



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

**SEPTEMBER 8, 2015**

On September 8, 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.

Council members present: Mayor David R. Turner; Council members: Roger 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 Martha DeArmond, Latter Rain Worship Center, and followed by the Pledge of Allegiance to the United States and Texas flags.

Pioneer Natural Resources presented a \$10,000 donation to the Odessa Parks Foundation. Betenbough Homes presented an \$180,000 donation to the Odessa Parks Foundation to be used on the Lawndale Park. Mayor Turner thanked Pioneer Natural Resources and Betenbough Homes for each of their contribution.

**CONSENT AGENDA ITEMS**

- A. City Council minutes, August 25, 2015;
- B. **Resolution No. 2015R-81 – Authorize the City of Odessa Police Department to accept a BJA Edward Byrne Memorial Justice Assistance Grant (JAG) Program;**
- C. **Resolution No. 2015R-82 – Assignment of Heritage Holiday's remaining funds and interest in the Parade of Lights and Starbright Village to Downtown Odessa, Inc.;**
- D. **Resolution No. 2015R-83 – Authorize the Texas Coalition of Affordable Power (TCAP) to negotiate an electric supply agreement;**
- E. Bid award to Right Point in the amount of \$61,056 for street crack sealing compound;
- F. Contract renewal with DPC Industries for the purchase of sodium hydroxide for \$205,000;
- G. **Resolution No. 2015R-84 – Annexation by the Ector County Utility District (ECUD) of Western Skies Addition 1<sup>st</sup> filing and Western Skies Addition 2<sup>nd</sup> filing;**
- H. **Resolution No. 2015R-85 – Contract to resurface McKinney Park spray ground with Kraftsman Commercial Playgrounds & Water Parks in the amount of \$113,430;**
- I. Contract award with Professional Janitorial Services in the amount of \$258,504 for janitorial services;
- J. Purchase a roll-off truck from Rush Truck Center in the amount of \$209,223;

K. Review monthly financial summary report for July 2015.

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

#### **OTHER COUNCIL ACTION**

**Consider purchase of side load refuse trucks.** Phillip Urrutia, Director of Purchasing, stated that the purchase was for six side load refuse trucks in the amount of \$1,629,396 and would have a five-year warranty. The amount was \$52,000 under budget.

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

**Consider ratifying the property tax revenue increase reflected in the FY 2016 annual budget.** Mr. Hildebrandt stated that the proposed budget would raise \$2,137,587 more revenue from property taxes than in the previous year. The additional revenue was due to growth and appraisals.

Motion was made by Council member Bryant and seconded by Council member Graff to ratify the property tax revenue as recommended. The motion was approved by unanimous vote.

#### **PUBLIC HEARING**

**Open a public hearing to consider approval of the request of WFDR Partnership, owner, and RSP Permian, LLC, leasee, to rezone from Retail-One-Drill Reservation (R-1-DR) to Retail-One (R-1) approximately 1.51 acre tract in Section 10, Block 41, T-2-S, T&P RR Co. Survey, Midland County, Texas (southwest of the intersection of Brownstone Rd. and San Antonio St.).** Randy Brinlee, Director of Planning, reviewed the location of the property. The purpose was to adjust for parking for future retail use development. There would be screening and buffering for the drill sites. 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 McNeil to approve the ordinance on first approval. The motion was approved by unanimous vote.

**Open a public hearing to consider annexation to the City of Odessa of approximately 145.47 acres of land out of Section 25 Block 42 T-2-S, Ector County (N. of E. Murphy St. between S. Meadow Ave. and S. Pagewood Ave.), and approximately 132.6 acres of land out of Section 36, Block 42, T-2-S, Ector County (South of E. Murphy between S. Meadow Ave. and S. Pagewood Ave., North of IH-20).** Mr. Long stated that the proposed annexation was for 55 tracts on Murphy, and North of IH-20. This was the first of two public hearings and the vote would take place in October. The uses and buildings would be grandfathered to the existing buildings. No one came forward and the public hearing was closed.

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

**Open a second public hearing on proposed tax rate and schedule final vote on tax rate.** Mr. Hildebrandt stated that there was a decrease in the tax rate but the revenue was more based on growth. No one came forward and the public hearing was closed.

The City of Odessa conducted public hearings on August 25, 2015 and September 8, 2105 on a proposal to increase the total tax revenues of The City of Odessa from properties on the tax roll in the preceding year by 5.56%. The total tax revenue proposed to be raised last year at last year's tax rate of \$0.475845 for each \$100 of taxable value was \$28,994,055. The total tax revenue proposed to be raised this year at the proposed tax rate of \$0.470590 for each \$100 of taxable value, excluding tax revenue to be raised from new property added to the tax roll this year is \$30,328,929. The total tax revenue proposed to be raised this year at the proposed tax rate of \$0.470590 for each \$100 of taxable value, including tax revenue to be raised from new property added to the tax roll this year is \$31,443,212. The City of Odessa is scheduled to vote on the tax rate that will result in that tax increase at a public meeting to be held on September 22, 2015 at City Council Chambers, 5<sup>th</sup> Floor of City Hall, 411 West 8<sup>th</sup> Street, Odessa, 79761, at 6:00 p.m.

### ORDINANCES

**Consider approval of new water rates.** Mr. Hildebrandt stated that a proposal to increase water rates was required to offset the increase in water costs to be paid to CRMWD. No increase was being proposed to the sewer rates. The monthly increase on a minimum water bill (2,000 gallons) would be \$1.40. John Grant, CRMWD, reported that in 2010, \$200 million was added in new debt. CRMWD has increased the water supply to 36 ½ million gallons a day. Odessa pays about 30% of the cost. Council member Graff asked about why the increases were for this year. Mr. Grant stated that the increase came from last year but the District used the water rate stabilization fund to pay for the costs. A formula was used and the cost was spread out to Odessa, Snyder and Big Spring.

Motion was made by Council member Bryant and seconded by Council member Gonzales to approve the ordinance on first approval. The motion was approved by a 4-1 vote with Council member Graff casting the nay vote.

**Resolution No. 2015R-86 - Schedule final vote on tax rate.** Mr. Long stated that the Council needed to vote on scheduling the final vote on the tax rate.

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

**Consider approval of solid waste rate change.** Mr. Hildebrandt stated that there was no proposed increase in residential customers' solid waste rates. He proposed an increase to solid waste rate changes to commercial, industrial, and roll-off customers. The average increase was \$15 to \$25 a month.

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

### RESOLUTION

**Resolution No. 2015R-87 – Adopt the City of Odessa FY 2016 annual budget.** Mr. Hildebrandt stated that debt has gone down. The total budget for FY 2016 was \$197,

586,049. The General Fund has a budget of \$85,210,020. Seven new positions would be added to the budget with three positions to be reviewed based on the sales tax.

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

**Resolution No. 2015R-88 – Professional services to provide design, specifications and bid documents for the improvements to Murry Fly Park and Western Manor Park.** Steve Patton, Director of Park and Recreation, stated that improvements would be made at Murry Fly Park and Western Manor Park. The professional services would be \$133,133 for the designs. Improvements would include a walking trail, irrigation system, courts, and lighting.

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

**Resolution No. 2015R-89 – Professional services agreement with Kimley-Horn.** Mr. Patton stated that the design services would be for \$130,000. The design for Slator Park would include a dog park, volleyball and basketball courts and a walking trail.

Motion was made by Council member Graff and seconded by Council member Gonzales to approve the resolution. The motion was approved by a 4-1 vote with Council member McNeil casting the nay vote.

**Resolution No. 2015R-90 – Professional services agreement with KDC Associates.** Mr. Patton stated that the professional services would be for \$226,000 for improvements at Woodson Park. The improvements include irrigation, two basketball courts, a walking trail and a playground.

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

**Resolution No. 2015R-91 – Allocate funding for the USATF, West Texas, Inc. from Hotel Occupancy Tax (HOT) funds.** Mr. Hildebrandt stated that this was to reconsider the USA Track and Field region meet. The event has been funded in the past through Hotel and Motel Funds. The earlier submission met the guidelines but it was not funded in July. Stella Neboh has traveled seven years to bring this event to Odessa. The meet was awarded to Odessa. The meet in Odessa gives the children the opportunity to participate for those who don't travel. She met the criteria for the Chamber's sports guidelines to receive funds but the funds would not be received until after the event. She needed the funds to secure the facility, timing system and officials. The meet is for five days and 2,000 children participate. Odessa would be placed on a rotation to host the meet every four years.

Motion was made by Council member Bryant and seconded by Council member Gonzales to approve the resolution and that the funds be taken out of Hotel/Motel Tax Fund. The motion was approved by unanimous vote.

#### **MISCELLANEOUS**

**Appointment of Officers: Community Development Advisory Committee, Parks and Recreation Advisory Board, Cable Franchise Committee and Permian Basin Airport Committee. Appointment of Officers: Board of Survey, Zoning Board of Adjustment, Building Board of Appeals, Planning & Zoning Commission, Emergency 9-1-1**

**Advisory Board (551.074).** Motion was made by Council member Graff and seconded by Council member McNeil to reappoint the following:

Cruz Castillo to the Building Board of Appeals  
Greg Eddings to the Building Board of Appeals  
Wilmer Ray to the Planning and Zoning Commission  
Tim Burton to the Emergency 9-1-1 Advisory Board

The motion was approved by unanimous vote.

**Consider financial or other incentives to be offered for economic development of downtown hotel and conference center with Gatehouse Partners, LLC, (Executive Session, 551.087)** Motion was made by Council member Bryant and seconded by Council member Gardner to go into executive session under 551.087. The motion was approved by unanimous vote.

Upon returning from executive session, Mayor Turner stated that no action was taken in executive session.

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

There was no other business, the meeting adjourned at 7:36 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC  
City Secretary

David R. Turner  
Mayor