



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

**FEBRUARY 10, 2015**

On February 10, 2015, 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: Dewey Bryant, District Two; Barbara Graff, District Three; Michael Gardner, District Four; and Filiberto Gonzales, District Five.

Members absent: Council member: Roger T. McNeil, District One.

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 and followed by the Pledge of Allegiance to the United States and Texas flags.

**CONSENT AGENDA ITEMS**

- A. City Council Minutes, January 23, 2015;
- B. City Council Minutes, January 27, 2015;
- C. **Ordinance No. 2015-03 – Request of Crossroads Fellowship Global, Inc., owner, Parkgreen Living, LLC, optionee, Maverick Engineering, agent, for original zoning of Multi-Family-One (MF-1) on approximately 25.3 ac. tract in Section 9, Block 41, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (west of the intersection of Hwy. 191 and Faudree Rd.);**
- D. Bid award to Hawkins Construction in the amount of \$55,250 for a concrete installation project at Ratliff Ranch Golf Links;
- E. Renew contract with Fox Scientific for the purchase of laboratory supplies in the amount of \$61,000.

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

**OTHER COUNCIL ACTION**

**Renew contract with Barron Service Parts Company for on-site fleet parts management and supply.** Doug Hildebrand, Director of Equipment Services, stated that the contract would provide automotive parts and services. He recommended renewing the contract with Barron Service Parts in the amount of \$3 million which had no increase.

Motion was made by Council member Gardner and seconded by Council member Gonzales that the contract be renewed as recommended. The motion was approved by unanimous

vote.

### **BID AWARD**

**Bid award for the 87<sup>th</sup> Street curbed median improvements.** Yervand Hmayakyan, City Engineer, stated that the bid award would install curb medians on 87<sup>th</sup> Street. He recommended the award be made to the lowest bidder, First Tier Construction, in the amount of \$445,642.19. Council member Bryant thanked Mr. Hmayakyan for the work of art that will be placed on the street.

Motion was made by Council member Gardner and seconded by Council member Bryant that the bid be approved and awarded as recommended. The motion was approved by unanimous vote.

### **PUBLIC HEARING**

**Open a public hearing to consider the limousine franchise application of Maria E. Navarrette d/b/a E.I. Transport.** Mr. Long stated that that the application was for one vehicle at a rate of \$175 per hour with a five-year term. The applicant met all the requirements. Maria Navarrette stated that the vehicle was a 2004 vehicle for 15-18 passengers to be used for proms and parties.

Motion was made by Council member Graff and seconded by Council member Gonzales 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 Cadence Ventures Fund, LLC (Bob Ruggio), owner, for original zoning of Special Dwelling District (SPD) on an approximately 1.9 ac. tract in Section 11, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co., Texas and rezone from Retail (R) to Special Dwelling District (SPD) on Lot 37, Block 1, Enclave at Mission Ranch (vicinity of Dorado Dr. and proposed Zia Rd.)** Randy Brinlee, Director of Planning, reviewed the location of the property which was vacant. The property would develop 31 townhouse lots at an average of 2,600 square feet. 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 and seconded by Council member Gardner to approve the ordinance on first approval. The motion was approved by unanimous vote.

### **ORDINANCES**

**Ordinance No. 2015-04 – Amend Chapter 4 of the City Code of Ordinances concerning Itinerant Vendors.** Mr. Long stated that there were no changes from the first approval. The discussion was held to remove the 45 days but recommended to stand as presented.

Joel Torres, 1205 Terrace, requested that three issues be amended: 1) amend the 10-day grace period with a 60 or 90-day grace period; 2) allow to work up to six months instead of only 45 days; and 3) amend the hours of operation to one-hour earlier and one-hour later. Donny Kyker, 2511 Golder, was a business man and asked if he need a permit with his mobile business. Mr. Long stated if he was invited to be stationed at the business, he was not an itinerant vendor. Rodrigo Cazares, 2807 University, asked for a clarification on the definition of a peddler. He asked if a permit was needed if he was invited to wash vehicles at a business. Mr. Long explained when a peddler's permit was needed and when itinerant

vendors permit was not needed. He reviewed the new changes of the fees. Mr. Morton stated that a peddler permit was \$120 per 90 days and an itinerant permit was \$30 per ten days. No one else came forward and the public hearing was closed.

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

**Ordinance No. 2015-05 – Amend Article 6-6 of the City Code of Ordinances concerning mobile food establishments.** Mr. Long stated that the only change was the hours of operation. The ordinance clarifies the requirement for overhead protection of food and food preparation items while the vendor is loading and unloading these materials at the vendor's commissary.

Todd Brown, 3200 Mariana, Midland, requested that the Council members attend a meeting with the Ector County Health Department and the Permian Basin Restaurant Association to discuss a comprehensive plan for the mobile food vendors. He asked that more time be given before voting on the ordinance. Mr. Long would meet with the Health Department and the association members to discuss any concerns about the ordinance. The meeting would be on February 13 at 3 p.m. at the Ector County Health Department.

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

#### MISCELLANEOUS

**Appointment of Officers. Citizens Golf Advisory Committee and Community Development Advisory Committee.** Motion was made by Council member Graff and seconded by Council member Bryant to appoint William Kent McCord to the Citizens Golf Advisory Committee and Ralph Brewster to the Community Development Advisory Committee. The motion was approved by unanimous vote.

**Citizen's comments on non-agenda items.** None.

There was no other business, the meeting adjourned at 6:28 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC  
City Secretary

David R. Turner  
Mayor