



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

DECEMBER 8, 2015

On December 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 Council Member McNeil and followed by the Pledge of Allegiance to the United States and Texas flags led by Boy Scout Troop 1908.

CONSENT AGENDA ITEMS

- A. City Council workshop minutes, November 23, 2015;
- B. City Council minutes, November 24, 2015;
- C. **Resolution No. 2015R-114 – Authorize the Odessa Fire Rescue to apply and accept funds from the Texas Intrastate Fire Mutual Aid System (TIFMAS) Grant assistance program;**
- D. **Ordinance No. 2015-32- Request of First United Methodist Church for original zoning to Retail (R) on approximately a 21.5 acre tract in Section 48, Block 42, T-1-S, T&P RR Co. Survey, Ector County, Texas (northeast of the intersection of N. Grandview Avenue and East Yukon Rd.);**
- E. **Resolution 2015R-115 – Necessary signatures in connection with Municipal Court Cash Bond account funds;**
- F. **Resolution 2015R-116 – Necessary signatures in connection with City funds;**
- G. Renew Excess Workers' Compensation Insurance with Safety National Casualty Corporation in the amount of \$173,535;
- H. Renew Public Entity Liability Insurance with States Risk Retention Group in the amount of \$237,918;
- I. Renew contract for property insurance with TML Intergovernmental Risk Pool in the amount of \$291,582;
- J. Renew Medical Excess Loss coverage with TRU Services with \$350,000 attachment point in the amount of \$435,000;
- K. Renew Life & AD&D group insurance with Lincoln Life through STA Benefits. Coverage provides 1.5 x base salary with double indemnity for Accidental Death in the amount of \$222,000;
- L. **Resolution 2015R-117 – Annexation of Westgate Subdivision, Lot 1, Block 16 into the Ector County Utility District;**
- M. **Resolution 2015R-118 – Agreement for the pro-rated**

reimbursement of the cost of paving a certain portion of East 87th Street;

- N. **Resolution 2015R-119 – Leeco Properties agreement for reimbursement of offsite drainage improvements under Grandview Ave.**

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

OTHER COUNCIL ACTION

Contract for automated fueling services. Phillip Urrutia, Director of Purchasing, stated that

two responses were received. The contract would allow for a three year fueling contract for City fleet vehicles and equipment with Pilot Thomas Logistics who has proposed an \$.08 mark up above the whole sale rack price. It would be an annual cost of \$2,700,000. He stated that another station was offered. Council member Graff encouraged that another station be added.

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

PUBLIC HEARING

Open a public hearing to consider the request by 87th Street Partners for original zoning from Future Development (FD) to Retail (R) on approximately 19.374 acres, original zoning from Future Development (FD) to Multi-Family-Two (MF-2) on approximately 11.388 acres, original zoning from Future Development (FD) to Planned Development-Single Family (PD-SF) on 34.503 acres, and original zoning from Future Development (FD) to Planned Development-Single Family-Surface Drainage (PD-SF-SD) on approximately 48.152 acres; and to rezone from Special Dwelling District-Drill Reservation (SPD-DR) to Planned Development-Single Family (PD-SF)) on 0.382 acres, to rezone from Special Dwelling District (SPD) to Multi-Family-Two (MF-2) on 5.231 acres, and to rezone from Special Dwelling District (SPD) to Retail (R) on 5.299 acres in Sections 34 and 39, Block 42, T-1-S, T&P RR. Co. Survey, Odessa, Ector County, Texas (northeast of the intersection of E. 87th St, and Yale Ave.) Randy Brinlee, Director of Planning, reviewed the location of the zoning which was vacant. The purpose would be to develop single family residential, multi-family residential, retail and surface drainage for the area. There would be buffering between the retail and residential area. The Planning and Zoning Commission recommended for approval with conditions. 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 ordinance on first approval. The motion was approved by unanimous vote.

Open a public hearing to consider the request by Real Property Resources, Inc., owner, for original zoning from Future Development (FD) to Planned Development-Single Family (PD-SF) on approximately 43.4 acres tract in Section 34, Block 42, T-1-S, T&P RR Co. Survey, Ector County, Texas (northeast of the intersection of proposed Evans Blvd. and E. 91st St.). Mr. Brinlee stated that the property was vacant. The purpose for the zoning was to develop 191 single family residential lots. The Planning and Zoning

Commission recommended for approval with the standard development conditions. No one came forward and the public hearing was closed.

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

Open a public hearing to consider the request by Apollo Perforators to rezone from Planned Development-Light Industrial (PD-LI) to Planned Development-Light Industrial-Drill Reservation (PD-LI-DR) approximately 3.61 acres in the southeast corner of Lot 10, and rezone from Planned Development-Light Industrial-Drill Reservation (PD-LI-DR) to Planned Development-Light Industrial (PD-LI) Lot 12, Block 6, Leeco Industrial, 19th Filing (northwest of the intersection of S. Faudree Rd. and Groening St.). Mr. Brinlee reviewed the location for the rezoning. It was being used as an equipment storage yard. The purpose was to relocate a drill site to provide access and have industrial development. The Planning and Zoning Commission recommended for approval with the standard development conditions. 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.

RESOLUTION

Resolution No. 2015R-120 – Downtown Odessa, Inc. contract with Gateway Planning Group, Inc. for Downtown Master Plan. Gloria Hernandez, Downtown Odessa Manager, stated that the contract would be with Gateway Planning to develop the downtown master plan that would include zoning, overlay, special districts, housing and entertainment. The contract would be for six months not to exceed \$165,000. The Downtown Board would donate \$25,000.

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

Resolution No. 2015R-121 – Architectural services contract with JSA Architects, Inc. for architectural services for the Police vehicle storage addition and renovations project. Police Chief Tim Burton stated that the JSA Architects service would be for the police vehicle storage addition and renovations project not to exceed \$138,000.

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

Resolution No. 2015R-122 – Gulf Coast Waste Disposal Authority for industrial wastewater treatment. Tom Kerr, Director of Public Works, stated that Gulf Coast Waste provided industrial treatment and waste water treatment. The contract would continue the treatment.

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-123 – Second amendment to Exhibit A Irrevocable Guarantee Agreement of the Amended & Restated Economic Development Agreement between Summit Texas Clean Energy, LLC, and Odessa Development Corporation. Mr. Morton

stated that the agreement would extend the time until December 2016. Summit signed an agreement with its Chinese counterparts. The extension would allow Summit to move forward for the financial closing.

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

Resolution No. 2015R-124 – Authorize an extension of the industrial district agreement with Odessa-Ector Power Partners, L.P. Mr. Long recommended that the industrial district be extended for one year. The extension would allow for discussion for utility services and possible annexation.

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

Appointment of Boards: Community Development Advisory Committee, Parks and Recreation Advisory Board and Cable Franchise Committee; Appointment of Officers: Zoning Board of Adjustment, Planning & Zoning Commission, and Ector County Appraisal District. (551.074). Motion was made by Council member Bryant and seconded by Council member McNeil to appoint the following:

Lori White reappointed to the Parks and Recreation Advisory Board;
Brett Felker reappointed to the Parks and Recreation Advisory Board;
Larry Brown reappointed to the Parks and Recreation Advisory Board;
Katherine Kirk appointed to the Planning and Zoning Commission.

Consider and appoint one or more Mayor Pro Tem. Motion was made by Council member McNeil and seconded by Council member Gonzales to appoint Council member Bryant as Mayor Pro Tem. The motion was approved by unanimous vote.

Remove from the table to consider assignment and establishing duties for Council members (551.074). Motion was made by Council member Bryant seconded by Council member Gardner to remove the item from the table. The motion was approved by unanimous vote.

Motion was made by Council member Bryant and seconded by Council member Graff to assign the following committees for Council members:

Mayor Turner	Council of Governments Odessa Partnership Permian Basin Regional Planning Commission Personnel Policy Committee Midland Odessa Urban Transit District Permian Basin Transportation Organization Policy Advisory Downtown Odessa Keep Odessa Beautiful
Roger McNeil	Tax Incentive Committee formerly Odessa Enterprise Zone Committee

Intergovernmental Project Committee
Economic Development Ad Hoc Committee
Animal Control Advisory Board

Dewey Bryant	Mayor Pro Tem Finance Committee - Chair Water/Wastewater Committee Downtown Odessa Personnel Policy Committee Odessa Partnership
Barbara Graff	Permian Basin Airport Advisory Board Finance Committee Downtown Odessa Odessa Council for the Arts & Humanities Midland Odessa Urban Transit District (EZ Rider)
Michael Gardner	Firemen's Pension Board Midland Odessa Urban Transit District (EZ Rider) Water/Wastewater Committee Keep Odessa Beautiful Animal Control Advisory Board
Filiberto Gonzales	Permian Basin Regional Planning Commission Risk Management Committee Personnel Policy Committee Mayor's Drug and Crime Commission Rotary Walkway Committee
Staff assignments:	
Richard Morton	MOTRAN
Michael Marrero	Parks Foundation
Norma Grimaldo	Odessa Council for the Arts & Humanities

The motion was approved by unanimous vote.

2015R-125 - Acquisition of approximately 182 acres in Sections 41 and 45, Block 41, T-1-S, T&P RR Co. Survey, Ector County, Texas, or consider an agreement with the Odessa (Ector) Parks Foundation for its donation. (Executive Session, 551.072 and 551.073) Motion was made by Council member McNeil and seconded by Council member Gardner to go into executive session under 551.072 and 551.073. The motion was approved by unanimous vote.

Upon returning from executive session, motion was made by Council member Bryant and seconded by Council member McNeil for the City to enter into an agreement with the Odessa Parks Foundation for maintenance, taxes and liability to come from the donation of this property to the Foundation and accept the donation to the City, if the Foundation does not accept the property by December 20, 2015. The motion was approved by unanimous vote. The Council thanked the Bell Family for their donation.

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

There was no other business, the meeting adjourned at 6:30 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

David R. Turner
Mayor