

**MIDLAND CITY COUNCIL
MINUTES
February 11, 2025**



The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., February 11, 2025.

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

Council Members absent: Jack Ladd

Staff members present: City Manager Tommy Gonzalez, City Attorney John Ohnemiller, Deputy City Manager Morris Williams Jr., Assistant City Manager Jose Ortiz, City Governance Officer/City Secretary Marcia Bentley-German

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

OPENING ITEMS

1. Invocation – Dr. Darin Wood, First Baptist Church of Midland

Dr. Darin Wood was unable to attend today's meeting. Mayor Blong provided the invocation.

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 Proclamation for “Project Blueprint Day”.

3b. Presentation of “Transportation Landscape in Midland”.

Intergovernmental Relations Officer Lindsey Adams provided an extensive presentation on the “Transportation Landscape in Midland”. Ms. Adams reviewed transportation planning to include the key players and advocates in Midland such as the Texas Department of Transportation Odessa District (TXDOT), Permian Basin Metropolitan Planning Organization (PBMPO), City of Midland, Midland County, the Midland Development Corporation (MDC), Midland Odessa Transportation Alliance

(MOTRAN), Permian Strategic Partnership (PSP) and Ports to Plains Alliance. Ms. Adams also reported on the responsibilities of each of these organizations and gave an update on the I-27 and I-14 corridors.

To view this presentation in it's entirety, please visit the city's web page at <https://www.midlandtexas.gov/1231/Council-Meetings>.

- 3c. Presentation by Financial Reporting Manager Jamie Barton regarding Investing in Basic Services: Infrastructure and Public Safety.

Finance Director Christy Weakland introduced Financial Reporting Manager Jamie Barton who provided a brief overview of the strategic plan funding, strengthening and sustaining infrastructure, the roads project for growth, water projects, sanitation projects, Airport needs, the Hogan Golf Course, park improvements and the Fire Pension Retirement Fund.

City Manager Tommy Gonzalez reported 60 million dollars will be saved on interest since solving the issue with the Firefighter fund.

Council Member Norman spoke about revisiting Hogan Park, especially with regard to tournaments in Midland.

Council Member Stubbs spoke about how the City of Midland is staying focused while growing.

Council Member Burkholder spoke about unlocking tax dollars to use for projects that will enhance the City of Midland and help tax payers.

To view this presentation in it's entirety, please visit the city's web page at <https://www.midlandtexas.gov/1231/Council-Meetings>.

- 3d. Presentation by Justin Graham, Chairman of the Midland Firemen's Retirement & Relief Fund regarding Fire Retirement Fund Update.

Chairman of the Midland Firemen's Retirement and Relief Fund, Justin Graham, provided an update of the Fire Retirement Fund reporting that the Firefighters have taken the necessary steps to honor the mutual resolutions the Pension Board and the City Council have made. On Sunday, February 6, 2025, the preliminary election results by the firefighters, to reduce the liability by five percent of pay received, was overwhelmingly supported to fix the pension issue.

Mr. Graham thanked the Mayor, City Council, City Manager Tommy Gonzalez and Deputy City Manager Morris Williams Jr. for their help in finding a resolution to the problem. Mr. Graham also reported that because of the board's quick action after receiving the forensic and governance audit and making the investment changes needed, it has placed the pension fund at around a 12 percent return for 2024. This is well above the seven percent expected, ranking as 37 among 405 pension fund plans compared, moving Midland into the top 10 percent.

Mayor Blong thanked the Firefighters on behalf of the City Council and reported the plan is to move forward quickly with funding once it's ratified.

Council Member Burkholder also thanked the Firefighters.

CONSENT AGENDA

4. MOTION APPROVING THE FOLLOWING MINUTES:
 - 4a. SPECIAL SESSION OF JANUARY 22, 2025
 - 4b. SPECIAL SESSION OF JANUARY 23, 2025
 - 4c. REGULAR SESSION OF JANUARY 28, 2025
 - 4d. SPECIAL SESSION OF JANUARY 28, 2025
5. 017-2025 – MOTION ACCEPTING A DONATION IN THE AMOUNT OF \$30,000 FROM CHEVRON; SAID FUNDS TO BE USED FOR THE PURCHASE OF SCBA TESTING EQUIPMENT TO ENSURE THE FUNCTIONALITY OF RESPIRATOR MASKS FOR THE MIDLAND FIRE DEPARTMENT **(DISTRICT: NONE) (FINANCE) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**
6. 2025-018 – RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS VEHICLES FOR THE GENERAL SERVICES DEPARTMENT FOR A TOTAL COST OF \$802,323.40 **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
10. 2025-021 – RESOLUTION AUTHORIZING THE SUBMISSION OF APPLICATION NO. 5362201 TO THE OFFICE OF THE GOVERNOR FOR THE FISCAL YEAR 2026 STATE AND LOCAL CYBERSECURITY GRANT PROGRAM (OBJECTIVE 4 – WORKFORCE DEVELOPMENT) FOR GRANT FUNDS TOTALING \$16,000.00; SAID GRANT FUNDS, IF AWARDED, SHALL BE USED TO UNDERTAKE THE IMPLEMENTING COURSERA PROJECT THAT CONSISTS OF A TRAINING PROGRAM FOR THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT COVERING COURSES AND CERTIFICATIONS IN CYBERSECURITY, CLOUD COMPUTING, ARTIFICIAL INTELLIGENCE, AND OTHER CRITICAL INFORMATION TECHNOLOGY DISCIPLINES; APPROVING AND APPROPRIATING \$3,200.00 IN LOCAL MATCHING FUNDS; AND AUTHORIZING THE CITY MANAGER, THE FINANCE DIRECTOR, THE CHIEF INFORMATION OFFICER, AND THE GRANT WRITER TO EXECUTE ALL NECESSARY DOCUMENTS TO ACCEPT, DENY, OR MODIFY ALL ASPECTS OF THE GRANT **(DISTRICT: ALL) (COMMUNICATION & INFORMATION SYSTEMS) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
11. 2025-022 – RESOLUTION AUTHORIZING THE SUBMISSION OF APPLICATION NO. 5362101 TO THE OFFICE OF THE GOVERNOR FOR THE FISCAL YEAR 2026 STATE

AND LOCAL CYBERSECURITY GRANT PROGRAM (OBJECTIVE 3 – MITIGATION) FOR GRANT FUNDS TOTALING \$277,000.00; SAID GRANT FUNDS, IF AWARDED, SHALL BE USED TO UNDERTAKE THE IMPLEMENTING XSIAM FROM PALO ALTO NETWORKS PROJECT, WHICH PROVIDES THE CAPABILITY TO AUTOMATICALLY DETECT AND REMEDIATE INCIDENTS BY LEVERAGING ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING; APPROVING AND APPROPRIATING \$55,400.00 IN LOCAL MATCHING FUNDS; AND AUTHORIZING THE CITY MANAGER, THE FINANCE DIRECTOR, THE CHIEF INFORMATION OFFICER, AND THE GRANT WRITER TO EXECUTE ALL NECESSARY DOCUMENTS TO ACCEPT, DENY, OR MODIFY ALL ASPECTS OF THE GRANT **(DISTRICT: ALL) (COMMUNICATION & INFORMATION SYSTEMS) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

12. 2025-023 – RESOLUTION AUTHORIZING THE SUBMISSION OF APPLICATION NO. 5329201 TO THE OFFICE OF THE GOVERNOR FOR THE FISCAL YEAR 2026 STATE AND LOCAL CYBERSECURITY GRANT PROGRAM (OBJECTIVE 2 – ASSESSMENT AND EVALUATION) FOR GRANT FUNDS TOTALING \$40,000.00; SAID GRANT FUNDS, IF AWARDED, SHALL BE USED TO UNDERTAKE THE CYBERSECURITY PENETRATION TEST PROJECT THAT WILL SIMULATE REAL-WORLD CYBERATTACKS AGAINST THE CITY OF MIDLAND'S SYSTEMS, NETWORKS, AND APPLICATIONS; APPROVING AND APPROPRIATING \$8,000.00 IN LOCAL MATCHING FUNDS; AND AUTHORIZING THE CITY MANAGER, THE FINANCE DIRECTOR, THE CHIEF INFORMATION OFFICER, AND THE GRANT WRITER TO EXECUTE ALL NECESSARY DOCUMENTS TO ACCEPT, DENY, OR MODIFY ALL ASPECTS OF THE GRANT **(DISTRICT: ALL) (COMMUNICATION & INFORMATION SYSTEMS) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
15. 019-2025 – MOTION APPROVING MIDLAND COUNTY'S APPOINTMENTS OF COUNTY COMMISSIONER DIANNE ANDERSON AND COUNTY COMMISSIONER JEFF SOMERS TO THE BOARD OF DIRECTORS OF TAX INCREMENT REINVESTMENT ZONE NUMBER TWO **(DISTRICT 2 & 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**
16. 020-2025 – MOTION APPOINTING THE CURRENT MAYOR AND CITY COUNCIL MEMBERS AND THEIR SUCCESSORS TO THE BOARD OF DIRECTORS OF TAX INCREMENT REINVESTMENT ZONE NUMBER TWO **(DISTRICT 2 & 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**
17. 021-2025 – MOTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE SCHARBAUER FOUNDATION, INC.; SAID AGREEMENT PROVIDING FOR \$5,000,000 IN GRANT FUNDS TO BE USED FOR THE UPGRADE TO THE SPLASH PAD FEATURE PLANNED AT BEAL PARK AS PART OF THE BEAL PARK RENOVATION PROJECT **(DISTRICT 4) (PARKS AND RECREATION) (QUALITY OF LIFE AND PLACE)**
19. 023-2025 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-A-WAY LICENSE (25-329-005) BETWEEN THE CITY OF MIDLAND AND TARGA PIPELINE MID-CONTINENT WESTEX L.L.C.; REGARDING CITY-OWNED PROPERTY DESCRIBED AS

SECTIONS 5, 8, AND 9, BLOCK 38, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (DISTRICT: NONE) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)

Brian Stubbs moved to approve consent agenda items 4 – 19, excluding items 7, 8, 9, 13, 14 & 18; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Ladd

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

7. 2025-019 – RESOLUTION AUTHORIZING THE CITY MANAGER, THE DEPUTY CITY MANAGER, OR THE ASSISTANT CITY MANAGER (COLLECTIVELY, THE “CITY MANAGER’S OFFICE”) TO ACQUIRE, ON BEHALF OF THE CITY OF MIDLAND, IN FEE SIMPLE CERTAIN REAL PROPERTY DESCRIBED AS LOTS 1 THROUGH 6, BLOCK 38, ORIGINAL TOWN ADDITION, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, SAVE AND EXCEPT: (1) A 31.6-FOOT BY 21.2-FOOT TRACT OUT OF THE NORTHEAST CORNER OF SAID REAL PROPERTY THAT IS THE LOCATION OF A SATELLITE DISH SURROUNDED BY A WROUGHT IRON FENCE; AND (2) A 29.4-FOOT BY 37-FOOT TRACT LOCATED ON THE WEST SIDE OF SAID REAL PROPERTY AND SITUATED APPROXIMATELY 64 FEET NORTH OF THE SOUTHWEST CORNER OF SAID PROPERTY THAT IS IMPROVED WITH A CONDENSING UNIT AND HVAC EQUIPMENT SURROUNDED BY A CHAIN LINK FENCE; AUTHORIZING THE CITY MANAGER’S OFFICE TO NEGOTIATE, EXECUTE, AND FILE ALL DOCUMENTS NECESSARY TO ACQUIRE SAID REAL PROPERTY, PURCHASE A TITLE INSURANCE POLICY, AND HOLD THE CLOSING FOR SAID ACQUISITION; AUTHORIZING PAYMENT FOR THE PURCHASE OF SAID REAL PROPERTY, TITLE INSURANCE POLICY, AND CLOSING COSTS; AND ORDERING THE CITY SECRETARY TO RECORD, OR ENSURE THAT THE TITLE COMPANY RECORDS, THE INSTRUMENTS OF CONVEYANCE

Assistant City Manager Jose Ortiz gave a brief update about adding more spaces for parking downtown.

City Manager Tommy Gonzalez thanked the Midland County Judge and Commissioners for keeping the rates low to pre-Covid dollars.

John Burkholder moved to approve Resolution No. 2025-019; seconded by John Norman.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Ladd

8. 018-2025 – MOTION APPROVING THE EXECUTION OF AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND FLOUR CHILD BAKED GOODS, LLC

Council Member Poole reported she would like an update on small business development that the late Council Member Dan Corrales began work on and would prefer to see items like this go through the Midland Entrepreneurial Challenge to assist even more businesses.

City Manager Tommy Gonzalez provided an update on the work being done with small businesses within the city.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting one of the challenges small businesses face is the access to capital, noting the most successful programs are the ones that help with access to capital in the form of grants. Mrs. Triggs reported the city is already looking into the process.

Council Member Burkholder reported he is for small businesses but that he also wants to see economic benefits for the city.

Midland Development Corporation Director Sara Harris reported Midland Development Corporation does have substantial commitments; however, they are offset by monthly revenues that are received through the Comptroller for sales tax. The commitments are over a very long period of time, such as around seven years. The total amount available over that period of time is more than the commitments that have been made.

Mayor Blong clarified the City is not operating at a deficit into the future because we have future revenues that will cover things that come up.

Council Member Norman agrees the city needs to be investing in our communities.

Mrs. Harris provided information on Flour Child Baked Goods LLC and the positive impact of an agreement with the organization. Mrs. Harris also reviewed the return on investment with this deal and how it came about.

Council Member Stubbs and Council Member Norman spoke on their support of small businesses within Midland.

Robin Poole moved to approve Motion No. 018-2025; seconded by John Norman.

The motion passed by the following vote:

AYE: Stubbs, Stretcher Burkes, Blong, Norman

NAY: Poole, Burkholder

ABSTAIN: None

ABSENT: Ladd

9. 2025-020 – RESOLUTION AUTHORIZING THE SUBMISSION OF APPLICATION NO. 5362301 TO THE OFFICE OF THE GOVERNOR FOR THE FISCAL YEAR 2026 STATE AND LOCAL CYBERSECURITY GRANT PROGRAM (OBJECTIVE 1 – GOVERNANCE

AND PLANNING) FOR GRANT FUNDS TOTALING \$100,000.00; SAID GRANT FUNDS, IF AWARDED, SHALL BE USED TO UNDERTAKE THE CYBERSECURITY POLICY GAP ANALYSIS PROJECT TO DEVELOP AND ESTABLISH APPROPRIATE GOVERNANCE STRUCTURES IN ALIGNMENT WITH THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY'S CYBERSECURITY FRAMEWORK, INCLUDING DEVELOPING, IMPLEMENTING, AND REVISING CYBERSECURITY PLANS; APPROVING AND APPROPRIATING \$20,000.00 IN LOCAL MATCHING FUNDS; AND AUTHORIZING THE CITY MANAGER, THE FINANCE DIRECTOR, THE CHIEF INFORMATION OFFICER, AND THE GRANT WRITER TO EXECUTE ALL NECESSARY DOCUMENTS TO ACCEPT, DENY, OR MODIFY ALL ASPECTS OF THE GRANT

Council Member Stubbs thanked staff for working on getting these grant funds.

Chief Information Officer Gorgees Eskander gave a brief overview of the grant.

Brian Stubbs moved to approve Resolution No. 2025-020; seconded by John Burkholder.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Ladd

13. 2025-024 – RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MIDLAND COUNTY FOR SAID COUNTY TO PARTICIPATE IN TAX INCREMENT REINVESTMENT ZONE NUMBER THREE

Planning & Development Officer Elizabeth Triggs gave a brief overview of Tax Increment Reinvestment Zone (TIRZ) number three with which Midland County has agreed to participate. TIRZ number three runs along the 191 corridor and is intended to assist with a plan to fund infrastructure and growth.

John Burkholder moved to approve Resolution No. 2025-024; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Ladd

14. 2025-025 – RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MIDLAND COUNTY FOR SAID COUNTY TO PARTICIPATE IN TAX INCREMENT REINVESTMENT ZONE NUMBER FOUR

This item was discussed along with item number 13.

John Burkholder moved to approve Resolution No. 2025-025; seconded by Brian Stubbs.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Ladd

18. 022-2025 – MOTION AUTHORIZING THE CITY MANAGER, THE DEPUTY CITY MANAGER, OR THE ASSISTANT CITY MANAGER (COLLECTIVELY, THE “CITY MANAGER’S OFFICE”) TO ACCEPT, ON BEHALF OF THE CITY OF MIDLAND, A GIFT DEED FROM OCCIDENTAL PERMIAN, LTD. CONVEYING UNTO THE CITY A 4.44-ACRE TRACT OF LAND OUT OF SECTION 11, BLOCK 39, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS; SAID TRACT TO BE USED FOR THE DEVELOPMENT AND OPERATION OF A FIRE STATION; AND AUTHORIZING THE CITY MANAGER’S OFFICE TO EXECUTE ALL DOCUMENTS NECESSARY FOR SUCH ACCEPTANCE

Managing Director of Public Safety Chuck Blumenauer gave a brief overview of the item with regard to how this station will help with the growth of Midland.

Brian Stubbs moved to approve Motion No. 022-2025; seconded by John Burkholder.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Ladd

SECOND READINGS

20. 10594 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 12, BLOCK 1, CRESCENT PLACE, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF CRESCENT PLACE, APPROXIMATELY 800 FEET WEST OF SOUTH FOUNDATION BOULEVARD), BY PERMITTING A REDUCED MINIMUM REAR YARD SETBACK FOR A VEHICLE ENTRANCE TO A GARAGE THAT FACES THE REAR ALLEY; 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 ON JANUARY 28, 2025) **(DISTRICT 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10594.

Amy Stretcher Burkes moved to approve the second and final reading of Ordinance No. 10594; seconded by John Burkholder.

The motion passed by the following vote:

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

21. 10595 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 12A, BLOCK 3, AVALON ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WINFIELD ROAD, APPROXIMATELY 160 FEET EAST OF NORTH L STREET), BY PERMITTING A REDUCED SIDE YARD SETBACK ON THE WEST 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 (FIRST READING HELD ON JANUARY 28, 2025) **(DISTRICT 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10595.

Amy Stretcher Burkes moved to approve the second and final reading of Ordinance No. 10595; seconded by John Norman.

The motion passed by the following vote:

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

PUBLIC HEARINGS

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

22. 10596 – AN ORDINANCE AMENDING TITLE IV, “BUILDING REGULATIONS”, CHAPTER 1, “BUILDING CODE”, SECTION 3, “CHANGES AND ADDITIONS TO ADOPTED BUILDING CODE”, OF THE CITY CODE OF THE CITY OF MIDLAND, TEXAS, SO AS TO EXEMPT FROM THE PERMIT REQUIREMENTS OF THE CITY’S BUILDING CODE (1) ONE-STORY DETACHED ACCESSORY STRUCTURES USED AS TOOL AND STORAGE SHEDS, PLAYHOUSES AND SIMILAR USES, PROVIDED THAT THE FLOOR AREA IS NOT GREATER THAN 120 SQUARE FEET, AND (2) SIDEWALKS AND DRIVEWAYS NOT MORE THAN 30 INCHES ABOVE ADJACENT GRADE, AND NOT OVER ANY BASEMENT OR STORY BELOW AND ARE NOT PART OF AN ACCESSIBLE ROUTE; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM FINE OR PENALTY 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) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No.

10596.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is the first of three code amendments regarding the the city's building code. These changes will encourage better permitting processes for customers. Mrs. Triggs provided a history noting that using the international codes are best practices.

Mayor Blong opened the public hearing at 11:38 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Burkholder moved to approve the first of two readings of Ordinance No. 10596; seconded by Brian Stubbs.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Ladd

23. 10597 – 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 EXEMPT FROM THE PERMIT REQUIREMENTS OF THE CITY'S RESIDENTIAL CODE (1) ONE-STORY DETACHED ACCESSORY STRUCTURES, PROVIDED THAT THE FLOOR AREA DOES NOT EXCEED 200 SQUARE FEET, (2) WATER TANKS SUPPORTED DIRECTLY UPON GRADE IF THE CAPACITY DOES NOT EXCEED 5,000 GALLONS AND THE RATIO OF HEIGHT TO DIAMETER OR WIDTH DOES NOT EXCEED 2 TO 1, AND (3) DECKS NOT EXCEEDING 200 SQUARE FEET IN AREA, THAT ARE NOT MORE THAN 30 INCHES ABOVE GRADE AT ANY POINT, ARE NOT ATTACHED TO A DWELLING AND DO NOT SERVE THE REQUIRED EXIT DOOR; 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) (QUALITY OF LIFE AND PLACE)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10597.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this item is similar to the previous item (number 22). It's about removing the amendment which will no longer require certain permits if approved. This will improve customer service for homeowners, tenants and frees up staff to work on more critical tasks.

Mayor Blong opened the public hearing at 11:40 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. 10597; seconded by John Burkholder.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Ladd

24. 10598 – AN ORDINANCE AMENDING TITLE IV, “BUILDING REGULATIONS” OF THE CITY CODE OF THE CITY OF MIDLAND, TEXAS, BY ADDING CHAPTER 13, “CONSTRUCTION WORK HOURS”, SO AS TO ESTABLISH PERMITTED HOURS OF CONSTRUCTION ACTIVITY WITHIN 600 FEET OF AN OCCUPIED RESIDENTIAL USE OR A HOSPITAL AND PROVIDE FOR THE ISSUANCE OF AFTER-HOURS CONSTRUCTION PERMITS; 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 THAT SHALL BE 30 DAYS AFTER THE DATE OF ADOPTION OF THIS ORDINANCE; AND ORDERING PUBLICATION **(DISTRICT: ALL) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10598.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is the third and final amendment of the building code. Its to implement effective code enforcement strategies and create an attractive and inclusive living environment. The proposed ordinance would establish construction work hours within Midland city limits from 7:00 a.m. to 7:00 p.m. Monday through Sunday. However, this only pertains to construction work taking place within 600 feet of occupied residences and hospitals. There is a provision in the ordinance that allows a contractor to obtain an after hours work permit. Best practices have been reviewed in other Texas cities.

Council Member Poole inquired if 600 feet is enough. Mrs. Triggs reported that looking at best practices, 600 feet was around the average. Assistant City Manager Jose Ortiz provided an example of how far 600 feet is.

Discussion ensued regarding how the construction workers would be notified and enforcement of this ordinance.

City Manager Tommy Gonzalez reported his staff will work on having a process in place.

Mayor Blong opened the public hearing at 11:53 a.m.

Jody McGee, 6700 Big Bend Country, former President of the Builders Association and the current Chair of the Political Action Committee spoke on decreasing the amount from 600 feet to 300 feet. Mr. McGee spoke with many builders and they like the idea but would like to propose a slight change. It would be extremely helpful to be able to pour concrete during

the summer in early mornings or late nights. What may happen is many builders will have to come apply for special permits which would create more work for staff and an extra layer for the contractor.

Mayor Blong reported the Council does not wish to create more work or hardship. Discussion ensued about making possible provisions in the code.

There being no one else wishing to speak, the public hearing was closed at 11:57 a.m.

Amy Stretcher Burkes moved to approve the first of two readings of Ordinance No. 10598; seconded by John Norman.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Ladd

25. 10599 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 3, BLOCK 1, 349 RETAIL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM RR, REGIONAL RETAIL DISTRICT TO C, COMMERCIAL DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF BUSINESS STATE HIGHWAY 349-C (NORTH BIG SPRING STREET), APPROXIMATELY 390 FEET NORTH OF TEJAS); 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) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10599.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is a rezone request to allow for the development of mini storage units on the property.

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 the first of two readings of Ordinance No. 10599; seconded by Brian Stubbs.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Ladd

26. 10600 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 7, BLOCK 11, 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 EAST WASHINGTON AVENUE AND 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) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10600.

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

John Norman moved to approve the first of two readings of Ordinance No.10600; seconded by Brian Stubbs.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Ladd

27. 10601 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 6 AND 7, BLOCK 1, SNIVELY RESUBDIVISION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM C, COMMERCIAL DISTRICT TO SF-1 SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF WEST FRANCIS AVENUE AND CLARK 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)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10601.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is a rezoning request for two properties.

Mayor Blong opened the public hearing at 12:05 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Norman moved to approve the first of two readings of Ordinance No. 10601; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Ladd

28. 10602 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 9 AND 10, BLOCK 172, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MH, MANUFACTURED HOUSING DISTRICT, IN PART, AND RR, REGIONAL RETAIL DISTRICT, IN PART, TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF SOUTH DALLAS STREET, APPROXIMATELY 125 FEET NORTH OF EAST FLORIDA 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)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10602.

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

Mayor Blong opened the public hearing at 12:07 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Burkholder moved to approve the first of two readings of Ordinance No. 10602; seconded by Brian Stubbs.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Ladd

PUBLIC COMMENT

29. 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.)

Eliel Rosa, 3603 Humble Avenue, would like an update on a question he asked at the last Council meeting about changing the time of City Council meetings to the evening instead of during the day.

EXECUTIVE SESSION

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

Mayor Blong recessed the City Council Meeting to go into Executive Session at 12:10 p.m.

Mayor Blong recessed Executive Session at 12:55 p.m. to go to the Fire Pension Special Meeting.

a. Section 551.087, Deliberate Economic Development Negotiations

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

b. Section 551.072, Deliberation Regarding Real Property

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

c. Section 551.074, Personnel Matters

c.1. Deliberate the employment, evaluation, and duties of the City Manager, City Attorney, City Secretary, Municipal Court Presiding Judge, and Municipal Court Associate Judge.

All the business at hand having been completed, the meeting adjourned at 3:07 p.m.

PASSED AND APPROVED February 25, 2025.

Lori Blong, Mayor

ATTEST:

Marcia Bentley-German
City Governance Officer/City Secretary