



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

MARCH 11, 2014

On March 11, 2014, 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: Council members: Roger T. McNeil, District One; Dewey Bryant, District Two; Barbara Graff, District Three; Dean Combs, District Four; and Sandra Carrasco, District Five.

Member absent: Mayor David R. Turner.

Others present: Larry Long, City Attorney; Norma Aguilar-Grimaldo, City Secretary; Michael Marrero, Assistant City Manager; other members of City staff; and members of the news media.

A quorum being present, Mayor Pro Tem Combs called the meeting to order and the following proceedings were held:

The invocation was given by Landry Pugh, First United Pentecostal Church, and followed by the Pledge of Allegiance to the United States and Texas flags.

Mayor Pro Tem Combs presented a proclamation for American Red Cross Month.

CONSENT AGENDA ITEMS

- A. City Council minutes, February 25, 2014;
- B. **Ordinance No. 2014-09 – Request of Wyly & Fredna Brown Family Partnership Ltd., owner, RSP Permian LLC, leasee, for original zoning of Future Development-Drill Reservation (FD-DR) on approximately 6.4 ac. [four (4) tracts] in Sections 3 and 4, Block 41, T-2-S, T&P Ry. Co. Survey, Ector and Midland Co., Texas (northeast of the intersection of Faudree Rd. and Estates Dr.);**
- C. **Ordinance No. 2014-10 - Amend Section 2-1-4, entitled "Advisory Committee", of Chapter 2 of the City Code of Ordinances, entitled "Animal Control";**
- D. Bid award to Comet Cleaners for cleaning and alteration of Police Department uniforms;
- E. Purchase heavy equipment from Warren Cat in the amount of \$254,615;
- F. **Resolution No. 2014R-17 - Contract to manage day-to-day operations and maintenance of the City's three (3) public swimming pools to COM Aquatics in the amount of \$147,000;**
- G. Bid award to Elliott Electric in the amount of \$164,860.59 for the purchase of outdoor light poles and fixtures for Noel Plaza;
- H. **Resolution No. 2014R-18 –Extend the reclaimed water use contract with Odessa Ector Power Partners.**

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

OTHER COUNCIL ACTION

PUBLIC HEARINGS

Open a public hearing to consider approval of the request of Augustine R. and Trinidad Morales, owner, for original zoning of Retail (R) on approximately a 1.96 ac. tract in the southern part of Section 33, Block 42, T-2-S, T&P RR. Co. Survey, Ector Co., Texas (southwest of the intersection of Summer Ave. and W. Monahans St.). Randy Brinlee, Director of Planning, reviewed the location of the property which is vacant. The zoning would be to facilitate a development of a private park and pavilion. The Planning and Zoning Commission recommended for approval. No one came forward and the public hearing was closed.

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.

Open a public hearing to consider approval of the request of Permian Machinery Movers, Inc., owner, for original zoning of Light Industrial (LI) on approximately a 10.10 acre tract in Section 40, Block 42, T-2-S, T&P RR. Co. Survey, Ector Co., Texas (southeast of the intersection of IH-20 and S. County Road W.) Mr. Brinlee reviewed the location of the property which is vacant. It would be developed into a commercial and industrial use. The Planning and Zoning Commission recommended for approval. No one came forward and the public hearing was closed.

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.

Open a public hearing to consider approval of the request of Engineered Pipeline Systems, Inc., owner, Landgraf, Crutcher and Assoc., Inc., agent, for original zoning of Light Commercial (LC) on approximately a 7.40 acre tract located in Sections 15 and 21, Block 41, T-2-S, T&P RR Co. Survey, Midland Co., Texas (northeast corner of Faudree Rd. and W. Hwy. 80 E.) Mr. Brinlee reviewed the location of the property. The tract is mostly vacant with one structure in the tract. The zoning would be for a commercial development. The Planning and Zoning Commission recommended for approval. No one came forward and the public hearing was closed.

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

Open a public hearing to consider a franchise to operate a shuttle service by Salah Hijz d/b/a Lone Star Limo. Mr. Long stated that the shuttle service would be for a one vehicle, 2013 Suburban, seven seat at a \$100 an hour. The owners agreed to the franchise conditions. No one came forward and the public hearing was closed. Mr. Long stated that there have been four or five franchises approved by the Council. The franchises were doing well and were in compliance.

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.

ORDINANCES

Establishing school zones. Hal Feldman, Traffic Engineer, stated that the proposed school zone was for Ross Elementary. In front of the school, it would reduce the speed limit on Everglade.

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.

Prohibit parking. Mr. Feldman stated that the service road from Parkway to Loop 338 on I-20 would prohibit parking on both sides of the service road. The proposed parking would help safety to a truck stop. The service road on the north side by Dollar General had prohibited parking.

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.

Establish a one-way alley. Mr. Feldman stated that Zavala Elementary had a parking lot in the back of the school and the only entrance was from the alley. He recommended that the alley be made a one-way south-bound. It was a dirt alley.

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.

Approve a negotiated settlement agreement between the Steering Committee of Cities served by Atmos West Texas ("Cities") and Atmos Energy Corp., West Texas Division, regarding the company's 2013 Statement of Intent to Increase Rates. Phillip Urrutia, Director of Purchasing, stated that Atmos had proposed a \$12 million increase to the West Texas service area. The agreed settlement was \$8.3 million, a 33% reduction from the request. The price would be an increase of \$0.77 per customer per month. Atmos representatives were present.

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

Amend Section 2-1-5, entitled "Appeals", of Chapter 2 of the City Code of Ordinances, entitled "Animal Control". Police Chief Tim Burton stated that the proposed amendment would clarify the appeals process. He explained the proposed appeals process. An administrative appeal would be an informal hearing by the Police Chief. If there is a disagreement in the ruling it would be reviewed by the City Manager then it would go to a court, if disagreed. The process has a ten day time frame.

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.

MISCELLANEOUS

Appointment of Board: Community Development Advisory Committee, Parks and Recreation Advisory Board, Citizens Golf Advisory Committee, Tax Incentive Committee, Traffic Advisory Committee, and Animal Shelter Advisory Committee.

Motion was made by Council member Bryant seconded by Council member McNeil to appoint the following:

Andrea Quiroz appointed to the Parks and Recreation Advisory Board
Willie Taylor reappointed to the Tax Incentive Committee
Roger McNeil reappointed to the Tax Incentive Committee

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 6:17 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

Dean Combs
Mayor Pro Tem