

CITY OF MIDLAND, TEXAS
AGENDA FOR CITY COUNCIL MEETING
July 9, 2024 - 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 – Reverend Pat Bryant, Travis Baptist 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 from Chief of Staff Taylor Novak and Project Manager Kiara Taylor regarding Customer Service Initiative and Introducing SeeClickFix and Ask Jacky.

CONSENT AGENDA

4. MOTION APPROVING THE FOLLOWING MINUTES:
 - 4a. REGULAR SESSION OF JUNE 11, 2024
 - 4b. SPECIAL SESSION OF JUNE 18, 2024
 - 4c. REGULAR SESSION OF JUNE 25, 2024
5. 2024-109 – RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ALL CITY MANAGEMENT SERVICES, INC. OF SANTA FE SPRINGS, CALIFORNIA, TO PROVIDE SCHOOL CROSSING GUARD SERVICES FOR THE ADMINISTRATIVE SERVICES DEPARTMENT AT A TOTAL COST OF \$839,710.80; AND AUTHORIZING PAYMENT (**DISTRICT: ALL**) (**GENERAL SERVICES**) (**SET THE STANDARD FOR A SAFE AND SECURE CITY**)

6. 072-2024 – MOTION RATIFYING THE EXECUTION OF CHANGE ORDER #1 WITH REECE ALBERT, INC. REGARDING THE COMPASS 04 PU22-02 PROJECT; SAID CHANGE ORDER BEING IN THE AMOUNT OF \$256,777.83 AND PROVIDING FOR ADDITIONAL MOBILIZATION AND TRAFFIC CONTROL; AND APPROPRIATING THE SUM OF \$104,968.73 FROM THE ROAD BOND TO PROJECT 981031-18. FUNDING SOURCE: ROAD BOND FUND **(DISTRICT 2) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
7. 2024-110 – RESOLUTION RATIFYING AND APPROVING A CONTRACT WITH TOMMY KLEIN CONSTRUCTION, INC., IN THE AMOUNT OF \$96,678.44 FOR THE FIRE STATION 8 ROOFING PROJECT THROUGH BUYBOARD; AND RATIFYING AND APPROVING A CHANGE ORDER IN THE AMOUNT OF \$23,176.38 TO SAID CONTRACT FOR THE REPLACEMENT OF THE FIRE STATION 8 ROOF DECKING **(DISTRICT 1) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
8. 2024-111 – RESOLUTION AWARDED A CONTRACT TO TRUCLEAR WATER SOLUTIONS, INC., IN THE AMOUNT OF \$1,440,000.00 FOR THE ADVANCED GROUNDWATER TREATMENT PROJECT; AND APPROPRIATING FUNDS FOR SAID PROJECT **(DISTRICT: NONE) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
9. 2024-112 – RESOLUTION AWARDED A CONTRACT IN THE AMOUNT OF \$105,000.00 FOR THE POLICE DEPARTMENT TRAINING ACADEMY SHOWER UPGRADE PROJECT TO MID-TEX OF MIDLAND, INC.; AND APPROVING \$10,500.00 FOR PROJECT RELATED EXPENSES **(DISTRICT: NONE) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
10. 2024-113 – RESOLUTION AUTHORIZING THE PURCHASE OF A THREE YEAR RENEWAL OF MICROSOFT ENTERPRISE LICENSING FROM SOFTWARE ONE, INC., THROUGH THE INTERLOCAL PURCHASING SYSTEM, FOR THE INFORMATION TECHNOLOGY SYSTEMS DEPARTMENT AT A TOTAL COST OF \$1,511,265.51 **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
11. 073-2024 – MOTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND STARFIGHTERS SPACE TEXAS, INCORPORATED **(DISTRICT: NONE) (CITY MANAGER) (STRONG ECONOMY WITH MORE QUALITY JOBS)**
12. 074-2024 – MOTION AUTHORIZING THE EXECUTION OF A FOOTBALL/SOCCER STADIUM NONEXCLUSIVE LEASE AGREEMENT WITH THE MIDLAND INDEPENDENT SCHOOL DISTRICT; SAID AGREEMENT TO PROVIDE FOR THE LEASE OF ASTOUND BROADBAND STADIUM TO THE MIDLAND INDEPENDENT SCHOOL DISTRICT FOR THE PURPOSE OF HOLDING UNIVERSITY INTERSCHOLASTIC LEAGUE FOOTBALL AND SOCCER GAMES AND OTHER APPROVED EVENTS **(DISTRICT 4)**

(DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)

13. 2024-114 – RESOLUTION AUTHORIZING THE EXECUTION OF AN ADVANCE FUNDING AGREEMENT (AN “AFA”) WITH THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION (“TXDOT”), FOR A TRANSPORTATION ALTERNATIVES SET-ASIDE (“TASA”) PROJECT, THE WILDCATTER TRAIL - CHAMPIONS, ETC. PROJECT, CSJ 0906-32-067 IN MIDLAND, TEXAS (THE “PROJECT”); SAID PROJECT TO PROVIDE FOR THE CONSTRUCTION OF A SHARED USE PATH ALONG CHAMPIONS DRIVE FROM THE SCHARBAUER SPORTS COMPLEX ENTRANCE TO TRADEWINDS BOULEVARD, ALONG TRADEWINDS BOULEVARD FROM CHAMPIONS DRIVE TO DEAUVILLE BOULEVARD, AND ALONG DEAUVILLE BOULEVARD FROM TRADEWINDS BOULEVARD TO ARLINGTON ROAD; THE ESTIMATED TOTAL PROJECT COST BEING \$4,783,673.00; THE CITY OF MIDLAND, TEXAS’ (THE “CITY’S”) ESTIMATED SHARE OF THE TOTAL PROJECT COST, INCLUDING PRELIMINARY ENGINEERING COSTS, BEING \$924,374.00; APPROPRIATING FUNDS; AUTHORIZING PAYMENT TO TXDOT OF THE CITY’S LOCAL MATCH, WHICH IS ESTIMATED TO BE \$792,174.00, PLUS ALL NON-REIMBURSABLE COSTS AND 100% OF OVERRUNS, IF ANY; AND AUTHORIZING AND DIRECTING THE CITY SECRETARY TO CERTIFY A COPY OF THIS RESOLUTION TO TXDOT **(DISTRICT 4) (ENGINEERING SERVICES) (QUALITY OF LIFE AND PLACE)**

SECOND READINGS

14. 10537 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 9, BLOCK 1, WESTOVER PLACE ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM O-1, OFFICE DISTRICT TO SF-2, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF KENT STREET AND WEST LOUISIANA 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 JUNE 25, 2024) **(DISTRICT 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**
15. 10538 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 11, BLOCK 1, WESTOVER PLACE ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM 2F, TWO-FAMILY DWELLING (DUPLEX) DISTRICT TO SF-2, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF KENT STREET, APPROXIMATELY 140 FEET NORTH OF WEST LOUISIANA 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 JUNE 25, 2024) **(DISTRICT 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**
16. 10539 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF

MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR LOT 1A, BLOCK 4, PLUNK ADDITION, SECTION 10, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF GARDEN CITY HIGHWAY, APPROXIMATELY 568 FEET WEST OF ALLEN STREET), WHICH IS PRESENTLY ZONED C, COMMERCIAL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AUTOMOBILE OR OTHER MOTORIZED VEHICLE SALES AND SERVICE; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (FIRST READING HELD JUNE 25, 2024) **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

17. 10540 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 6.92-ACRE TRACT OF LAND OUT OF BLOCK 1, WEST 191 INDUSTRIAL PARK, SECTION 12, AND AN 8.70-ACRE TRACT OF LAND OUT OF BLOCK 2, WEST 191 INDUSTRIAL PARK, SECTION 13, CITY AND COUNTY OF MIDLAND, TEXAS, FROM RR, REGIONAL RETAIL DISTRICT TO LI, LIGHT INDUSTRIAL DISTRICT (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF NORTH FM 1788 AND WEST 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 (FIRST READING HELD JUNE 25, 2024) **(DISTRICT 4) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**
18. 10541 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 4 AND 17, BLOCK 61, PARK AVENUE HEIGHTS ADDITION, SECTION 2, 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 SOUTH LEE STREET AND ON THE WEST SIDE OF SOUTH TYLER STREET, APPROXIMATELY 165 FEET SOUTH OF EAST CALIFORNIA 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 JUNE 25, 2024) **(DISTRICT 2) (DEVELOPMENT SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
19. 10542 – AN ORDINANCE ALTERING PRIMA FACIE SPEED LIMITS ALONG CERTAIN STREETS IN THE CITY; AUTHORIZING INSTALLATION OF APPROPRIATE SIGNS AND MARKINGS; REPEALING ORDINANCE NO. 10493; 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 (FIRST READING HELD JUNE 25, 2024) **(DISTRICT: NONE) (ENGINEERING SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

PUBLIC HEARINGS

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

20. 075-2024 – THE PROPOSED GRANTING OF OIL AND GAS WELL PERMITS TO FIREBIRD ENERGY II, LLC (“OPERATOR”) FOR THE DRILLING OF THE FOLLOWING OIL AND GAS WELLS: MBE 101H; MBE 201H; MBE 301H; MBE 302H; MBE 401H; MBE 402H; MBE 701H; MBE 702H; AND MBE-803H; SAID WELLS BEING GENERALLY LOCATED 635 FEET SOUTH OF MOCKINGBIRD LANE AND BETWEEN 1,680 FEET AND 1,840 FEET EAST OF HOLIDAY HILL ROAD (PUBLIC HEARING ONLY) **(DISTRICT 4) (DEVELOPMENT SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**
21. 10543 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 9, BLOCK 14, WARWICK ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SEABOARD AVENUE AND NORTH L STREET), BY PERMITTING A REDUCED MINIMUM SIDE YARD SETBACK ON THE EAST SIDE OF THE PROPERTY; 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)**
22. 10544 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 16, BLOCK 13, SOUTH PARK ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF SOUTH FORT WORTH STREET, APPROXIMATELY 253 FEET SOUTH OF EAST NEW JERSEY STREET), BY PERMITTING A REDUCED MINIMUM REAR 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 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

MISCELLANEOUS

23. 10545 – AN ORDINANCE AMENDING THE CODE OF ETHICS OF THE CITY OF MIDLAND, TEXAS **(LEGAL)**
24. RECEIVE AND DISCUSS A PRESENTATION FROM MANAGING DIRECTOR OF PUBLIC SAFETY CHUCK BLUMENAUER REGARDING THE CONDITION OF THE MIDLAND FIREMEN'S RELIEF AND RETIREMENT FUND, UNFUNDED LIABILITY SOLUTIONS, AND TIMELINES ASSOCIATED THEREWITH. THE MIDLAND CITY COUNCIL WILL TAKE NO ACTION ON THIS ITEM.
25. MOTION MAKING APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS **(DISTRICT:NONE) (CITY SECRETARY’S OFFICE)**

PUBLIC COMMENT

26. 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

27. 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.

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) 6857430. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.