



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

OPENING ITEMS

1. Invocation – Pastor Pat Bryant, Travis Baptist 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 “American Red Cross Month”
 - 3b. Presentation of Proclamation for “Women’s History Month”

CONSENT AGENDA

4. MOTION APPROVING THE FOLLOWING MINUTES:
 - 4a. REGULAR SESSION OF FEBRUARY 22, 2022
 - 4b. SPECIAL SESSION OF FEBRUARY 22, 2022 AT 7:00 PM
5. 2022-029 – RESOLUTION AUTHORIZING THE SOLE-SOURCE PURCHASE OF NIGHT VISION EQUIPMENT FOR THE POLICE DEPARTMENT FROM EMERGING TACTICAL SOLUTIONS, LLC, FOR A TOTAL COST OF \$287,748.00 (DISTRICT: ALL) (GENERAL SERVICES)
6. 2022-030 – RESOLUTION AWARDED A CONTRACT FOR THE WADLEY AVENUE AND SCHARBAUER DRAW MANHOLE PROJECT TO TEC EXCAVATION, INC., FOR AN AMOUNT OF \$1,094,470.00; APPROVING \$109,447.00 FOR CONTINGENCIES; APPROVING \$50,000.00 FOR PROJECT RELATED COSTS; AND APPROPRIATING FUNDS (DISTRICT 3) (GENERAL SERVICES)

7. 2022-031 – RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MAVERICK CIVIL & SURVEY, LLC, FOR DESIGN SERVICES FOR THE BIG SPRING WATER REPLACEMENT PROJECT FOR THE UTILITIES DEPARTMENT FOR A COST NOT TO EXCEED \$130,000.00; AND APPROVING \$26,000.00 FOR CONTINGENCIES (DISTRICT 2) (GENERAL SERVICES)
8. 2022-032 – RESOLUTION AWARDED A CONTRACT FOR THE ILLINOIS AVENUE UTILITY BOND PROJECT TO BOLER EQUIPMENT SERVICE, INC. OF MIDLAND, TEXAS, AT A TOTAL COST NOT TO EXCEED \$4,270,720.00; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT (DISTRICT 3) (GENERAL SERVICES)
9. 026-2022 – MOTION AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO ADVERTISE A REQUEST FOR PROPOSALS FOR GENERATOR CONTINGENCY BACK-UP POWER PLAN FOR THE UTILITIES DEPARTMENT AND TO NEGOTIATE A CONTRACT FOR SAID SERVICES; PROVIDED, HOWEVER, THAT SAID AGREEMENT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE CITY COUNCIL (DISTRICT: NONE) (GENERAL SERVICES)
10. 2022-033 – RESOLUTION APPROVING A CONTRACT WITH GAME COURT SERVICES THROUGH BUYBOARD, FOR THE PURCHASE AND INSTALLATION OF BASEBALL SYSTEM PADDING AT MOMENTUM BANK BALLPARK FOR A TOTAL COST OF \$123,380.00; APPROVING \$6,620.00 FOR CONTINGENCIES; AND APPROPRIATING FUNDS FOR SAID CONTRACT (DISTRICT 4) (GENERAL SERVICES)
11. 2022-034 – RESOLUTION APPROVING THE PURCHASE OF REPLACEMENT SERVERS FOR THE MUNICIPAL COURT FROM PRESIDIO NETWORKED SOLUTIONS GROUP, LLC, THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES AT A TOTAL COST OF \$159,141.79 (DISTRICT: NONE) (GENERAL SERVICES)
12. 027-2022 – MOTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE MIDLAND DEVELOPMENT CORPORATION PROVIDING FOR THE MARKETING OF CERTAIN CITY-OWNED REAL PROPERTY LOCATED AT THE MIDLAND INTERNATIONAL AIR & SPACE PORT (DISTRICT 4) (CITY MANAGER)
13. 028-2022 – MOTION AUTHORIZING THE EXECUTION OF AN ECONOMIC DEVELOPMENT AGREEMENT WITH THE MIDLAND DEVELOPMENT CORPORATION AS AUTHORIZED BY CHAPTER 501 OF THE TEXAS LOCAL GOVERNMENT CODE; SAID AGREEMENT PROVIDING FOR THE CITY OF MIDLAND DEPARTMENT OF AIRPORT'S PURCHASE OF CERTAIN REAL PROPERTY DESCRIBED AS AN APPROXIMATE 327.67-ACRE TRACT OF LAND LOCATED IN SECTIONS 4 AND 9, BLOCK 40, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (DISTRICT 4) (CITY MANAGER)
14. 2022-035 – RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE AN APPROXIMATE 327.67-ACRE TRACT OF LAND OUT OF SECTIONS 4 AND 9, BLOCK 40, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF CHALLENGER DRIVE, APPROXIMATELY 2,300 FEET NORTH

OF BUSINESS INTERSTATE 20); AUTHORIZING THE CITY MANAGER TO NEGOTIATE, EXECUTE AND FILE ALL DOCUMENTS NECESSARY TO PURCHASE SAID TRACT, PURCHASE A TITLE INSURANCE POLICY AND HOLD THE CLOSING; AND ORDERING THE CITY SECRETARY TO RECORD, OR ENSURE THAT THE TITLE COMPANY RECORDS, THE INSTRUMENT OF CONVEYANCE (DISTRICT 4) (ENGINEERING SERVICES)

15. 2022-036 – 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 2,395 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)
16. 2022-037 – RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO PIONEER NATURAL RESOURCES, USA, INC. (“OPERATOR”) TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED IN SECTION 7, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MARTIN COUNTY, TEXAS (GENERALLY LOCATED 2,220 FEET NORTH OF OCCIDENTAL PARKWAY EXTENSION AND 5,945 FEET WEST OF NORTH ELKINS ROAD); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT (DISTRICT 1) (DEVELOPMENT SERVICES)
17. 2022-038 – RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO PIONEER NATURAL RESOURCES, USA, INC. (“OPERATOR”) TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED IN SECTION 1, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MARTIN COUNTY, TEXAS (GENERALLY LOCATED 3,172 FEET NORTH OF OCCIDENTAL PARKWAY AND 2,135 FEET EAST OF NORTH STATE HIGHWAY 349); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT (DISTRICT 1) (DEVELOPMENT SERVICES)
18. 2022-039 – RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO PIONEER NATURAL RESOURCES, USA, INC. (“OPERATOR”) TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED IN SECTION 6, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MARTIN COUNTY, TEXAS (GENERALLY LOCATED 4,098 FEET NORTH OF OCCIDENTAL PARKWAY AND 7,385 FEET EAST OF NORTH STATE HIGHWAY 349); AND WAIVING THE REQUIREMENT OF A ROAD REPAIR AGREEMENT (DISTRICT 1) (DEVELOPMENT SERVICES)
19. 029-2022 – MOTION AUTHORIZING THE EXECUTION OF A 2.56-ACRE PIPELINE EASEMENT AGREEMENT LOCATED IN SECTIONS 31, BLOCK 38, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS, FROM GEORGE V. ANDERSON, JR. AND DIANN H. ANDERSON; AND ORDERING THE CITY SECRETARY TO RECORD SAID INSTRUMENT IN THE OFFICIAL REAL PROPERTY RECORDS OF MIDLAND COUNTY, TEXAS (DISTRICT 2) (UTILITIES)
20. 030-2022 – MOTION AUTHORIZING THE EXECUTION OF A 3.588-ACRE PIPELINE

EASEMENT AGREEMENT LOCATED IN SECTIONS 31, BLOCK 38, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS, FROM CURTIS SCHMID; AND ORDERING THE CITY SECRETARY TO RECORD SAID INSTRUMENT IN THE OFFICIAL REAL PROPERTY RECORDS OF MIDLAND COUNTY, TEXAS (DISTRICT: ALL) (UTILITIES)

SECOND READINGS

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) (FIRST READING HELD FEBRUARY 22, 2022)

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) (FIRST READING HELD FEBRUARY 22, 2022)

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) (FIRST READING HELD FEBRUARY 22, 2022)

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) (FIRST READING HELD FEBRUARY 22, 2022)
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) (FIRST READING HELD FEBRUARY 22, 2022)

PUBLIC HEARINGS

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

26. 10296 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 6,924-SQUARE FOOT PORTION OF LOT 23B, BLOCK 40, FAIRMONT PARK ADDITION, SECTION 39, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF TREMONT AVENUE AND NORTH LOOP 250 WEST), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A RESTAURANT 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 1) (DEVELOPMENT SERVICES)
27. 031-2022 – THE PROPOSED GRANTING OF OIL AND GAS WELL PERMITS TO PERMIAN DEEP ROCK OIL CO., LLC FOR THE DRILLING OF THE FOLLOWING OIL AND GAS WELLS: REBEL #H130LS; REBEL #H130WB; REBEL #H135WA; REBEL #H140WB; REBEL #H145LS; REBEL #H145UH; REBEL #H145WA; REBEL #H150WB; REBEL #H155WA; REBEL #H160LS; AND REBEL #160WB; SAID WELLS BEING GENERALLY LOCATED BETWEEN 231 FEET AND 2,392 FEET WEST OF SOUTH LAMESA ROAD AND BETWEEN 150 FEET AND 170 FEET SOUTH OF I-20 (DISTRICT 2) (DEVELOPMENT SERVICES)
28. 10297 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR A 0.41-ACRE

TRACT OF LAND OUT OF LOT 3, ASHLIN PLACE, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTHEAST SIDE OF LIVE OAK DRIVE, APPROXIMATELY 233 FEET SOUTH OF WEST SCHARBAUER DRIVE), BY PERMITTING (1) AN INCREASED MAXIMUM LIVING AREA OF AN ACCESSORY DWELLING UNIT 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)

29. 2022-040 – RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR A CONCERT ON LOT 2, BLOCK 11, WESTRIDGE PARK ADDITION, SECTION 27, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF TRADEWINDS BOULEVARD AND WINDHAVEN DRIVE) SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS (DISTRICT 4) (DEVELOPMENT SERVICES)

MISCELLANEOUS

30. 10298 – DISCUSSION AND CONSIDERATION OF ALL MATTERS INCIDENT AND RELATED TO THE ISSUANCE AND SALE OF THE “CITY OF MIDLAND, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2022,” INCLUDING THE ADOPTION OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF SUCH BONDS, ESTABLISHING PARAMETERS FOR THE SALE AND ISSUANCE OF SUCH BONDS AND DELEGATING CERTAIN MATTERS TO AN AUTHORIZED OFFICIAL OF THE CITY (DISTRICT: NONE) (FINANCE)
31. MOTION MAKING APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS (CITY SECRETARY’S OFFICE)

PUBLIC COMMENT

32. 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

33. 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 551.072, Deliberation Regarding Real Property
 - a.1. Discuss the purchase, exchange, lease or value of real property

- b. Section 551.071, Consultation with the City Attorney
 - b.1. Discuss matters in which the duty of the attorney(s) to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code

Respectfully Submitted,

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.