



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

MAY 27, 2014

On May 27, 2014, a regular meeting of the Odessa City Council was held at 6:00 p.m., in the Council Chamber, 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; and Dean Combs, District Four.

Council member absent: Sandra Carrasco, District Five.

Others present: Richard Morton, City Manager, Larry Long, City Attorney; Norma Aguilar-Grimaldo, City Secretary; Michael Marrero, Deputy City Manager; Konrad Hildebrandt, 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 Jimmy Braswell, Home Hospice, and followed by the Pledge of Allegiance to the United States and Texas flags.

Mayor Turner presented a proclamation for Texas Scholars Day. Cherie Boxberger presented the Odessa Fire/Rescue with the LifeLine EMS Silver Award. Chief Boyd thanked the Council for their support and the award was a team effort.

CONSENT AGENDA ITEMS

- A. City Council minutes, May 13, 2014;
- B. **Ordinance No. 2014-26 – Request of Cardinal Homes, Inc., owner, to rezone from Retail-Drill Reservation (R-DR) to Retail (R) on an approximately 3.1 ac. tract in Section 20, Block 42, T-2-S, T&P RR. Co. Survey, Ector County, Texas (southwest of the intersection of University Boulevard and Coahuila Road);**
- C. **Resolution No. 2014R-34 - Authorize the City of Odessa Police Department to apply for a BJA Edward Byrne Memorial Justice Assistance Grant (JAG) Program;**
- D. **Resolution No. 2014R-35 - Making written findings required by Texas Government Code Chapter 2254.103(d) and authorize a contract with Scott & Ray, PLLC for legal services;**
- E. Repeal of City Code Section 4-10-244;
- F. **Ordinance No 2014-27 – Approve a taxicab franchise for Lupe Moore, d/b/a A-1 Taxi;**
- G. Review monthly financial summary report for April 2014;
- H. **Resolution No. 2014R-36 - Agreement for the pro-rated reimbursement of the cost of paving a certain portion of the west half of Parks Legado Road.**

Motion was made by Council member Combs and seconded by Council member McNeil to remove Item E. from the consent agenda. The motion was approved by unanimous vote.

Consider repeal of City Code Section 4-10-244. Mr. Long stated that there was a need of enforcement for the safety of taxicab customers. The repeal would require proof of the company's knowledge of the violation when the code clearly places responsibility on the company, as well as the drivers, to have its vehicles inspected and drivers certified.

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

Motion was made by Council member Bryant and seconded by Council member McNeil to approve the consent agenda items. The motion was approved by unanimous vote.

OTHER COUNCIL ACTION

BID AWARD

Remove from the table and consider award of contract for 2014 sealcoat. Motion was made by Council member Combs seconded by Council member McNeil to remove the sealcoat item from the table. The motion was approved by unanimous vote. Hal Feldman, Traffic Engineer, stated that the sealcoat would be for major streets. He recommended awarding the bid to Ronald Wagner in the amount of \$1,006,186.87. The company would make repairs from last year's sealcoat due to the scaling issues. Council member Graff thanked the work by City staff but was upset with the scaling problems on the neighborhood streets.

Motion was made by Council member Bryant and seconded by Council member Combs that the bid be approved as recommended. The motion was approved by a 3-1 vote with Council member Graff casting the nay vote.

PUBLIC HEARING

Resolution No. 2014R- 37 - Conduct a public hearing and consider the allocation of \$767,935 in 2014 Community Development Block Grant funds (CDBG) and \$99,529.99 in unprogrammed CDBG Funds. In addition, consider the allocation of \$233,109 in 2014 HOME Investment Partnership funds, and \$172,081 in Program Income. Merita Sandoval, Director of Community Development, stated that the City of Odessa was allocated \$767,935 in CDBG funds from the U.S. Department of Housing and Urban Development. There is an additional \$99,529.99 in unprogrammed CBDG funds to be reallocated. The City received an allocation of \$233,109 in HOME Investment Partnership Funds, and there is an additional \$172,081 in HOME program income. She reviewed the Community Development's request and described each of the areas. She requested the following: Program Administration in the amount of \$153,587; Housing Rehabilitation in the amount of \$342,262; Demolition in the amount of \$188,668; Code Enforcement in the amount of \$91,425; and Vacant Lot Clearance in the amount of \$15,000. The vacant lot clearance for this fiscal year was funded by the General Fund.

Steven Kelly, Odessa Affordable Housing President, requested \$25,000 to assist with homeowners emergency repairs. All the funds would assist those in need. The Odessa Housing Authority has helped over 500 homeowners.

Britni Veretto, ABLE Center, stated that the ABLE Center assists the disabled with ADA modifications through donations.

Margaret Burton, Meals on Wheels Executive Director, requested \$25,000 for meals to 32 elderly homebound.

Steve Patton, Director of Parks & Recreation, requested \$252,000 for the Woodson Park playground improvements.

Randy McGuire, Family Promise, requested \$10,000 to fund emergency needs for homeless families with children. No one else came forward and the public hearing was closed.

Each Council member provided a recommendation for funding. Mrs. Sandoval stated that ADA accessibility improvements for wheelchairs, ramps and roll in showers were offered by the rehabilitation program, Odessa Affordable Housing and the ABLE Center. Ms. Veretto explained that the ABLE Center had a matching program up to \$5,000 but the funds went to administrative and overhead costs. The funding to assist the needy was only through donations. Further discussion was held in allocating the funds.

Motion was made by Council member Bryant and seconded by Council member McNeil that the CDBG funds be allocated. The motion was approved by unanimous vote by funding the following:

Community Development Administration	\$153,587
Housing Rehabilitation	342,262
Demolition	188,668
Code Enforcement	91,425
Main Street Odessa	10,000
Odessa Affordable Housing	25,000
ABLE Center for Independent Living	21,523
Meals on Wheels	25,000
Family Promise	10,000
Vacant Lot Clearance Program	0

Motion was made by Council member Graff and seconded by Council member Bryant that the HOME funds be funded. The motion was approved by unanimous vote by funding the following:

Housing Rehabilitation/Reconstruction	\$381,880
HOME Program Administration	23,310

Open a public hearing to consider approval of the request of My Community Federal Credit Union, owner, to rezone from Neighborhood Services (NS) to Retail (R) on Lot 2, Block 3, Leeco Addition, 2nd Filing (southeast corner of Billy Hext and Tres Hermanas) Randy Brinlee, Director of Planning, reviewed the location of the rezoning request. It would be developed into a retail development. The Planning and Zoning Commission recommended for approval. No one came forward and the public hearing was closed. Council member Combs expressed concern as the area develops. Billy Hext and Tres Hermanas may not be wide enough for the traffic. Mr. Brinlee stated that Tres Hermanas was designed to carry a lighter load of traffic and used as a back road. It was possible that there could be signalization in the future. Mr. Marrero stated staff would monitor and mitigate the traffic flow as the area develops.

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.

RESOLUTION

Resolution No. 2014R-38 – Approving the 2014 assessment for the Oncor Cities Steering Committee membership. Mr. Hildebrant stated that funding was \$.11 cents per resident or \$11,671.22 for the City of Odessa.

Motion was made by Council member Bryant and seconded by Council member Graff to approve the resolution. The motion was approved unanimous vote.

MISCELLANEOUS

Appointment of Board: Community Development Advisory Committee, Traffic Advisory Committee and Historic Preservation Commission. Appointment of Officers. Odessa Housing Authority (551.074). Motion was made by Council member Combs and seconded by Council member Bryant to appoint the following:

Phil George reappointed to the Odessa Housing Authority;
Rita Barrientes reappointed Odessa Housing Authority.

The motion was approved by unanimous vote.

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

There was no other business, the meeting adjourned at 7:18 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

David R. Turner
Mayor