



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

APRIL 12, 2016

On April 12, 2016, 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 Amye McNeil, District One; Dewey Bryant, District Two; Barbara Graff, District Three; Michael Gardner, District Four; and Filiberto Gonzales, District Five.

OATH OF OFFICE

Administer Oath of Office to newly appointed official Amye McNeil. Justice of the Peace Eddy Spivey officiated the Oath of Office to Amye McNeil as Council member Representative District One.

Others present: Richard Morton, City Manager; Larry Long, City Attorney; Crystal Montez, Deputy 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 Mayor Turner and followed by the Pledge of Allegiance to the United States and Texas flags led by Council member Gonzales.

CONSENT AGENDA ITEMS

- A. City Council minutes, March 22, 2016;
- B. Special City Council minutes, March 25, 2016;
- C. **Resolution No. 2016R-36 – MOUTD/ EZ RIDER bus purchase;**
- D. **Resolution No. 2016R-37 – Participate in the National Mayor’s Challenge for Water in April 2016;**
- E. **Ordinance 2016-08 – Authorize the abandonment of the proposed La Cruz Court roadway right-of way;**
- F. Amending the contract with Odessa Affordable Housing, Inc. for the Community Development Housing Organization (CHDO) Proceeds and “Postceeds” Contract;
- G. Purchase Autocar truck chassis from Chastang Autocar in the amount of \$172,469;
- H. Renew contract for auctioneering services with Rene Bates Auctioneers;
- I. Purchase automated side load refuse truck from Heil of Texas in the amount of \$307,373;

- J. Authorization to negotiate contract with Kimley Horn and Associates for Water & Wastewater Master Plan.

Motion was made by Council member Graff and seconded by Council member McNeil that the consent agenda items be approved except for item F. The motion was approved by unanimous vote.

Resolution No. 2016R-38 –Amending the contract with Odessa Affordable Housing, Inc. for the Community Development Housing Organization (CHDO) Proceeds and “Postceeds” Contract. Mr. Long stated that the contract with Odessa Affordable Housing was being amended with changing the definition of Postceeds. The change would allow rental at using 110% income earned instead of 80%, with a six month provision that the property be sold or lease purchase agreement, if unable to rent.

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

OTHER COUNCIL ACTION

Review and accept the 2015 Comprehensive Annual Financial Report. David Duree with Weaver made the presentation and stated that all opinions in the reports were clean reports (unmodified) and there were no problems or issues to be reported to council. The most significant change for the year was the implementation of GASB 68 on Pensions where there was an increase in long term liabilities to \$208,000,000 in the current year due to recording the pension liabilities for TMRS and for OFRRF. Long term liabilities for the City as a whole, were impacted about \$22,000,000 on the TMRS and \$92,000,000 on the fire fighter side. Once the liabilities and the deferred outflows were recorded, it had a negative impact on the unrestricted net position. Business type activities had current assets of around \$50,000,000 and long term assets had an increase from \$134,000,000 to \$140,000,000. Long term liabilities only had a small increase for the business side. For the combined governmental and business type activities, expenses were \$154,000,000 and revenues were \$177,000,000, an increase for the fiscal year of \$23,000,000. For the 2015 fiscal year, City sales tax was 43% of General fund revenues at \$37,000,000 and property taxes was 27% at \$29,000,000. The General fund had unassigned fund balance of \$38,000,000 and assigned fund balance of \$14,000,000 at the end of the year. General fund expenditures were comparable form 2014 to 2015 as percentages in each category. Property tax rates have gone from \$0.6790 in 2006 to \$0.4758 in 2015. Total debt per capita for the City for 2015 was \$1,152, as compared to \$1,176 in 2014. Council member Bryant thanked Mr. Duree for a good presentation.

Motion was made by Council member Graff and seconded by Council member McNeil to approve the Comprehensive Annual Financial Report for 2015. The motion was approved by unanimous vote.

PUBLIC HEARING

Approval of the request by ICA Properties to rezone from Single Family- One (SF-1) to Light Commercial (LC) on an approximately 19.20 acre tract, a request to rezone from Single Family-One (SF-1) to Light Commercial-Surface Drainage (LC-SD) on an approximately 6.30 acre tract, and a request for original zoning to Light Commercial (LC) on an approximately 135.45 acre tract (approx. 160.5 acres total) in Sections 8 ad 17, Block 41, T-2-S, T&P Ry. Co. Survey, Ector County, Texas (northwest and

southwest of the intersection of Highway 191 and Billy Hext Rd.) Randy Brinlee, Director of Planning, stated six notices have been mailed and one notice was returned. He did not receive any protest or any written approval letters. The vacant property was located on northwest and southwest intersection of Highway 191 and Billy Hext Road. The request for rezoning was to facilitate Retail Commercial Development and designate attention to this property. Proposed zoning was not out of scale for the needs in this area. The Planning and Zoning Commission gave unanimous approval for the request.

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.

Approval of the request of Yolanda Banuelos, Ubaldo & Benigna Soto, Robert & Carolyn Gilkey, owners, City of Odessa Community Development, agent, to rezone from Light Industrial (LI) to General Residential (GR) on Lots 8-14, Block 6, Waddell, 1st (northeast of the intersection of Sherwood St. and Pine Ave.) Mr. Brinlee stated that there was twenty notices mailed and not one returned. There was no positive or negative response received. Location of property was on the 1100 block of Sherwood Street and was zoned as Light Industrial but was used as residential property. There was some Industrial and Residential Development property in this area. The rezone would align the zoning of the property with the existing land uses and facilitate residential redevelopment on the property. It would be a great long term benefit for the city as well as the owners. Planning and Zoning Commission gave approval for the request.

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

ORDINANCE

Establish speed limits, reduced speed school zones and prohibited parking zones.

Thomas Kerr, Director of Utilities/Public Works, proposed on Eastridge Road between Billy Hext Road and Faudree Road to lower the speed limit from 50mph to 40mph due to increase in residential development in the area. He proposed to lengthen the existing school zone on Murphy Street for added degree of safety for existing crosswalk. On 38th Street, the school zone in front of Wilson and Young Junior High, was evaluated and warranted for a new speed school zone. On both sides of 87th Street between Yale Avenue and East Loop 338, it was proposed for prohibited parking zone due to increase school traffic and residential development. It was proposed for prohibited parking on both sides of Pool Road between Grant and Dixie due to the I-20 frontage road. San Antonio Street and Dr. Emmitt Headlee Street also prohibited parking on both sides. The street would be striped with one lane in each direction and a center turn lane with no room available for on street parking. It was proposed to prohibit parking on both sides of De Morada Drive between San Machell Drive and Tres Hermanas Boulevard. There was a missing section of the street that will soon be completed with an upcoming development. The street would be striped with one lane in each direction and center turn lane with no room available for on street parking. The proposed changes were taken to the Traffic Advisory Committee on March 29, 2016 and were approved.

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 unanimous vote.

Amend Section 8-4-1 of Article 8-4, entitled “Junked Vehicles”, of Chapter 8 of the City Code of Ordinances, entitled “Offenses and Nuisances.” Merita Sandoval, Director

of Community Development, stated the changes were based on the State law. The revised ordinance would only change the vehicle registration ordinance by eliminating the need to have an expired inspection sticker on the vehicle, in order to be considered as a junked vehicle. The criteria was expired license plate, no license plate, expired registration sticker, left 72 hours on public property, or 30 consecutive days on private property. Council member Gardner asked about restoration. Mrs. Sandoval stated that they would work with them if being restored but will ask to remove it from public view. Most complaints come from the neighborhoods in city limits. About 30 vehicles have been removed from private property to protect and improve the neighborhoods.

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 unanimous vote.

RESOLUTION

Tabled – Replacement and purchase of fire truck fleet for Odessa Fire Rescue. Motion was made by Council member Bryant and seconded by Council member Gardner to table the item. The motion was approved by unanimous vote.

MISCELLANEOUS

Appointment of Boards: Community Development Advisory Committee, Cable Franchise Committee, Animal Shelter Advisory Committee, Tax Incentive Committee, Historic Preservation Commission; Appointment of Officers: Zoning Board of Adjustment. (551.074). Motion was made by Council member Graff and seconded by Council member McNeil to reappoint David Johnson to the Cable Franchise Committee, Willie Taylor to the Tax Incentive Committee, appoint Marissa Salcido to the Community Development Advisory Committee, and appoint Edith Vandervoort to the Zoning Board of Adjustment. 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 6:28 p.m.

ATTEST:

APPROVED:

Crystal Montez
Deputy City Secretary

David R. Turner
Mayor