

**MIDLAND CITY COUNCIL
MINUTES
June 10, 2025**



The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., June 10, 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, Deputy City Manager Morris Williams Jr., Deputy 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 – Father Bala Anthony Govindu, St. Stephen’s Catholic Church
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 “Emancipation Proclamation Celebration Days”
 - 3b. Presentation of Proclamation for FMH Foundation’s contributions to the community
 - 3c. Presentation of Proclamation for “Dr. Richard Bartlett Day”
 - 3d. Midland Homeless Coalition Update

CONSENT AGENDA

4. MOTION APPROVING THE FOLLOWING MINUTES:

4a. REGULAR SESSION OF MAY 27, 2025

6. 2025-078 – RESOLUTION AWARDING A CONTRACT FOR THE FISCAL YEAR 2025 CITYWIDE PAVEMENT MARKING PROJECT TO LINEAR TRAFFIC MARKINGS LLC OF FORT WORTH, TEXAS, AT A TOTAL COST NOT TO EXCEED \$500,000.00; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT **(DISTRICT: ALL) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
9. 056-2025 – MOTION APPROVING A CONSENT AND AMENDMENT AGREEMENT REGARDING (I) THAT CERTAIN ECONOMIC DEVELOPMENT AGREEMENT DATED NOVEMBER 13, 2018, (II) THAT CERTAIN SUBLEASE AGREEMENT DATED NOVEMBER 13, 2018, AND (III) THAT CERTAIN SECURITY AGREEMENT DATED NOVEMBER 13, 2018, ALL BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND AST & SCIENCE LLC **(DISTRICT 4) (CITY MANAGER) (STRONG ECONOMY WITH MORE QUALITY JOBS)**
10. 057-2025 – MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, A PRELIMINARY PLAT OF SUPREME INDUSTRIAL PARK, BEING A 38.02-ACRE TRACT OF LAND OUT OF SECTION 30, BLOCK 40, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST COUNTY ROAD 148, APPROXIMATELY 449 FEET WEST OF SOUTH COUNTY ROAD 1285) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES) QUALITY OF LIFE AND PLACE**
11. 058-2025 – MOTION APPROVING, WITH STAFF'S RECOMMENDED CONDITIONS, A PRELIMINARY PLAT OF ELEVATE CHURCH, BEING A PLAT OF A 27.06-ACRE TRACT OF LAND OUT OF SECTION 12, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF OCCIDENTAL PARKWAY, APPROXIMATELY 850 FEET WEST OF NORTH FAIRGROUNDS ROAD) **(DISTRICT 1) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**
12. 059-2025 – MOTION AUTHORIZING THE EXECUTION OF A REIMBURSEMENT AGREEMENT WITH ONEOK WESTEX TRANSMISSION, L.L.C. ("ONEOK") FOR THE REMOVAL OF A BLOCK VALVE AND METER FACILITY AND THE ENCASEMENT OF PIPELINES (THE "ONEOK PROJECT") TO ACCOMMODATE THE EXPANSION OF BRIARWOOD AVENUE; AUTHORIZING THE NEGOTIATION AND EXECUTION OF ALL OTHER DOCUMENTS NECESSARY FOR THE ONEOK PROJECT; RATIFYING THE DEPUTY CITY MANAGER'S EXECUTION OF A LETTER AGREEMENT WITH ONEOK REGARDING THAT CERTAIN RELOCATION AND REIMBURSEMENT AGREEMENT BETWEEN THE CITY AND ONEOK DATED OCTOBER 10, 2024 (THE "FAIRGROUNDS ROAD AGREEMENT"), WHICH AUTHORIZES ONEOK TO APPLY THE REFUND OF \$252,678.02 DUE TO THE CITY UNDER THE FAIRGROUNDS ROAD AGREEMENT AS A CREDIT AGAINST THE AMOUNT THE CITY SHALL OWE ONEOK FOR THE ONEOK PROJECT UNDER THE REIMBURSEMENT AGREEMENT; AND APPROPRIATING THE SUM OF \$200,600.00 FROM THE FAIRGROUNDS ROAD TO MOCKINGBIRD PROJECT AND THE SUM OF \$143,221.98 FROM THE PAVING OF BRIARWOOD AVENUE

**PROJECT TO A PROJECT ACCOUNT FOR SAID ONEOK PROJECT (DISTRICT 4)
(ENGINEERING SERVICES) (STRENGTHEN AND SUSTAIN OUR
INFRASTRUCTURE)**

John Burkholder moved to approve Consent Agenda items 4 – 12, excluding items 5, 7 & 8; 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

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

5. 2025-077 – RESOLUTION APPROVING A CONTRACT WITH RESTROOM FACILITIES LTD, THROUGH BUYBOARD, FOR THE PURCHASE AND INSTALLATION OF A RESTROOM FACILITY STRUCTURE AT DUNAGAN PARK FOR A TOTAL COST OF \$228,489.00; APPROVING \$71,922.00 FOR PROJECT RELATED COSTS; AND APPROPRIATING FUNDS FOR SAID PROJECT

Parks and Recreation Director Laurie Williams gave a brief overview of the item by reviewing the community impact for new restroom facilities at Dunagan Park. This facility was outdated and difficult to maintain. Community Development Block Grant (CDBG) funds were awarded for this project.

General Services Director Regina Stephenson gave a brief overview of the BuyBoard Purchasing Cooperative bidding process to include cost and time savings.

Council Member Burkholder and Mayor Blong reiterated the need for these services and how they will help streamline the bidding process and save money.

City Manager Tommy Gonzalez reported work is being done to streamline the process even more by including features such as Artificial Intelligence.

Council Member Norman inquired if the process always took the lowest bid price, to which Ms. Stephenson reported there are a combination of factors that go into the process.

Deputy City Manager Morris Williams Jr. reported there are standards in place that lead towards local vendors.

John Burkholder moved to approve Resolution No. 2025-077; 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

7. 2025-079 – RESOLUTION AWARDING A CONTRACT TO EMS MANAGEMENT & CONSULTANTS, INC. D/B/A EMS|MC FOR AMBULANCE AND EMERGENCY MEDICAL SERVICES DEBT COLLECTION SERVICES FOR THE FIRE DEPARTMENT

City Manager Tommy Gonzalez reported on audits that were done throughout the City and how the cost savings from these audits has helped cost savings in other areas.

Managing Director of Public Safety, Chuck Blumenauer, reported that this company specializes in EMS billing/collections. This will save time and collect funds the City is owed.

City Manager Tommy Gonzalez reported this will save the City \$200,000 and will assist in generating revenue.

Mayor Blong pointed out that EMS serves the entire City and County. This will help the City collect where people can pay and help those in need who struggle to pay.

Council Member Ladd inquired if there is any sharing of medical data.

Mr. Blumenauer reported collections data may be shared but not patient data. Patient data is protected by the Health Insurance Portability and Accountability Act (HIPAA).

John Burkholder moved to approve Resolution No. 2025-079; 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

8. 055-2025 – MOTION AUTHORIZING THE EXECUTION OF A MASTER INTERLOCAL AGREEMENT WITH 791 PURCHASING COOPERATIVE; SAID AGREEMENT PROVIDING FOR COOPERATIVE PURCHASING SERVICES THROUGH THE PROGRAMS ADMINISTERED BY 791 PURCHASING COOPERATIVE

Council Member Burkholder highlighted that this was similar to the comments on item number five on this agenda.

Brian Stubbs moved to approve Motion No. 055-2025; 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

SECOND READINGS

13. 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.

Mayor Pro Tem Poole reported she will abstain to be fully transparent but there is no financial conflict of this item.

Planning & Development Officer Elizabeth Triggs reported that when incident reports are involved, one needs to look at the types of calls and not necessarily the total number of reports.

David Chin, 3203 High Sky Drive, reported that off-duty Police Officers will not work for \$50/hour and at \$75/hour the Police Officers will not accept a 1099. Mr. Chin reported he needs a way to prove that he is paying the \$6,000 per month to the off-duty Police Officers. There is a local company that wears uniforms and takes checks. This will allow him to prove he has security. Mr. Chin also reported on proactive measures he has taken with his bar and reported on his relationship with the company BTA.

Council Member Norman led discussion on an amendment to use the same language as Double Bar's ordinance.

Council Member Amy Stretcher Burkes would like to include a two month review as well.

The entire discussion may be heard at www.midlandtexas.gov.

John Norman moved to amend that the operator of the establishment shall provide a minimum of two security guards who are Level II certified, as required by the State of Texas for a security officer commission or for a license as a non-commissioned security officer, on the premises of the establishment during hours of operation on Friday and Saturday that occur between 9:00 p.m. and 2:00 a.m. of the following day and to be reviewed 60 days after the adoption of the ordinance along with the seven month review previously stated in the ordinance; the second and final reading of Ordinance No. 10619 by; seconded by Brian Stubbs.

The motion passed by the following vote:

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

NAY: None
ABSTAIN: Poole
ABSENT: None

14. 10633 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR LOT 13, BLOCK 61, ORIGINAL TOWN ADDITION, SECTION 25, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF WEST WALL STREET AND 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 BAR FOR ON-PREMISES CONSUMPTION; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (FIRST READING HELD MAY 27, 2025) **(DISTRICT 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE & PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10633.

John Norman moved to approve the second and final reading of Ordinance No. 10633; 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

15. 10634 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 1,500-SQUARE FOOT PORTION OF LOT 2, BLOCK 1, CORPORATE PLAZA ADDITION, SECTION 21, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF SPRING PARK DRIVE, APPROXIMATELY 340 FEET WEST OF EDWARDS STREET), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A BOOKSTORE 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 MAY 27, 2025) **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE & PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10634.

Robin Poole moved to approve the second and final reading of Ordinance No. 10634; 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

16. 10636 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR AN APPROXIMATE 0.167-ACRE TRACT OF LAND OUT OF SECTION 35, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF SOUTH A STREET AND WEST MISSOURI AVENUE), WHICH IS PRESENTLY ZONED CB, CENTRAL BUSINESS 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 MAY 27, 2025) **(DISTRICT 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE & PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10636.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10636; 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

17. 10637 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR THE EAST HALF OF LOT 13 AND ALL OF LOT 14, BLOCK 6, WEST MIDLAND ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF NORTH F STREET AND WEST TENNESSEE AVENUE), BY PERMITTING A REDUCED MINIMUM LOT AREA; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION (FIRST READING HELD MAY 27, 2025) **(DISTRICT 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10637.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10637; 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. 10638 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 12, BLOCK 7, MOODY ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM LI, LIGHT INDUSTRIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF NORTH LEE STREET AND HOUSTON 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 (FIRST READING HELD MAY 27, 2025) **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10638.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10638; 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

19. 10639 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 2, BLOCK 44, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM LI, LIGHT INDUSTRIAL DISTRICT TO C, COMMERCIAL DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF EAST TEXAS AVENUE AND NORTH MINEOLA 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 MAY 27, 2025) **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10639.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10639; 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 HEARINGS

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

20. 10640 – AN ORDINANCE AMENDING TITLE VIII, “FOOD ESTABLISHMENTS, HEALTH AND GENERAL SANITATION”, CHAPTER 6, “GARBAGE, TRASH AND RUBBISH”, SECTION 18, “ACCUMULATION OF STAGNANT WATER, FILTH, WEEDS, BRUSH, AND DEBRIS ON LOTS”, SUBSECTION (B), “AFFIRMATIVE DEFENSES”, PARAGRAPH 1 OF THE MIDLAND CITY CODE SO AS TO LIMIT THE APPLICATION OF THE AFFIRMATIVE DEFENSE IN SAID PARAGRAPH TO WEEDS OR TALL GRASS LESS THAN 12 INCHES TALL AND BRUSH LESS THAN TWO FEET TALL; 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) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10640.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is to amend the weed height ordinance. Mrs. Triggs reviewed the proposed changes and best practices.

Mayor Blong opened the public hearing at 11:10 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. 10640; 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. 10641 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1, BLOCK 6, WESTRIDGE PARK ADDITION, SECTION 6, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER TO O-2, OFFICE DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF THOMASON DRIVE AND TRADEWINDS 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 **(DISTRICT 4) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10641.

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

Discussion among Council ensued regarding trees to make sure they meet the ordinance requirements so not to tangle power lines. They also discussed landscaping and water issues.

Mayor Blong opened the public hearing at 11:17 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. 10641; 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

22. 10642 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 1, BLOCK 16, KELVIEW HEIGHTS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF NEELY AVENUE AND NORTH BIG SPRING STREET), BY PERMITTING A REDUCED FRONT YARD SETBACK; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION **(DISTRICT 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10642.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is for a special exception to permit a reduced front yard setback.

Mayor Blong opened the public hearing at 11:22 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. 10642; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: Ladd

ABSENT: None

23. 10643 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 10, BLOCK 1, TEXLAND ESTATES, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY

LOCATED ON THE NORTH SIDE OF TEXLAND CIRCLE, APPROXIMATELY 295 FEET WEST OF NORTH GARFIELD STREET), BY PERMITTING AN INCREASED MAXIMUM NUMBER OF ACCESSORY BUILDINGS; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION **(DISTRICT 1) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10643.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is for a special exception to permit an increased maximum number of accessory buildings on the property.

Mayor Blong opened the public hearing at 11:27 a.m. There being no one present wishing to speak, the public hearing closed at 11:28 a.m.

John Burkholder moved to approve the first of two readings of Ordinance No. 10643; 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

24. 10644 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 8, 9, AND 10, BLOCK 21, 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 120 FEET SOUTH OF EAST ILLINOIS 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. 10644.

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 11:30 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. 10644; 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

25. 10645 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR BLOCK 13, UNRECORDED PLAT OF CAROL CREST ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF EAST TAYLOR AVENUE AND WAYSIDE DRIVE), WHICH IS PRESENTLY ZONED C, COMMERCIAL DISTRICT, IN PART, AND LI, LIGHT INDUSTRIAL DISTRICT, IN PART, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A BAR FOR ON-PREMISES CONSUMPTION; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE & PLACE)**

Deputy City Secretary Rachel Guentensberger read the caption of Ordinance No. 10645.

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item noting this is for a Specific Use Designation (SUD) for the sale of alcohol.

Mayor Blong opened the public hearing at 11:32 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. 10645; 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

26. 060-2025 – HOLD A PUBLIC HEARING IN ORDER FOR THE CITY OF MIDLAND AND THE COMMUNITY DEVELOPMENT BLOCK GRANT PRIORITIZATION COMMITTEE TO RECEIVE PUBLIC COMMENTS, GUIDANCE, AND RECOMMENDATIONS REGARDING THE 2025-2026 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION SUBMISSIONS AND THE FIRST YEAR ACTION PLAN IN ACCORDANCE WITH THE 2025-2030 FIVE-YEAR CONSOLIDATED PLAN (PUBLIC HEARING ONLY) **(DISTRICT: NONE) (DEVELOPMENT SERVICES) (TRANSPARENT & CONSISTENT COMMUNICATION)**

Planning & Development Officer Elizabeth Triggs gave a brief overview of the item

noting this is the first of two public hearings regarding the federal CDBG funding objectives. Mrs. Triggs reviewed the program overview, amount awarded, program income, prior-year fund balance and summary of applications by category.

Mayor Blong opened the public hearing at 11:47 a.m.

Shirley Alemanza, Executive Director of Breaking Bread Kitchen, 410 E. Florida Avenue, spoke about how they assist individuals with homelessness and food insecurities.

Tonya Eckert, Executive Director of Casa de Amigos, 1101 Garden Lane, spoke about the services their organization provides such as the senior nutrition program, among others.

Tracy Renton, Development Director for Senior Life Midland, 4000 Compton Drive, spoke about the services their organization provide such as the weekend frozen meal program, among others.

Mayor Blong recognized the food insecurities and challenges within the community and thanked those that spoke on these issues who are trying to help.

PUBLIC HEARING ONLY, NO ACTION TAKEN.

MISCELLANEOUS

27. 061-2025 – RECEIVE, DISCUSS, AND TAKE ACTION ON A STAFF PRESENTATION ON A LONG-TERM WATER ACCESS AND SUSTAINABILITY PLAN FOR NORTHEAST MIDLAND, SOUTH OF LOOP 250 AND EAST OF FAIRGROUNDS ROAD (**DISTRICT 2**) (**DEVELOPMENT SERVICES**) (**STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE**)

Mayor Blong and Council Member Burkholder reported they are aware of this issue and agree something needs to be done.

City Manager Tommy Gonzalez reported Council used Midland Development Corporation funds to pay for a one million dollar design study that moved up the Todd Road overpass project across the loop up by six years and will save two million dollars. This will allow water to come to part of this area.

Planning & Development Officer Elizabeth Triggs gave a presentation of the item noting an opportunity to encourage growth due to proactivity of the plan and it's benefits.

Deputy City Manager Jose Ortiz provided the history of how the project came about, the future and proactivity for Loop 250 at Todd Drive.

Mayor Blong agrees something needs to be done and inquired about funding.

Deputy City Manager Jose Ortiz reported there is funding set aside.

Council Member Norman reported he appreciates what staff is doing and how they are working fast on this issue.

Council Member Burkholder reported he is pleased with how fast staff is moving on this issue and that it shows the integrity of the water system.

Discussion among Mayor and Council ensued about the need to get this project done.

Steve Jeter, The Venue at Live Oak, 3201 Elkins, reported he brought up the need for water to Council a year and a half ago when they wanted to build an enclosed stage/10,000 square foot building but were denied due to it having to be sprinkled. His building is adjacent to this area. Eventually, he was allowed to build a 1,600 square foot stage but it had to be uncovered up to 1,000 square feet. Mr. Jeter reported that in the past several weeks, he's gotten complaints about noise but noted he tried to build an enclosed area. Mr. Jeter also feels it is time to move forward and make a water commitment.

Mayor Pro Tem Poole inquired if the Retreat Center and Holy Cross or any other larger businesses were/are included in the plans.

Assistant City Manager Jose Ortiz reported that is a long term goal for them to include others.

Mayor Pro Tem Poole reported we should be mindful of other issues when assessing cost as we move forward. Mr. Jeter is an example of this.

City Manager Tommy Gonzalez reported as these issues come up, discussions with Council will be done.

28. PRESENTATION ON THE CITY OF MIDLAND BUDGET BY CHRISTY WEAKLAND, DIRECTOR OF FINANCE

Finance Director Christy Weakland gave a brief presentation of the Budget for the City of Midland. Mrs. Weakland reported on the five year forecast, fixed cost vs capital costs, fixed costs increases, financial disciplines, financial accountability, challenges such as new costs absorbed, FY2025 tax rates – peer cities, public safety vs property tax revenue and sales tax by entity just to name a few. The entire presentation may be heard online at www.midlandtexas.gov.

29. MOTION MAKING APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS (**DISTRICT ALL**) (**CITY SECRETARYS OFFICE**)

John Burkholder moved to reappoint Stephen Lowery (County), Frank Tarzian (County), Ed Anderson (County), John Trischitti III (City) and Claudius Sanchez Czyzewska (City) to the Midland Spaceport Development Corporation; 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

All County and City members on this list agreed to serve their second term.

PUBLIC COMMENT

30. 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.)

Mandee Stearns, 5614 Rio Grande, spoke on unfair treatment of animals at the Animal Services Department.

Andrew Stearns, 5614 Rio Grande Avenue, voiced concerns of a June 5, 2025 quorum issue when Governor Greg Abbott came to town. Mr. Stearns also voiced concerns over the sign issue regarding no accountability.

Interim City Attorney Nicholas Toulet-Crump reported what the Government Code, Chapter 551, Open Meetings, Sub-chapter A, General Provisions states "*The term does not include the gathering of a quorum of a governmental body at a social function unrelated to the public business that is conducted by the body, the attendance by a quorum of a governmental body at a regional, state, or national convention or workshop, ceremonial event, or press conference, or the attendance by a quorum of a governmental body at a candidate forum, appearance, or debate to inform the electorate, if formal action is not taken and any discussion of public business is incidental to the social function, convention, workshop, ceremonial event, press conference, forum, appearance, or debate.*" Information in it's entirety may be read at

<https://statutes.capitol.texas.gov/Docs/GV/htm/GV.551.htm>

Nino Rodriquez, 1101 S. Johnson, requested to move public comment before consent, reschedule Council meetings to after five p.m. and reported frustrations regarding the Midland Development Corporation Director.

Judd Campbell, 110 Ridglea Drive, spoke on trust and transparency and would like Council to move public comment to the beginning of the meeting and have Council meetings in the evenings. He also spoke on conflicts of interest with Council Member Stubbs and the Midland Development Corporation.

Robin Campbell, 110 Ridglea Drive, spoke on moving public comment to the beginning of the meeting and wants to know what happened with the signs.

Latina Baker, 223 W. Wall Street, Executive Director of Give Hope Community Cares, plans to open a free whole foods grocery store and hydroponic greenhouse to address food insecurities so no one goes hungry in Midland.

Mayor Blong suggested Ms. Baker connect with Mr. Isaac Garnett, Community Development Division Manager.

Eliel Rosa, 3603 Humble Avenue, reported June 14th is National Resistance Day in which Midland is on the map. Mr. Rosa suggested readiness but not engaging. Mr. Rosa also reported that Pastor Dave Welch passed away and that he blessed the City of Midland. Mr. Rosa would like to know if Pastor Welch's wife Valerie may receive a letter from the City.

EXECUTIVE SESSION

31. 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 1:18 p.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 3:09 p.m.

PASSED AND APPROVED June 24, 2025.

Lori Blong, Mayor

ATTEST:

Marcia Bentley-German
City Governance Officer/City Secretary