



**CITY COUNCIL MINUTES  
CITY OF ODESSA, TEXAS  
JANUARY 26, 2010**

On January 26, 2010, a regular meeting of the Odessa City Council was held at 6:00 p.m., in the Council Chambers, 5th Floor, City Hall, 411 West 8th Street, Odessa, Texas.

Members present: Mayor Larry L. Melton; Councilmembers; Bill Cleaver, District One; James B. Goates, District Two; Royce Bodiford, District Three; Dean Combs, District Four; and Benjamin Velasquez, District Five.

Others present: Richard Morton, City Manager; Larry Long, City Attorney; Norma Grimaldo, City Secretary; James Zentner, Assistant City Manager; Michael Marrero, Assistant City Manager; other members of City staff; and members of the news media.

A quorum being present, Mayor Melton called the meeting to order and the following proceedings were held:

The invocation was given by Rev. Terry Tamplen, First United Methodist Church, and followed by the Pledge of Allegiance to the United States and Texas flags.

**CONSENT AGENDA ITEMS**

- A. City Council Minutes, January 12, 2010;
- B. **Resolution No. 2010R-06- Town of Flower Mound, Texas inter-local agreement for cooperative purchasing;**
- C. **Resolution No. 2010R-07- Donate a 2004 Ford Excursion to the West Odessa Volunteer Fire Department;**
- D. **Resolution No. 2010R-08- Exchange City right-of-way for alternative right-of-way from Lot 10, Block 2 and Lot 1, Block 3, Country Clubs Estates;**
- E. **Resolution No. 2010R-09- Audit contract with Tristem LTD for the city's electricity bills;**
- F. **Resolution No. 2010R-10- Public Agency Retirement Services agreement for administrative service;**
- G. Review monthly financial summary report for December 2009.

Motion was made by Councilmember Goates and seconded by Councilmember Combs that the consent agenda items be approved. The motion was approved by unanimous vote.

**OTHER COUNCIL ACTION**

**PUBLIC HEARINGS**

**Open a public hearing to consider approval of the request of Lufkin Industries Inc., owner, for original zoning of Planned Development-Industrial (PD-I) on approximately 22.5 ac. tract of land and original zoning of Planned Development-Industrial-Surface Drainage (PD-I-SD) on approximately 5.3 ac. tract of land in Section 21, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co., Texas (I-20 east of Ector/Midland Co. line). Marwan Khoury, Director of Planning, reviewed the location of the property. There is**



a construction building on the property. The request was to rezone two areas. The Planning and Zoning Commission approved the request with one condition. No one came forward and the public hearing was closed.

Motion was made by Councilmember Goates and seconded by Councilmember Combs that the ordinance be approved on first approval. The motion was approved by the following vote:

Bill Cleaver	Aye
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Benjamin Velasquez	Aye

**Open a public hearing to consider approval of the request of Betenbough Homes, owner, to rezone from Single Family-Three (SF-3) to Planned Development-Single Family (PD-SF) on approximately 28.8 ac. tract in Section 34, Block 42, T-1-S, T&P Ry. Co. Survey, Ector Co., Texas (north of the intersection of E. 93rd St. and Lamar Ave.).** Mr. Khoury reviewed location of the property. The rezoning would reduce the size of the lots. The Planning and Zoning Commission approved this request. No one came forward and the public hearing was closed.

Motion was made by Councilmember Goates and seconded by Councilmember Velasquez that the ordinance be approved on first approval. The motion was approved by the following vote:

Bill Cleaver	Aye
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Benjamin Velasquez	Aye

**Open a public hearing to consider approval of the request of the City of Odessa, owner, to rezone from Light Industrial-Drill Reservation (LI-DR) to Light Industrial (LI) an approximately 2.1 ac. tract and to rezone from Light Industrial (LI) to Light Industrial-Drill Reservation (LI-DR) an approximately 2.1 ac. tract in Section 47, Block 42, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (southeast of S. Dixie Blvd.).** Mr. Khoury reviewed the location of the property. The request was for moving a drill site to allow Public Works to use the area for property storage. No one came forward and the public hearing was closed.

Motion was made by Councilmember Velasquez and seconded by Councilmember Combs that the ordinance be approved on first approval. The motion was approved by the following vote:

Bill Cleaver	Aye
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Benjamin Velasquez	Aye

**Appointment of Boards: Community Development Advisory Committee, Cable Franchise Committee, Parks and Recreation Advisory Board, Midland Odessa Urban Transit District; Appointment of Officers; Zoning Board of Adjustment.**



Motion was made by Councilmember Cleaver and seconded by Councilmember Goates that LeeDon Martin be reappointed to the Parks & Recreation Advisory Board; Chris Flores be reappointed to the Midland Odessa Urban Transit District; and Thomas Blackstone be reappointed to the Midland Odessa Urban Transit District

The motion was approved by unanimous vote.

**Consider an economic development agreement between Odessa Development Corporation and Summit Texas Clean Energy, LLC, and/or Summit Power Group, Inc. (551.087); Consider a contract with Flints Hills Resources LP for the development of its industrial district. (551.087); and Consider Ector County Utility District (ECUD) Water Supply Contract. (551.071).** Mayor Melton stated that the Council would go into executive session under 551.087 and 551.071.

Upon returning from executive session the following action took place:

**Resolution No. 2010R-11 - Consider an economic development agreement between Odessa Development Corporation and Summit Texas Clean Energy, LLC, and/or Summit Power Group, Inc.** Motion was made by Councilmember Goates and seconded by Councilmember Velasquez the contract be approved as presented but including two options: have \$5 million in escrow or \$5 million with a letter of credit. The motion was approved by the following vote:

Bill Cleaver	Nay
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Benjamin Velasquez	Aye

**Consider a contract with Flints Hills Resources LP for the development of its industrial district.** No action was taken.

**Resolution No. 2010R-12 - Ector County Utility District (ECUD) Water Supply Contract.** Mr. Long stated that the contract would allow for delivery of water to the Ector County Utility District. Motion was made by Councilmember Goates and seconded by Councilmember Combs that the resolution be approved. The motion was approved by unanimous vote.

**Appointment of Boards: Community Development Advisory Committee, Cable Franchise Committee, Parks and Recreation Advisory Board, Midland Odessa Urban Transit District;** Motion was made by Councilmember Cleaver and seconded by Councilmember Velasquez that Joe Salmon be appointed to the Community Development Advisory Committee and Manny Puga be appointed to the Midland Odessa Urban Transit District. The motion was approved by unanimous vote. There was no other business, the meeting adjourned at 7:38 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo  
City Secretary

Larry L. Melton  
Mayor