



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 Cheyenne Solis, Stonegate Fellowship
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of Proclamation for “National Recovery Month”

CONSENT AGENDA

4. MOTION APPROVING THE FOLLOWING MINUTES:
 - 4a. BRIEFING SESSION OF SEPTEMBER 13, 2022
 - 4b. REGULAR SESSION OF SEPTEMBER 13, 2022
5. 2022-120 – RESOLUTION AWARDING A CONTRACT FOR THE WATER SYSTEM IMPROVEMENTS AT BUSINESS 20 AND SAN ANDRES WATER MAIN EXTENSION PROJECT TO TEC EXCAVATION, INC., FOR AN AMOUNT OF \$595,901.00; APPROVING \$119,180.20 FOR CONTINGENCIES; AND APPROPRIATING FUNDS (DISTRICT 4) (GENERAL SERVICES)
6. 102-2022 – MOTION AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO ADVERTISE A REQUEST FOR SEALED PROPOSALS FOR THE PECK/TERRELL LIFT STATION ELIMINATION AND NEW SEWER INSTALLATION PROJECT 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 2) (GENERAL SERVICES)

7. 2022-121 – RESOLUTION APPROVING THE PURCHASE OF TWO (2) FORD RAPID RESPONSE VEHICLES FROM CHASTANG FORD THROUGH THE HOUSTON-GALVESTON AREA COUNCIL AT A TOTAL COST OF \$149,445.00 (DISTRICT: NONE) (GENERAL SERVICES)
8. 2022-122 – RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THAT CERTAIN CONTRACT WITH AXON ENTERPRISES, INC., FOR BODY WORN CAMERA SYSTEMS FOR THE POLICE DEPARTMENT; AND AUTHORIZING PAYMENT FOR SAID CONTRACT (DISTRICT: NONE) (GENERAL SERVICES)
9. 2022-123 – RESOLUTION APPROVING THE PURCHASE OF TWO (2) AMBULANCES FROM STERLING MCCALL FORD THROUGH THE HOUSTON-GALVESTON AREA COUNCIL AT A TOTAL COST OF \$667,388.00 (DISTRICT: NONE) (GENERAL SERVICES)
10. 2022-124 – RESOLUTION APPROVING THE PURCHASE OF A SPARTAN FOUR-DOOR CUSTOM TILT ALUMINUM CAB PUMPER FROM METRO FIRE APPARATUS SPECIALISTS, INC., THROUGH THE HOUSTON-GALVESTON AREA COUNCIL AT A TOTAL COST OF \$1,117,480.00 (DISTRICT: NONE) (GENERAL SERVICES)
11. 103-2022 – MOTION AUTHORIZING THE EXECUTION OF A 2023 ROUTINE AIRPORT MAINTENANCE PROGRAM AGREEMENT BETWEEN THE CITY OF MIDLAND, TEXAS, AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) (DISTRICT 4) (AIRPORTS)
12. 104-2022 – MOTION AUTHORIZING THE ADVERTISEMENT OF A REQUEST FOR PROPOSALS FOR THE SALE OF CERTAIN REAL PROPERTY DESCRIBED AS LOTS 3A, 4A, AND 5A, BLOCK 3, MIDLAND INTERNATIONAL AIRPORT INDUSTRIAL PARK, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS (DISTRICT 4) (AIRPORTS)
13. 105-2022 – MOTION APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND MOTRAN ALLIANCE, INC., AS AUTHORIZED BY CHAPTER 501 OF THE TEXAS LOCAL GOVERNMENT CODE (DISTRICT: ALL) (CITY MANAGER)
14. 106-2022 – MOTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THAT CERTAIN ECONOMIC DEVELOPMENT AGREEMENT DATED FEBRUARY 23, 2022, BETWEEN THE CITY OF MIDLAND, TEXAS, AND THE MIDLAND DEVELOPMENT CORPORATION FOR THE TODD DRIVE EXPANSION AND COUNTY ROAD 1160 OVERPASS IMPROVEMENTS PROJECT (DISTRICT: ALL) (CITY MANAGER)
15. 107-2022 – MOTION APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND KIMLEY-HORN AND ASSOCIATES, INC., FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO MAINLANE, BRIDGE, AND INTERSECTION IMPROVEMENTS LOCATED AT THE INTERSECTION OF TODD DRIVE AND STATE LOOP 250 (DISTRICT 1) (CITY

MANAGER)

16. 2022-125 – RESOLUTION OF THE CITY OF MIDLAND, TEXAS, FINDING THAT THE APPLICATION OF ONCOR ELECTRIC DELIVERY COMPANY, LLC (“ONCOR”) TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY’S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY ONCOR; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND AUTHORIZING AND DIRECTING THE CITY SECRETARY TO SEND COPIES OF THIS RESOLUTION TO ONCOR AND LEGAL COUNSEL (DISTRICT: ALL) (CITY MANAGER)
17. 108-2022 – MOTION AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF \$63,234.00 FROM THE U.S. COMMITTEE FOR REFUGEES AND IMMIGRANTS TO ASSIST THE CITY OF MIDLAND HEALTH SERVICES DIVISION WITH THE FUNDING AND DELIVERY OF REFUGEE IMMUNIZATION SERVICES; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL NECESSARY ACCEPTANCE DOCUMENTS; AND AUTHORIZING AND DIRECTING THE CITY TREASURER TO DEPOSIT SAID GRANT FUNDS INTO THE GENERAL FUND (DISTRICT: ALL) (COMMUNITY SERVICES)
18. 109-2022 – MOTION APPROVING WITH STAFF’S RECOMMENDED CONDITIONS, A PROPOSED PRELIMINARY PLAT OF FREMIN ADDITION, BEING A PLAT OF A 25.43-ACRE TRACT OF LAND OUT OF SECTION 31, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST COUNTY ROAD 75, APPROXIMATELY 1,561 FEET EAST OF NORTH COUNTY ROAD 1287) (DISTRICT: NONE) (DEVELOPMENT SERVICES)
19. 110-2022 – MOTION APPROVING WITH STAFF’S RECOMMENDED CONDITIONS, A PROPOSED PRELIMINARY PLAT OF TAHOE LAKES ADDITION, SECTION 4, BEING A REPLAT OF LOT 2, BLOCK 1, TAHOE LAKES ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED 385 FEET EAST OF THE INTERSECTION OF SOUTH LAMESA ROAD AND ALBERT AVENUE) (DISTRICT 2) (DEVELOPMENT SERVICES)
20. 111-2022 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (22-329-032) WITH DCP OPERATING COMPANY, LP, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 4 AND 5, BLOCK 38, TOWNSHIP 2 SOUTH, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (DISTRICT: NONE) (UTILITIES)
21. 112-2022 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (22-317-030) WITH ENLINK NORTH TEXAS GATHERING, LP, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 5, BLOCK 38, TOWNSHIP 1 SOUTH, T&P RR CO. SURVEY, ABSTRACT 293 MARTIN COUNTY, TEXAS (DISTRICT: NONE) (UTILITIES)
22. 113-2022 – MOTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MABEE WATER RESOURCES LLC FOR THE SALE OF NON-POTABLE WATER

(DISTRICT: NONE) (UTILITIES)

SECOND READINGS

23. 10342 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 7,592-SQUARE FOOT PORTION OF THE TRACT OF LAND DESCRIBED AS THE WEST FIVE FEET OF LOT 5, LOTS 6 THROUGH 13, AND LOTS 19 THROUGH 21, BLOCK A, GARRETT PLACE, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF CARLTON STREET AND WEST WALL STREET), 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 2) (DEVELOPMENT SERVICES) (FIRST READING HELD SEPTEMBER 13, 2022)
24. 10343 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 3, BLOCK 4, FANNIN TERRACE ADDITION, SECTION 3, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF CAMARIE AVENUE, APPROXIMATELY 180 FEET WEST FROM NORTH GARFIELD STREET), 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 3) (DEVELOPMENT SERVICES) (FIRST READING HELD SEPTEMBER 13, 2022)
25. 10345 – AN ORDINANCE AMENDING TITLE X, “TRAFFIC REGULATIONS”, CHAPTER FOUR, “TRAFFIC CONTROL DEVICES”, SECTION 11, “SCHOOL ZONES”, OF THE MIDLAND CITY CODE, SO AS TO DESIGNATE EACH SCHOOL ZONE WITHIN THE CITY AND REGULATE THE SPEED AND MOVEMENT OF TRAFFIC THEREIN; AUTHORIZING AND DIRECTING THE TRAFFIC ENGINEER TO INSTALL APPROPRIATE SIGNS AND MARKINGS; REPEALING ORDINANCE NO. 10222; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO HUNDRED DOLLARS (\$200.00); AND ORDERING PUBLICATION (DISTRICT: NONE) (ENGINEERING SERVICES) (FIRST READING HELD SEPTEMBER 13, 2022)

PUBLIC HEARINGS

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

26. 2022-126 – RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR A BULL RIDE EVENT ON 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) SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS (DISTRICT 3) (DEVELOPMENT SERVICES)

27. 10346 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 17, BLOCK 59, PARK AVENUE HEIGHTS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF EAST CALIFORNIA AVENUE, APPROXIMATELY 480 FEET EAST OF SOUTH LAMESA 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 2) (DEVELOPMENT SERVICES)

MISCELLANEOUS

28. 2022-127 – RESOLUTION APPROVING THE PLAN SUBMITTED BY ENDEAVOR ENERGY RESOURCES, L.P. (“OPERATOR”) TO DRILL AND USE A NON-COMMERCIAL SALT WATER DISPOSAL WELL WITHIN THE CITY LIMITS LOCATED 2,013 FEET FROM THE SOUTH LINE AND 405 FEET FROM THE EAST LINE, SECTION 31, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED 2,013 FEET NORTH OF EAST GOLF COURSE ROAD AND 405 FEET WEST OF TODD DRIVE); AND AUTHORIZING THE ISSUANCE OF A PERMIT THEREFOR (DISTRICT 2) (DEVELOPMENT SERVICES)
29. MOTION MAKING APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS (CITY SECRETARY’S OFFICE)

PUBLIC COMMENT

30. 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

31. 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 551.074, Personnel Matters

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

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.