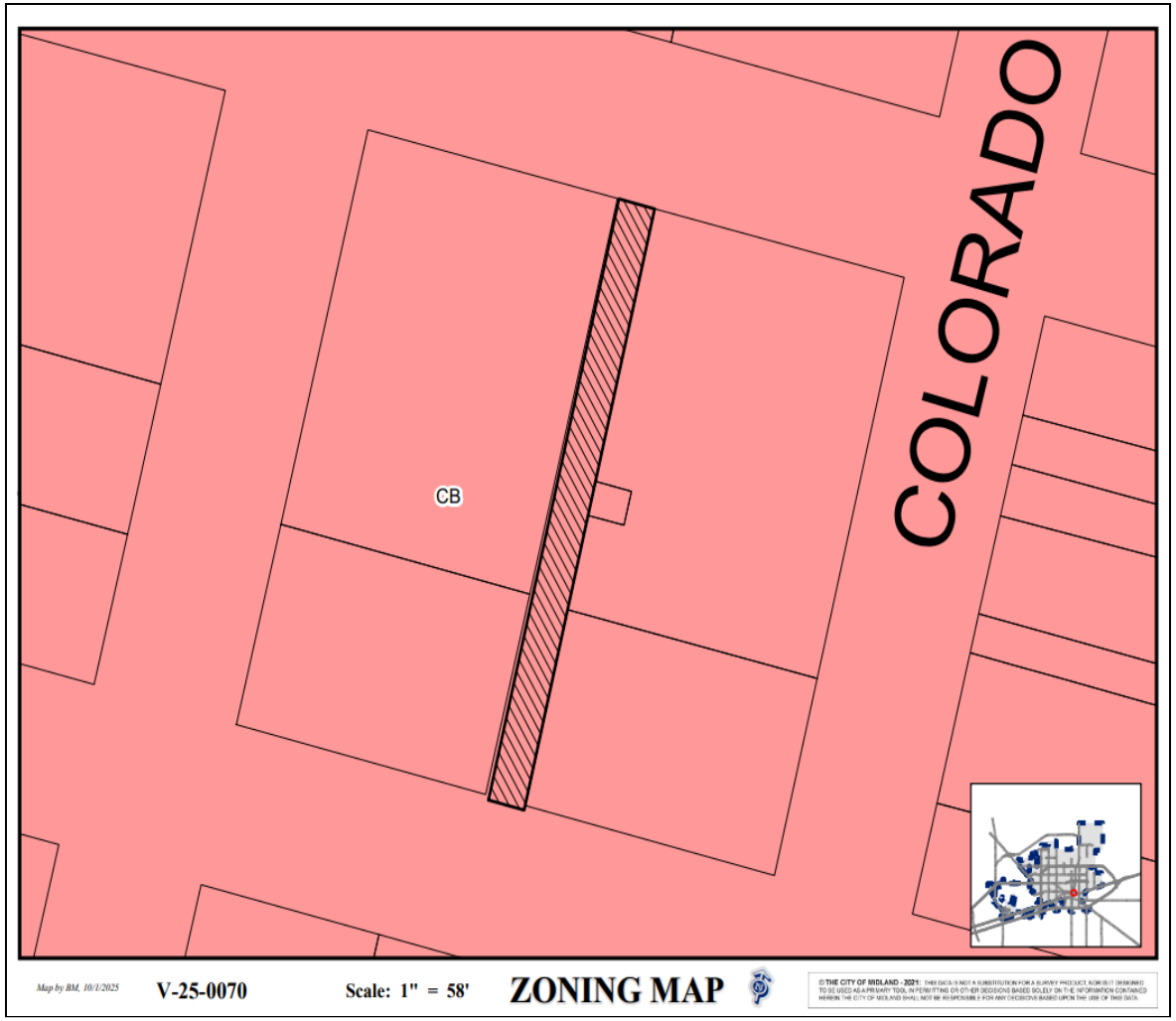
- City of Midland and the Midland Development Corporation
- This alley includes 0.1377-acres of right-of-way
- A replat will be required to include the vacated portion into the lot
- Utilities are present in the alley but an easement will be retained until they are relocated.



MIDLAND
Be the Energy!

ZONING

- **Current Zoning:** CB, Central Business District
- **Surrounding Zoning:**
  - **North/South/East/West:** CB, Central Business District



LAND USE

- **Current Use:** Alley
- **Surrounding Uses:**
  - **North/South:** Parking Lots
  - **East/West:** Office Buildings and Parking Lots
- **Proposed Use:** Hotel

MIDLAND
Be the Energy!

On West Texas Avenue, Looking North

MIDLAND
Be the Energy!

RELATED ITEMS

- The preliminary plat associated with this vacation request was approved by the Planning and Zoning Commission on August 18, 2025.
- The vacation request must be approved by City Council before the applicant can submit the final plat.

STAFF'S RECOMMENDATION

- No objections were received.
- Staff recommends approval of this request with the following conditions:

A. That this ordinance shall not be effective until a replat of the Property is approved by the City of Midland and filed and recorded with the County Clerk of Midland County, Texas.

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.

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.*