

CITY OF MIDLAND, TEXAS  
AGENDA FOR CITY COUNCIL MEETING  
November 14, 2023 - 10:00 AM  
300 North Loraine  
Midland, Texas  
Council Chamber - City Hall



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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 Jon Wymore, Livingway Four Square 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 Information Officer Jennifer Frescaz regarding Radio Upgrade and Interoperability Leading to Interlocals.
  - 3b. Presentation from Assistant City Manager Jose Ortiz regarding the state of the streets.

**CONSENT AGENDA**

4. MOTION APPROVING THE FOLLOWING MINUTES:
  - 4a. REGULAR SESSION OF OCTOBER 24, 2023
  - 4b. SPECIAL SESSION OF OCTOBER 26, 2023
5. 2023-156 – RESOLUTION CASTING THE CITY OF MIDLAND’S VOTES FOR DIRECTORS OF THE MIDLAND CENTRAL APPRAISAL DISTRICT FOR ROBERT MCNAUGHTON; AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER’S DESIGNEE TO FILE THE APPROPRIATE DOCUMENTS **(DISTRICT: NONE)**  
**(FINANCE)**
6. 2023-157 – RESOLUTION AUTHORIZING THE PURCHASE OF A TWO YEAR RENEWAL

OF MAINTENANCE FOR THE EXISTING FIREWALL DEVICES AND ANTIVIRUS SOFTWARE THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES FROM CDW GOVERNMENT LLC AT A TOTAL COST OF \$248,803.28 **(DISTRICT: NONE) (GENERAL SERVICES)**

7. 2023-158 – RESOLUTION AUTHORIZING PURCHASE OF A KOMATSU EXCAVATOR AND ASSOCIATED ATTACHMENTS FROM KIRBY-SMITH MACHINERY, INC., THROUGH BUYBOARD FOR A TOTAL COST OF \$396,151.30 **(DISTRICT: NONE) (GENERAL SERVICES)**
8. 2023-159 – RESOLUTION AUTHORIZING THE PURCHASE OF A POWER PAVER, POWER CURBER, AND ASSOCIATED EQUIPMENT FROM CORNWELL CAPITAL II DBA POWER CURBERS COMPANIES LLC THROUGH THE EQUALIS GROUP PURCHASING PROGRAM FOR A TOTAL COST OF \$990,650.00 **(DISTRICT: NONE) (GENERAL SERVICES)**
9. 2023-160 – RESOLUTION APPROVING THE PURCHASE OF ONE (1) JOHN DEERE 6110M CAB TRACTOR, ONE (1) JOHN DEERE 1585 TERRAIN CUT COMMERCIAL FRONT MOWER, AND ONE (1) JOHN DEERE 72-INCH 7-IRON PRO COMMERCIAL SIDE MOWER FROM DEERE & COMPANY THROUGH SOURCEWELL FOR A TOTAL COST OF \$209,887.38 **(DISTRICT: NONE) (GENERAL SERVICES)**
10. 2023-161 – RESOLUTION APPROVING THE PURCHASE AND UPFITTING OF THIRTY (30) CHEVROLET TAHOES AND TWO (2) CHEVROLET SILVERADO 1500 PICKUP TRUCKS FROM CALDWELL COUNTRY CHEVEROLET, LLC, THROUGH BUYBOARD AT A TOTAL COST OF \$2,641,694.00 **(DISTRICT: NONE) (GENERAL SERVICES)**
11. 2023-162 – RESOLUTION RESCINDING RESOLUTION 2023-115; REJECTING THE SOLE PROPOSAL RECEIVED; AND AUTHORIZING THE CITY MANAGER TO ADVERTISE A REQUEST FOR COMPETITIVE SEALED PROPOSALS FOR THE NORTH CITIZEN COLLECTION STATION PROJECT AND THE WEST CITIZEN COLLECTION STATION PROJECT **(DISTRICT: ALL) (GENERAL SERVICES)**
12. 2023-163 – RESOLUTION AUTHORIZING THE PURCHASE OF HERBICIDE FOR THE PLANT FARM FROM HELENA AGRI-ENTERPRISES, LLC OF STANTON, TEXAS, AT A TOTAL COST OF \$134,691.00 **(DISTRICT: NONE) (GENERAL SERVICES)**
13. 2023-164 – RESOLUTION RATIFYING THE EXECUTION OF AN AGREEMENT WITH ONCOR ELECTRIC DELIVERY COMPANY LLC (“ONCOR”) FOR THE RELOCATION OF ONCOR’S FACILITIES IN CONNECTION WITH THE EXTENSION OF WEST WADLEY AVENUE AT A COST OF \$102,733.01; AND AUTHORIZING PAYMENT **(DISTRICT: NONE) (GENERAL SERVICES)**
14. 2023-165 – RESOLUTION AUTHORIZING THE PURCHASE OF AN ESTIMATED ANNUAL SUPPLY OF CHEMICALS FOR THE WATER RECLAMATION FACILITY FOR FISCAL YEAR 2024 FROM MULTIPLE BIDDERS, FOR A TOTAL COST OF \$397,335.00

**(DISTRICT: NONE) (GENERAL SERVICES)**

15. 2023-166 – RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH AVENU INSIGHTS AND ANALYTICS, LLC OF CENTREVILLE, VIRGINIA, FOR ACCOUNTING SERVICES CONCERNING SALES AND USE TAX ADMINISTRATION, HOTEL AUDITING AND FRANCHISE FEE AUDITING; AND AUTHORIZING PAYMENT **(DISTRICT: NONE) (GENERAL SERVICES)**
16. 131-2023 – MOTION AUTHORIZING THE EXECUTION OF A 2024 ROUTINE AIRPORT MAINTENANCE PROGRAM AGREEMENT BETWEEN THE CITY OF MIDLAND, TEXAS, AND THE TEXAS DEPARTMENT OF TRANSPORTATION TO RECEIVE FUNDS IN THE AMOUNT OF \$100,000.00 FOR CERTAIN MAINTENANCE AND IMPROVEMENTS AT MIDLAND AIRPARK **(DISTRICT 4) (AIRPORTS)**
17. 2023-167 – RESOLUTION APPROVING THE PURCHASE OF FURNITURE AND ASSOCIATED EQUIPMENT FOR THE MIDLAND INTERNATIONAL AIR & SPACE PORT TERMINAL BUILDING FROM SEWCO, INC., DBA OFFICEWISE FURNITURE AND EQUIPMENT THROUGH THE INTERLOCAL PURCHASING SYSTEM AND OMNIA PARTNERS FOR A TOTAL COST OF \$203,927.33 **(DISTRICT 4) (AIRPORTS)**
18. 132-2023 – MOTION APPROVING PLANS AND SPECIFICATIONS FOR THE MIDLAND AIRPARK ENTRY ROAD ENHANCEMENTS 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)**
19. 133-2023 – MOTION AUTHORIZING THE EXECUTION OF AMENDMENT #9 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PARKHILL AND PROVIDING THE DESIGN PHASE OF THE TERMINAL MODERNIZATION AND CHECKPOINT RELOCATION PROJECT AND THE AIRFIELD SNOW REMOVAL VEHICLES AND EQUIPMENT ACQUISITION PROJECT, APPROPRIATING FUNDING TO BOTH PROJECTS **(DISTRICT 4) (AIRPORTS)**
20. 134-2023 – MOTION AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO THAT CERTAIN NON-EXCLUSIVE COMMERCIAL FIXED BASE OPERATOR LEASE AGREEMENT DATED MARCH 29, 2023, BETWEEN THE CITY OF MIDLAND, TEXAS, AND FRANKLIN MOUNTAIN AVIATION MAF, LLC; SAID AMENDMENT PROVIDING FOR AN EXTENSION OF THE DUE DILIGENCE EXPIRATION DATE FROM NOVEMBER 24, 2023, TO FEBRUARY 22, 2024 **(DISTRICT 4) (AIRPORTS)**
21. 135-2023 – MOTION APPROVING PLANS AND SPECIFICATIONS FOR THE MIDLAND AIRPARK NORTH FENCE REPLACEMENT 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)**

22. 136-2023 – MOTION APPROPRIATING THE SUM OF \$400,000.00 FROM THE AIRPORT UNAPPROPRIATED FUND BALANCE TO THE MULTI-FACILITY REHAB PROJECT (900308); AND TRANSFERRING THE SUM OF \$400,000.00 FROM THE MULTI-FACILITY REHAB PROJECT (900308) TO THE AIRPORT OPERATING GRANT FUND PROJECT **(DISTRICT 4) (AIRPORTS)**
23. 2023-168 – RESOLUTION ESTABLISHING THE DATES OF THE REGULAR CITY COUNCIL MEETINGS TO BE HELD DURING THE CALENDAR YEAR 2024 **(DISTRICT: ALL) (CITY SECRETARY'S OFFICE)**
24. 137-2023 – MOTION AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO SURFACE USE AGREEMENT WITH MIDLAND-PETRO D.C. PARTNERS, LLC, REGARDING DRILLING AND PRODUCTION OPERATIONS LOCATED ON AN APPROXIMATE 16.87-ACRE TRACT OF LAND OUT OF SECTION 14, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ADJACENT TO MIDLAND AIRPARK) **(DISTRICT 3) (DEVELOPMENT SERVICES)**
25. 2023-169 – RESOLUTION GRANTING VARIANCES FOR 12 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 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); 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)**
26. 138-2023 – 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 500 FEET OF SECTION 16, BLOCK 37, T-2-S, W.T. HALCOMBE SURVEY, MIDLAND COUNTY, TEXAS **(DISTRICT:NONE) (DEVELOPMENT SERVICES)**
27. 139-2023 – MOTION AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO ADVERTISE A REQUEST FOR PROPOSALS FOR DOWNTOWN PARKING MANAGEMENT SERVICES TO INCLUDE PAY-BY-MOBILE APPLICATION

PARKING AND INCIDENTAL SERVICES FOR ON-STREET PARKING, SURFACE PARKING LOTS, AND PUBLIC PARKING SPACES LOCATED AT PARKING GARAGES, AND TO NEGOTIATE AN AGREEMENT FOR SAID SERVICES; PROVIDED HOWEVER, THAT SAID AGREEMENT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE CITY COUNCIL **(DISTRICT 2) (ENGINEERING SERVICES)**

28. 2023-170 – RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GIFT DEED FROM PARK HILL RESOURCES, LLC, CONVEYING A 0.464-ACRE TRACT OF LAND LOCATED IN THE W.M. BALDRIDGE SURVEY NO. 17, BLOCK 37, T-2-S, ABSTRACT NO. 1065, MIDLAND COUNTY, TEXAS; AND ORDERING RECORDATION BY THE CITY SECRETARY **(DISTRICT: NONE) (UTILITIES)**
29. 2023-171 – RESOLUTION AUTHORIZING THE CITY MANAGER, DEPUTY CITY MANAGER, OR AN ASSISTANT CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO ACQUISITIONS OF REAL PROPERTY INTERESTS ON BEHALF OF THE CITY OF MIDLAND TO THE EXTENT THAT THE CITY COUNCIL PREVIOUSLY AUTHORIZED THE CITY MANAGER TO ACQUIRE REAL PROPERTY INTERESTS OR EXECUTE SUCH DOCUMENTS **(DISTRICT: ALL) (UTILITIES)**

## **SECOND READINGS**

30. 10448 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS, PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, CREATING TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER TWO, CITY OF MIDLAND, TEXAS **(DISTRICT: 2 & 3) (COMMUNITY SERVICES)** (FIRST READING HELD OCTOBER 24, 2023)
31. 10449 – AN ORDINANCE VACATING AND ABANDONING A 0.138-ACRE PORTION OF ALLEY RIGHT-OF-WAY, LOCATED WITHIN BLOCK 127, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED SOUTH OF EAST KENTUCKY AVENUE, APPROXIMATELY 100 FEET WEST OF SOUTH LAMESA ROAD); ADOPTING THE APPRAISAL BY THE ASSISTANT CITY MANAGER OF \$12,000.00; RETAINING A NONEXCLUSIVE UTILITY EASEMENT; AND ORDERING RECORDATION BY THE CITY SECRETARY **(DISTRICT 2) (DEVELOPMENT SERVICES)** (FIRST READING HELD OCTOBER 24, 2023)
32. 10450 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOTS 1 THROUGH 6 AND A 0.138-ACRE TRACT OF LAND, BLOCK 127, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SOUTH LAMESA ROAD AND EAST KENTUCKY AVENUE), BY PERMITTING A METAL SCREENING FENCE IN LIEU OF A MASONRY SCREENING WALL; 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)** (FIRST READING HELD OCTOBER 24, 2023)

33. 10451 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 2, BLOCK 3, MELODY ACRES, SECTION 4, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF TANFORAN AVENUE, APPROXIMATELY 200 FEET EAST OF ORIOLE DRIVE), 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 **(DISTRICT 4) (DEVELOPMENT SERVICES)** (DEFERRED FROM SEPTEMBER 26, 2023) (FIRST READING HELD OCTOBER 24, 2023)
34. 10452 – AN ORDINANCE VACATING AND ABANDONING A 0.42-ACRE PORTION OF NORTH N STREET RIGHT-OF WAY AND A 0.13-ACRE PORTION OF ALLEY RIGHT-OF-WAY, EACH LOCATED ADJACENT TO OR WITHIN BLOCK 11, HIGHLAND PARK ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED NORTH OF THE INTERSECTION OF NORTH N STREET AND WEST ILLINOIS AVENUE); ADOPTING THE APPRAISAL BY THE ASSISTANT CITY MANAGER OF \$75,592.00; RETAINING A NONEXCLUSIVE UTILITY EASEMENT; AND ORDERING RECORDATION BY THE CITY SECRETARY **(DISTRICT 3) (DEVELOPMENT SERVICES)** (FIRST READING HELD OCTOBER 24, 2023)
35. 10453 – AN ORDINANCE AMENDING TITLE XI, “PLANNING AND DEVELOPMENT” OF THE CITY CODE OF MIDLAND, TEXAS, BY ADDING CHAPTER 1A, “CENTENNIAL ENTERTAINMENT OVERLAY DISTRICT” SO AS TO ESTABLISH AN OVERLAY ZONING DISTRICT; ESTABLISHING PROVISIONS RELATED TO LAND USE AND DEVELOPMENT WITHIN SAID OVERLAY ZONING DISTRICT; AMENDING THE ZONING MAP; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); ESTABLISHING AN EFFECTIVE DATE OF DECEMBER 1, 2023; AND ORDERING PUBLICATION **(DISTRICT: ALL) (DEVELOPMENT SERVICES)** (FIRST READING HELD OCTOBER 24, 2023)

## **PUBLIC HEARINGS**

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

36. 10454 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR LOT 1, BLOCK 1, CLAYDESTA PLAZA NORTH, SECTION 4, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF NORTH BIG SPRING STREET AND WEST 250 LOOP NORTH), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR COMMERCIAL AMUSEMENT (OUTDOORS); 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 3) (DEVELOPMENT SERVICES)**

37. 10455 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR LOT 1, BLOCK 1, CLAYDESTA PLAZA NORTH, SECTION 4, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF NORTH BIG SPRING STREET AND WEST 250 LOOP NORTH), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR A MOBILE FOOD VENDOR PARK; 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 3) (DEVELOPMENT SERVICES)**
38. 10456 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR LOT 1, BLOCK 1, CLAYDESTA PLAZA NORTH, SECTION 4, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF NORTH BIG SPRING STREET AND WEST 250 LOOP NORTH), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A MOBILE FOOD VENDOR PARK AND COMMERCIAL AMUSEMENT (OUTDOOR) FACILITY 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 3) (DEVELOPMENT SERVICES)**
39. 10457 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 23.93-ACRE TRACT OF LAND OUT OF SECTION 27, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A MEDICAL CENTER AND HOSPITAL, IN PART, AND O-1, OFFICE DISTRICT, IN PART, TO PD, PLANNED DEVELOPMENT DISTRICT FOR A MEDICAL CENTER AND HOSPITAL (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF KENT STREET AND WEST MICHIGAN 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 3) (DEVELOPMENT SERVICES)**
40. 140-2023 – 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: CHARGER 110 MIPA UNIT #H110SX AND CHARGER 120 MIPA UNIT #H120MX; SAID WELLS BEING GENERALLY LOCATED BETWEEN 2,280 FEET AND 2,310 FEET WEST OF RANKIN HIGHWAY AND

BETWEEN 483 AND 520 FEET SOUTH OF WEST I-20; PUBLIC HEARING ONLY **(DISTRICT 2) (DEVELOPMENT SERVICES)**

41. 141-2023 – 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: MUSTANG 120 MIPA UNIT #H120MX; MUSTANG 130 MIPA UNIT #H130SX; AND MUSTANG 140 MIPA UNIT #H140MX; SAID WELLS BEING GENERALLY LOCATED 1,625 FEET EAST OF RANKIN HIGHWAY AND BETWEEN 625 AND 675 FEET SOUTH OF WEST I-20; PUBLIC HEARING ONLY **(DISTRICT 2) (DEVELOPMENT SERVICES)**
42. 142-2023 – 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: MUSTANG 150 MIPA UNIT #H150SX AND MUSTANG 160 MIPA UNIT #H160MX; SAID WELLS BEING GENERALLY LOCATED BETWEEN 1,101 FEET AND 1,131 FEET WEST OF RANKIN HIGHWAY AND 560 FEET SOUTH OF WEST I-20; PUBLIC HEARING ONLY **(DISTRICT 2) (DEVELOPMENT SERVICES)**
43. 10458 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 52, BLOCK 31, LONE STAR TRAILS ADDITION, SECTION 5, CORRECTION PLAT, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF LONE STAR LANE AND BURNETT LANE), 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 1) (DEVELOPMENT SERVICES)**
44. 10459 – AN ORDINANCE AMENDING TITLE XI, “PLANNING AND DEVELOPMENT”, CHAPTER XI, “AIRPORT HEIGHT HAZARD AND COMPATIBLE LAND USE ZONING,” OF THE CITY CODE OF MIDLAND, TEXAS, SO AS TO REPLACE THE MIDLAND INTERNATIONAL AIRPORT COMPATIBLE LAND USE ZONING MAP DATED JUNE 2014 WITH THE REVISED MIDLAND INTERNATIONAL AIRPORT COMPATIBLE LAND USE ZONING MAP; 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)**
45. 10460 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR A 0.42-ACRE TRACT OF LAND OUT OF LOT 2, BLOCK 30, HALEY HEIGHTS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF SOUTH MCKENZIE STREET AND WEST FRANCIS AVENUE), BY PERMITTING A REDUCED MINIMUM LOT WIDTH; 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)**

46. 10461 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR THE SOUTH 14 FEET OF LOT 16, THE ENTIRETY OF LOT 17, AND THE NORTH 10.5 FEET OF LOT 18, BLOCK 2, TEJAS TERRACE ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF NORTH H STREET APPROXIMATELY 150 FEET SOUTH OF STANOLIND AVENUE), BY PERMITTING (1) AN INCREASED MAXIMUM NUMBER OF ACCESSORY BUILDINGS AND (2) 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 3) (DEVELOPMENT SERVICES)**
47. 10462 – AN ORDINANCE VACATING AND ABANDONING A 0.159-ACRE PORTION OF ROPE STREET RIGHT-OF-WAY LOCATED ADJACENT TO LOT 1, BLOCK 1, ADOBE MEADOWS ADDITION, SECTION 8, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF ROPE STREET, APPROXIMATELY 435 FEET NORTH OF MOCKINGBIRD LANE); ADOPTING THE APPRAISAL BY THE ASSISTANT CITY MANAGER OF \$477.00; RETAINING A NONEXCLUSIVE UTILITY EASEMENT; AND ORDERING RECORDATION BY THE CITY SECRETARY **(DISTRICT: 1) (DEVELOPMENT SERVICES)**
48. 10463 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 3A, BLOCK 52, BELMONT ADDITION, SECTION 12, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF WEST LONGVIEW AVENUE, APPROXIMATELY 165 FEET EAST OF BELMONT 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)**
49. 10464 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 18, BLOCK 1, EDWARDS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-16, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF NORTH DALLAS STREET, APPROXIMATELY 200 FEET NORTH OF MISSISSIPPI 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)**

50. 2023-172 – RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR A BARBECUE COOK-OFF AND MUSIC FESTIVAL ON LOT 1A, BLOCK 54, LOT 1A, BLOCK 55, A 0.86-ACRE PORTION OF NORTH COLORADO STREET RIGHT-OF-WAY LOCATED ADJACENT TO BLOCK 55, A 1.26-ACRE PORTION OF WEST TEXAS AVENUE RIGHT-OF-WAY LOCATED ADJACENT TO BLOCKS 54 AND 55, AND A 1.26-ACRE PORTION OF WEST WALL STREET RIGHT-OF-WAY LOCATED ADJACENT TO BLOCKS 54 AND 55, ALL OUT OF ORIGINAL TOWN ADDITION, SECTION 14, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF NORTH COLORADO STREET AND WEST WALL STREET) SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS **(DISTRICT 2) (DEVELOPMENT SERVICES)**

### **MISCELLANEOUS**

51. MOTION MAKING APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS **(DISTRICT:NONE) (CITY SECRETARY’S OFFICE)**

### **PUBLIC COMMENT**

52. 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**

53. 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 551.071, Consultation with Attorney
    - a.1. Discuss pending or contemplated litigation.
  - b. Section 551.074, Personnel Matters
    - b.1. Deliberate the employment, evaluation, or duties of the City Attorney.
  - c. Section 551.072, Deliberation Regarding Real Property
    - c.1. Discuss the purchase, exchange, lease or value of real property.

Respectfully Submitted,

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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.