

**MIDLAND CITY COUNCIL
MINUTES
May 13, 2025**



The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., May 13, 2025.

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

Council Members absent: John Burkholder

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

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

OPENING ITEMS

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

PRESENTATIONS

3. Presentation of special events, organizations, individuals, periods of time, or reports, including, but not limited to:
 - 3a. Presentation by the Strategic Communications Office regarding the Midland 101 Graduation
 - 3b. Presentation of a Community Recognition related to local athletic achievement

Council Member Norman was recognized for being inducted into the Texas High School Football Hall of Fame.

- 3c. Presentation by Chief Information Officer Gorgees Eskander regarding Cybersecurity

This presentation will be given at a later date.

- 3d. Presentation on Midland Debt Summary by Christy Weakland, Director of Finance

Finance Director Christy Weakland presented information on the debt summary for the City of Midland. Mrs. Weakland reported on what the bond pays for, such as: streets, parks and golf, sanitation, the Bush Convention Center and water just to name a few. Mrs. Weakland also reported on tax supported debt per capita and tax vs. fee supported debt.

CONSENT AGENDA

4. MOTION APPROVING THE FOLLOWING MINUTES:
 - 4a. REGULAR SESSSION OF APRIL 22, 2025
 - 4b. SPECIAL SESSION OF APRIL 24, 2025
5. 2025-063 – RESOLUTION APPROVING THE PURCHASE OF EIGHT (8) CAB AND CHASSIS TRUCKS WITH KANN 29-YARD REFUSE TRUCK BODIES FROM BDR PREFERRED HOLDINGS LLC DBA ROBERTS TRUCK CENTER, THROUGH SOURCEWELL, FOR A TOTAL COST OF \$2,301,088.51 **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
6. 2025-064 – RESOLUTION APPROVING THE PURCHASE OF TWO (2) 14-TO-16-YARD DUMP BODY TRUCKS FROM BRUCKNER'S TRUCK SALES, INC., THROUGH THE HOUSTON-GALVESTON AREA COUNCIL FOR A TOTAL COST OF \$411,804.00 **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
7. 2025-065 – RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH UNIQUE DIGITAL TECHNOLOGY, LLC, A CONVERGE COMPANY THROUGH THE INTERLOCAL PURCHASING SYSTEM, FOR THE PURCHASE AND INSTALLATION OF A RUBRIK BACKUP SOLUTION FOR A TOTAL COST OF \$474,358.44; AND APPROPRIATING FUNDS **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
8. 2025-066 – RESOLUTION AWARDDING A CONTRACT TO DOWTECH SPECIALTY CONTRACTORS, INC., FOR THE SOLIDS HANDLING IMPROVEMENTS PROJECT FOR THE UTILITIES DEPARTMENT FOR THE AMOUNT OF \$3,735,304.00; APPROVING \$560,296.00 FOR CONTINGENCIES; AND APPROPRIATING AND TRANSFERRING FUNDS **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
9. 2025-067 – RESOLUTION AUTHORIZING THE EXECUTION OF A SOLE-SOURCE CONTRACT FOR THE PURCHASE AND INSTALLATION OF GATEWAY COLLECTORS FOR THE CUSTOMER SERVICE DIVISION FROM CORE & MAIN LP FOR A COST OF \$547,546.89; AND APPROPRIATING FUNDS **(DISTRICT: ALL) (GENERAL**

SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)

10. 2025-068 – RESOLUTION AUTHORIZING THE EXECUTION OF A SOLE-SOURCE CONTRACT WITH UTILIS, INC., DBA ASTERRA FOR SATELLITE LEAK DETECTION SERVICES FOR THE UTILITIES DEPARTMENT FOR A TOTAL COST OF \$930,000.00; AND APPROPRIATING AND TRANSFERRING FUNDS **(DISTRICT: ALL) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
11. 2025-069 – RESOLUTION APPROVING THE PURCHASE OF REPAIR SERVICES FROM WARREN POWER & MACHINERY, INC., D/B/A WARREN CAT THROUGH BUYBOARD, FOR THE REPAIR OF A CATERPILLAR MODEL 745 ARTICULATED DUMP TRUCK FOR THE SOLID WASTE DEPARTMENT FOR A TOTAL COST OF \$272,163.78; AND APPROVING \$13,608.22 FOR CONTINGENCIES **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
12. 041-2025 – MOTION AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO ADVERTISE A REQUEST FOR QUALIFICATIONS FOR ON-CALL CITYWIDE PROFESSIONAL ENGINEERING SERVICES, ARCHITECTURE SERVICES, LANDSCAPE ARCHITECTURE SERVICES, LAND SURVEYING SERVICES, REAL ESTATE APPRAISING SERVICES, PLANNING SERVICES, AND SERVICES PROVIDED IN CONNECTION THEREWITH FOR THE UTILITIES DEPARTMENT **(DISTRICT: ALL) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
13. 042-2025 – MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, A PRELIMINARY PLAT OF SHERIFF GARY PAINTER SUBDIVISION, BEING A 236.34-ACRE TRACT OF LAND OUT OF THE EAST HALF OF SECTION 4, BLOCK 38, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF EAST COUNTY ROAD 110 AND SOUTH COUNTY ROAD 1140) **(DISTRICT: NONE) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**
14. 043-2025 – MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, A PRELIMINARY PLAT OF SOUTHWEST CROSSING, SECTION 22, BEING A PLAT OF A 27.86-ACRE TRACT OF LAND OUT OF SECTION 12, BLOCK 40, T-2-S, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF CHOLLA ROAD, APPROXIMATELY 845 FEET WEST OF ANTELOPE TRAIL) **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**
15. 044-2025 – MOTION AUTHORIZING THE EXECUTION OF A SUBSURFACE USE AGREEMENT BETWEEN THE CITY OF MIDLAND AND PIONEER NATURAL RESOURCES, USA, INC., REGARDING CERTAIN CITY-OWNED PROPERTY DESCRIBED AS THE SOUTH 600 FEET OF SECTION 33, BLOCK 38, AND THE SOUTH 600 FEET OF SECTION 36, BLOCK 39, T-1-N, T&P RR CO. SURVEY, MARTIN COUNTY, TEXAS **(DISTRICT 1) (DEVELOPMENT SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

16. 045-2025 – MOTION AUTHORIZING THE EXECUTION OF A DISCRETIONARY SERVICE AGREEMENT WITH ONCOR ELECTRIC DELIVERY COMPANY, LLC FOR THE RELOCATION OF POLES AS PART OF THE INCIDENTAL WORK FOR THE JAL DRAW DRAINAGE PROJECT AND ALLOCATING THE AMOUNT OF \$193,972.06 FROM THE FISCAL YEAR 2025 OPERATING BUDGET OF THE DRAINAGE FUND **(DISTRICT 4) (ENGINEERING SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
17. 2025-070 – RESOLUTION AUTHORIZING THE ASSIGNMENT OF SEVEN (7) RIGHT-OF-WAY LICENSES TO OXYROCK OPERATING, LLC **(DISTRICT: ALL) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
18. 046-2025 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (25-317-001) WITH PLAINS PIPELINE, L.P., REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 5 AND 8, BLOCK 38, T-1-S, T&P RR CO. SURVEY, MARTIN AND MIDLAND COUNTIES, TEXAS **(DISTRICT 1) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
19. 047-2025 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (25-327-002) WITH PLAINS PIPELINE, L.P., REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 44, BLOCK 38, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS. **(DISTRICT: NONE) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
20. 048-2025 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (25-329-014) BETWEEN THE CITY OF MIDLAND AND MID-STATES OPERATING CO. REGARDING CITY OWNED PROPERTY DESCRIBED AS SECTIONS 4, 5, 9, AND 10, BLOCK 38, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS **(DISTRICT: NONE) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
21. 049-2025 – MOTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THAT CERTAIN MAY 15, 1975 SURFACE LEASE AND RIGHT-OF-WAY AGREEMENT WITH MRC TORO, LLC, SUCCESSOR-IN-INTEREST TO ATLANTIC RICHFIELD COMPANY; SAID AMENDMENT PROVIDING FOR THE EXTENSION OF THE TERM FOR A PERIOD OF FOUR (4) MONTHS **(DISTRICT: NONE) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

John Norman moved to approve all Consent Agenda Items; seconded by Brian Stubbs.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

SECOND READINGS

22. 10614 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1, BLOCK 1, LONE STAR BUSINESS PARK, SECTION 1, CITY AND COUNTY OF MIDLAND, TEXAS, FROM O-1, OFFICE DISTRICT TO LR, LOCAL RETAIL DISTRICT (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF MAVERICK LANE AND NORTH STATE HIGHWAY 349); 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 APRIL 22, 2025) **(DISTRICT 1) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10614.

John Norman moved to approve the second and final reading of Ordinance No. 10614; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

23. 10615 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 15.44-ACRE TRACT OF LAND OUT OF SECTION 31, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM RR, REGIONAL RETAIL DISTRICT TO LI, LIGHT INDUSTRIAL DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF STATE HIGHWAY 191, APPROXIMATELY 220 FEET WEST OF HOLDRIDGE 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 APRIL 22, 2025) **(DISTRICT 4) (DEVELOPMENT SERVICES) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10615.

Robin Poole moved to approve the second and final reading of Ordinance No. 10615; seconded by John Norman.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

24. 10616 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 0.994-ACRE TRACT OF LAND OUT OF SECTION 33, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM RR,

REGIONAL RETAIL DISTRICT, IN PART, AND C, COMMERCIAL DISTRICT, IN PART, TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF WEST WALL STREET AND SOUTH MIDKIFF 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 APRIL 22, 2025) **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10616.

John Norman moved to approve the second and final reading of Ordinance No. 10616; seconded by Jack Ladd.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

25. 10617 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 3, BLOCK 45, FAIRMONT PARK ADDITION, SECTION 13, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF WEST LOOP 250 NORTH, APPROXIMATELY 450 FEET SOUTH OF HENRY KOONTZ BOULEVARD); 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 APRIL 22, 2025) **(DISTRICT 1) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10617.

Brian Stubbs moved to approve the second and final reading of Ordinance No. 10617; seconded by Jack Ladd.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

26. 10619 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR THE EAST 50 FEET OF LOTS 10 THROUGH 12, BLOCK 61, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST WALL STREET APPROXIMATELY 110 FEET EAST OF SOUTH CARRIZO STREET), WHICH IS PRESENTLY ZONED CB, CENTRAL BUSINESS 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 APRIL 22, 2025) **(DISTRICT 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE & PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10619.

This item has been deferred and will be placed on a later meeting.

Mayor Pro Tem Poole reported she is disappointed in the way certain things have been handled and the way they were addressed such as City Management calling certain landowners and asking them to stay quiet. City Management should not manage perception. The law should be applied to all businesses across the board to include all second readings and ordinances mandated by the State and our Charter.

ITEM PULLED BY STAFF, SECOND READING MAY BE HELD MAY 27, 2025

27. 10620 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 6 THROUGH 9, BLOCK 121, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM RR, REGIONAL RETAIL DISTRICT TO MH, MANUFACTURED HOUSING DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF EAST NEW YORK AVENUE, APPROXIMATELY 70 FEET WEST OF SOUTH TERRELL 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 APRIL 22, 2025) **(DISTRICT 2) (DEVELOPMENT SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10620.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10620; seconded by John Norman.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

PUBLIC HEARINGS

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

28. 2025-071 – RESOLUTION AUTHORIZING THE AMENDMENT OF THE CITY OF MIDLAND'S 2024-2025 ACTION PLAN TO THE CONSOLIDATED PLAN FOR COMMUNITY DEVELOPMENT AND HOUSING FUNDS FOR THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S FISCAL YEARS 2020-

2024; AND APPROPRIATING FUNDS **(DISTRICT: ALL) (DEVELOPMENT SERVICES)**
(QUALITY OF LIFE AND PLACE)

Planning & Development Officer Elizabeth Triggs reported that Council approved the fifth year action plan for CBDG funding in July of 2024. This is a requested amendment to increase the amount of funding for the Dunagan restroom facility for a complete rebuild. The original amount awarded was \$150,000. The total cost of the project is just over \$300,000. We are asking Council to consider an amendment that will allocate \$100,000 in contingency funding to this project plus \$50,000 in previously unassigned funds in order to complete the project.

Mayor Blong opened the public hearing at 10:29 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to approve Resolution No. 2025-071; seconded by John Norman.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

29. 10621 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1, BLOCK 28, GREENWOOD ADDITION, THIRD, FOURTH AND FIFTH SECTIONS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM C, COMMERCIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF EAST NEW YORK AVENUE AND SOUTH STONEWALL 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. 10621.

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 10:31 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to approve the first of two readings of Ordinance No. 10621; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

30. 10622 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 16.50-ACRE TRACT OF LAND OUT OF SECTION 32, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM AE, AGRICULTURAL ESTATE DISTRICT TO SF-1, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF TODD DRIVE, APPROXIMATELY 1,070 FEET NORTH OF EAST COUNTY ROAD 77); 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. 10622.

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

Mayor Blong reported concerns have been made about subsurface water in this area because they do not have City Water. Planning & Development Officer Elizabeth Triggs reported she will check into this as it needs to be plotted. During the plotting process is when the water is examined. City Manager Tommy Gonzalez reported he learned that the item came before Council in 2016 and at that time, there was sufficient water but have since run out.

Mayor Blong opened the public hearing at 10:36 a.m.

James R. Henry, 1400 W. Tennessee, questioned how a zone change can be approved for a development that does not have water.

There being no one else wishing to speak, the public hearing was closed at 10:37 a.m.

John Norman moved to approve the first of two readings of Ordinance No.10622; seconded by Jack Ladd.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

31. 10623 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 0.43-ACRE TRACT OF LAND OUT OF LOT 3, BLOCK 1, SOUTH PARK ADDITION, SECTION 6, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO 2F, TWO-FAMILY DWELLING (DUPLEX) DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF EAST MONTGOMERY AVENUE AND SOUTH FORT WORTH 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. 10623.

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 10:39 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. 10623; seconded by Jack Ladd.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

32. 10624 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 8, 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 80 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) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10624.

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 10:42 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to approve the first of two readings of Ordinance No. 10624; seconded by John Norman.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

33. 10625 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 2, BLOCK 48, WESTRIDGE PARK ADDITION, SECTION 55, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT, OFFICE CENTER, RECREATION CENTER, AND SHOPPING CENTER TO C, COMMERCIAL DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF THOMASON DRIVE AND SOUTH LOOP 250 WEST); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION **(DISTRICT 4) (DEVELOPMENT SERVICES) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10625.

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 10:44 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to approve the first of two readings of Ordinance No. 10625; seconded by John Norman.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

34. 10626 – AN ORDINANCE EXTENDING THE BOUNDARIES OF THE CITY OF MIDLAND, TEXAS, BY ADDING THERETO A CERTAIN AREA ADJOINING THE PRESENT CITY LIMITS, BEING A 0.4282-ACRE TRACT OF LAND OUT OF SECTION 13, BLOCK 40, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED AT THE INTERSECTION OF SOUTH COUNTY ROAD 1232 AND WEST COUNTY ROAD 120); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY **(DISTRICT: NONE) (DEVELOPMENT SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10626.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is an annexation request. This property is just south of the City limits and is owned by Midland County. This annexation would allow the City to install a traffic signal.

Assistant City Manager Jose Ortiz reported the City has an agreement with the County. The County will fund the traffic signal and the City will maintain it.

Mayor Blong opened the public hearing at 10:47 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. 10626; seconded by Jack Ladd.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

35. 10627 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 6 AND 7, BLOCK 42, GREENWOOD ADDITION, THIRD, FOURTH AND FIFTH SECTIONS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM TH, TOWNHOUSE (ATTACHED) DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF CLOVERDALE ROAD, APPROXIMATELY 100 FEET EAST OF SOUTH WEBSTER STREET); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10627.

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 10:49 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. 10627; seconded by Robin Poole.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

36. 10628 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 2, BLOCK 8, GREENWOOD ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS, FROM C, COMMERCIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF SOUTH STONEWALL STREET, APPROXIMATELY 70 FEET SOUTH OF EAST INDIANA 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. 10628.

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 10:51 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. 10628; seconded by Jack Ladd.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

37. 10629 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 20A, BLOCK 109, WILSHIRE PARK ADDITION, SECTION 17, CITY AND COUNTY OF MIDLAND, TEXAS, FROM RR, REGIONAL RETAIL DISTRICT, IN PART, AND PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER, IN PART, TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF THOMASON DRIVE, APPROXIMATELY 230 FEET EAST OF LOOP 250 WEST); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION **(DISTRICT 4) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10629.

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

Mayor Pro Tem Poole inquired about where the water source is coming from due to conservation efforts.

Utilities Director Carl Craigo reported that most new car washes recycle their water so there is very little water usage.

Mayor Blong opened the public hearing at 10:54 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. 10629; seconded by Jack Ladd.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

38. 10630 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 29.19-ACRE TRACT OF LAND OUT OF SECTION 12, BLOCK 40, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM BP, I-20 BUSINESS PARK DISTRICT, IN PART, AND PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER, IN PART TO LI, LIGHT INDUSTRIAL DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF CHOLLA ROAD, APPROXIMATELY 845 FEET WEST OF ANTELOPE TRAIL); 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. 10630.

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 10:57 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. 10630; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

39. 10631 – AN ORDINANCE AMENDING TITLE IV, "BUILDING REGULATIONS" OF THE CITY CODE OF THE CITY OF MIDLAND, TEXAS, BY ADDING CHAPTER 14, "THIRD-PARTY PLAN REVIEW AND INSPECTION", SO AS TO ESTABLISH A PROCEDURE TO ALLOW THIRD-PARTY ORGANIZATIONS TO CONDUCT PLAN REVIEWS AND INSPECTIONS FOR CONSTRUCTION PROJECTS; NEGATING AND DISPENSING WITH THE CULPABLE MENTAL STATE REQUIREMENT; 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 4) (DEVELOPMENT SERVICES) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10631.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is an introduction to a new ordinance to the City code that is specific to Zoo Midland that would allow Zoo Midland to use third party review and inspection services. This would

be helpful as the City does not have the expertise for these particular services. To have experts handle this would also save development time.

Mayor Blong opened the public hearing at 11:08 a.m.

Carie McNeil, 4216 Greenbriar, suggested the Board of Relators should be invited to table the for discussion. City Manager Tommy Gonzalez reported they did include the Board of Realtors when they did the permitting process and will be happy to do it again.

Chuck Harrington, Zoo Midland, reported they are happy with this ordinance and feels like the City is going in the right direction.

Lance Friday, 5307 Ellen Jane Way, reported that third party inspections options for large volume home builders and developers are a good thing for this project. Mr. Friday appreciates the effort to make a change to streamline the process.

There being no one else wishing to speak, the public hearing was closed at 11:16 a.m.

Amy Stretcher Burkes moved to approve the first of two readings of Ordinance No. 10631; seconded by Brian Stubbs.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

MISCELLANEOUS

40. 10632 – AN ORDINANCE ALTERING PRIMA FACIE SPEED LIMITS ALONG CERTAIN STREETS IN THE CITY; AUTHORIZING INSTALLATION OF APPROPRIATE SIGNS AND MARKINGS; REPEALING ORDINANCE NO. 10566; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO HUNDRED DOLLARS (\$200.00); AND ORDERING PUBLICATION **(DISTRICT: ALL) (ENGINEERING SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10632.

Brian Stubbs moved to approve the second and final reading of Ordinance No. 10632; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder

PUBLIC COMMENT

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

Judd Campbell, 110 Ridglea Drive, reported his frustrations with Mayor Blong leaving the meeting at the beginning of public comment and that this item should have been the first item on agenda since everyone is here. Mr. Campbell also spoke on signs being taken out of citizens yards and wants to know what will be the accountability for the action(s).

Wendy Storbeck, 2604 Sentinel Drive, had questions regarding the satellite leak detection system. Ms. Storbeck reported on a six-hour water line break that she saw mentioned on the Nextdoor app and would like information on it.

Andrew Stearns, 5614 Rio Grande Avenue, reported there is no accountability, no answers on the sign issue and wants to know why nothing is being done about it.

Terry Garrett, 1605 McDonald, showed frustration that Mayor Blong had to leave the meeting. Mr. Garrett spoke about it being against the law to steal. He addressed City Manager Tommy Gonzalez and called for his resignation.

Faye Russell, 408 South G. Street, spoke on having a no kill animal shelter in Midland.

Stan Smith, 4903 Granite Lane, spoke on Midland Development Corporation giving almost one million dollars to the Bush Tennis Center/Bush Ace Athletic Center and wants to know what the progress is on this project.

Council Member Amy Stretcher Burkes addressed Stan Smith's comments and reported there was a claw back to that agreement and that they are not receiving funds. Council Member Amy Stretcher Burkes offered to discuss after the meeting.

Interim City Attorney Nicholas Toulet-Crump provided a point of clarification on the Midland Development Corporation agreement and the Bush Tennis Center. Mr. Toulet-Crump reported that as part of the agreement, there was a capital funding obligation on the part of the Bush Tennis Center such that if the Bush Tennis Center reached the capital funding threshold, then the Midland Development Corporation would be obligated to provide those funds. Since the Bush Tennis Center never surpassed that funding threshold, the Midland Development Corporation funds were never paid out to the Bush Tennis Center.

Nino Rodriguez, 1101 S. Johnson, questioned Interim City Attorney Nicholas Toulet-Crump about being the attorney for the City and Midland Development Corporation. Mr. Rodriguez also inquired about a piece of equipment that was tipped over at the landfill and referenced item number 11 and how it's costing the tax payers money.

Robin Campbell, 110 Ridglea, spoke on the debt and information from the Texas Bond review board. Ms. Campbell stated that the debt has doubled since City Manager Tommy Gonzalez & Mayor Blong took over. Ms. Campbell also reported she heard on the radio that

the sign issue was resolved but it is not resolved until someone is held to account.

James R. Henry, 1400 W. Tennessee, spoke on zone changes on Todd Road, the athletic fields, and called out Council Members for not responding to his phone call. Mr. Henry requested that Council Member Stubbs step down from any involvement with the Midland Development Corporation.

EXECUTIVE SESSION

42. 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 Pro Tem Poole recessed the City Council meeting to go into Executive Session at 11:56 a.m.

- a. Section 551.071, Consultation with Attorney
 - a.1. 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.
- 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, Interim City Attorney, Special Counsel, City Secretary, Municipal Court Presiding Judge and Municipal Court Associate Judge.
- d. Section 551.087, Deliberate Economic Development Negotiations
 - d.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.

All the business at hand having been completed, the meeting adjourned at 12:49 p.m.

PASSED AND APPROVED May 27, 2025.

Lori Blong, Mayor

ATTEST:

Marcia Bentley-German
City Governance Officer/City Secretary