

**MIDLAND CITY COUNCIL
MINUTES
January 14, 2025**



The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., January 14, 2025.

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

Council Members absent: None

Staff members present: City Manager Tommy Gonzalez, City Attorney John Ohnemiller, Assistant City Manager Jose Ortiz

The meeting was called to order at 10:00 a.m.

OPENING ITEMS

1. Invocation – Odessa Texas Stake Relief Society President Laura Shannon, The Church of Jesus Christ of Latter-day Saints
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, periods of time, or reports, including, but not limited to:
 - 3a. Presentation of the 2024 Midland's Merry Lighted Christmas Parade Awards.
 - 3b. Presentation of "Be the Energy" Award.
 - 3c. Presentation of Proclamation for "Crime Stoppers Month".

CONSENT AGENDA

4. MOTION APPROVING THE FOLLOWING MINUTES:
 - 4a. REGULAR SESSION OF DECEMBER 17, 2024
7. 2025-001 – RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL

SERVICES AGREEMENT WITH WEAVER AND TIDWELL, L.L.P. FOR INTERNAL AUDIT SERVICES FOR A TOTAL COST NOT TO EXCEED \$247,500.00; AND AUTHORIZING PAYMENT **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

8. 2025-002 – RESOLUTION AUTHORIZING THE PURCHASE OF A BACKHOE LOADER FOR THE TRANSPORTATION DIVISION FROM WARREN POWER & MACHINERY INC., DOING BUSINESS AS WARREN CAT, THROUGH SOURCEWELL FOR A TOTAL COST OF \$113,215.00 **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
9. 2025-003 – RESOLUTION APPROVING THE PURCHASE OF TWELVE (12) PICKUP TRUCKS AND TWO (2) CHEVROLET TAHOES UPFITTED FOR K9 USE FOR THE MIDLAND POLICE DEPARTMENT FROM SEWELL FAMILY OF COMPANIES, INC., THROUGH BUYBOARD FOR A TOTAL COST OF \$979,721.14 **(DISTRICT: NONE) (GENERAL SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**
10. 2025-004 – RESOLUTION AUTHORIZING THE PURCHASE OF A KOMATSU PC210LC-11 MID-SIZE HYDRAULIC EXCAVATOR FOR THE ENGINEERING SERVICES DEPARTMENT FROM KIRBY SMITH MACHINERY, INC. THROUGH BUYBOARD FOR A TOTAL COST OF \$271,297.40 **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
11. 2025-005 – RESOLUTION AWARDING A CONTRACT FOR THE FISCAL YEAR 2025 MILL AND FILL PAVING PROJECT TO DANNY'S ASPHALT PAVING INC. OF MIDLAND, TEXAS, AT A TOTAL COST OF \$2,932,088.78; APPROVING \$146,604.44 FOR CONTINGENCIES; AND AUTHORIZING PAYMENT **(DISTRICT: NONE) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
12. 2025-006 – RESOLUTION AWARDING A FOOD AND BEVERAGE CONCESSION CONTRACT TO O'MULLIGAN'S 19TH HOLE FOR CONCESSION MANAGEMENT SERVICES AT HOGAN PARK GOLF COURSE **(DISTRICT 2) (GENERAL SERVICES) (QUALITY OF LIFE AND PLACE)**
13. 2025-007 – RESOLUTION RATIFYING THE PROCUREMENT OF CONSTRUCTION SERVICES FROM BOLER EQUIPMENT SERVICE, INC. FOR THE EMERGENCY REPAIR OF THE STORM DRAIN LOCATED NORTH OF MOCKINGBIRD LANE, BETWEEN VALWOOD DRIVE AND ROCKWOOD DRIVE; AND AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED \$686,961.00 **(DISTRICT 1) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
14. 003-2025 – MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, A PRELIMINARY PLAT OF LONGVIEW SUBDIVISION, SECTION 4, BEING A REPLAT OF ALL OF LONGVIEW SUBDIVISION, SECTION 2, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF WEST COUNTY ROAD 50 AND NORTH COUNTY ROAD 1275) (EXTRATERRITORIAL

JURISDICTION) (DISTRICT: NONE) (DEVELOPMENT SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)

16. 2025-008 – RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS, IN SUPPORT OF THE MIDLAND POLICE DEPARTMENT’S PARTICIPATION ON THE OPERATION LONE STAR TASK FORCE; APPROVING THE FORM OF AN INTERLOCAL COOPERATION AGREEMENT PROVIDING FOR THE MIDLAND POLICE DEPARTMENT’S PARTICIPATION ON THE OPERATION LONE STAR TASK FORCE; AND AUTHORIZING THE CHIEF OF POLICE TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT WITH ALL NECESSARY AND APPROPRIATE ENTITIES TO EFFECTUATE THE MIDLAND POLICE DEPARTMENT’S PARTICIPATION ON THE OPERATION LONE STAR TASK FORCE **(DISTRICT: ALL) (POLICE) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**
17. 2025-009 – RESOLUTION AUTHORIZING THE CITY OF MIDLAND IN CONJUNCTION WITH MIDLAND COUNTY TO ACCEPT THE FISCAL YEAR 2024 BUREAU OF JUSTICE ASSISTANCE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS TOTALING \$40,515.00; THE CITY OF MIDLAND WILL RECEIVE \$30,515.00 AND MIDLAND COUNTY WILL RECEIVE \$10,000.00 OF THE GRANT FUNDS; AUTHORIZING THE EXECUTION OF ACCEPTANCE DOCUMENTS; AND APPROPRIATING GRANT FUNDS **(DISTRICT: ALL) (POLICE) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**
19. 006-2025 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (25-329-003) WITH BAHIA PIPELINE LLC., REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 30, BLOCK 36, T-3-S, T&P RR CO. SURVEY, IN MIDLAND COUNTY AND GLASSCOCK COUNTY, TEXAS **(DISTRICT: NONE) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

Jack Ladd moved to approve consent agenda items 4 – 19, excluding items 5, 6, 15 & 18; seconded by Robin Poole.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

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

5. 001-2025 – MOTION APPROPRIATING THE SUM OF \$300,000.00 FROM THE HOTEL MOTEL FUND (090) UNAPPROPRIATED FUND BALANCE TO THE VISIT MIDLAND SPORTS AND ENTERTAINMENT PROGRAM FOR THE PROMOTION OF SPORTS TOURISM

Troy Briggs, Director of VisitMidland provided a brief breakdown for the use of funds and how the funds will impact sports tourism, sales taxes and “heads in beds” for the City of

Midland.

Jack Ladd moved to approve Motion No. 001-2025; seconded by Robin Poole.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Ladd

NAY: None

ABSTAIN: Stubbs, Norman

ABSENT: None

6. 002-2025 – MOTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NUMBERS 1 AND 2 WITH REECE ALBERT, INC. REGARDING THE GARFIELD STREET PAVING BOND PROJECT – BREAKOUT 03; CHANGE ORDER NUMBER 1 TO BE IN THE AMOUNT OF \$627,860.00 AND TO PROVIDE FOR SAFETY IMPROVEMENTS, INCLUDING ENHANCED SIGNAGE AND ILLUMINATION; AND CHANGE ORDER NUMBER 2 TO BE IN THE AMOUNT OF \$419,079.03 AND TO PROVIDE FOR PROJECT OVERRUNS RESULTING FROM NECESSARY FIELD ADJUSTMENTS TO THE ORIGINAL PLAN SPECIFICATIONS

Engineering Services Director Gabriel McClelland gave a brief overview of the item noting, the contractor doing the paving has added additional crews to help with the amount of work. Utility installation and phases one and two are complete. There is a Fall completion date for all items and roads will be opened as they are finished.

Mr. McClelland clarified that the change order is to address items that were inadvertently left out of the original bid documents, however, they were in the original plan.

Jack Ladd moved to approve Motion No. 002-2025; seconded by John Norman.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

15. 004-2025 – MOTION CREATING A PROJECT ACCOUNT INTO WHICH FEES RECEIVED FOR RIGHT-OF-WAY LICENSES THAT DO NOT INVOLVE LAND USED BY THE UTILITIES DEPARTMENT OR DEPARTMENT OF AIRPORTS SHALL BE DEPOSITED; AND REQUIRING THE FUNDS IN SAID PROJECT ACCOUNT TO BE APPROPRIATED AND USED FOR ACQUISITIONS OF REAL PROPERTY FOR ROAD PROJECTS

Council Member Ladd and Mayor Blong thanked staff for a job well done.

Jack Ladd moved to approve Motion No. 004-2025; seconded by John Norman.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

18. 005-2025 – MOTION ACCEPTING A DONATION IN THE AMOUNT OF \$40,000.00 FROM MEC PETROLEUM CORPORATION; SAID FUNDS SHALL BE USED FOR THE PURCHASE OF NECESSARY PROTECTIVE EQUIPMENT FOR THE MIDLAND POLICE DEPARTMENT; AND AUTHORIZING THE APPROPRIATION OF \$40,000.00 IN THE POLICE TECHNOLOGY AND EQUIPMENT FUND UPON THE CITY OF MIDLAND'S RECEIPT OF SAID FUNDS.

Council Member Ladd thanked MEC Petroleum for the donation of funds.

John Burkholder moved to approve Motion No. 005-2025; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

SECOND READINGS

20. 10582 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR LOT 1, BLOCK 1, CAVENDER ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF ARLINGTON ROAD AND DEAUVILLE BOULEVARD), 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 DECEMBER 17, 2024) **(DISTRICT 4) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10582.

John Norman moved to approve the second and final reading of Ordinance No. 10582; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

21. 10583 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF

MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 4,500-SQUARE FOOT PORTION OF BLOCKS 21 AND 22, KELVIEW HEIGHTS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF NORTH BIG SPRING STREET AND WEST SCHARBAUER AVENUE), WHICH IS PRESENTLY ZONED LR, LOCAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A LOUNGE 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 DECEMBER 17, 2024) **(DISTRICT 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE & PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10583.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10583; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

22. 10585 – AN ORDINANCE GRANTING TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC POWER FRANCHISE TO USE THE PRESENT AND FUTURE STREETS, ALLEYS, HIGHWAYS, PUBLIC UTILITY EASEMENTS, PUBLIC WAYS AND PUBLIC PROPERTY OF THE CITY OF MIDLAND, TEXAS, PROVIDING FOR COMPENSATION THEREFOR, PROVIDING FOR AN EFFECTIVE DATE AND A TERM OF SAID FRANCHISE, PROVIDING FOR WRITTEN ACCEPTANCE OF THIS FRANCHISE, PROVIDING FOR THE REPEAL OF ALL EXISTING FRANCHISE ORDINANCES TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS PREDECESSORS AND ASSIGNS, AND FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC (FIRST READING HELD DECEMBER 17, 2024) **(DISTRICT: ALL) (DEVELOPMENT SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10585.

Jack Ladd moved to approve the second of three readings of Ordinance No. 10585; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

PUBLIC HEARINGS

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

23. 10584 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 18 AND 19, BLOCK 1, SKYVIEW DEVELOPMENT, CITY AND COUNTY OF MIDLAND, TEXAS, FROM AE, AGRICULTURAL ESTATE DISTRICT TO PD, PLANNED DEVELOPMENT DISTRICT FOR A TRANSITION DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF EAST LOOP 250 NORTH AND TODD 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 (DEFERRED FROM DECEMBER 17, 2024) **(DISTRICT 1) (DEVELOPMENT SERVICES) QUALITY OF LIFE AND PLACE**

ITEM PULLED BY STAFF. NO ACTION TAKEN

24. 007-2025 – THE PROPOSED GRANTING OF OIL AND GAS WELL PERMITS TO PERMIAN DEEP ROCK OIL CO., LLC (“OPERATOR”) FOR THE DRILLING OF THE FOLLOWING OIL AND GAS WELLS: KNIGHT 110 MIPA UNIT H110NB; KNIGHT 120 MIPA UNIT 120NW; AND KNIGHT 130 MIPA UNIT H130NB; SAID WELLS BEING GENERALLY LOCATED BETWEEN 1,797 FEET AND 1,837 FEET EAST OF NORTH A STREET AND 1,827 FEET SOUTH OF WEST LOOP 250 NORTH – PUBLIC HEARING ONLY **(DISTRICT 1) (DEVELOPMENT SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

Mayor Blong opened the public hearing at 10:40 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

PUBLIC HEARING ONLY. NO ACTION TAKEN.

25. 008-2025 – THE PROPOSED GRANTING OF OIL AND GAS WELL PERMITS TO PERMIAN DEEP ROCK OIL CO., LLC (“OPERATOR”) FOR THE DRILLING OF THE FOLLOWING OIL AND GAS WELLS: KNIGHT 140 MIPA UNIT H140 NB; KNIGHT 150 MIPA UNIT H150 NB; AND KNIGHT 160 MIPA UNIT H160 NW; SAID WELLS BEING GENERALLY LOCATED BETWEEN 878 FEET AND 913 FEET EAST OF NORTH A STREET AND BETWEEN 1,885 AND 1,921 FEET SOUTH OF WEST LOOP 250 NORTH – PUBLIC HEARING ONLY **(DISTRICT 1) (DEVELOPMENT SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

Mayor Blong opened the public hearing at 10:40 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

PUBLIC HEARING ONLY. NO ACTION TAKEN.

26. 10586 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 1A, 2A, 3, AND 4, BLOCK 3, WEST 191 INDUSTRIAL PARK ADDITION, SECTION 10, CITY AND COUNTY OF MIDLAND, TEXAS, FROM RR, REGIONAL RETAIL DISTRICT TO C, COMMERCIAL DISTRICT (GENERALLY LOCATED

ON THE NORTH SIDE OF STATE HIGHWAY 191, APPROXIMATELY 1,600 FEET EAST OF FARM-TO-MARKET ROAD 1788); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION **(DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10586.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is a rezoning request from Regional Retail to Commercial for office, warehouse and restaurant use.

Mayor Blong opened the public hearing at 10:43 a.m. There being no one present wishing to speak, the public hearing closed at 10:44 a.m.

Jack Ladd moved to approve the first of two readings of Ordinance No. 10586; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

27. 10587 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 17.18-ACRE TRACT OF LAND OUT OF SECTION 31, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM AE, AGRICULTURAL ESTATE DISTRICT TO PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF NORTH FAIRGROUNDS ROAD AND EAST CYNTHIA 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) QUALITY OF LIFE AND PLACE**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10587.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is a rezoning for Habitat for Humanity to move from Agricultural Estate district to a Planned Development district.

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

Brian Stubbs moved to approve the first of two readings of Ordinance No. 10587; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman
NAY: None
ABSTAIN: None
ABSENT: None

28. 10588 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 6.75-ACRE TRACT OF LAND OUT OF LOT 1, BLOCK 1, AMARON ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM RR, REGIONAL RETAIL DISTRICT TO MF-22, MULTIPLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WOLCOTT AVENUE AND CAMP 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**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10588.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is a zone change request for a multi-family dwelling.

Mayor Blong opened the public hearing at 10:53 a.m.

Jason Laain, Rockwall, Texas and Omer Sarig, Columbus, Ohio, wished to show support of this item but did not want to speak.

There being no one present wishing to speak, the public hearing was immediately closed.

John Norman moved to approve the first of two readings of Ordinance No. 10588; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman
NAY: None
ABSTAIN: None
ABSENT: None

29. 10589 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 7, BLOCK 22, GREENWOOD ADDITION, THIRD, FOURTH AND FIFTH SECTIONS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF SOUTH CALHOUN STREET AND EAST NEW YORK AVENUE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10589.

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

Council Member Burkholder inquired about changes to the zoning map so that some of these items do not have to come to Council for approval.

Planning & Development Officer Elizabeth Triggs reported a resolution was passed last year that would allow certain fees to be waived. Since a mass zoning map change is a comprehensive process, public meetings will need to be conducted. More should be known in the coming months.

City Manager Tommy Gonzalez reported staff has been working on this for a year.

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

John Norman moved to approve the first of two readings of Ordinance No. 10589; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

30. 10590 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 9, BLOCK 28, MOODY ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF NORTH MADISON STREET, APPROXIMATELY 100 FEET NORTH OF EAST WALL 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)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10590.

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

Mayor Blong opened the public hearing at 10:59 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Norman moved to approve the first of two readings of Ordinance No. 10590; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman
NAY: None
ABSTAIN: None
ABSENT: None

31. 10591 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR LOT 2, BLOCK 1, 349 RETAIL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF NORTH STATE 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 LOUNGE 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 & PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10591.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is a request for a specific use designation (SUD).

Mayor Blong opened the public hearing at 11:04 a.m.

Reese Myatt, 4902 Castleford Road and Ryan Hernandez, 1908 Washita, wish to show support of this item but do not want to speak.

There being no one present wishing to speak, the public hearing was closed at 11:05 a.m.

John Norman moved to approve the first of two readings of Ordinance No. 10591; seconded by Brian Stubbs.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman
NAY: None
ABSTAIN: None
ABSENT: None

MISCELLANEOUS

32. 10592 – DISCUSSION AND CONSIDERATION OF ALL MATTERS INCIDENT AND RELATED TO THE ISSUANCE AND SALE OF “CITY OF MIDLAND, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2025,” INCLUDING THE ADOPTION OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF SUCH BONDS, ESTABLISHING PARAMETERS FOR THE SALE AND ISSUANCE OF SUCH BONDS AND DELEGATING CERTAIN MATTERS TO AN AUTHORIZED OFFICIAL OF THE

CITY (DISTRICT: NONE) (FINANCE) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10592.

City Manager Tommy Gonzalez gave a brief overview of the two items noting one is a refunding opportunity for better savings and the other is for Certificates of Obligation that Council approved in the budget process.

Finance Director Christy Weakland gave a brief overview of the item noting what this will accomplish in terms of savings and improvements.

Mayor Blong reported how the funds help with solving the Fire Pension Fund issues and other ways the funds may be used.

Mr. Gonzalez and Mayor Blong thanked Mrs. Weakland and staff for the amount of work that was done.

George Williford, Hilltop Securities, gave a brief overview of the next steps of this process and the AAA rating.

City Manager Tommy Gonzalez provided examples of funds now standing on their own instead of being subsidized by the general fund.

Jack Ladd moved to approve the first and only reading of Ordinance No.10592; seconded by Brian Stubbs.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

33. 10593 – DISCUSSION AND CONSIDERATION OF ALL MATTERS INCIDENT AND RELATED TO THE ISSUANCE AND SALE OF “CITY OF MIDLAND, TEXAS TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2025,” INCLUDING THE ADOPTION OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF SUCH CERTIFICATES OF OBLIGATION, ESTABLISHING PARAMETERS FOR THE SALE AND ISSUANCE OF SUCH CERTIFICATES OF OBLIGATION AND DELEGATING CERTAIN MATTERS TO AN AUTHORIZED OFFICIAL OF THE CITY **(DISTRICT: NONE) (FINANCE) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10593.

Discussion on this item was included in the previous item number 32.

Jack Ladd moved to approve the first and only reading of Ordinance No.10593; seconded by Brian Stubbs.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

34. 009-2025 – MOTION APPOINTING A MAYOR PRO TEMPORE **(DISTRICT: ALL) (CITY SECRETARY'S OFFICE)**

Jack Ladd moved to appoint Robin Poole as Mayor Pro Tempore; seconded by John Norman.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

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

John Burkholder moved to appoint J.Ross Lacy to the Midland Development Corporation board; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

Brian Stubbs moved to appoint Garrett Donnelly to the Midland Development Corporation board; seconded by Robin Poole.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

John Norman moved to re-appoint Elvie Brown to the Midland Development Corporation board; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

Brian Stubbs moved to appoint Joshua Sparks, Brandon Ofield, J. Brian Martin and Dara Richardson to the Planning and Zoning Commission; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

John Burkholder moved to appoint Joshua Garza, as an alternate, to the Planning and Zoning Commission; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

Brian Stubbs moved to appoint Aaron Hunter, as an alternate, to the Planning and Zoning Commission; seconded by Robin Poole.

The motion passed by the following vote:

AYE: Burkholder, Stretcher Burkes, Poole, Blong, Stubbs, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

PUBLIC COMMENT

36. 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.)

Mark Wagner, 2806 Ann Drive, reported several frustrations to include his disappointment that a demolition permit was provided to the school board to destroy Ranchland Hills club house.

EXECUTIVE SESSION

37. Pursuant to Texas Government Code § 551.101, the City Council will hold an Executive Session, which is closed to the public, to discuss the following matters as permitted under the following sections of the Texas Government Code:

Mayor Blong recessed the City Council meeting to go into Executive Session at 11:26 a.m.

a. Section 551.074, Personnel Matters

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

b. Section 551.071, Consultation with Attorney

- b.1. Discuss matters in which the duty of the attorney 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.

c. Section 551.072, Deliberation Regarding Real Property

- c.1. Discuss the purchase, exchange, lease or value of real property.

All the business at hand having been completed, the meeting adjourned at 1:50 p.m.

PASSED AND APPROVED January 28, 2025.

Lori Blong, Mayor

ATTEST:

Marcia Bentley-German
City Governance Officer/City Secretary