



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

JULY 8, 2014

On July 8, 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; Dean Combs, District Four; and Sandra Carrasco, District Five.

Member absent: Council member Barbara Graff, District Three.

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 Chaplain Roy Jones, Odessa Police Department, and followed by the Pledge of Allegiance to the United States and Texas flags.

CONSENT AGENDA ITEMS

- A. City Council minutes, June 24, 2014;
- B. **Ordinance No. 2014-31 - Request of DJK, Inc., owner, Franklin Land Associates, LLC, optionee, to rezone from Office (O) to Retail (R) on an approximately 4.4 acre tract out of Section 10, Block 41, T-2-S, T&P Ry. Co., Midland County, Texas (northwest of the intersection of N. Faudree Rd. and East Ridge Rd.);**
- C. **Ordinance No. 2014-32 - Request of DJK, Inc., owner, to rezone from Light Commercial (LC) to Planned Development-Light Industrial (PD-LI) on Lot 1, Block 1, West Terminal Addition, 1st Filing (southeast corner of the intersection of Hwy. 191 and Yukon Rd.);**
- D. **Ordinance No. 2014-33 - Request of LCA, owner, for original zoning of Retail (R) on approximately 0.52 ac. tract in Section 9, Block 41, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (southeast of the intersection of Billy Hext Rd. and Tres Hermanas Blvd.);**
- E. **Ordinance No. 2014-34 - Request of WFDR Partnership LTD, owner, for original zoning of Light Commercial (LC) on approximately 84 ac. tract in Section 3, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co., Texas (northeast corner of the intersection of Hwy. 191 and Castlegate Ln.);**
- F. **Ordinance No 2014-35 - Request of The Wyly & Fredna Brown Family Partnership Ltd., owner, for original zoning of Planned Development-Single Family-One (PD-SF-1) on approximately 74 ac. tract in Section 4, Block 41, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (vicinity of proposed Lamplite Ln. and proposed Rhine Rd.);**
- G. Purchase three truck bodies from J & B Trailer in the amount of \$102,606;
- H. **Ordinance No. 2014-36 - Amending Chapter 4 of the City Code of Ordinances, entitled "Business Regulations, by amending**

section 4-6-1 and adding section 4-6-9 to revise and update the regulation of Itinerant Vendors, Peddlers, Solicitors, and Canvassers;

- I. **Resolution No. 2014R-50 – Consultant services agreement with Karen McCord;**
- J. **Resolution No. 2014R-51 – Review and approve the City’s Procedure for Post-Issuance Compliance Policy;**
- K. Review Monthly financial summary report for May 2014;
- L. **Resolution No. 2014R-52 – Temporary lease agreement with the Odessa Chamber of Commerce.**

Motion was made by Council member Carrasco and seconded by Council member McNeil that the consent agenda be approved. The motion was approved by unanimous vote.

OTHER COUNCIL ACTION

Contract with US Bronco Services for the installation of residential meters with AMI technology and associated costs. Phillip Urrutia, Director of Purchasing, stated that 39,000 meter installations would complete the 2011 project. The funds would be from the CIP bond with a total project cost of \$8.3 million. It would take about 24 months to complete the residential installations. He stated that the advantages would reduce human error input and provide water accuracy readings.

Motion was made by Council member Bryant and seconded by Council member McNeil that the US Bronco Services contract be approved. The motion was approved by unanimous vote.

BID AWARD

Bid award for the ECUD master meter improvements. Thomas Kerr, Director of Utilities, stated that the award would allow for installation of the master meter for the Ector County Utility District. He recommended the bid be awarded to Scott Thane Ditching in the amount of \$422,666.

Motion was made by Council member McNeil and seconded by Council member Bryant to award the bid as recommended. The motion was approved by unanimous vote.

PUBLIC HEARING

Open a public hearing to consider approval of the request of Real Property Resources, Inc., owner, for original zoning of Planned Development-Single Family (PD-SF) on approximately 37.96 acre tract in Section 34, Block 42, T-1-S, T&P RR Co. Survey, Ector County, Texas (east of the intersection of Cabrito Drive and East 91st Street). Randy Brinlee, Director of Planning, reviewed the location which was vacant. The purpose of the zoning would be for 157 residential lots. It allows for flexible building setbacks. The Planning and Zoning Commission recommended for approval with certain conditions. No one came forward and the public hearing was closed.

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

Open a public hearing to consider approval of the request of Apollo Perforators, owner, for original zoning of Planned Development-Light Industrial (PD-LI) on approximately 49.6 acres and Planned Development-Light Industrial-Drill Reservation (PD-LI-DR) on approximately 3.7 acres in Sections 21 and 22, Block 41, T-2-S, T&P RR Co. Survey, Midland County, Texas (northwest of the intersection of Groening Street and Faudree Road). Mr. Brinlee reviewed the location of the property which was vacant. The zoning would establish a drill site. The Planning and Zoning Commission recommended for approval with certain conditions. No one came forward and the public hearing was closed.

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

RESOLUTIONS

Resolution No. 2014R-53 – Outside agency requests for funding for FY 2014-15 budget. JoAnn Littleton, 1005 Pine St., stated that Odessa has the largest Juneteenth celebration in Texas. She thanked the city departments for the assistance at the celebration. She stated that more funds were requested due to the celebration having outgrown the park.

Patrick Canty, UTPB representative, stated that the UTPB football program would have a big generation of economic development and value to the community.

Steve Buss, 203 Nolan Ryan, Midland, thanked the Council for the support of the CAF Airsho.

George Jacob, Ellen Noel Art Museum Executive Director, stated that this is the 30th anniversary of the Ellen Noel Art Museum. The requested funds would allow for a design studio.

James McCrary, 709 N. Lee, stated that the funds would be to assist in advertising for the bike tour which is a family event from novelist to experienced cyclists at Ratliff Stadium. The event was not in conjunction with First Odessa's fall festival.

Don Stice, 1406 E. 17th St., reported that the \$15,000 digital projector funds were received. He requested the full amount of funds to purchase a much needed screen for the Ector Theater.

Richard Esparza, Fiesta West Texas, reported that the event was growing with over 35,000 people in attendance in 2014. The ticket office has a tracking system to identify out of town visitors. Over 100 hotel rooms were occupied in Odessa and Midland.

Nancy Wells, 3205 Bainbridge, stated that the Heritage Holiday parade was scheduled December 6. She thanked the Council for past support.

Julie Marshall, 2707 Kermit Hwy., thanked the Council for its past support for Merry Marketplace. The event brought in over \$330,000 to the community. She highlighted the other projects hosted by the Junior League with plans to expand its projects.

Norlene McBride, 2 Warwick, stated that Main Street was having its 22nd anniversary in promoting the downtown area. The Firecracker Fandango was a success. Hot Summer Nights had its 10th anniversary with live bands at the park.

Cinda Brown, 1051 N. Palomino, stated that Monster Elite Sports had 14 football teams at its tournament. There were 700 – 1,000 people in attendance for the tournament. The funds would be to reserve Ratliff Stadium at \$8,000 and to promote Odessa.

Manny Puga, 118 W. 4th St., thanked the Council for its support last year. Viva La Fiesta had 400 attendees. This year, there will be six bands and people from out of town.

Tom Snoddy, 20 Emerald Gardens, stated that the Jackalopes hockey games were a source of family entertainment with many outside visitors. The Jackalopes assist in many other projects throughout the community.

Erika Chavez, 8421 W. 16th, reported that the funding was for two events. Links would have its fundraiser event for the homeless families which assists people throughout the year. The second event would be for a two-day conference to educate people.

Steve Patton, Director of Parks and Recreation, stated that the Fall Festival had a big increase in advertising. This family oriented event would have bigger acts at McKinney Park. Starbright Village was a tradition and many out of town visitors visit the park. He stated that the requested funds for Ratliff Golf Course would be used for advertising.

Steve Compton, 8112 San Antonio, reported that the Permian Basin Fair would be September 6 -13. Visitors from the surrounding towns attend. Last year, over 60,000 people were in attendance. The funds would be used for different types of advertising.

Jesse Porras, 1524 S. Broughton, requested funds for two events. The Cinco De Mayo parade would provide entertainment. The September 16 event would be a charrada and have mariachis.

Tammy Hawkins, 3648 Loma Drive, reported that Teen Court was very strong and it has a National Youth Association.

Doug Tull, P.O. Box 61377, thanked the City Council for its support of Rock The Desert.

Bill Wight, 6002 N. FM 1936, stated that the Sandhills Rodeo had 26,600 people who attended the six performances. There were 376 exhibitors in the stock show. The rodeo continues to bring in out of town competitors and visitors.

Dr. Watts, UTPB, was in support of the football program for UTPB which would double the room nights. Kirk Edwards, #2 La Paz Circle, stated that the football program would have \$40 million in capital projects. Many construction workers would be in Odessa for a couple of years.

Stella Neboh, 6448 Richwood Rd., stated that the West Texas Track Club meets were for the little athletes. Three track meets would be held at Ratliff Stadium.

Christine Holcomb, 112 E. Murphy St., stated that the White-Pool House was a 127-year old structure to promote and protect our rich heritage. It adds to the quality of life and was a

historical landmark. The funds would be used to revitalize the barn, gazebo and restore the windmill.

Vern Foreman, 811 W. 25th reported statistics of CrimeStoppers. "High 5" features five people who owe the city money or have an arrest warrant. Many have paid their fines and 31 have been arrested.

Randy Ham, Odessa Council for the Arts Executive Director, stated that there has been over \$215,000 grants awarded for the arts. The Art Committee would catalog existing art and have a master plan for Odessa on art.

Larry Carroll, 4008 Tumbleweed Tr., stated that the Permian Basin Community Centers' request was have a funding match.

Linda Sweatt, Convention and Visitors Bureau, reported on groups booked for the upcoming year and the Austin sales calls were made. There were over 40 advertisements across the US and Canada. She worked with hotels, city and organizations. A new aerial video was on the city's website.

Each Council member gave his or her recommendation for funding. After further discussion on funding the organizations, motion was made by Council member Bryant and seconded by Council member Carrasco that the resolution be approved. The motion was approved by unanimous vote by funding the following:

Black Cultural Council	\$ 45,000
Commemorative Air Force	50,000
Convention and Visitors Bureau	1,005,360
C&V Bureau/Sports Events Recruit	100,000
First Baptist Church Odessa	15,000
Friends of Ector Theatre	75,000
FWT Odessa Productions, Inc.	60,000
Heritage Holiday	25,950
Junior League of Odessa	15,000
Main Street Odessa	150,000
Odessa Council for Arts & Humanities	809,151
Odessa Hispanic Chamber of Commerce	60,000
Odessa Jackalopes Hockey Team	70,000
Odessa Links – Community Conference	10,000
Odessa Links – Hope Fest	35,000
Parks Department – Fall Festival	65,000
Parks Department – Ratliff Ranch Golf Links	150,000
Parks Department – Starbright Village	144,000
Permian Basin Fair & Exposition	110,000
Region 18 Education Service Center	8,500
Rock the Desert	50,000
Sandhills Stockshow and Rodeo	75,000
Texas Tours – Car show	50,000
University of Texas of the Permian Basin	200,000
White-Pool House Friends	40,000
West Texas Track Club	55,000
Ector County Coliseum	50,000
Administrative Costs/Audit Fees	30,513

General Fund requests:

Crime Stoppers	\$55,000
Teen Court	49,933
Permian Basin Community Centers	75,000

Mayor Turner recessed the Council meeting at 7:37 p.m.

Mayor Turner reconvened the Council meeting at 7:42 pm.

ORDINANCE

Adopt a change to Atmos Gas Franchise agreement. Mr. Morton stated that change to the Atmos Gas franchise agreement would be in line with the settlement. Atmos pays a 5% franchise fee for the use of streets and alleys.

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

RESOLUTION

Resolution No. 2014R-54 - Industrial district agreement with the owner of 50.00 acres located in Section 25, Block 42, T-2-S, T&P RR. Co. Survey, Ector County, Texas. Mr. Long stated that the industrial district was located on Murphy at Industrial and Pagewood. The agreement would expire in 2014 and would be in line with the annexation plan.

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

Resolution No. 2014R-55 – Amended and restated Summit Texas Clean Energy Economic Development Agreement and its irrevocable guarantee agreement. Mr. Morton stated that the amendment would allow the return of the \$5 million due to the delays of the project. When the Summit project commercial operations start then it would allow the return of the \$5 million grant.

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

MISCELLANEOUS

Appointment of Board: Community Development Advisory Committee and Permian Basin Community Centers. Motion was made by Council member Bryant and seconded by Council member McNeil to reappoint John Landgraf to the Permian Basin Community Centers. The motion was approved by unanimous vote.

Citizen's comments on non-agenda items. No comments.

There was no other business, the meeting adjourned at 7:46 p.m.

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ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

David R. Turner
Mayor