

CITY OF MIDLAND, TEXAS  
AGENDA FOR CITY COUNCIL MEETING  
February 22, 2022 - 10:00 AM  
300 North Loraine  
Midland, Texas  
Council Chamber - City Hall



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Notice is hereby given that a public meeting will be held by the City Council of the City of Midland, in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas and via videoconference. A quorum of the City Council intends to be physically present at the aforementioned location.

**Videoconference Information**

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. <https://us06web.zoom.us/j/88238505573?pwd=UIBOd1ZzUnQwZCtEM3FFVi9KTVRQUT09>

Passcode: 968827

Or One tap mobile:

+13462487799,,88238505573# US (Houston)

+17207072699,,88238505573# US (Denver)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 720 707 2699 or +1 253 215 8782 or +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656

Webinar ID: 882 3850 5573

International numbers available: <https://us06web.zoom.us/j/88238505573>

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

**OPENING ITEMS**

1. Invocation – Pastor Mabio Gomes, Seventh-Day Adventist 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 a Proclamation for Women’s History Month

3b. Presentation of a Proclamation for Midland RSVP Recognition Day

**CONSENT AGENDA**

4. MOTION APPROVING THE FOLLOWING MINUTES:
  - 4a. BRIEFING SESSION OF FEBRUARY 8, 2022
  - 4b. REGULAR SESSION OF FEBRUARY 8, 2022
5. 020-2022 – MOTION ALLOCATING THE SUM OF \$700,000.00 OF CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT FUNDS TO THE HEALTH DEPARTMENT'S COVID-19 PROGRAM (DISTRICT: NONE) (FINANCE)
6. 2022-022 – RESOLUTION AWARDED A PROFESSIONAL SERVICES AGREEMENT FOR THE REYES-MASHBURN-NELMS PARK PHASE 1 IMPROVEMENTS PROJECT TO LUCK DESIGN TEAM, LLC, FOR A TOTAL COST OF \$295,750.00; AND APPROPRIATING FUNDS FOR SAID PROJECT (DISTRICT 2) (GENERAL SERVICES)
7. 2022-023 – RESOLUTION AWARDED A CONTRACT FOR THE PAUL DAVIS PUMP STATION REHABILITATION PROJECT TO EDGARDO MADRID & ASSOCIATES, LLC, FOR AN AMOUNT OF \$2,725,387.00; APPROVING \$681,346.75 FOR CONTINGENCIES; AND APPROPRIATING FUNDS (DISTRICT: NONE) (GENERAL SERVICES)
8. 021-2022 – MOTION RATIFYING THE CITY OF MIDLAND'S ACCEPTANCE OF CONCESSIONS RENT RELIEF AIRPORT RESCUE GRANT NO. 3-48-0150-067-2022 IN THE AMOUNT OF \$576,026.00, WHICH IS DISTRIBUTED BY THE FEDERAL AVIATION ADMINISTRATION IN ACCORDANCE WITH THE AMERICAN RESCUE PLAN ACT GRANT PROGRAM; AND RATIFYING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO EVIDENCE THE CITY OF MIDLAND'S ACCEPTANCE OF SAID GRANT FUNDS (DISTRICT 4) (AIRPORTS)
9. 022-2022 – MOTION APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND THE CITY OF MIDLAND, TEXAS, AS AUTHORIZED BY CHAPTER 501 OF THE TEXAS LOCAL GOVERNMENT CODE; SAID AGREEMENT PROVIDING FOR CERTAIN COSTS ASSOCIATED WITH THE TODD DRIVE EXPANSION AND COUNTY ROAD 1160 OVERPASS IMPROVEMENTS PROJECT (DISTRICT: ALL) (CITY MANAGER)
10. 023-2022 – MOTION APPROVING A CONSULTANT SERVICES AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND INTERFLIGHT GLOBAL CORPORATION FOR SERVICES RELATED TO THE PROCUREMENT OF NEW TENANTS FOR FACILITIES LOCATED AT THE SPACEPORT BUSINESS PARK (DISTRICT 4) (CITY MANAGER)

11. 2022-024 – RESOLUTION ESTABLISHING GUIDELINES FOR PERSONS SUBMITTING SPECIFIC REDISTRICTING PROPOSALS AND PROVIDING COMMENTS (DISTRICT: ALL) (CITY MANAGER)
12. 2022-025 – RESOLUTION ADOPTING CRITERIA FOR USE IN THE CITY OF MIDLAND'S 2022 REDISTRICTING PROCESS (DISTRICT: ALL) (CITY MANAGER)
13. 024-2022 – MOTION AUTHORIZING THE EXECUTION OF SPORTS AGREEMENTS WITH THE FOLLOWING ORGANIZATIONS: BOYS AND GIRLS CLUB OF THE PERMIAN BASIN, GREATER MIDLAND FOOTBALL LEAGUE, 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)
14. 2022-026 – RESOLUTION REAPPOINTING SHARLA HOTCHKISS TO THE MIDLAND DOWNTOWN PARK CONSERVANCY BOARD OF DIRECTORS; AND DIRECTING THE CITY MANAGER TO DELIVER A COPY OF THIS RESOLUTION TO THE MIDLAND DOWNTOWN PARK CONSERVANCY (DISTRICT 2) (COMMUNITY SERVICES)
15. 2022-027 – RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO PERMIAN DEEP ROCK OIL CO., LLC ("OPERATOR") TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED IN SECTION 10, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED 1,690 FEET WEST OF RANKIN HIGHWAY AND 605 FEET SOUTH OF INTERSTATE 20); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT (DISTRICT 2) (DEVELOPMENT SERVICES)
16. 2022-028 – RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO PERMIAN DEEP ROCK OIL CO., LLC ("OPERATOR") TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED IN SECTION 2, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED 2,365 FEET EAST OF RANKIN HIGHWAY AND 170 FEET SOUTH OF INTERSTATE 20); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT (DISTRICT 2) (DEVELOPMENT SERVICES)
17. 025-2022 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (22-329-007) WITH ENVIRONMENTAL DISPOSAL SYSTEMS LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 21, BLOCK 37, T-3-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (DISTRICT: NONE) (UTILITIES)

## **SECOND READINGS**

18. 10288 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF

MIDLAND TO REZONE LOT 6, BLOCK 50, EAST MIDLAND ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM HI, HEAVY INDUSTRIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF NORTH MADISON STREET AND SOUTH 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) (FIRST READING HELD FEBRUARY 08, 2022)

19. 10289 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 4.97-ACRE TRACT OF LAND OUT OF LOT 2, BLOCK 2, GREEN HILL TERRACE, CITY AND COUNTY OF MIDLAND, TEXAS, FROM AE, AGRICULTURAL ESTATE DISTRICT TO CE, COUNTRY ESTATE DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF PIMLICO DRIVE, APPROXIMATELY 170 FEET EAST OF HOLIDAY HILL ROAD); 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) (FIRST READING HELD FEBRUARY 08, 2022)
20. 10290 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 1, BLOCK 43, PERMIAN ESTATES, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF THOMASON DRIVE AND RUBY DRIVE), BY PERMITTING A REDUCED MINIMUM FRONT YARD SETBACK AND A REDUCED MINIMUM SIDE YARD SETBACK ON THE NORTH SIDE OF THE LOT; 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) (FIRST READING HELD FEBRUARY 08, 2022)

## **PUBLIC HEARINGS**

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

21. 10291 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 3, BLOCK 6, EASTOVER ADDITION, THIRD EXTENSION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF NORTH CALHOUN STREET, APPROXIMATELY 112 FEET SOUTH OF EAST ILLINOIS AVENUE), BY PERMITTING A REDUCED MINIMUM LOT AREA, A REDUCED MINIMUM LOT WIDTH, AND A REDUCED MINIMUM LOT DEPTH IN THE EVENT THAT THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND IS AMENDED TO REZONE THE PROPERTY FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT; 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)

22. 10292 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 1, BLOCK 1, EASTOVER ADDITION, SECOND EXTENSION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF JESSE STREET AND ILLINOIS AVENUE), BY PERMITTING A REDUCED MINIMUM LOT AREA, A REDUCED MINIMUM LOT WIDTH, AND A REDUCED MINIMUM LOT DEPTH IN THE EVENT THAT THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND IS AMENDED TO REZONE THE PROPERTY FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT; 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)
23. 10293 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 16, BLOCK 64, PARK AVENUE HEIGHTS, SECOND SECTION, 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 BUNCHE STREET, APPROXIMATELY 250 FEET SOUTH OF 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 (DISTRICT 2) (DEVELOPMENT SERVICES)
24. 10294 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 11, BLOCK 5, AVALON ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF HUMBLE AVENUE, APPROXIMATELY 145 FEET EAST OF NORTH L STREET), BY PERMITTING A REDUCED MINIMUM SIDE YARD SETBACK ON THE WEST SIDE OF THE LOT; 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)
25. 10295 – AN ORDINANCE AMENDING TITLE XI, “PLANNING AND DEVELOPMENT”, CHAPTER 3, “FLOOD DAMAGE PREVENTION CODE”, SO AS TO REVISE CERTAIN STANDARDS FOR CONSTRUCTION IN FLOOD HAZARD AREAS WITHIN THE CITY OF MIDLAND; SETTING FORTH VARIANCE AND APPEAL PROCEDURES; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND ORDERING PUBLICATION (DISTRICT: NONE) (ENGINEERING SERVICES)

**MISCELLANEOUS**

26. MOTION MAKING APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS (CITY SECRETARY'S OFFICE)

**PUBLIC COMMENT**

27. 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**

28. 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 551.074, Personnel Matters

a.1. Deliberate the employment, evaluation, and duties of the City Manager, City Attorney, City Secretary, Municipal Court Presiding Judge, and Municipal Court Associate Judge

b. Section 551.087, Deliberate Economic Development Negotiations

b.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,

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Robert Patrick  
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.