



**CITY COUNCIL MINUTES
CITY OF ODESSA, TEXAS
NOVEMBER 11, 2008**

On November 11, 2008, a regular meeting of the Odessa City Council was held at 6:04 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 Michael Sanchez, District Five.

Others present: Richard Morton, City Manager; Larry Long, City Attorney; Norma Aguilar, City Secretary; 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. Kevin Bushart, St. Luke's United Methodist Church, and followed by the Pledge of Allegiance to the United States and Texas flags.

Mayor Pro Tem Sanchez presented a proclamation for National Adoption Month.

CONSENT AGENDA ITEMS

- A. City Council Minutes, October 28, 2008;
- B. **Resolution No. 2008R-103 – Accept the BJA 08 Edward Byrne Memorial Justice Assistance Grant (JAG) program;**
- C. **Resolution No. 2008R-104 – Federal Government grant to provide partial payment for bulletproof vest;**
- D. **Resolution No. 2008R-105 – 2008-2009 budget for the Emergency Communication District of Ector County;**
- E. Bid award to O'Reilly Auto Parts and Napa in the amount of \$60,000 for automotive parts;
- F. Purchase a crack sealing machine for \$57,307.23;
- G. **Ordinance No. 2008-50 - Request of Gladys Jamison, owner, Robbie Jamison, agent, for original zoning of Retail (R) on approximately 2.1 ac. in Section 8, Block 41, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (4600 block of E. Loop 338);**
- H. Purchase the replacement aerator shafts and discs for the Bob Derrington Plant;
- I. **Resolution No. 2008R-106 – UTPB agreement for the maintenance of certain drainage easements on the UTPB campus;**
- J. **Ordinance No. 2008-51 – Atmos West Texas Corp. Rate increase.**

Motion was made by Councilmember Bodiford and seconded by Councilmember Combs that the consent agenda 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 Tim Haines, owner, Keystone Petroleum GP, LLC, leasee, Gray Surface Specialties, agent, to rezone from Light Commercial (LC) to Light Commercial- Drill Reservation (LC-DR) on 2.07 ac. of land in Section 39, Block 42, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (west of S. Dixie Blvd.) Marwan Khoury, Director of Planning, reviewed the location which is vacant. The property would be used for oil/gas drilling. The drilling would be 500 feet west of Dixie. Randy Ray, Keystone representative, stated that there would be one or two trucks a day carrying 120 barrels of oil. He had a gas analysis available for review. Councilmember Cleaver stated that the residents smell an odor. Mr. Ray explained that the H2S precautions. They have monitoring equipment that has 24-hour surveillance. The wells are checked once a day. He explained the process of leak detection. Mr. Khoury reported that there was no response from the residents. The Planning and Zoning Commission recommended for approval. No one else came forward and the public hearing was closed.

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

Bill Cleaver	Nay
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Michael Sanchez	Aye

ORDINANCE

Ordinance No. 2008-52 - Request of Ector Co. and Mardeb, LLC, owners, Keystone Petroleum GP, LLC, leasee, Gray Surface Specialties, agent, for original zoning of Future Development-Drill Reservation (FD-DR) on approximately 10.6 ac. of land in Section 39, Block 42, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (southwest of the intersection of IH-20 and Hwy. 385). Marwan Khoury, Director of Planning, reviewed the location of the property. There are five sites on the county property. The zoning would allow drilling. There is 466 feet from the fence to the trail. The Planning and Zoning Commission recommended for approval.

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

Bill Cleaver	Nay
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Michael Sanchez	Aye



RESOLUTION

Resolution No. 2008R-107 – Bid award to construct CIP water and sewer line replacements Phase I.

Ajay Shakyaver, City Engineer, stated that this would construct water and sewer line replacements. He

recommended that Key Enterprises be awarded the bid for \$1,694,244 which is 18% below the engineer's estimate. The time frame is 250 working days and they could start Dec. 5. Councilmember Goates asked about insurance liability with leased equipment and workers. Councilmember Sanchez stated that the general liability insurance covers it. Mr. Long will confirm.

Motion was made by Councilmember Sanchez and seconded by Councilmember Bodiford that the resolution be approved. The motion was approved by the following vote:

Bill Cleaver	Aye
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Michael Sanchez	Aye

MISCELLANEOUS

Appointment of Boards. Parks & Recreation Advisory Board. Appointment of Officers. (551.074) Plumbing Advisory Board, Mechanical Board of Appeals and Zoning Board of Adjustment. Motion was made by Councilmember Combs and seconded by Councilmember Goates that Mark Windham be appointed to the Mechanical Board of Appeals. The motion was approved by unanimous vote.

Citizen comments on non-agenda items. No one came forward.

There was no other business, the meeting adjourned at 6:22 p.m.

ATTEST:

APPROVED:

Norma Aguilar, TRMC
City Secretary

Larry L. Melton
Mayor