



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

APRIL 28, 2015

On April 28, 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: Roger T. McNeil, District One; Dewey Bryant, District Two; Barbara Graff, District Three; Michael Gardner, District Four; and Filiberto Gonzales, 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 Chaplain Luis R. Lopez and followed by the Pledge of Allegiance to the United States and Texas flags.

Mayor Turner presented proclamations for Buddy Poppy Month and National Tourism Week. Steven Oien presented awards to Officers Raymond Feril and Anthony Rossman for their dedicated service. Mayor Turner thanked the police officers and the Police Department for their commitment in serving Odessa.

CONSENT AGENDA ITEMS

- A. Special City Council minutes, March 31, 2015;
- B. City Council minutes, April 14, 2015;
- C. **Ordinance No. 2015-09 – Request of 2012 Cross B, LLC, owner, to rezone from Office-Drill Reservation (O-DR) to Retail (R) approximately 3.7 ac. tract of Lot 3, Block 4, Parks Bell Ranch North, 2nd Filing, rezone from Multi-Family-One (MF-1) to Retail (R) approximately 13.1 ac. tract and to rezone from Multi-Family-One-Drill Reservation (MF-1-DR) to Retail (R) approximately 2.5 ac. tract in Section 25, Block 41, T-1-S, T&P Ry. Co. Survey, Ector Co., Texas (vicinity of Yukon Rd. and Faudree Rd.);**
- D. **Resolution No. 2015R-33 – Amend the matrix for the ODC Development Finance Administration policy;**
- E. **Resolution No. 2015R-34 – ODC economic development agreement between Odessa Development Corporation and Odessa Industrial Development Corporation;**
- F. **Ordinance No. 2015-10 - Negotiated resolution between the Atmos West Texas Cities Steering Committee and Atmos Energy Corp., West Texas Division, regarding the Company's 2014 Rate Review Mechanism filing ("RRM");**
- G. **Ordinance No. 2015-11 – New fee structure at Ratliff Ranch**

- Golf Links;**
- H. **Ordinance No. 2015-12 - Authorize the issuance of City of Odessa, Texas, General Obligation Refunding Bonds in an aggregate principal amount not to exceed \$59,000,000; Providing for the award of the sale thereof in accordance with specified parameters; authorizing the execution and delivery of a purchase contract, a paying agent/registrars agreement and an escrow agreement; authorizing the approval of an official statement; and enacting other provisions relating thereto;**
 - I. **Resolution No. 2015R-35 – Authorize the Odessa Fire Rescue to apply for the FY 2014 Fire Prevention and Safety Grant through the Assistance to Firefighters Grant (AFG);**
 - J. Renew contract with Morrison Supply for the purchase of brass and copper valves and fittings not to exceed \$115,850;
 - K. Renew contract with Rene' Bates Auctioneers for auctioneering services with a 5% commission rate of the sales.

Motion was made by Council member Gonzales and seconded by Council member Gardner that Item H be removed from the consent agenda. The motion was approved by unanimous vote.

Motion was made by Council member Bryant and seconded by Council member McNeil that the consent agenda items A – G and I - K be approved. The motion was approved by unanimous vote.

Motion was made by Council member Bryant and seconded by Council member Graff that Item H be approved. The motion was approved with Council member Gonzales abstaining.

OTHER COUNCIL ACTION

BID AWARD

Remove from the table to consider bid award for algicide for the Water Treatment Plant. Motion was made by Council member Graff and seconded by Council member Bryant to remove the item from the table. The motion was approved by unanimous vote.

Phillip Urrutia, Director of Purchasing, stated Hydroplus was the low bidder of \$68,950 and was the provider last year. Chameleon's bid was \$70,900. The Council could use the 5% local preference option and award to Chameleon. Over the last 2 years, competitive bidding between Hydroplus and Chameleon has saved an estimated amount of \$11,050. He

recommended the award be made to Hydroplus. William Hules, 220 S. Proctor, represented Chameleon and requested that Council award the bid to Chameleon. The local business employs local citizens.

Motion was made by Council member Bryant and seconded by Council member Gardner that the bid be awarded to Hydroplus. The motion was approved by a 3 – 2 vote with Council members Graff and McNeil casting the nay votes.

PUBLIC HEARING

Resolution No. 2015R-36 - Conduct a public hearing and consider the allocation of \$744,768 in 2015 Community Development Block Grant funds (CDBG) and \$271,277 in unprogrammed CDBG Funds. In addition, consider the allocation of \$209,468 in 2015 HOME Investment Partnership funds. Merita Sandoval, Director of Community Development, stated that the City of Odessa was allocated \$744,768 in CDBG funds from the U.S. Department of Housing and Urban Development. There is an additional \$271,277 in unprogrammed CDBG funds to be reallocated. The City received an allocation of \$209,468 in HOME Investment Partnership Funds. She reviewed the Community Development's request and described each of the areas. She requested the following: Program Administration in the amount of \$148,953; Housing Rehabilitation in the amount of \$661,632; Demolition in the amount of \$140,000; and Elderly and Handicapped Lawn Mowing Program in the amount of \$20,000 which was a new program to assist elderly and disabled citizens in lawn care.

Margaret Burton, Meals on Wheels Executive Director, reported that from November 2014 through April 2015, 190 citizens were served meals. The citizens were on low income and lived inside city limits. She endorsed the Elderly and Handicapped Lawn Mowing Program which would be a great help for the elderly.

Kathy Siepak, Head Start Associate Director, stated that there were two requests. The Chaffin Building had a wall peeling away and the building was at risk. Head Start serviced 246 children and has been in existence since 1982.

Denise Malm, Harmony Home Director, stated that the \$30,000 request was to replace a roof. Harmony Home served over 400 children and it had increased to serving 600 children. The roof was over the children's area part of the building.

Jo Ann Davenport-Littleton stated that Woodson Park only had two swings in the 13-acre park. There was a need for new playground equipment, a parking lot and basketball courts. Odessa's Juneteenth celebration is the largest in Texas and people need a place to park. Rev. McNeil stated that Woodson Park was in the Parks Master Plan. Steve Patton, Director of Parks and Recreation, stated that Woodson Park, listed in the master plan, was in the third category priority group. He reported that the \$13 million would only fund the first two categories. Council could change the order of priority.

Greg Morris, Family Promise, stated that the organization assisted homeless transitional families with children get back on their feet. The families were provided room and board at the facility. Local churches were part of the organization. The facility was located at 1354 E. 6th St. The request was \$10,000, which \$2,000 was for transportation, \$2,000 for client needs, and \$6,000 for child care. Seven families were assisted last year and the requests were increasing. No one else came forward and the public hearing was closed.

Each Council member provided a recommendation for funding. Council member Bryant stated that Woodson Park needed to be moved up in the master plan. Council member Graff stated that there were not enough funds for the Woodson Park projects. 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:

Program Administration	\$148,953
Housing Rehabilitation	661,632
Demolition	140,000
Hollingsworth Head Start	10,460
Family Promise	10,000
Meals on Wheels	25,000
Elderly and Disabled Lawn Mowing Program	20,000

The following were the HOME funds to be funded:

Housing Rehabilitation/Reconstruction	\$157,102
HOME Program Administration	20,946
Community Housing Development Organization	31,420

Ordinance No. 2015-13 - Conduct a public hearing and consider ordinance continuing the "Offenses" provisions of Chapter 8, Article 8-3, Section 8-3-31 through 8-3-35 establishing a nocturnal curfew for persons under 17. Tim Burton, Police Chief, stated that it was necessary to continue the juvenile curfew ordinance which was enacted in 1997. The goal of the juvenile curfew ordinance was to reduce juvenile crime, reduce the victimization of juveniles and to provide an alternative solution to dealing with gang violence. The curfew has been effective in reducing these problems during the last 18 years. No one came forward and the public hearing was closed.

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

RESOLUTIONS

Resolution No. 2015R-37 - Remove from the table to consider approval of the first amendment to contract with Pioneer Natural Resources USA, Inc. Motion was made by Council member Graff and seconded by Council member Gardner to remove the item from the table. The motion was approved by unanimous vote.

Mr. Morton stated that the previous agreement would allow Pioneer to purchase wastewater. Pioneer requested a one to two year deferral. He requested that the contract be amended with the following changes : 1) delaying the implementation of the agreement for up to two years, 2) requiring pre-payment of up to \$6,000,000 depending on the length of such delay, and 3) extending the initial term of the contract from ten years to eleven years.

The resolution was passed and approved by unanimous vote.

MISCELLANEOUS

Appointment of Officers. Animal Shelter Advisory Committee, Citizens Golf Advisory Committee, Historic Preservation Commission, and Community Development Advisory Committee. Motion was made by Council member Graff and seconded by Council member McNeil to approve the following appointments:

Diedre Kimbrough appointed to the Animal Shelter Advisory Committee;
Paul Chavez reappointed to the Citizens Golf Advisory Committee;
Mark Mounts reappointed to the Citizens Golf Advisory Committee;
David Vincent reappointed to the Historic Preservation Commission; and
Daisy Bell Hester reappointed to the Historic Preservation Commission.

The motion was approved by unanimous vote.

Resolution No. 2015R-38 - Acquisition of property in downtown area for economic revitalization. (551.072). Motion was made by Council member Bryant and seconded by Council member McNeil to go into executive session under 551.072. The motion was approved by unanimous vote.

Upon returning from executive session, no action was taken in executive session. Mr. Morton recommended purchasing property from the Ector County Abstract located on the corner of 6th St. and Jackson in the amount of \$750,000 and appropriate funds.

Motion was made by Council member Graff and seconded by Council member Bryant to approve the resolution. 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 7:37 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

David R. Turner
Mayor