



**CITY COUNCIL MINUTES  
CITY OF ODESSA, TEXAS  
AUGUST 26, 2008**

On August 26, 2008, 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 Michael Sanchez, District Five.

Others present: Richard Morton, City Manager; Larry Long, City Attorney; Norma Aguilar, 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. Michael Muller, Lutheran Church of the Risen Lord, and followed by the Pledge of Allegiance to the United States and Texas flags.

**CONSENT AGENDA ITEMS**

- A. City Council Minutes, August 12, 2008;
- B. Special City Council Minutes, August 18, 2008;
- C. **Resolution No. 2008R-66 – Appropriate funds for police and fire departments;**
- D. **Ordinance No. 2008-34 – Shuttle (limousine) franchise of GK's Shuttle Services, LLC.;**
- E. **Ordinance No. 2008-35 – Rate review mechanism tariff as recommended by the Steering Committee of cities served by Atmos West Texas;**
- F. Review monthly financial summary report for July 2008.

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

**OTHER COUNCIL ACTION**

**PUBLIC HEARINGS**

**Resolution No. 2008R-67 - Open a public hearing on proposed tax rate and schedule the final vote on the tax rate.** Mr. Zentner stated that the proposed tax rate is 56.229, a reduction from last year. During the last five years, there has been a tax reduction of 18 ½%. Jason Moore, 2716 Bainbridge, stated that there is more money going into the community and the taxpayers' money should not be funding entertainment venues. No one else came forward and the public hearing was closed.

Motion was made by Councilmember Goates and seconded by Councilmember Combs 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

### ORDINANCE

**Amend Chapters 1, 2, 4, 4A, 8, 8A, 9, 9A, 12, 13, 14, 17, 18, 19, 20 and 21 of the City Code.** Ms. Aguilar stated that the amendments to the Code of Ordinances reflects changes in State law, correcting typographical errors, duplications and updating definitions lists, and names of agencies. The amendments were reviewed by the Council Finance Committee.

Motion was made by Councilmember Sanchez and seconded by Councilmember Cleaver 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
Michael Sanchez	Aye

**Ordinance No. 2008-36 - Water and wastewater rates.** Debbie McReynolds, Director of Utilities, stated that the proposed 3% increase in water and sewer rates were to offset increased costs on fuel, electricity, maintenance and raw water. If approved, it would become effective September 1 and be reflective in the October billing. The cost of the raw water increase was 6%.

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

**Revisions to Personnel Policy and Procedures.** This item was pulled.

### RESOLUTIONS

**Resolution No. 2008R-68 – Odessa Development Corporation’s budget, certain contracts and the General Development Plan for fiscal year 2008-2009.** Mr. Zentner stated that total revenues were \$4.785 million and resources were \$17.194 million. The Odessa Development Corporation recommended for approval. Councilmember Sanchez was concerned about the General Development Plan. He stated that the area to locate businesses was focused mainly in the OIDC park. In the past, the plan listed the Odessa Enterprise Zone, industrial zone on 2<sup>nd</sup> St. and it was not included in this year’s plan. Councilmember Goates stated that the economic development staff shows property all over the county but the companies make the final decision on the location. He stated that it could be taken back to the board. Councilmember Sanchez



had a problem with giving incentives to locate into the community. He stated that it hurts the existing paying taxpayers' businesses.

Motion was made by Councilmember Goates and seconded by Councilmember Combs 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	Nay

**Resolution No. 2008R-69 – Rename Central Park.** Steve Patton, Director of Parks & Recreation, stated that a public hearing was held to consider renaming Central Park to Dan Hemphill Park. There were no objections and all supported the name change. The Parks & Recreation Advisory Board recommended for approval Mr. Patton stated that Mr. Hemphill had a passion for youth. Mayor Melton stated it was a marvelous idea. Councilmember Goates stated Mr. Hemphill did many wonderful things and was a good example. Letty England thanked the Council on behalf of Mrs. Hemphill.

Motion was made by Councilmember Sanchez and seconded by Councilmember Cleaver 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

**Resolution No. 2008R-70 – Bid award to construct a new 12” waterline along Billy Hext and Marco from BI20 to Stonegate Addition.** Ajay Shakyaver, City Engineer, stated that the lowest bidder was from Sendero for \$315,495 which was below the engineer's estimate.

Motion was made by Councilmember Bodiford and seconded by Councilmember Combs 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.** No action taken.



**Citizen comments on non-agenda items.** Chainey Whitacre, 706 E. 35<sup>th</sup>, stated that the failure to turn off the police cars lights during the day was hazardous. The new lights do not revolve and get left on by the police officers. He stated that the new lights should have a sound device for safety. There was no other business, the meeting adjourned at 6:34 p.m.

ATTEST:

APPROVED:

Norma Aguilar, TRMC  
City Secretary

Larry L. Melton  
Mayor