

CITY OF MIDLAND, TEXAS
AGENDA FOR CITY COUNCIL MEETING
October 10, 2023 - 10:00 AM
300 North Loraine
Midland, Texas
Council Chamber - City Hall



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

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

OPENING ITEMS

1. Invocation – Pastor Keith Graves, Hope Community Church
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - 3a. Presentation of Proclamation for “High Sky Children’s Ranch 60th Anniversary Day”
 - 3b. Presentation from Managing Director of Public Safety Charles Blumenauer regarding the City of Midland Animal Services Division.
 - 3c. Presentation from Director of Finance Christy Weakland regarding Budget and Fixed Costs.

CONSENT AGENDA

4. MOTION APPROVING THE FOLLOWING MINUTES:
 - 4a. WORK SESSION OF SEPTEMBER 26,2023
 - 4b. REGULAR SESSION OF SEPTEMBER 26,2023
5. 2023-131 – RESOLUTION NOMINATING ROBERT MCNAUGHTON FOR THE MIDLAND CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; AND DIRECTING THE CITY MANAGER TO DELIVER A COPY OF THIS RESOLUTION TO THE MIDLAND CENTRAL APPRAISAL DISTRICT **(DISTRICT: NONE) (FINANCE)**

6. 2023-132 – RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH GEOGRAPHIC INFORMATION SERVICES, INC., D/B/A AXIM GEOSPATIAL, LLC, FOR ARCGIS IMPLEMENTATION SERVICES THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES FOR A COST OF \$345,400.00 **(DISTRICT: NONE)**
(GENERAL SERVICES)
7. 2023-133 – RESOLUTION APPROVING THE PURCHASE OF A CATERPILLAR 836 WHEEL DOZER COMPACTOR FROM WARREN POWER & MACHINERY, INC., THROUGH SOURCEWELL FOR A TOTAL COST OF \$1,498,340.00 **(DISTRICT: NONE)**
(GENERAL SERVICES)
8. 2023-134 – RESOLUTION AUTHORIZING PURCHASE OF AN ASPHALT PAVER FROM BEE EQUIPMENT SALES, LTD., THROUGH BUYBOARD FOR A TOTAL COST OF \$267,749.33 **(DISTRICT: NONE)** **(GENERAL SERVICES)**
9. 2023-135 – RESOLUTION APPROVING THE PURCHASE OF A 114SD SEWER JET VAC TRUCK AND ASSOCIATED COMPONENTS FROM HOUSTON FREIGHTLINER INC. THROUGH THE HOUSTON-GALVESTON AREA COUNCIL FOR A TOTAL COST OF \$552,119.49 **(DISTRICT: NONE)** **(GENERAL SERVICES)**
10. 2023-136 – RESOLUTION AUTHORIZING PURCHASE OF TWO (2) CHEVROLET TAHOES FROM CALDWELL AUTOMOTIVE PARTNERS, LTD., THROUGH BUYBOARD FOR A TOTAL COST OF \$140,924.00 **(DISTRICT: NONE)** **(GENERAL SERVICES)**
11. 2023-137 – RESOLUTION AUTHORIZING PURCHASE OF A REELMASTER 5510-D FAIRWAY MOWER, A WORKMAN DHX-2WD GOLF CART, A GREENMASTER TRIFLEX MOWER, A SAND PRO 5040 TRAP RAKE, A RIDING SAND PRO, A PROCORE AERATOR, AND A PROCORE AERIFIER FROM PROFESSIONAL TURF PRODUCTS, L.P., THROUGH BUYBOARD FOR A TOTAL COST OF \$359,615.20 **(DISTRICT: NONE)**
(GENERAL SERVICES)
12. 117-2023 – MOTION AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO THE WATER FACILITIES OPERATION AND MAINTENANCE CONTRACT BETWEEN THE CITY OF MIDLAND AND PSC WATER OPERATING COMPANY REGARDING THE OPERATION AND MAINTENANCE OF CERTAIN WATER FACILITIES LOCATED AT T-BAR RANCH (DISTRICT: NONE) (GENERAL SERVICES)
13. 118-2023 – MOTION APPROVING PLANS AND SPECIFICATIONS FOR THE STATE HIGHWAY 158 AND SINCLAIR AVENUE INTERSECTION 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)** **(GENERAL SERVICES)**

14. 119-2023 – MOTION REJECTING THE SOLE PROPOSAL RECEIVED FOR CERTAIN AIRPORT PASSENGER SERVICES AT MIDLAND INTERNATIONAL AIR & SPACE PORT AND MIDLAND AIRPARK **(DISTRICT: NONE) (GENERAL SERVICES)**
15. 2023-138 – RESOLUTION AMENDING THE CITY OF MIDLAND PERSONNEL POLICIES SO AS TO REVISE THE DEFINITION OF “DEPARTMENT MANAGERS”; AND PROVIDING AN EFFECTIVE DATE OF OCTOBER 11, 2023 **(DISTRICT: NONE) (ADMINISTRATIVE SERVICES)**
16. 2023-139 – RESOLUTION APPROVING THE SELECTION OF GARVER, H.W. LOCHNER, INC., MAVERICK CIVIL & SURVEY, LLC, PARKHILL, SMITH & COOPER, INC., DBA PARKHILL, TRANSYSTEMS CORPORATION DBA TRANSYSTEMS CORPORATION CONSULTANTS, AND WESTWOOD PROFESSIONAL SERVICES, INC., AS RESPECTIVE FIRST CHOICES FOR THE PERFORMANCE OF ON-CALL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES FOR VARIOUS PROJECTS AT THE MIDLAND INTERNATIONAL AIR & SPACE PORT AND MIDLAND AIRPARK OVER THE NEXT THREE (3) YEARS; AND PROVIDING THAT ANY AGREEMENT EXCEEDING \$100,000.00 SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE CITY COUNCIL **(DISTRICT 4) (GENERAL SERVICES)**
17. 2023-140 – RESOLUTION AUTHORIZING THE EXECUTION OF A TAX ABATEMENT AGREEMENT WITH LS BRENTWAY LLC AS AUTHORIZED BY CHAPTER 312 OF THE TEXAS TAX CODE (THE “AGREEMENT”) REGARDING LOTS 22, 23 AND 24, BLOCK 65, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (THE “PROPERTY”); SAID PROPERTY BEING LOCATED WITHIN TAX ABATEMENT REINVESTMENT ZONE NUMBER 2023-02 (THE “REINVESTMENT ZONE”); SAID REINVESTMENT ZONE BEING LOCATED ON THE WEST SIDE OF SOUTH LORAIN STREET, APPROXIMATELY 130 FEET NORTH OF WEST MISSOURI AVENUE; THE OWNER OF THE PROPERTY BEING LS BRENTWAY LLC; THE APPLICANT FOR TAX ABATEMENT BEING LS BRENTWAY LLC; THE IMPROVEMENTS INCLUDED IN THE AGREEMENT BEING GENERALLY DESCRIBED AS A SIX-STORY HOTEL WITH APPROXIMATELY 80 GUEST ROOMS AND ASSOCIATED AND APPURTENANT FACILITIES; THE ESTIMATED COST OF SAID IMPROVEMENTS BEING NOT LESS THAN \$15,000,000.00; AND DIRECTING THE CITY MANAGER TO DELIVER A WRITTEN NOTICE OF THE CITY’S INTENTION TO ENTER INTO THE AGREEMENT, OR ENSURE THAT SUCH A NOTICE HAS BEEN DELIVERED, TO THE PRESIDING OFFICER OF THE GOVERNING BODY OF EACH APPROPRIATE TAXING UNIT AT LEAST SEVEN DAYS PRIOR TO THE EXECUTION OF THE AGREEMENT **(DISTRICT 2) (CITY MANAGER)**
18. 2023-141 – RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIDLAND AND LS BRENTWAY LLC REGARDING THE DEVELOPMENT OF CERTAIN REAL PROPERTY DESCRIBED AS LOTS 22, 23, AND 24, BLOCK 65, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS **(DISTRICT 2) (CITY MANAGER)**
19. 120-2023 – MOTION APPROVING WITH STAFF’S RECOMMENDED CONDITIONS A

PROPOSED PRELIMINARY PLAT OF CLAYDESTA PLAZA NORTH, SECTION 6, BEING A REPLAT OF THE REMAINDER OF LOT 1, BLOCK 14, CLAYDESTA PLAZA, SECTION 2, LOT 2B, BLOCK 14, CLAYDESTA PLAZA, SECTION 14, AND A 47.74-ACRE TRACT OF LAND, LOCATED IN SECTION 14, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED WEST OF NORTH BIG SPRING STREET, APPROXIMATELY 300 FEET NORTH OF VETERANS AIRPARK LANE) **(DISTRICT 3) (DEVELOPMENT SERVICES)**

20. 121-2023 – MOTION APPROVING WITH STAFF’S RECOMMENDED CONDITIONS A PROPOSED PRELIMINARY PLAT OF PERMIAN BASIN BEHAVIORAL HEALTH CENTER, SECTION 1, BEING A 50.31-ACRE TRACT OF LAND OUT OF SECTION 42, BLOCK 40, T-1-S, T&P RR CO. SURVEY, COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED APPROXIMATELY 1,550 FEET SOUTH OF STATE HIGHWAY 191, AND APPROXIMATELY 1,725 FEET EAST OF NORTH FARM-TO-MARKET ROAD 1788) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**
21. 122-2023 – MOTION APPROVING WITH STAFF’S RECOMMENDED CONDITIONS A PROPOSED PRELIMINARY PLAT OF CARROLLWOOD ADDITION, SECTION 2, BEING A 31.58-ACRE TRACT OF LAND OUT OF SECTION 24, BLOCK 40, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF ANTELOPE TRAIL, APPROXIMATELY 2,790 FEET NORTH OF WEST COUNTY ROAD 140) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**

SECOND READINGS

22. 10442 – AN ORDINANCE EXTENDING THE BOUNDARIES OF THE CITY OF MIDLAND, TEXAS, BY ADDING THERETO A CERTAIN AREA ADJOINING THE PRESENT CITY LIMITS, BEING A 54.008-ACRE TRACT OF LAND OUT OF SECTION 42, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED APPROXIMATELY 1,550 FEET SOUTH OF STATE HIGHWAY 191, AND APPROXIMATELY 1,725 FEET EAST OF FARM-TO-MARKET ROAD 1788); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY **(DISTRICT: NONE) (DEVELOPMENT SERVICES)** (FIRST READING HELD SEPTEMBER 26, 2023)
23. 10443 – AN ORDINANCE ESTABLISHING THE INITIAL ZONING CLASSIFICATION OF THE AREA INDICATED AS BEING A 54.008-ACRE TRACT OF LAND OUT OF SECTION 42, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AS AN RR, REGIONAL RETAIL DISTRICT; SAID TRACT BEING GENERALLY LOCATED APPROXIMATELY 1,550 FEET SOUTH OF STATE HIGHWAY 191, AND APPROXIMATELY 1,725 FEET EAST OF FARM-TO-MARKET ROAD 1788; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION **(DISTRICT: NONE) (DEVELOPMENT SERVICES)** (FIRST READING HELD SEPTEMBER 26, 2023)
24. 10444 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF

MIDLAND TO REZONE TRINITY TOWERS MANOR, SECTIONS 1, 2 AND 3, AND ARBOR PARK, SECTION 6, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT, IN PART, AND MF-16, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART, TO PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF LOOP 250 AND SUNSHINE PARKWAY); 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)** (FIRST READING HELD SEPTEMBER 26, 2023)

PUBLIC HEARINGS

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

25. 123-2023 – THE PROPOSED GRANTING OF OIL AND GAS WELL PERMITS TO PERMIAN DEEP ROCK OIL CO., LLC (“OPERATOR”) FOR THE DRILLING OF THE FOLLOWING OIL AND GAS WELLS: CK 105 MIPA ALLOC UNIT H105WA; KNIGHT 140 MIPA UNIT H140LS; KNIGHT 140 MIPA UNIT H140MS; KNIGHT 140 MIPA UNIT H140WB; KNIGHT 145 MIPA UNIT H145WA; KNIGHT 150 MIPA UNIT H150LS; KNIGHT 150 MIPA UNIT H150SS; KNIGHT 150 MIPA UNIT H150WB; KNIGHT 155 MIPA UNIT H155WA; KNIGHT 160 MIPA UNIT H160LS; KNIGHT 160 MIPA UNIT H160MS; AND KNIGHT 160 MIPA UNIT H160WB; SAID WELLS BEING GENERALLY LOCATED BETWEEN 768 FEET AND 1,022 FEET EAST OF NORTH A STREET EXTENSION AND BETWEEN 1,817 FEET AND 2,067 FEET SOUTH OF WEST LOOP 250 NORTH; PUBLIC HEARING ONLY **(DISTRICT 3) (DEVELOPMENT SERVICES)**

26. 10445 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR A 54.008-ACRE TRACT OF LAND OUT OF SECTION 42, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED APPROXIMATELY 1,550 FEET SOUTH OF STATE HIGHWAY 191, AND APPROXIMATELY 1,725 FEET EAST OF FARM-TO-MARKET ROAD 1788), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AN INSTITUTION FOR THE CARE OF ALCOHOLIC, PSYCHIATRIC, OR NARCOTIC PATIENTS; 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 4) (DEVELOPMENT SERVICES)**

27. 10446 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 55, BLOCK 8, 349 RANCH ESTATES, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR HOUSING DEVELOPMENT TO SF-1, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED EAST OF TEJAS, APPROXIMATELY 175 FEET WEST OF

SIoux COURT); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION **(DISTRICT 1) (DEVELOPMENT SERVICES)**

28. 2023-142 – RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR A VENDOR MARKET ON LOT 1A, BLOCK 3, CRESTGATE ADDITION, SECTION 33, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF CRESTFIELD STREET AND WEST LOOP 250 NORTH) SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS **(DISTRICT 1) (DEVELOPMENT SERVICES)**
29. 2023-143 – RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR A PARTY ON LOT 1A, BLOCK 2, GATEWAY PLAZA ADDITION, SECTION 3, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF LIBERTY DRIVE AND WEST BUSINESS INTERSTATE 20) SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS **(DISTRICT 4) (DEVELOPMENT SERVICES)**
30. 10447 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 2 AND 3, LLANO ESTACADO ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM CE, COUNTRY ESTATE DISTRICT TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF BRIARWOOD AVENUE, APPROXIMATELY 340 FEET WEST OF AVALON DRIVE); 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 3) (DEVELOPMENT SERVICES)**

PUBLIC COMMENT

31. 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.)

Respectfully Submitted,

Tommy Gonzalez
City Manager

MEETING ASSISTANCE INFORMATION: The Midland City Hall and Council Chamber are

wheelchair accessible. If you need special assistance to participate in this meeting, please contact the City Secretary's Office at (432) 685-7430. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.