



**CITY COUNCIL MINUTES
CITY OF ODESSA, TEXAS**

AUGUST 13, 2013

On August 13, 2013, 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 David R. Turner; Council members: Roger T. McNeil, District One; Dewey Bryant, District Two; Barbara Graff, District Three; Dean Combs, District Four; and Sandra Carrasco, District Five.

Others present: Richard Morton, City Manager, Larry Long, City Attorney; Norma Aguilar-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 Turner called the meeting to order and the following proceedings were held:

The invocation was given by Pastor Roger McNeil, St. James Baptist Church, and followed by the Pledge of Allegiance to the United States and Texas flags.

Mayor Turner presented awards to City of Odessa employees Katrina Mosee and Jeremy Hernandez for completing the Odessa College City Management courses.

Guy Andrews, Chamber of Commerce Economic Development Director, stated that the website provided up-to-date projects and earth map with the current construction underway. He reviewed the rail projects. Union Pacific has spent over \$50 million in rail. There were six new side storage rails and two container yards. Flint Hills has a \$60 million trans load facility. He discussed other rail projects. Baker Hughes has the largest frac sand rail facility here in town. The economic development activity remains heavy. There is still oil industry moving to town.

CONSENT AGENDA ITEMS

- A. City Council retreat minutes, July 19, 2013;
- B. City Council minutes, July 23, 2013;
- C. **Ordinance No. 2013-42 – Request of Calvary Baptist Church, owner, DCW Investments, LLC, optionee, Bryan Bratcher, agent, to rezone from Retail (R) to Planned Development-Retail (PD-R) approximately 1.0 ac. tract in the W. 300 ft. of Lots 1 and 2, Block 9 and the W. 300 ft. of the N. 1.3 ft. of Lot 3, Block 9, North Port Commercial Sites (southeast corner of the intersection of Andrews Hwy. and E. 87th St.);**
- D. **Resolution 2013R-49 – Emergency Communication District of Ector County 2013-2014 budget;**
- E. Contract renewal with Hercules Inc. in the amount of \$60,000 for polymer which is used for sludge dewatering at the Bob Derrington Water Reclamation Plant;
- F. **Resolution 2013R-50 –Convey the city’s interest in tax delinquent properties located on S. Muskingum Avenue and**

- Nelson Avenue;**
- G. **Resolution 2013R-51 – Ector County interlocal agreement for the collection and distribution of County hotel-motel tax;**
 - H. **Resolution 2013R-52 – First amended economic development agreement between Odessa Development Corporation and CUDD Pumping Services, Inc.;**
 - I. **Resolution 2013R-53 – City of Odessa’s 2013 Action Plan;**
 - J. Use of additional General Fund revenues to fund one-time supplemental budget requests for FY 2012-13;
 - K. Approve expenditures for network improvements;
 - L. **Resolution 2013R-54 – Synetra master services agreement for network improvements;**
 - M. Odessa Country Club amendment and the assigned Mission Dorado Country Club (now referred to as Country Club Links) effluent water contracts;
 - N. **Resolution 2013R-55 – Odessa Hispanic Chamber of Commerce temporary lease agreement;**
 - O. **Resolution 2013R-56 – Support Council member Barbara Graff as a candidate for the Texas Municipal League President-Elect.**

Motion was made by Council member Graff and seconded by Council member Carrasco to remove the council agenda items J and M from the consent agenda. The motion passed with a 3-2 vote with Council members Bryant and Combs casting the nay votes.

Motion was made by Council member Carrasco and seconded by Council member McNeil that the consent agenda items A-I and K, L, N and O be approved. The motion was approved by unanimous vote.

Motion was made by Council member Graff and seconded by Council member McNeil to table council agenda items J and M. Discussion was held. Council member Graff stated she could not approve a \$2 million police storage facility. Mr. Morton stated that it would serve as a storage facility and forensic vehicle lab. Council member Bryant stated that staff would continue to explore options. The contract would require Council approval. Council member Combs stated that it was a need for the Police Department and it shows a way of supporting the Police Department. Motion was made by Council member Graff to approve all projects except for the \$2 million Police storage facility. The motion on the floor was to table council agenda items J and M. The motion passed to table items J and M. by a 3-2 vote with Council members Bryant and Combs casting the nay votes.

OTHER COUNCIL ACTION

PUBLIC HEARING

Open a public hearing and consider approval of the request of Wylly Brown Construction Co., owner, for site plan approval of a Planned Development-Housing (PD-H) District, approximately 8.1 ac. tract in Section 17, Block 41, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (southwest of the intersection of Eastridge Rd. and proposed Jericho Rd.) Randy Brinlee, Planning Director, reviewed the location of the property which was zoned in 1991 for a special housing arrangement. There would be 18 lots between 7,200 to 8,700 square feet homes. He reviewed the setbacks. The entry would be from the front garage. The Planning and Zoning Commission recommended for

approval with certain conditions. He reviewed the conditions. No one came forward and the public hearing was closed.

Motion was made by Council member Bryant seconded by Council member Graff to approve the ordinance on first approval. The motion was approved by unanimous vote.

Open a public hearing and consider approval of the request of Jack N. Mousa Ltd., owner, LCA, agent, for original zoning of Special Dwelling District (SPD) on approximately 125 ac., original zoning of Retail (R) on approximately 19 ac. and original zoning of Special Dwelling District-Drill Reservation (SPD-DR) on approximately 10.0 ac. [three (3) sites] in Section 38, Block 42, T-1-S, T&P Ry. CO. Survey, Ector Co., Texas (northwest corner of the intersection of E. 87th St. and E. Loop 338.) Mr. Brinlee, reviewed the location of the property, which was vacant. The area covered 19 acres with 3 drill sites on ten acres. The Planning and Zoning Commission recommended for approval. Council member Combs asked if the owner was aware of the widening of Loop 338 to four-lane and if easements would be needed. Mr. Brinlee stated that it did not affect the property and the platting would address the traffic flow. No one came forward and the public hearing was closed.

Motion was made by Council member Graff seconded by Council member Carrasco to approve the ordinance on first approval. The motion was approved by unanimous vote.

ORDINANCES

Amend Section 4-17-2 of the Video Gaming ordinance. Police Chief Tim Burton stated that the amendment would provide clarification and clean-up the language. It would provide consistency of licensing of criminal conduct.

Motion was made by Council member Graff seconded by Council member Carrasco to approve the ordinance on first approval. The motion was approved by unanimous vote.

Revise the fee/rate structure at Ratliff Ranch Golf Links. Steve Patton, Director of Parks and Recreation stated that Ratliff Ranch golf course had an increase in operational costs. The Citizens Golf Advisory Committee discussed and recommended a slight increase of rates. He reviewed the rates. The golf daily play would go up by \$2.00, the range ball buckets would go up .50 cents and \$1.00. The senior rates would remain the same. The cart fees would go up and the annual passes would go up by \$100. He stated that even with the fee and rate increase there was still a need for the \$200,000 subsidy. The fees and rate structure would be reviewed annually.

Motion was made by Council member Bryant seconded by Council member McNeil to approve the ordinance on first approval. The motion was approved by unanimous vote.

Solid Waste rate changes. Mr. Zentner stated that due to growth there was a proposal to increase the solid waste rates. He stated that the increase in rate would cover 3 new drivers, 3 new trucks, equipment and operational costs. Also included in this proposed budget was 4 new workers, an additional rear load truck, a one ton pickup and associated operational costs for the new vehicles to help address City Council's goal of a cleaner looking city. A new solid waste technician was proposed to assist in the area of container maintenance with welding, painting, and placement of containers.

Motion was made by Council member Bryant seconded by Council member McNeil to approve the ordinance on first approval. The motion was approved by unanimous vote.

RESOLUTION

Resolution 2013R-57 – Proposal to establish a maximum tax rate of \$0.51275 for Fiscal Year 2013-14. Mr. Zentner proposed to establish the tax rate of \$.51275 per \$100 valuation. The tax rate was the same as last year. Public hearings would be held on August 27 and September 10 as required. Council would vote on the tax rate at the September 24 Council meeting.

Motion was made by Council member McNeil seconded by Council member Carrasco to approve the resolution on first approval. The motion was approved by unanimous vote.

MISCELLANEOUS

Appointment of Boards: Odessa Development Corporation, Community Development Advisory Committee, Traffic Advisory Committee, Cable Franchise Committee and Odessa Housing Finance Corporation. Appointment of Officers: Board of Survey and Zoning Board of Adjustment. Motion was made by Council member Bryant and seconded by Council member McNeil that the following be appointed or reappointed:

Betsy Triplett-Hurt appointed to the Odessa Development Corporation;
K.T. McLeish reappointed to the Community Development Advisory Committee;
Rodney Hurt reappointed to the Traffic Advisory Committee;
Joel Edwards reappointed to the Cable Franchise Committee;
Diana DeVirgilio reappointed to the Cable Franchise Committee;
Cruz Castillo appointed to the Odessa Housing Finance Corporation;
Melanie Hollmann reappointed to the Odessa Housing Finance Corporation;
Steve Kelley reappointed to the Odessa Housing Finance Corporation;
Anabel Spencer reappointed to the Board of Survey;
Sandra McAdams reappointed to the Zoning Board of Adjustment;
LeeDon Martin reappointed as alternate to the Zoning Board of Adjustment.

The motion was approved by unanimous vote.

Citizen's comments on non-agenda items. Patricia Albarado stated that the E-Z Rider general manager disrespected her on many occasions. The general manager avoided her emails. She felt that Council member Graff had disrespected her. Her request to be on the agenda was avoided and no replies to emails. She stated that Council member Graff should not be supported for the TML office. She requested that the contract not be renewed but that a new company should run the bus system.

Ramon Armendariz, 1710 N. A St., opposed the support for Council member Graff for the TML office. He stated that a friend had to wait 3 to 4 hours for a bus pick-up. He stated that buses were empty and the disabled were treated badly. He commended Council member Combs for doing a good job.

There was no other business, the meeting adjourned at 6:38 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TMC, CMC
City Secretary

David R. Turner
Mayor