

CITY OF MIDLAND, TEXAS
AGENDA FOR CITY COUNCIL MEETING
April 8, 2025 - 10:00 AM
300 North Loraine
Midland, Texas
Council Chamber - City Hall



A quorum of the City Council intends to be physically present at the aforementioned location.

The City Council may discuss, consider, and take action on any item listed on this agenda.

OPENING ITEMS

1. Invocation – Pastor Seth DeRuiter, Stonegate Fellowship
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 “Midland Christian Lady Mustangs Day”
 - 3b. Presentation by Director of Finance Christy Weakland regarding the FY2024 Annual Comprehensive Financial Report

CONSENT AGENDA

4. MOTION APPROVING THE FOLLOWING MINUTES:
 - 4a. REGULAR SESSION OF MARCH 18, 2025
 - 4b. SPECIAL SESSION OF MARCH 18, 2025
 - 4c. SPECIAL SESSION OF MARCH 27, 2025
5. 033-2025 – MOTION APPROVING THE ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR FISCAL YEAR 2024 (**DISTRICT: NONE**) (**FINANCE**) (**PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT**)
6. 2025-049 – RESOLUTION AUTHORIZING THE PURCHASE OF ONE 16-YARD DUMP

TRUCK FOR THE TRANSPORTATION DIVISION FROM BRUCKNER TRUCK SALES, INC., DOING BUSINESS AS BRUCKNER'S TRUCK AND EQUIPMENT, THROUGH THE HOUSTON-GALVESTON AREA COUNCIL FOR A TOTAL COST OF \$196,612.12 **(DISTRICT: NONE) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

7. 2025-050 – RESOLUTION APPROVING THE PURCHASE OF THREE (3) 2-3 YARD DUMP BODIES, ONE (1) STEEL FLATBED BODY, ONE (1) UTILITY BODY WITH A CRANE AND LIFT GATE, TWO (2) UTILITY BODIES WITH LIFT GATES, AND ONE (1) UTILITY BODY FROM RANDALL REED'S PLANET FORD 635 FOR A TOTAL COST OF \$192,812.00 **(DISTRICT: NONE) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
8. 2025-051 – RESOLUTION RATIFYING AND APPROVING THE PAYMENT FOR EMERGENCY WATER MAIN REPLACEMENT AND REPAIR SERVICES ALONG COMANCHE DRIVE AND EISENHOWER STREET BY MIDESSA UNDERGROUND, LLC, FOR A TOTAL COST OF \$224,144.00; AND APPROPRIATING AND TRANSFERRING FUNDS **(DISTRICT 4) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
9. 034-2025 – MOTION AUTHORIZING THE EXECUTION OF CHANGE ORDERS #4 AND #5 WITH HYDRO RESOURCES – MID CONTINENT, INC., REGARDING THE PAUL DAVIS WELL FIELD DEVELOPMENT PROJECT; SAID CHANGE ORDERS TO BE IN THE AMOUNT OF \$210,847.50 FOR ENHANCED SYSTEM PERFORMANCE AND TO ACCOMMODATE UNFORESEEN FIELD CONDITIONS **(DISTRICT: NONE) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
10. 2025-052 – RESOLUTION APPROVING A CONTRACT WITH NOUVEAU TECHNOLOGY SERVICES, LP, THROUGH THE INTERLOCAL PURCHASING SYSTEM, FOR THE CONSTRUCTION AND INSTALLATION OF A CART BARN AT HOGAN GOLF COURSE FOR A TOTAL COST OF \$1,320,000.00; APPROVING \$66,000.00 FOR PROJECT RELATED COSTS; AND APPROPRIATING FUNDS FOR SAID PROJECT **(DISTRICT 2) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
11. 2025-053 – RESOLUTION AWARDING A CONTRACT IN THE AMOUNT OF \$293,248.85 FOR THE PURCHASE AND INSTALLATION OF A PLAYGROUND FACILITY AT MOMENTUM BANK BALL PARK TO 4B RECREATION GROUP, LLC, D/B/A PLAYGROUNDS ETC.; AND APPROVING \$29,351.15 FOR PROJECT RELATED EXPENSES **(DISTRICT 4) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
12. 2025-054 – RESOLUTION AWARDING A CONTRACT IN THE AMOUNT OF \$133,751.62 FOR THE PURCHASE AND INSTALLATION OF SHADE STRUCTURES AT DOUG RUSSELL POOL TO 4B RECREATION GROUP, LLC, D/B/A PLAYGROUNDS ETC.; AND APPROVING \$6,248.38 FOR PROJECT RELATED EXPENSES **(DISTRICT 3) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

13. 2025-055 – RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THAT CERTAIN NON-EXCLUSIVE COMMERCIAL FIXED-BASE OPERATOR LEASE AGREEMENT BETWEEN THE CITY OF MIDLAND AND BASIN AVIATION, INC. **(DISTRICT 3) (AIRPORTS) (TRANSPARENT & CONSISTENT COMMUNICATION)**
14. 035-2025 – MOTION AUTHORIZING THE EXECUTION OF A SURFACE USE AGREEMENT (25-329-013) WITH VITAL ENERGY, INC., REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 8, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS **(DISTRICT: NONE) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

SECOND READINGS

15. 10606 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 2,512-SQUARE FOOT PORTION OF LOT 5A, BLOCK 1, GATEWAY PLAZA ADDITION, SECTION 12, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SOUTH TRADEWINDS BOULEVARD AND STARBOARD DRIVE), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A RESTAURANT FOR ON-PREMISES CONSUMPTION; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (FIRST READING HELD MARCH 18, 2025) **(DISTRICT 4) (DEVELOPMENT SERVICES) (QUALITY OF LIFE & PLACE)**
16. 10607 – AN ORDINANCE ADOPTING A FEE SCHEDULE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING AN APPEAL PROCESS; ESTABLISHING AN EFFECTIVE DATE OF APRIL 9, 2025; AND ORDERING PUBLICATION (FIRST READING HELD MARCH 18, 2025) **(DISTRICT: ALL) (FINANCE) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**
17. 10608 – AN ORDINANCE AMENDING TITLE V, “BUSINESS REGULATIONS” OF THE CITY CODE OF THE CITY OF MIDLAND, TEXAS, BY ADDING CHAPTER 13, “MASSAGE ESTABLISHMENTS”, SO AS TO ESTABLISH CERTAIN REQUIREMENTS THAT MUST BE SATISFIED TO OPERATE A BUSINESS THAT ADVERTISES OR OFFERS MASSAGE THERAPY OR OTHER MASSAGE SERVICES; 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 (FIRST READING HELD MARCH 18, 2025) **(DISTRICT: ALL) (DEVELOPMENT SERVICES) (SAFE AND SECURE CITY)**

PUBLIC HEARINGS

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

18. 10609 – AN ORDINANCE EXTENDING THE BOUNDARIES OF THE CITY OF MIDLAND, TEXAS, BY ADDING THERETO A CERTAIN AREA ADJOINING THE PRESENT CITY LIMITS, BEING A 15.6-ACRE TRACT OF LAND OUT OF SECTION 7, BLOCK 38, AND SECTION 12, BLOCK 39, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF FARM-TO-MARKET ROAD 715, APPROXIMATELY 500 FEET NORTH OF EAST COUNTY ROAD 120); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY **(DISTRICT: NONE) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**
19. 10610 – AN ORDINANCE ESTABLISHING THE INITIAL ZONING CLASSIFICATION OF THE AREA INDICATED AS BEING A 15.6-ACRE TRACT OF LAND OUT OF SECTION 7, BLOCK 38, AND SECTION 12, BLOCK 39, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AS AN RR, REGIONAL RETAIL DISTRICT; SAID TRACT BEING GENERALLY LOCATED ON THE WEST SIDE OF FARM-TO-MARKET ROAD 715, APPROXIMATELY 500 FEET NORTH OF EAST COUNTY ROAD 120; 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: NONE) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**
20. 10611 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR A 16.66-ACRE TRACT OF LAND OUT OF SECTION 10, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF COTTON FLAT ROAD AND ALTA VISTA DRIVE), WHICH IS PRESENTLY ZONED SF-1, SINGLE-FAMILY DWELLING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR A VACATION TRAVEL TRAILER PARK; 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)**
21. 10612 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR THE WEST HALF OF LOT 6 AND ALL OF LOTS 7 AND 8, BLOCK 3, PARKLEA ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST WALL STREET, APPROXIMATELY 80 FEET EAST OF WEST CIRCLE DRIVE), 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 **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

22. 10613 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM ON LOT 8, BLOCK 44, FAIRMONT PARK ADDITION, SECTION 27, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF WEST LOOP 250 NORTH, APPROXIMATELY 230 FEET SOUTH OF HENRY KOONTZ BOULEVARD.), WHICH IS PRESENTLY ZONED PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER, ALLOWING SUCH PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A RESTAURANT FOR ON-PREMISES CONSUMPTION, MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION **(DISTRICT 1) (DEVELOPMENT SERVICES) (QUALITY OF LIFE & PLACE)**

PUBLIC COMMENT

23. 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

24. 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:
- 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 551.074, Personnel Matters
 - b.1. Deliberate the employment, evaluation, and duties of the City Manager, Interim City Attorney, Special Counsel, City Secretary, Municipal Court Presiding Judge and Municipal Court Associate Judge.
 - c. Section 551.071, Consultation with Attorney
 - c.1. Discuss a matter 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.

Respectfully Submitted,

Tommy Gonzalez
City Manager

MEETING ASSISTANCE INFORMATION: The Midland City Hall and Council Chamber are wheelchair accessible. If you need special assistance to participate in this meeting, please contact the City Secretary's Office at (432) 685-7430. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.