



**CITY COUNCIL MINUTES
CITY OF ODESSA, TEXAS
NOVEMBER 13, 2012**

On November 13, 2012, 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; Council members; Bill Cleaver, District One; James B. Goates, District Two; and Dean Combs, District Four.

Members absent: Council members Barbara Graff, District Three and Sandra Carrasco, District Five.

Others present: Larry Long, City Attorney; Fara Corrales, Deputy City Secretary; Richard Morton, City Manager; Michael Marrero, Assistant City Manager; James Zentner, 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 Mayor Melton, and followed by the Pledge of Allegiance to the United States and Texas flags.

CONSENT AGENDA ITEMS

- A. City Council Minutes, October 23, 2012;
- B. Purchase a mobile crime lab for the Odessa Police Department;
- C. **Resolution No. 2012R-97-Donate of three police bunkers;**
- D. **Resolution No. 2012R-98-Interlocal agreement with the Emergency Communications District of Ector County for call-taking service;**
- E. Modification to the bikeway master plan;
- F. Purchase Parks Department and Golf Course equipment;
- G. Purchase skid steer loader and trenching machine;
- H. Purchase heavy equipment;
- I. Purchase and installation of flocculator repair parts;
- J. **Ordinance No. 2012-60-Request of Crossroads Fellowship West, owner, LCA, agent, for original zoning of Multi-Family-One (MF-1) on approximately 15.1 ac. tract and original zoning of Multi-Family-One-Drill Reservation (MF-1-DR) on approximately 3.8 ac. tract in Section 9, Block 41, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (southeast corner of the intersection of E. 56th St. and Billy Hext Rd.);**
- K. **Ordinance No. 2012-61- Request of DR Horton, (Don Allen), owner, for original zoning of Special Planned Development (SPD) on approximately 25.62 ac. tract in Section 9, Block 41, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (southwest corner of the intersection of Tres Hermanas Blvd. and Parks Legado Rd.);**

- L. **Resolution No. 2012R-99-Authorize the City to accept a Federal Government grant to provide partial payment for bulletproof vests;**
- M. **Ordinance No. 2012-62-Adopt an annual sell-back unileave program;**
- N. **Ordinance No. 2012-63-Adopt an amendment to Chapter 3, "Building Regulations," Article 3-10, "Dangerous Buildings" of the City Code of the City of Odessa;**
- O. **Resolution No. 2012R-100-Purchase and appropriate funds for the purchase of E-Z-Go golf carts, utility carts and a range cart;**
- P. **Resolution No. 2012R-101-Interlocal cooperation contract with the University of Texas of the Permian Basin (UTPB) for street services;**
- Q. Bid award for crack sealing compound material to Craftco in the amount of \$0.4742 per pound;
- R. **Resolution No. 2012R-102-Accept additional funds for the construction of the water line on South US 385;**
- S. Renewal for Group Life Insurance/AD&D coverage and Retire Life Insurance;
- T. Renew long term disability insurance;
- U. **Resolution No. 2012R-103-Appropriate funds for unileave sell back program;**
- V. **Resolution No. 2012R-104-Approve operating transfer to the Ratliff Golf Course fund.**

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

OTHER COUNCIL ACTION

BID AWARDS

Purchase automotive trucks. Doug Hildebrand, Director of Equipment Services, stated that approval of the bid would replace 15 trucks in the amount of \$1,531,973. Vehicles being replaced were in the Utilities Department and the Street Department. Mr. Morton asked what year was the oldest piece of equipment. Mr. Hildebrand stated 1997.

Motion was made by Council member Goates and seconded by Council member Combs that the bid award be approved. The motion was approved by unanimous vote.

JBS Parkway reconstruction from University Blvd. to 42nd St. Ajay Shakyaver, City Engineer, stated that there would be replacement of concrete islands on JBS Parkway and University. There was about one mile of work to be done. Contractors would start work no later than March 15, 2013. Jones Brothers submitted the lowest bid at 24.1% lower than the engineer's estimate. Council member Combs asked the length of time to complete project. It would take 120 days. Council member Goates asked Mr. Shakyaver to elaborate on why the City received such a good deal. Mr. Shakyaver stated that the City was flexible on the start date of construction. Council member Combs mentioned that the City was saving one million dollars.

Motion was made by Council member Goates and seconded by Council member Cleaver that the bid award be approved. The motion was approved by unanimous vote.

PUBLIC HEARINGS

Open a public hearing to consider approval of the request of Wyly & Fredna Brown Family Partnership, Ltd., owner, RSP Permian, LLC, leasee/agent, for original zoning of Future Development-Drill Reservation (FD-DR) on approximately 3.8 ac. (1 site) in Section 3, Block 41, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas and original zoning of Future Development-Drill Reservation (FD-DR) on approximately 15.31 ac. (4 sites) in Section 4, Block 41, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (northeast and northwest of the intersection of Castlegate Ln. and Castle Oaks Ln.) (Ordinance-First Approval) Marwan Khoury, Director of Planning and Zoning, reviewed the property description and location. The Planning and Zoning Commission unanimously approved the request. One protest was returned. All the sites were being rezoned to Future Development-Drill Reservation. Council member Combs asked if the drilling would be done closer to Hwy. 191. Mr. Khoury stated that drilling would be done 500 feet away from Hwy. 191.

Wyly Brown, 10 Liberty Place, was developing the estates at Shiloh. To eliminate drilling from entering the subdivision RSP Permian agreed to the site locations. Mr. Brown spoke with Mr. Handlin and requested a sound fence at the time of drilling.

Leslie Wallace, 200 Blackberry Circle, Midland Texas, worked out the service agreement with Mr. Brown. RSP Permian would confine drilling to the north of Hwy. 191. They have drilled over 100 sites with no incident. Their technical staff was very experienced. They are prepared for safety, noise and traffic concerns. Fencing would be erected at the area being drilled. Council member Goates enjoyed working with Mr. Brown the past 14 years.

Motion was made by Council member Cleaver and seconded by Council member Combs that the ordinance be approved on first approval. The motion was approved by unanimous vote.

Open a public hearing to consider approval of the request of Sharon Miller, owner, Ascension Juniper Project Faudree, LP, optionee, LCA, agent, for original zoning of Multi-Family-Two (MF-2) on approximately 1.3 ac. tract in Section 15, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co, Texas and the request of TMN Investments, LLC, owner, Ascension Juniper Project Faudree, LP, LCA, agent, to rezone from Light Commercial (LC) to Multi-Family-Two (MF-2) Lot 1, Block 1, Aspen Addition (southwest corner of the intersection of Faudree Rd. and Old Bankhead Hwy.) (Ordinance-First Approval). Mr. Khoury reviewed the property description and location. The Planning and Zoning Commission unanimously approved the request. Two protests and one approval were returned. The request was to rezone to multi-family. An apartment complex would be built on the property. Council member Goates asked how many units would be built. Mr. Khoury stated that 300 units would be built. Apartments would be accessible from Bankhead Hwy. and two on Faudree Road. Trash bins would be located inside the complex and contracted through the apartments. Council member Goates asked if drainage issues were addressed. Matt Squyres, Director of Public Works, stated that drainage would run south into the proposed channels and detention basin. A minor amount would run on to Faudree Road.

Motion was made by Council member Cleaver and seconded by Council member Combs that the ordinance be approved on first approval. The motion was approved by unanimous vote.

Resolution No. 2012R-105-Open a public hearing to consider participating in the application process for the Texas Department of Transportation statewide transportation enhancement program grant funding for a hike/bike trail to be developed in South Odessa. Steve Patton, Director of Parks and Recreation, stated that the trail would be a connector to the current bike/hike trail. The trail would allow residents to reach churches, parks, etc. The cost would be \$775, 534. There would be a 20%-80% match, with the City paying 20%.

Motion was made by Council member Cleaver and seconded by Council member Goates that the resolution be approved. The motion was approved by unanimous vote.

Resolution No. 2012R-106-Open a public hearing to consider participating in the application process for the Texas Department of Transportation statewide enhancement program grant funding for a hike/bike trail to be developed in East Odessa. Mr. Patton stated that this was the second application requested. Shovel ready projects needed to be included. Mr. Patton gave a description of the area receiving the new trail. It would be an addition to the bike master plan. The trail would end near a neighborhood park site. The trail must have a destination point for the surrounding neighborhood to be funded. If the trail was funded, the park site would need to be developed for \$1.3 million. Council member Cleaver asked how soon the park would need to be built if project was funded. Mr. Patton stated that plans were drawn up and ready to begin. Council member Goates thanked Mr. Patton for planning trails on short notice.

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

Appointment of Officers. Building Board of Appeals, Odessa Housing Finance Corporation and Colorado River Municipal Water District. No Action.

Citizen's comments on non-agenda items. Jim Rector, 700 Tobosa, had attended nearly all Council meetings. He appreciated the public service that Council gave to the City. He was around when the citizens didn't have nice words for Council and understands how hard it was in public service. Mr. Rector thanked the Council from the bottom of his heart and commended the Council members who termed out on a job well done.

There was no other business, the meeting adjourned at 6:26 p.m.

ATTEST:

APPROVED:

Fara Corrales
Deputy City Secretary

Larry L. Melton
Mayor

