

**CITY OF MIDLAND, TEXAS
MINUTES FOR CITY COUNCIL REGULAR MEETING
December 16, 2025 - 10:00 AM**



The City Council convened in a Regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 AM, December 16, 2025.

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

Council Members absent: Lori Blong

Staff members present: City Manager Tommy Gonzalez, 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 Pro Tem Poole called the meeting to order at 10:00 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 Proclamation for "Midland Pack 67 - Cub Scouts"

CONSENT AGENDA

Jack Ladd moved to Approve Consent Agenda items 4-31, excluding items 18 & 22; seconded by Brian Stubbs.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

4. MOTION APPROVING THE FOLLOWING MINUTES:

4.a REGULAR SESSION OF NOVEMBER 18, 2025

4.b SPECIAL SESSION OF NOVEMBER 17, 2025

5. 2025-171 - RESOLUTION AWARDING A CONTRACT FOR THE FISCAL YEAR 2026 CHIP SEAL PROJECT TO CLARK CONSTRUCTION OF TEXAS, INC. OF VICTORIA, TEXAS AT A TOTAL COST OF \$1,132,000.00; APPROVING \$56,600.00 FOR CONTINGENCIES; AND AUTHORIZING PAYMENT **(DISTRICT: 1), (DISTRICT: 2), (DISTRICT: 4) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
6. 2025-172 - RESOLUTION AWARDING A CONTRACT FOR THE FISCAL YEAR 2026 CRACK SEAL PROJECT TO HOLBROOK ASPHALT, LLC OF ST. GEORGE, UTAH, AT A TOTAL COST OF \$679,855.00; APPROVING \$33,992.75 FOR CONTINGENCIES; AND AUTHORIZING PAYMENT **(DISTRICT: ALL) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
7. 2025-173 - RESOLUTION REJECTING THE BIDS RECEIVED FOR THE FISCAL YEAR 2026 CITYWIDE CONCRETE PROGRAM; AND AUTHORIZING RE-ADVERTISEMENT FOR COMPETITIVE BIDS **(DISTRICT: ALL) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
8. 2025-174 - RESOLUTION APPROVING THE PURCHASE OF LIFEPAK 35 SYSTEMS FROM STRYKER SALES, LLC, THROUGH SOURCEWELL, AT A TOTAL COST OF \$1,205,910.06; AND AUTHORIZING PAYMENT **(DISTRICT: ALL) (GENERAL SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**
9. 2025-175 - RESOLUTION APPROVING A CONTRACT WITH GARLAND/DBS, INC. THROUGH THE OMNIA COOPERATIVE FOR THE PURCHASE AND INSTALLATION OF ROOFING SYSTEMS AT THE DV AVIATION HANGAR AND THE EMPIRE AVIATION HANGAR AT A TOTAL COST OF \$934,413.00; APPROPRIATING FUNDS FOR SAID CONTRACT; AND AUTHORIZING PAYMENT **(DISTRICT: 4) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
10. 2025-176 - RESOLUTION AWARDING A CONTRACT FOR THE FISCAL YEAR 2026 MILL AND FILL PROJECT TO JONES BROS. DIRT & PAVING CONTRACTORS, INC. OF MIDLAND, TEXAS, AT A TOTAL COST OF \$2,549,514.60; APPROVING \$127,475.73 FOR CONTINGENCIES; AND AUTHORIZING PAYMENT **(DISTRICT: ALL) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
11. 2025-177 - RESOLUTION AWARDING A CONTRACT TO BOLER EQUIPMENT SERVICE, INC., FOR THE U25-08 WATER REHAB PROGRAM 02 PROJECT FOR THE UTILITIES DEPARTMENT AT A TOTAL COST OF \$2,000,000.00; TRANSFERRING FUNDS; AND AUTHORIZING PAYMENT **(DISTRICT: ALL) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
12. 2025-178 - RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT

TO THAT CERTAIN INTERLOCAL AGREEMENT BETWEEN THE CITY OF MIDLAND, TEXAS, THE CITY OF ODESSA, TEXAS, MIDLAND COUNTY, TEXAS, AND ECTOR COUNTY, TEXAS, FOR THE ESTABLISHMENT OF THE PERMIAN BASIN INTEROPERABLE RADIO COMMUNICATIONS SYSTEM **(DISTRICT: ALL) (IT) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

13. 2025-179 - RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MOTOROLA SOLUTIONS, INC., FOR A FIVE-YEAR MOTOROLA CIRRUS CENTRAL MONITORING SOFTWARE SUBSCRIPTION THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES FOR A COST OF \$200,000.00; AND AUTHORIZING PAYMENT **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
14. 2025-180 - RESOLUTION AUTHORIZING THE SOLE-SOURCE PURCHASE OF A ONE-YEAR MAINTENANCE AND LICENSE RENEWAL OF COMPUTER-AIDED DISPATCH, RECORDS MANAGEMENT SYSTEM, AND CRIMEVIEW ANALYTICS SOFTWARE FROM CENTRALSQUARE TECHNOLOGIES, LLC, FOR A TOTAL COST OF \$119,220.56; AND AUTHORIZING PAYMENT FOR SAID PURCHASE **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
15. 2025-181 - RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT AT GRASSLANDS PARK TO 4B RECREATION GROUP, LLC, D/B/A PLAYGROUNDS ETC. THROUGH BUYBOARD AT A TOTAL COST OF \$549,590.76; APPROVING \$75,409.24 FOR PROJECT-RELATED EXPENSES; AND AUTHORIZING PAYMENT **(DISTRICT: 4) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
16. 2025-182 - RESOLUTION APPROVING THE PURCHASE OF A DYNAPAC CP1200W PNEUMATIC ROLLER AND A MAXIMIZER 3B ASPHALT DISTRIBUTOR FROM ROMCO EQUIPMENT CO., THROUGH SOURCEWELL, AT A TOTAL COST OF \$424,949.23; AND AUTHORIZING PAYMENT **(DISTRICT: NONE) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
17. 2025-183 - RESOLUTION APPROVING THE PURCHASE OF A CATERPILLAR 150 MOTOR GRADER AND TWO (2) CATERPILLAR 420 AE4 BACKHOE LOADERS FROM WARREN POWER & MACHINERY INC. D/B/A WARREN CAT, THROUGH SOURCEWELL, AT A TOTAL COST OF \$730,379.19; AND AUTHORIZING PAYMENT **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
18. 2025-184 - RESOLUTION AWARDING A CONTRACT FOR THE MAF AIRFIELD SNOW REMOVAL VEHICLES AND EQUIPMENT PROJECT TO M-B COMPANIES INC. AT A TOTAL COST OF \$2,173,343.80; APPROVING \$434,669.20 FOR CONTINGENCIES; AND APPROPRIATING AND TRANSFERRING FUNDS **(DISTRICT: 4) (AIRPORTS) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

Aviation Director Justine Ruff reported the Federal Aviation Administration (FAA) has new mandates that state snow must be cleared from the runway in about 30 minutes. The current airport equipment cannot sustain this. City or Airport funds will not be used; the Federal

Government is paying the cost.

John Burkholder moved to Approve; seconded by John Norman.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

19. 2025-185 - RESOLUTION AWARDING A CONTRACT FOR THE MAF AIRFIELD ANTI-ICING/DEICING VEHICLE AND EQUIPMENT PROJECT TO WAUSAU EQUIPMENT COMPANY LLC AT A TOTAL COST OF \$698,913.00; APPROVING \$139,782.00 FOR CONTINGENCIES; AND APPROPRIATING AND TRANSFERRING FUNDS **(DISTRICT: 4) (AIRPORTS) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
20. 128-2025 - MOTION AUTHORIZING THE EXECUTION OF AIRLINE-AIRPORT USE AND LEASE AGREEMENTS WITH AMERICAN AIRLINES INC., SOUTHWEST AIRLINES CO., AND UNITED AIRLINES, INC. (COLLECTIVELY, THE "AIRLINES"); SAID AIRLINE-AIRPORT USE AND LEASE AGREEMENTS SHALL SET FORTH THE RIGHTS AND OBLIGATIONS OF THE CITY OF MIDLAND AND THE AIRLINES FOR THE AIRLINES' RESPECTIVE USE AND OCCUPANCY OF THE MIDLAND INTERNATIONAL AIR & SPACE PORT; AND AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL DOCUMENTS AND INSTRUMENTS NECESSARY AND APPROPRIATE TO CARRY OUT THE INTENT OF SAID AIRLINE-AIRPORT USE AND LEASE AGREEMENTS **(DISTRICT: 4) (AIRPORTS) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
21. 129-2025 - MOTION REJECTING THE SOLE BID RECEIVED FOR THE CONSTRUCTION OF THE VEHICLE PARKING P6 PROJECT AT THE MIDLAND INTERNATIONAL AIR & SPACEPORT **(DISTRICT: 4) (AIRPORTS) (TRANSPARENT & CONSISTENT COMMUNICATION)**
22. 130-2025 - MOTION APPROVING AN AMENDED AND RESTATED ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND THE MIDLAND COMMUNITY COLLEGE DISTRICT **(DISTRICT: ALL) (CITY MANAGER) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

Council Member John Burkholder reported concerns with the location of this program due to the destruction the big trucks create in the parking lot.

Midland Development Corporation Director Sara Harris reported this agreement provided funds to Midland College to purchase a semi-truck to train drivers and expand the transportation program.

Dr. Damon Kennedy, 6 Chapel Court, President of Midland College, reported this is a long-standing partnership. They are exploring other locations, not only due to the damage to the

parking lot but for more of a professional setting.

Council Member John Norman inquired about the length of the contract.

City Attorney Nicholas Toulet-Crump reported the contract terms out in November of 2040.

John Burkholder moved to Approve; seconded by Brian Stubbs.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

23. 131-2025 - MOTION APPROVING A PROMOTIONAL AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND HIGHER ORBITS, INC., TO ADVERTISE AND PUBLICIZE THE CITY OF MIDLAND FOR THE PURPOSE OF DEVELOPING NEW AND EXPANDED BUSINESS ENTERPRISES **(DISTRICT: ALL) (CITY MANAGER) (STRONG ECONOMY WITH MORE QUALITY JOBS)**
24. 2025-186 - RESOLUTION AUTHORIZING THE EXECUTION OF AN OIL AND GAS LEASE AGREEMENT WITH FIREBIRD ENERGY II, LLC FOR THE LEASE OF THE CITY-OWNED MINERALS LOCATED IN ALL OF BLOCK 31, LOTS 1 THROUGH 26, BLOCK 39, AND LOTS 1 THROUGH 14, BLOCK 40, FAIRMONT PARK ADDITION, SECTION 2, AND THE NORTH 10 FEET OF TRACTS 7, 8, AND 15 THROUGH 18, WALLACE HEIGHTS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, ONLY AT THOSE CORRELATIVE DEPTHS FROM 11,224 FEET TO 12,143 FEET AS INDICATED STRATIGRAPHICALLY ON THE ELECTRIC LOG OF THE PECAN ACRES 23 #3; SAID AGREEMENT TO REQUIRE COMPLIANCE WITH ALL APPLICABLE ORDINANCES, LAWS, RULES, AND REGULATIONS **(DISTRICT: 3), (DISTRICT: 4) (DEVELOPMENT SERVICES - OIL AND GAS) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
25. 132-2025 - MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, A PRELIMINARY PLAT OF SOUTH 349 ACRES ADDITION, SECTION 8, BEING A REPLAT OF LOT 1, BLOCK 5, SOUTH 349 ACRES ADDITION, SECTION 4, AND A 31.336-ACRE TRACT OF LAND OUT OF SECTIONS 3 AND 10, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST INTERSTATE 20 AND RANKIN HIGHWAY) **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**
26. 133-2025 - MOTION ACCEPTING A DONATION IN THE AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000.00) FROM OCCIDENTAL PETROLEUM CORPORATION; SAID FUNDS SHALL BE USED FOR THE PURCHASE OF A LEICA SCANNER FOR THE MIDLAND POLICE DEPARTMENT; AND AUTHORIZING THE APPROPRIATION OF FIVE THOUSAND DOLLARS (\$5,000.00) IN THE TECHNOLOGY AND EQUIPMENT FUND UPON THE CITY OF MIDLAND'S RECEIPT OF SAID DONATION **(DISTRICT: ALL) (POLICE DEPARTMENT) (SET**

THE STANDARD FOR A SAFE AND SECURE CITY)

27. 134-2025 - MOTION ACCEPTING A DONATION IN THE AMOUNT OF FIFTEEN THOUSAND DOLLARS (\$15,000.00) FROM MEC PETROLEUM CORPORATION; SAID FUNDS SHALL BE USED FOR THE PURCHASE OF NECESSARY EQUIPMENT FOR THE MIDLAND POLICE DEPARTMENT; AND AUTHORIZING THE APPROPRIATION OF FIFTEEN THOUSAND DOLLARS (\$15,000.00) IN THE TECHNOLOGY AND EQUIPMENT FUND UPON THE CITY OF MIDLAND'S RECEIPT OF SAID DONATION **(DISTRICT: ALL) (POLICE DEPARTMENT) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**
28. 135-2025 - MOTION AUTHORIZING THE EXECUTION OF A RIGHT OF WAY LICENSE (25-495-022) WITH ENTERPRISE GATHERING II LLC REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 3, 7, AND 12, BLOCK C-24, ABSTRACTS 1027, 1028, AND 1029, LOVING COUNTY, TEXAS, AND SECTIONS 20, 21, AND 26, BLOCK C-23, ABSTRACTS 1391,1413, AND 1415, PUBLIC SCHOOL LAND SURVEY, WINKLER COUNTY, TEXAS **(DISTRICT: NONE) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
29. 136-2025 - MOTION AUTHORIZING THE EXECUTION OF A RIGHT OF WAY LICENSE (25-329-029) WITH DIAMONDBACK E&P LLC REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 20 AND 21, BLOCK 37, T-3-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS **(DISTRICT: NONE) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
30. 137-2025 - MOTION AUTHORIZING THE EXECUTION OF A RIGHT OF WAY LICENSE (25-329-030) WITH DIAMONDBACK E&P LLC REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 20 AND 21, BLOCK 37, T-3-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS **(DISTRICT: NONE) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
31. 138-2025 - MOTION AUTHORIZING THE EXECUTION OF A RIGHT OF WAY LICENSE (25-329-032) WITH OXYROCK OPERATING, LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 4, BLOCK 37, T-3-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS **(DISTRICT: NONE) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

SECOND READINGS

32. 10648 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS APPROVING A PROJECT AND FINANCING PLAN FOR TAX INCREMENT REINVESTMENT ZONE NUMBER TWO, CITY OF MIDLAND, TEXAS ESTABLISHED PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE (FIRST READING HELD JUNE 24, 2025) **(DISTRICT: 2) (DEVELOPMENT SERVICES) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10648.

Jack Ladd moved to Approve; seconded by John Norman.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

33. 10690 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR LOT 7, BLOCK 23, MOODY ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH LEE STREET AND EAST TEXAS AVENUE), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A BAR 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 NOVEMBER 18, 2025) **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10690.

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

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

34. 10691 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR LOT 3, BLOCK 14, OXFORD HEIGHTS, SECTION 4, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF NORTH MIDLAND DRIVE, APPROXIMATELY 200 FEET SOUTH OF STOREY AVENUE), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AUTOMOBILE OR OTHER MOTORIZED VEHICLE SALES AND SERVICE; 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 NOVEMBER 18, 2025) **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10691.

Jack Ladd moved to Approve; seconded by John Burkholder.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

35. 10693 - AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR THE NORTH 270.30 FEET OF TRACT 18, MELODY ACRES ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF MEADOWLARK LANE, APPROXIMATELY 475 FEET EAST OF ORIOLE DRIVE), BY PERMITTING A REDUCED MINIMUM LOT AREA; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION (FIRST READING HELD NOVEMBER 18, 2025) **(DISTRICT: 4) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10693.

John Norman moved to Approve; seconded by John Burkholder.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

36. 10694 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 2A, BLOCK 3, WESTRIDGE PARK ADDITION, SECTION 10, CITY AND COUNTY OF MIDLAND, TEXAS FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER (GENERALLY LOCATED ON THE WEST SIDE OF TRADEWINDS BOULEVARD, APPROXIMATELY 280 FEET SOUTH OF ANDREWS HIGHWAY); 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 NOVEMBER 18, 2025) **(DISTRICT: 4) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10694.

John Norman moved to Approve; seconded by John Burkholder.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Lori Blong

37. 10695 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 2A AND 2B, BLOCK 1, CORPORATE PLAZA, SECTION 20, CITY AND COUNTY OF MIDLAND, TEXAS FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT, IN PART, AND PD, PLANNED DEVELOPMENT DISTRICT FOR AN OFFICE CENTER, IN PART, TO LR, LOCAL RETAIL DISTRICT (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF CORPORATE DRIVE AND EDWARDS 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 NOVEMBER 18, 2025) **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10695.

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

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Lori Blong

38. 10696 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 1, 2, AND 3, BLOCK 127, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS FROM RR, REGIONAL RETAIL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF EAST KENTUCKY AVENUE AND SOUTH LAMESA ROAD); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (FIRST READING HELD NOVEMBER 18, 2025) **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10696.

John Norman moved to Approve; seconded by John Burkholder.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman
NAY: None

ABSTAIN: None
ABSENT: Lori Blong

PUBLIC HEARINGS

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

39. 10698 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 15, BLOCK 1, TIMBER WOLF ESTATES, SECTION 2, CITY OF MIDLAND, MARTIN COUNTY, TEXAS, FROM AE, AGRICULTURAL ESTATE DISTRICT TO MH, MANUFACTURED HOUSING DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF JADAN KATE ROAD, APPROXIMATELY 540 FEET WEST OF ELKINS ROAD); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION **(DISTRICT: 1) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10698.

Senior Planner Britt Murry gave a brief overview of the item noting this is a rezone request to allow for a manufactured home. Staff recommends denial due to the number of objection letters received.

Mayor Pro Tem Robin Poole opened the public hearing at 10:27 a.m.

Michael Miller, 3901 Jadan Kate Road, spoke in favor of this item. Mr. Miller reported the information he got from the website and staff was incorrect and that staff told him it was going to pass.

City Attorney Nicholas Toulet-Crump reported that the website host had an error on the page that ultimately got corrected to reflect that the ordinance, that was passed by the Council decades ago, says manufactured homes are not allowed in Agricultural Estate Districts.

Donata Miller, 3901 Jadan Kate Road, spoke in favor of this item and reported some of the same information that Mr. Miller reported.

Steve Poesik, 900 Pine Court, Attorney representing Robert Anderson, spoke in opposition of this item. Mr. Poesik stated his case as to why this should be denied.

Robert Anderson, 10804 Hwy 191, Anderson Construction, spoke in opposition of this item and explained why the Council should deny this request.

Zeke Bryand, 2805 W. Kentucky, spoke in favor of this item. Mr. Bryand was hired by Mr. Miller to plat the property and reported he saw the same incorrect information on the website.

Jerry Crawford, 3613 Blackwolf Trail, spoke in opposition of this item due to the restrictions of mobile homes.

Mayor Pro Tem Robin Poole closed the public hearing at 10:59 a.m.

City Attorney Nicholas Toulet-Crump reported spot zoning is not permitted in the State of Texas and explained why.

First Assistant City Attorney Stephen Gates reported this was a residential replat. The staff followed the guidelines and it is ultimately the responsibility of the applicant to make sure he/she is complying with restrictions.

Mr. Toulet-Crump reported it is also our understanding that there was no mention that a manufactured home was going to be placed in the area during the plating process.

Council Member Jack Ladd reported that it sounds like bad advice was given and that the two parties in question should find a way to work together for a solution.

Council discussion ensued. The entire item/Council Meeting may be heard at <https://midlandtx.new.swagit.com/videos/364702>.

Brian Stubbs moved to approve but the item failed due to the lack of a second.

40. 139-2025 - THE PROPOSED GRANTING OF OIL AND GAS WELL PERMITS TO FIREBIRD ENERGY II, LLC ("OPERATOR") FOR THE DRILLING OF THE FOLLOWING OIL AND GAS WELLS: MB-14H; MB-801H; AND MB-802H; SAID WELLS BEING GENERALLY LOCATED 635 FEET SOUTH OF MOCKINGBIRD LANE AND BETWEEN 1,470 FEET AND 1,510 FEET EAST OF HOLIDAY HILL ROAD (PUBLIC HEARING ONLY) **(DISTRICT: 1) (DEVELOPMENT SERVICES - OIL AND GAS) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

Mayor Pro Tem Robin Poole opened the public hearing at 11:07 a.m.

Chris Hamilton, Fort Worth, spoke in favor of this item and is here to answer questions.

Mayor Pro Tem Robin Poole closed the public hearing at 11:08 a.m.

PUBLIC HEARING ONLY, NO ACTION TAKEN BY COUNCIL.

41. 140-2025 - HOLD A PUBLIC HEARING AND CONSIDER A MOTION APPROVING THE RECEIPT AND FILING OF THE CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR 2024/2025 **(DISTRICT: ALL) (DEVELOPMENT SERVICES - COMMUNITY SERVICES) (TRANSPARENT & CONSISTENT COMMUNICATION)**

Community Development Manager Isaac Garnett gave a brief presentation of the item noting, this is to approve the receipt and filing of the consolidated annual performance and evaluation report for the Community Development Block Grant program for the 2024/2025 year.

Mayor Pro Tem Robin Poole opened the public hearing at 11:11 a.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, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

42. 10699 - AN ORDINANCE AMENDING TITLE X, "TRAFFIC REGULATIONS", CHAPTER 16, "REGULATED PARKING", OF THE CITY CODE OF THE CITY OF MIDLAND, TEXAS, SO AS TO ESTABLISH REVISED REGULATIONS GOVERNING METERED PARKING SPACES AND TIME-LIMITED PARKING SPACES; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM FINE OR PENALTY OF FIVE HUNDRED DOLLARS (\$500.00); ESTABLISHING AN EFFECTIVE DATE OF FEBRUARY 1, 2026; AND ORDERING PUBLICATION **(DISTRICT: ALL)**
(DEVELOPMENT SERVICES) (STRONG ECONOMY WITH MORE QUALITY JOBS)

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10699.

Planning & Development Officer Elizabeth Triggs gave a brief presentation of the item noting, this is to amend Title X "Traffic Regulations", Chapter 10 "Regulated Parking" of the City Code to establish revised regulations that will govern metered parking spaces and time-limited parking spaces.

Council questions, discussion and suggestions ensued.

Michael Lombardo, Vice President of ACE Parking, reported there will be a dedicated enforcement officer.

Mrs. Triggs reported one reason they selected ACE is to have enforcement on the ground for better management.

Devin Otsuka, Director of Operations, ACE Parking, spoke on the training involved.

City Attorney Nicholas Toulet-Crump gave praise to First Assistant City Attorney Stephen Gates for writing in the flexibility involved with this ordinance.

Mayor Pro Tem Robin Poole opened the public hearing at 11:37 a.m.

Sonny Aguilar, 4120 Springfield Court, approves the meters but sees issues with employees in the future. Mr. Aguilar reported he is thinking long term.

Council Member John Norman suggested using the parking apps that allow for customers to pay in increments.

There being no one else wishing to speak, the public hearing was closed at 11:41 a.m.

The entire presentation and discussion may be heard at

<https://midlandtx.new.swagit.com/videos/364702>.

John Norman moved to Approve; seconded by John Burkholder.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, John Norman

NAY: Jack Ladd

ABSTAIN: None

ABSENT: Lori Blong

43. 10700 - AN ORDINANCE AMENDING TITLE IX, "PUBLIC WAYS AND PROPERTY", OF THE CITY CODE OF THE CITY OF MIDLAND, TEXAS, BY ADDING CHAPTER 8, "RIGHT-OF-WAY PATIO PROGRAM", SO AS TO ESTABLISH REGULATIONS GOVERNING BUSINESSES' USES OF PUBLIC RIGHTS-OF-WAY; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM FINE OR PENALTY OF FIVE HUNDRED DOLLARS (\$500.00); ESTABLISHING AN EFFECTIVE DATE OF FEBRUARY 1, 2026; AND ORDERING PUBLICATION **(DISTRICT: ALL) (DEVELOPMENT SERVICES) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10700.

Planning & Development Officer Elizabeth Triggs gave a brief presentation of the item noting this is to amend Title IX "Public Right-of-Way Patio Program" to establish regulations governing businesses' uses of public rights-of-way.

Council questions and discussion ensued about exactly where the tables and chairs will be placed and that people won't be placed in harms way by being near the street.

Mrs. Triggs reported there are many safety requirements and reviews that will take place to make sure everyone is safe. Mrs. Triggs also reported there are not enough businesses that may use parklets to make a drastic difference in the number of parking spaces downtown.

Deputy City Manager Jose Ortiz reported that they are taking precautions to make sure citizens are safe.

First Assistant City Attorney Stephen Gates reported they have added indemnity and insurance requirements for businesses who want to engage in this program in order to protect the City.

Council Member John Burkholder reported he would like to strike the asphalt section due to safety and only having it on the sidewalks. Mayor Pro Tem Robin Poole agrees.

Council Member Amy Stretcher Burkes and Council Member Brian Stubbs also agree with starting out on the sidewalk.

Council Member Jack Ladd & Mr. Gates discussed details of the proposed ordinance.

Mayor Pro Tem Robin Poole opened the public hearing at 12:08 p.m. There being no one present wishing to speak, the public hearing was closed 12:09 p.m.

This entire discussion may be heard at <https://midlandtx.new.swagit.com/videos/364702>.

John Burkholder moved to Amend to limit to sidewalks only for a year upon returning to Council; seconded by Brian Stubbs.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

44. 10701 - AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 12, BLOCK 13, GREENWOOD ADDITION, THIRD, FOURTH, AND FIFTH SECTIONS, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF EAST KENTUCKY AVENUE AND SOUTH CLAY STREET), BY PERMITTING (1) A REDUCED MINIMUM FRONT YARD SETBACK AND (2) A REDUCED MINIMUM SIDE YARD SETBACK ON THE SOUTH SIDE OF THE LOT; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10701.

Senior Planner Britt Murry gave a brief overview of the item noting this is for a special exception to permit a reduced minimum front yard setback and a reduced minimum side yard setback. Staff recommends denial as there are no hardships.

Planning & Development Officer Elizabeth Triggs reported this item came via a complaint.

Mayor Pro Tem Robin Poole opened the public hearing at 12:15 p.m.

Edgar Chavez, 401 S. Clay Street, spoke in favor of this item as it is his house and he was trying to protect his car.

There being no one else wishing to speak, the public hearing was closed at 12:17 p.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, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

45. 10702 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY

OF MIDLAND TO REZONE LOT 2, BLOCK 4, MOODY ADDITION, SECTION 3, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-2, SINGLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF SOUTH CARVER STREET, APPROXIMATELY 265 FEET NORTH OF CLOVERDALE ROAD); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10702.

Senior Planner Britt Murry gave a brief overview of the item noting this is a rezone request.

Mayor Pro Tem Robin Poole opened the Public Hearing at 12:19 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, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

46. 10703 - 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 O-1, OFFICE 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)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10703.

Senior Planner Britt Murray gave a brief overview of the item noting this is a rezone request.

Mayor Pro Tem Robin Poole thanked Mr. Shafik for working with staff.

Mayor Pro Tem Robin Poole opened the Public Hearing at 12:22 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, Brian Stubbs, Jack Ladd, John

Norman
NAY: None
ABSTAIN: None
ABSENT: Lori Blong

47. 10704 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 3, BLOCK 68, WEST END ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS FROM PD, PLANNED DEVELOPMENT DISTRICT FOR AN OFFICE CENTER AND TRANSITION DISTRICT TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR AN OFFICE CENTER AND TRANSITION DISTRICT (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST ILLINOIS AVE, APPROXIMATELY 130 FEET WEST OF NORTH I 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: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10704.

Senior Planner Britt Murray gave a brief overview of the item noting this is a rezone request.

Mayor Pro Tem Robin Poole opened the Public Hearing at 12:24 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to Approve; seconded by Brian Stubbs.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Lori Blong

48. 10705 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 1.173-ACRE TRACT OF LAND OUT OF BLOCK 27, MORNINGSIDE ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS FROM O-1, OFFICE DISTRICT TO LR, LOCAL RETAIL DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH MAIN STREET AND WEST SCHARBAUER 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: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10705.

Senior Planner Britt Murray gave a brief overview of the item noting this is a rezone request.

Mayor Pro Tem Robin Poole opened the Public Hearing at 12:25 p.m.

Judy Moreland, 1403 W. Golf Course Road, is here to answer questions. Ms. Moreland reported

this is not a public laundry facility but they will offer laundry services that will employ special needs individuals.

There being no one else wishing to speak, the public hearing was closed at 12:27 p.m.

Brian Stubbs moved to Approve; seconded by John Norman.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

49. 10706 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 24.091-ACRE TRACT OF LAND OUT OF SECTIONS 3 AND 10, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS FROM RR, REGIONAL RETAIL DISTRICT, IN PART, AND BP, I-20 BUSINESS PARK DISTRICT, IN PART, TO BP, I-20 BUSINESS PARK DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF EAST INTERSTATE 20 AND RANKIN HIGHWAY); 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)

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10706.

Senior Planner Britt Murray gave a brief overview of the item noting this is a rezone request.

Mayor Pro Tem Robin Poole opened the Public Hearing at 12:29 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

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, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

50. 10707 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR LOTS 44 THROUGH 51, BLOCK 11A, FAIRWAY PARK ADDITION, SECTION 3, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF NORTH BIG SPRING STREET, APPROXIMATELY 665 FEET SOUTH OF PALMER DRIVE), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A NIGHTCLUB 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: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10707.

Senior Planner Britt Murray gave a brief overview of the item noting this is for a Specific Use Designation for the sale of alcohol.

City Attorney Nicholas Toulet-Crump reported this club has frequent off-duty Police Officers on site.

Council Member Jack Ladd reported he would like to see consistency across the board.

Mayor Pro Tem Robin Poole opened the Public Hearing at 12:36 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to Approve; seconded by John Norman.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

51. 2025-187 - RESOLUTION APPROVING THE ISSUANCE OF AN ORDER FINDING THE SINGLE-FAMILY RESIDENCE LOCATED ON LOT 1, LESS THE SOUTH 50 FEET, BLOCK 44, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT 211 NORTH MARSHALL 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)**

Building Official Jeff Pinkstaff gave a brief presentation of the item noting this is in regard to substandard buildings and requested action to abate.

Council Member John Norman reported this is voluntary by the homeowner.

Mayor Pro Tem Robin Poole opened the Public Hearing at 12:39 p.m.

Chrystal Rollie, 4515 Monty Drive, reported that after her mom passed away and left them the house, homeless individuals began living in it and ultimately burned it down. Now they have

started breaking into the garage. Ms. Rollie reported she does not have the means to have the home torn down but would like the City's help.

There being no one else wishing to speak, the public hearing was closed at 12:41 p.m.

John Burkholder moved to Approve; seconded by John Norman.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

52. 2025-188 - RESOLUTION APPROVING THE ISSUANCE OF AN ORDER FINDING THE SINGLE-FAMILY RESIDENCE LOCATED ON LOT 9, BLOCK 136, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT 301 SOUTH JEFFERSON 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)**

Building Official Jeff Pinkstaff gave a brief overview of the item noting this is in regard to substandard buildings and requested action to abate. The home has had 17 violations since 2015.

Mayor Pro Tem Robin Poole opened the Public Hearing at 12:43 p.m.

Wayne Butler, 1419 Tulip Lane, inquired if his mother will be charged to have the home demolished.

Planning & Development Officer Elizabeth Triggs reported there is a small cost but they work with the homeowner on the cost.

Council Member John Norman and Council Member John Burkholder spoke about other abandoned buildings that are boarded up with owners who don't live in Midland.

Council Member Jack Ladd also inquired what the end game is for the City and is the City willing to absorb the cost.

Council discussion ensued.

City Manager Tommy Gonzalez reported that on the residential side, they make sure it is at the will of the homeowner.

First Assistant City Attorney Stephen Gates reported what the local government code states with

regards to liens.

Council Member John Norman reported homeowners should have a clear understanding of this process prior to coming to Council.

Hector Covarrubiaz, 1101 College Avenue, spoke about needing to find out if the property has already gone to probate.

There being no one else wishing to speak, the public hearing was closed at 1:05 p.m.

John Burkholder moved to Defer; seconded by Jack Ladd.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

53. 10708 - AN ORDINANCE AMENDING TITLE XI, "PLANNING AND DEVELOPMENT", CHAPTER 13, "MUNICIPAL DRAINAGE UTILITY" OF THE CITY CODE OF MIDLAND, TEXAS, SO AS (1) TO REVISE THE EXEMPTIONS TO THE DRAINAGE CHARGE AND (2) TO REVISE THE DRAINAGE CHARGE; PROVIDING FOR CRIMINAL ENFORCEMENT AND A MAXIMUM PENALTY OR FINE OF FIVE HUNDRED DOLLARS (\$500.00); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; ESTABLISHING AN EFFECTIVE DATE OF FEBRUARY 1, 2026; AND ORDERING PUBLICATION **(DISTRICT: ALL) (ENGINEERING SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10708.

Engineering Services Director Gabriel McClelland gave a brief presentation of the item noting, this is to amend Title XI "Planning and Development", Chapter 13, "Municipal Drainage Utility", to revise the exemptions to the drainage charge and to revise the drainage charge; providing for criminal enforcement.

City Manager Tommy Gonzalez reported that the Council approved an agreement with Midland Independent School District (MISD) earlier this year. Mr. Gonzalez also provided a breakdown of the fees, timeline and MISD improvements.

Deputy City Manager Jose Ortiz also spoke about the agreements and what they entail.

Mayor Pro Tem Robin Poole reported the situation with MISD puts the Council in a bad position and is ultimately a tax increase.

Council discussion ensued on this item and they expressed concern about needing more time and information before making a decision.

Mayor Pro Tem Robin Poole opened the public hearing at 1:35 p.m.

Nino Rodriguez, 1101 Johnston, spoke in opposition of this item as it will increase fees for citizens.

Shelia Williamson, 404 Sweetbriar, reported she now has a better understanding of what's going on with this item after listening to Council.

Hector Covarrubiaz, 1101 College Avenue, spoke on transparency and asked Council to reconsider this item as it will increase fees for the citizens.

The entire discussion may be heard at <https://midlandtx.new.swagit.com/videos/364702>.

Jack Ladd moved to Defer; seconded by John Burkholder.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

54. 10709 - AN ORDINANCE AMENDING TITLE VI, "POLICE REGULATIONS" OF THE CITY CODE OF THE CITY OF MIDLAND, TEXAS, BY ADDING CHAPTER 11, "SEX OFFENDER REGULATIONS", SO AS TO PROHIBIT A SEX OFFENDER (1) FROM RESIDING WITHIN 1,500 FEET OF PREMISES WHERE CHILDREN COMMONLY GATHER AND (2) FROM ENTERING PREMISES WHERE CHILDREN COMMONLY GATHER; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM FINE OR PENALTY OF FIVE HUNDRED DOLLARS (\$500.00); ESTABLISHING AN EFFECTIVE DATE OF FEBRUARY 1, 2026; AND ORDERING PUBLICATION **(DISTRICT: ALL) (POLICE DEPARTMENT) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10709.

Police Chief Greg Snow reported that every year many people call the Police Department regarding sex offenders in Midland.

Detective Sergeant Michael Ball with Crimes Against Persons/Sex Offender division, gave a presentation of the item noting this is to amend Title VI "Police Regulations" of the Code of the City of Midland by adding chapter 11 "Sex Offender Regulations" so as to prohibit a sex offender from residing within 1,500 feet of premises where children commonly gather and from also entering premises where children commonly gather.

Council Member Jack Ladd would like to be pro-active with regard to communications and clear guidelines with possible sex offenders and providing notices to the community.

Council discussion ensued.

Mayor Pro Tem Robin Poole opened the public hearing at 2:11 p.m.

Gayle Miller, spoke in opposition of this item regarding the way it is written.

Nino Rodriquez, 1101 Johnston, spoke about how he feels about sex offenders and quoted scripture.

There being no one else wishing to speak, the public hearing was closed at 2:19 p.m.

Council Member Amy Stretcher Burkes reported her objective is to protect children and would like to see an appeal process on both sides.

The entire presentation may be viewed at <https://midlandtx.new.swagit.com/videos/364702>.

Amy Stretcher Burkes moved to Amend the ordinance by revising Section 6-11-6(A) as follows: Delete "and shall be final" from the existing language; and insert the following sentences: "If the Chief of Police disapproves an exemption or approves an exemption with one or more conditions, the sex offender, or any affected party, may appeal such decision by submitting a written notice of appeal to the board consisting of the City Manager and two Council Members stating why the exemption should be granted or why any conditions on the exemption should be eliminated or revised. The submission of a notice of appeal shall not stay the decision of the Chief of Police during the pendency of the appeal. The board shall consider the notice of appeal and render a decision, which may be based solely on the information contained in the notice of appeal and shall be final," seconded by Jack Ladd.

City Attorney Nicholas Toulet-Crump, for clarification, reported that a committee will be subject to the open meetings act.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

MISCELLANEOUS

55. 10710 - AN ORDINANCE ADOPTING A FEE SCHEDULE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING AN APPEAL PROCESS; ESTABLISHING AN EFFECTIVE DATE OF FEBRUARY 1, 2026; AND ORDERING PUBLICATION (**DISTRICT: NONE**) (**FINANCE**) (**PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT**)

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10710.

Chief Financial Officer Christy Weakland gave a brief overview of the item noting this is to adopt a fee schedule.

John Burkholder moved to Approve; seconded by Jack Ladd.

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

56. 10711 - AN ORDINANCE MAKING CERTAIN AMENDMENTS TO THE 2024-2025 FISCAL YEAR BUDGET SO AS TO INCREASE AMOUNTS APPROPRIATED TO CERTAIN FUNDS **(DISTRICT: NONE) (FINANCE) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

Deputy City Secretary Kathy Rauda read the caption of Ordinance No. 10711.

Chief Financial Officer Christy Weakland gave a brief overview of the item noting this is an amendment to the 2024-2025 fiscal year budget.

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

The motion Passed by the following vote:

AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman

NAY: None

ABSTAIN: None

ABSENT: Lori Blong

57. CONDUCT INTERVIEWS OF APPLICANTS TO SERVE ON THE BOARD OF DIRECTORS OF THE MIDLAND DEVELOPMENT CORPORATION **(DISTRICT: ALL) (CITY SECRETARY) (TRANSPARENT & CONSISTENT COMMUNICATION)**

The Midland City Council conducted an interview with Darpan Bhakta for the Midland Development Corporation Board at 2:30 p.m.

The Midland City Council conducted an interview with Armando Saenz for the Midland Development Corporation Board at 2:50 p.m.

58. CONSIDER ONE OR MORE MOTIONS MAKING APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS **(DISTRICT: ALL) (CITY SECRETARY) (TRANSPARENT & CONSISTENT COMMUNICATION)**

There was no action taken on this item, it will be on the next agenda.

PUBLIC COMMENT

59. Receive public comments where individuals may address the City Council on City related issues and projects not on the present agenda. Any deliberation of or decision by the City Council regarding the item being discussed shall be limited to a motion to place the item on the agenda for a subsequent meeting. (Please limit comments to three minutes or less.)

EXECUTIVE SESSION

Mayor Pro Tem Poole recessed the City Council meeting to go into Executive Session at 3:12 p.m.

60. 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:

60.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.

60.b Section 551.072, Deliberation Regarding Real Property

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

60.c Section 551.074, Personnel Matters

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

Deliberate the appointment of applicants to serve on the Board of Directors of the Midland Development Corporation.

60.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 4:21 p.m.

PASSED AND APPROVED January 13, 2026.

Lori Blong, Mayor

ATTEST:

Marcia Bentley-German
City Governance Officer/City Secretary