

**MIDLAND CITY COUNCIL
MINUTES
March 19, 2024**



The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., March 19, 2024.

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

Council Members absent: None

Staff members present: City Manager Tommy Gonzalez, City Attorney John Ohnemiller, Assistant City Manager Jose Ortiz

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

OPENING ITEMS

1. Invocation – Pastor Matt Koehler, Greenwood 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 of The BTE Leadership Awards.

The BTE Leadership Awards were not presented at this time.
 - 3b. Presentation of Proclamation for “Midland Christian TAPPS 5A State Champions”.
 - 3c. Presentation of Proclamation for “ Junior Mayor for the Day”.
 - 3d. Presentation from Director of Finance Christy Weakland regarding Budget Forecast.

Finance Director Christy Weakland gave a brief five year budget forecast presentation. Ms. Weakland reviewed the budget and how it relates to the strategic plan beginning with the budget timeline, expenses vs revenues to FY2029, forecasted expenses, and revenue strategies.

City Manager Tommy Gonzalez provided additional information regarding certain aspects of the budget.

Ms. Weakland also reviewed the differences between using bonds vs cash and the 2023 audit which led to zero findings.

- 3e. Presentation from Director of Engineering Gabe McClelland regarding potholes.

Engineering Services Director Gabriel McClelland gave a brief presentation on potholes and how repairing them relates to the City's strategic goals to strengthen and sustain our infrastructure. Mr. McClelland reviewed historical PCI data, potholes by the numbers, pothole request and repair challenges.

Mr. McClelland encouraged citizens to report potholes so that they may be fixed on a more timely basis; saving the City money in the long run.

Mr. McClelland also reported on the street maintenance toolbox and in-house concrete paving.

CONSENT AGENDA

4. MOTION APPROVING THE FOLLOWING MINUTES:

- 4a. REGULAR SESSION OF FEBRUARY 27, 2024

6. 2024-047 – RESOLUTION APPROVING A CONTRACT WITH HI-LITE AIRFIELD SERVICES LLC, THROUGH SOURCEWELL, FOR PAINTING MOBILIZATION, PAVEMENT MARKING, RETRO-REFLECTIVE TESTING, AND RUBBER MOBILIZATION AND REMOVAL SERVICES FOR A TOTAL COST OF \$778,170.00 **(DISTRICT: NONE) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**
7. 2024-048 – RESOLUTION AWARDED A CONTRACT FOR THE FISCAL YEAR 2024 CITYWIDE PAVEMENT MARKING PROJECT TO THE SOLE BIDDER, TRP CONSTRUCTION GROUP, LLC OF LUBBOCK, TEXAS, AT A TOTAL COST NOT TO EXCEED \$250,000.00; AND AUTHORIZING PAYMENT **(DISTRICT: ALL) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
8. 2024-049 – RESOLUTION APPROVING THE PURCHASE OF EIGHT (8) KANN REFUSE TRUCK BODIES ON INTERNATIONAL CABS AND CHASSIS AND THREE (3) ROLL-OFF TRUCKS FROM ROBERTS TRUCK CENTER OF TEXAS LLC DBA SUMMIT TRUCK GROUP THROUGH SOURCEWELL FOR A TOTAL COST OF \$2,662,827.65 **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
9. 2024-050 – RESOLUTION APPROVING THE PURCHASE OF SIX (6) PICKUP TRUCKS WITH UPFITTING FROM CHASTANG ENTERPRISES, INC., THROUGH THE HOUSTON-

GALVESTON AREA COUNCIL FOR A TOTAL COST OF \$652,834.00 **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

10. 2024-051 – RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS VEHICLES FOR THE GENERAL SERVICES DEPARTMENT FOR A TOTAL COST OF \$1,675,129.00 **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
11. 2024-052 – RESOLUTION AUTHORIZING THE PURCHASE OF A GENIE AERIAL LIFT FROM MEDLEY EQUIPMENT COMPANY FOR A TOTAL COST OF \$183,000.00 **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
12. 2024-053 – RESOLUTION AWARDED A CONTRACT FOR SERVICES RELATING TO THE CREATION OR AMENDMENT OF TAX INCREMENT REINVESTMENT ZONES, THE CREATION OR AMENDMENT OF PUBLIC IMPROVEMENT DISTRICTS, AND ECONOMIC DEVELOPMENT CONSULTING TO DAVID PETTIT ECONOMIC DEVELOPMENT, LLC OF FORT WORTH, TEXAS, AT A TOTAL COST NOT TO EXCEED \$180,000.00 PLUS REIMBURSABLE EXPENSES NOT TO EXCEED \$7,500.00; AND AUTHORIZING PAYMENT **(DISTRICT: ALL) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**
13. 032-2024 – MOTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE MAF AIRFIELD WILDLIFE FENCE IMPROVEMENT PROJECT, SAID PLANS AND SPECIFICATIONS BEING ON FILE IN THE CITY SECRETARY'S OFFICE REFERENCED BY THE NUMBER AND DATE OF THIS MOTION; AND AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO ADVERTISE FOR COMPETITIVE BIDS FOR SAID PROJECT PURSUANT TO THE STATUTES OF THE STATE OF TEXAS FOR ACCOMPLISHING THE WORK SET FORTH IN SAID PLANS AND SPECIFICATIONS **(DISTRICT 4) (AIRPORTS) (TRANSPARENT & CONSISTENT COMMUNICATION)**
14. 033-2024 – MOTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE MAF WILDLIFE IMPROVEMENTS – SOUTH DRAINAGE PROJECT, SAID PLANS AND SPECIFICATIONS BEING ON FILE IN THE CITY SECRETARY'S OFFICE REFERENCED BY THE NUMBER AND DATE OF THIS MOTION; AND AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO ADVERTISE FOR COMPETITIVE BIDS FOR SAID PROJECT PURSUANT TO THE STATUTES OF THE STATE OF TEXAS FOR ACCOMPLISHING THE WORK SET FORTH IN SAID PLANS AND SPECIFICATIONS **(DISTRICT 4) (AIRPORTS) (TRANSPARENT & CONSISTENT COMMUNICATION)**
15. 034-2024 – MOTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE MAF RECONSTRUCT ASPHALT AIR CARRIER APRON PROJECT, SAID PLANS AND SPECIFICATIONS BEING ON FILE IN THE CITY SECRETARY'S OFFICE REFERENCED

BY THE NUMBER AND DATE OF THIS MOTION; AND AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO ADVERTISE FOR COMPETITIVE BIDS FOR SAID PROJECT PURSUANT TO THE STATUTES OF THE STATE OF TEXAS FOR ACCOMPLISHING THE WORK SET FORTH IN SAID PLANS AND SPECIFICATIONS **(DISTRICT 4) (AIRPORTS) (TRANSPARENT & CONSISTENT COMMUNICATION)**

16. 035-2024 – MOTION AUTHORIZING THE MAYOR AND THE CITY ATTORNEY TO EXECUTE AN ATP GRANT AGREEMENT IN ORDER TO RECEIVE AN ESTIMATED AMOUNT OF \$2,800,00.00 FOR THE DESIGN WORK ASSOCIATED WITH THE REPLACEMENT AND MODERNIZATION OF THE HVAC AND RELATED SYSTEMS, RESTROOMS, AND PASSENGER SCREENING AREA AT THE MIDLAND INTERNATIONAL AIR & SPACE PORT TERMINAL BUILDING **(DISTRICT 4) (AIRPORTS) (TRANSPARENT & CONSISTENT COMMUNICATION)**
17. 036-2024 – MOTION AUTHORIZING THE EXECUTION OF SPORTS AGREEMENTS WITH THE FOLLOWING ORGANIZATIONS: BOYS AND GIRLS CLUB OF THE PERMIAN BASIN; MIDLAND JUNIOR BASEBALL ASSOCIATION, INC.; MIDLAND SOCCER ASSOCIATION, INC.; MIDLAND SOFTBALL ASSOCIATION, INC.; MIDLAND UNITED GIRLS SOFTBALL ASSOCIATION, INC.; TEXAS CRICKET CLUB; UNDER THE LIGHTS FLAG FOOTBALL LEAGUE; WEST TEXAS BMX; AND THE YMCA OF MIDLAND; SAID AGREEMENTS PROVIDING FOR THE ORGANIZATIONS' ADMINISTRATION OF RECREATIONAL PROGRAMS, SPECIAL EVENTS, AND OTHER RELATED SERVICES THROUGH THE USE OF CITY-OWNED PROPERTY AND FACILITIES **(DISTRICT: ALL) (COMMUNITY SERVICES) (QUALITY OF LIFE AND PLACE)**
18. 2024-054 – RESOLUTION GRANTING VARIANCES FOR THREE OIL AND GAS WELLS TO BE LOCATED CLOSER THAN 500 FEET OF AN OCCUPIED RESIDENCE OR COMMERCIAL STRUCTURE; APPROVING THE ISSUANCE OF PERMITS TO PERMIAN DEEP ROCK OIL CO., LLC ("OPERATOR") TO DRILL SAID OIL AND GAS WELLS LOCATED IN SECTION 14, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED BETWEEN 931 FEET AND 959 FEET EAST OF NORTH A STREET EXTENSION AND BETWEEN 1,882 FEET AND 1,910 FEET SOUTH OF WEST LOOP 250 NORTH); AND PROVIDING THAT SAID PERMITS DO NOT REQUIRE A NEW ROAD REPAIR AGREEMENT BUT SHALL BE CONSOLIDATED UNDER AN EXISTING ROAD REPAIR AGREEMENT **(DISTRICT 3) (DEVELOPMENT SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**
19. 037-2024 – MOTION APPROVING WITH STAFF'S RECOMMENDED CONDITIONS A PROPOSED PRELIMINARY PLAT OF PAVILION PARK ADDITION, SECTION 15, BEING A REPLAT OF A 90.60-ACRE TRACT OF LAND OUT OF LOT 8, BLOCK 2, PAVILION PARK ADDITION, SECTION 7, AND A PLAT OF A 10-ACRE TRACT OF LAND OUT OF SECTION 1, BLOCK X, H.P. HILLARD SURVEY, CITY AND COUNTY MIDLAND COUNTY TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF SOLOMON LANE, APPROXIMATELY 1,155 FEET WEST OF NORTH FAIRGROUNDS ROAD) **(DISTRICT 1) (DEVELOPMENT SERVICES) QUALITY OF LIFE AND PLACE**

22. 2024-056 – RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS, APPROVING CERTAIN AMENDMENTS TO THE GENERAL ORDERS OF THE MIDLAND POLICE DEPARTMENT; AND PROVIDING THAT THE CITY COUNCIL IS THE POLICYMAKING AUTHORITY OF THE CITY OF MIDLAND **(DISTRICT: NONE) (POLICE) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**
23. 2024-057 – RESOLUTION AUTHORIZING THE CITY MANAGER, DEPUTY CITY MANAGER, OR AN ASSISTANT CITY MANAGER TO EXECUTE ALL AGREEMENTS AND DOCUMENTS AND TAKE ALL ACTIONS NECESSARY TO CONVEY TO THE STATE OF TEXAS AN APPROXIMATE 2.87-ACRE TRACT OF CITY-OWNED LAND OUT OF SECTION 35, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS; SAID CONVEYANCE BEING AUTHORIZED BY SECTION 203.055 OF THE TEXAS TRANSPORTATION CODE **(DISTRICT 4) (UTILITIES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

Robin Poole moved to approve Consent Agenda items 4-23, excluding items 5, 20 & 21; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

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

5. 2024-046 – RESOLUTION DECLARING THE CITY'S EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT

ITEM PULLED BY STAFF; NO ACTION TAKEN

20. 2024-055 – RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MIDLAND COUNTY FOR SAID COUNTY TO PARTICIPATE IN TAX INCREMENT REINVESTMENT ZONE NUMBER TWO

Council Member Ladd thanked Midland County for participating in this program and for their help.

Jack Ladd moved to approve Resolution No. 2024-055; seconded by John Norman.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

21. 038-2024 – MOTION APPROVING A PROMOTIONAL AGREEMENT BETWEEN THE

MIDLAND DEVELOPMENT CORPORATION AND SPACE FORCE ASSOCIATION TEXAS, INC., TO ADVERTISE AND PUBLICIZE THE CITY OF MIDLAND FOR THE PURPOSE OF DEVELOPING NEW AND EXPANDED BUSINESS ENTERPRISES

Midland Development Corporation Director, Sara Harris, gave a brief overview of the Space Force Association noting that Midland competed among other cities around the state to have the headquarters in Midland for a term of six years. This will bring all of the industry events, conferences and more to Midland for the next 10 years.

Jack Ladd moved to approve Resolution No. 038-2024; seconded by John Norman.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

SECOND READINGS

24. 10494 – AN ORDINANCE VACATING AND ABANDONING A 0.027-ACRE PORTION OF FIREWHEEL ROAD RIGHT-OF-WAY AND NORTH FAIRGROUNDS ROAD RIGHT-OF-WAY LOCATED ADJACENT TO LOT 83, BLOCK 1, MOCKINGBIRD RIDGE, SECTION 1, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF THE INTERSECTION OF FIREWHEEL ROAD AND NORTH FAIRGROUNDS ROAD); ADOPTING THE APPRAISAL BY THE ASSISTANT CITY MANAGER OF \$11.92; AND ORDERING RECORDATION BY THE CITY SECRETARY (FIRST READING HELD FEBRUARY 27, 2024) **(DISTRICT 1) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10494.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10494; seconded by John Norman.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

25. 10495 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 2.61-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 SF-2, SINGLE-FAMILY DWELLING DISTRICT, IN PART, AND RR, REGIONAL RETAIL DISTRICT, IN PART, TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST WALL STREET, APPROXIMATELY 580 FEET WEST OF MANN 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 FEBRUARY 27, 2024) **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10495.

John Norman moved to approve the second and final reading of Ordinance No. 10495; seconded by Jack Ladd.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

26. 10496 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 6, BLOCK 14, GREENWOOD ADDITION, THIRD, FOURTH AND FIFTH SECTIONS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF EAST WASHINGTON AND SOUTH CLAY 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 FEBRUARY 27, 2024) **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10496.

John Norman moved to approve the second and final reading of Ordinance No. 10496; seconded by Scott Dufford.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

27. 10497 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 6.15-ACRE TRACT OF LAND OUT OF SECTION 36, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM LI, LIGHT INDUSTRIAL DISTRICT TO BP, I-20 BUSINESS PARK DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF EAST FRONT STREET AND NORTH ADAMS 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 FEBRUARY 27, 2024) **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10497.

John Norman moved to approve the second and final reading of Ordinance No. 10497; seconded by Jack Ladd.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

28. 10498 – AN ORDINANCE AMENDING TITLE IV, “BUILDING REGULATIONS”, CHAPTER 8, “DANGEROUS AND DILAPIDATED BUILDINGS”, OF THE CITY CODE OF MIDLAND, TEXAS, BY CHANGING THE HEADING OF SAID CHAPTER 8 TO “SUBSTANDARD BUILDINGS”, RECODIFYING SECTION 7, “ABATEMENT OF SUBSTANDARD BUILDINGS”, AS SECTION 1, ESTABLISHING MINIMUM STANDARDS, ADDING SECTION 2, “ADDITIONAL AUTHORITY TO SECURE SUBSTANDARD BUILDINGS”, SO AS TO ESTABLISH AN ALTERNATE PROCEDURE FOR SECURING A SUBSTANDARD BUILDING, ADDING SECTION 3, “PROHIBITING ENTRY INTO SUBSTANDARD BUILDINGS”, SO AS TO AUTHORIZE THE BUILDING OFFICIAL TO PROHIBIT ENTRY INTO AND OCCUPANCY OF A SUBSTANDARD BUILDING, AND REMOVING CONFLICTING SECTIONS FROM SAID CHAPTER; PROVIDING FOR NOTICE AND A HEARING; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; ESTABLISHING AN EFFECTIVE DATE OF APRIL 1, 2024; AND ORDERING PUBLICATION (FIRST READING HELD FEBRUARY 27, 2024) **(DISTRICT: ALL) (DEVELOPMENT SERVICES) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10498.

City Manager Tommy Gonzalez reported this will go into effect April 1, 2024.

Planning & Development Officer Elizabeth Triggs reported on the notification process, the boarding up process and next steps.

John Norman moved to approve the second and final reading of Ordinance No. 10498; seconded by Jack Ladd.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

PUBLIC HEARINGS

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

29. 10499 – AN ORDINANCE VACATING AND ABANDONING AN 897-SQUARE FOOT PORTION OF WEST TENNESSEE AVENUE RIGHT-OF-WAY AND A 925-SQUARE FOOT PORTION OF WEST OHIO AVENUE RIGHT-OF-WAY, BOTH LOCATED ADJACENT TO BLOCK 8, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF WEST TENNESSEE AVENUE AND NORTH LORAIN STREET, AND AT THE NORTHEAST CORNER OF THE INTERSECTION OF WEST OHIO AVENUE AND NORTH LORAIN STREET); ADOPTING THE APPRAISAL BY THE ASSISTANT CITY MANAGER OF \$3,644.00; RETAINING A NONEXCLUSIVE UTILITY EASEMENT; AND ORDERING RECORDATION BY THE CITY SECRETARY **(DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10499.

Mayor Blong opened the public hearing at 10:53 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. 10499; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

30. 10500 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR TRACT 34, MELODY ACRES, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF ROBIN LANE, APPROXIMATELY 585 FEET WEST OF NORTH MIDLAND DRIVE), BY PERMITTING AN INCREASED MAXIMUM SQUARE FOOTAGE OF ALL 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 4) (DEVELOPMENT SERVICES)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10500.

Development Services Planning Manager Xavier Bauguess gave a brief overview of the item noting the owner is requesting square footage for an accessory building that is more than the maximum square footage allowed. Staff is requesting denial.

Mr. Bauguess provided details about the 10% of the square footage of the lot with regard to

the City Code. Planning & Development Officer Elizabeth Triggs reported more research is needed and provided the purpose of the Code regulation.

Mayor Blong opened the public hearing at 11:00 a.m.

Kevin Doan, 4616 Woodbar Court spoke in favor of this item being allowed.

Joanna Brownlee, 5008 Widener Strip, reported this is her future house and spoke in favor of this item passing.

There being no one else wishing to speak, the public hearing was closed at 11:05 a.m.

John Norman moved to approve the first of two readings of Ordinance No. 10500; seconded by Scott Dufford.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

MISCELLANEOUS

31. 10501 – AN ORDINANCE RELEASING FROM THE CITY OF MIDLAND'S EXTRATERRITORIAL JURISDICTION A 62.302-ACRE TRACT OF LAND, A 7.85-ACRE TRACT OF LAND, A 5.84-ACRE TRACT OF LAND, AND A 12.19-ACRE TRACT OF LAND, ALL OUT OF SECTION 12, BLOCK 39, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS; DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO GIVE NOTICE OF THIS RELEASE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND ORDERING PUBLICATION **(DISTRICT: NONE) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Chief Deputy City Secretary Vanessa Magallanes read the caption of Ordinance No. 10501.

Development Services Planning Manager Xavier Bauguess gave a brief overview of the item noting the client would like to be released from the ETJ.

City Attorney John Ohnemiller reported that this is a new state law and must be followed.

Scott Dufford moved to approve the first of two readings of Ordinance No. 10501; seconded by Jack Ladd.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

32. 039-2024 – DISCUSS AND TAKE ACTION ON OPPORTUNITIES TO SUPPORT THE EXPANSION OF PUBLIC RECREATIONAL FACILITIES WITHIN THE CITY OF MIDLAND TO ENHANCE THE QUALITY OF LIFE AND PLACE FOR THE COMMUNITY **(DISTRICT: NONE) (COMMUNITY SERVICES) (QUALITY OF LIFE AND PLACE)**

This item was taken up after Executive Session at 12:50 p.m.

Mayor Blong reported the Council agrees they would like to participate in a community discussion if that is the wish of the County and School district, however, the school board would need to lead the conversation since they own the property and it is their facility.

DISCUSSION ONLY; NO ACTION TAKEN.

33. MOTION MAKING APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS **(DISTRICT: NONE) (CITY SECRETARY)**

John Norman moved to appoint Shonna Garcia to the Citizens Development Hotel/Motel Advisory board; seconded by Robin Poole.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

PUBLIC COMMENT

34. 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.)

Paul Molnar, 10 Aurburn Court, spoke of his concern about losing Ranchland Hills Golf Course.

Bill Kirby, 5017 Bell Grove Court, spoke about saving Ranchland Hills Golf Course.

Martha Manulik, 1408 West Cuthbert, spoke about saving Ranchland Hills Golf Course.

Grier Brunson, 1900 Holloway Avenue, spoke about issues with parks and playgrounds and their ordinances. Mayor Blong requested that City Manager Tommy Gonzalez look into this for Mr. Brunson

EXECUTIVE SESSION

1. 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 11:32 a.m.

a. Section 551.087, Deliberate Economic Development Negotiations

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

b. Section 551.072, Deliberation Regarding Real Property

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

All the business at hand having been completed, the meeting adjourned at 12:52 p.m.

PASSED AND APPROVED April 9, 2024.

Lori Blong, Mayor

ATTEST:

Marcia Bentley-German
City Governance Officer/City Secretary