



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

**NOVEMBER 8, 2016**

On November 8, 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.

Others present: Richard Morton, City Manager; Larry Long, City Attorney; Norma Aguilar-Grimaldo, City Secretary; Michael Marrero, Deputy 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 Boy Scout Troop 1908.

Major Dolores Watts, Salvation Army, highlighted The Salvation Army's programs of assistance to the community that included the Angel Tree, Empty Stocking Fund and the Red Kettle Campaign. Major Guy Watts, Salvation Army, stated that the Red Kettle Campaign was the biggest fundraiser that provides shelter, meals and emergency assistance. He encouraged the citizens to support the campaign.

**CONSENT AGENDA ITEMS**

- A. City Council minutes, October 25, 2016;
- B. **Resolution No. 2016R-123 – Apply for 2016 Assistance to Firefighters Grant (AFG);**
- C. **Resolution No. 2016R-124 – Accept a Federal government grant to provide partial payment for bulletproof vests;**
- D. Adopt the revised Water Conservation and Drought Contingency Plan;
- E. Amend Section 1-13-83 of the City Code of Ordinances for revisions to the existing rental rate fee structure for the five community buildings and Floyd Gwin Gym;
- F. Adopt Downtown Odessa Master Plan for the City of Odessa.

Motion was made by Council member Graff and seconded by Council member McNeil that the agenda items D., E. and F be removed. The motion was approved by unanimous vote.

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

**Ordinance No. 2016-43 – Adopt the revised Water Conservation and Drought Contingency Plan.** Thomas Kerr, Director of Utilities/Public Works, stated that the Drought Contingency Plan did not have any changes. The Water Conservation Plan had updated figures, goals and objectives.

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

**Ordinance No. 2016-44 - Amend Section 1-13-83 of the City Code of Ordinances for revisions to the existing rental rate fee structure for the five community buildings and Floyd Gwin Gym.** Steve Patton, Director of Parks and Recreation, reviewed the proposed rates. He stated that there would be a cleaning contract for Lawndale and Floyd Gwin Gym. He stated that the venues were very affordable compared to other venues in the area.

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

**Ordinance No. 2016-45 – Adopt Downtown Odessa Master Plan for the City of Odessa.** Gloria Salinas, Downtown Odessa Director, stated that the study was made to provide for a design and redevelopment plan and it was ready for implementation.

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

#### **OTHER COUNCIL ACTION**

**Resolution 2016R-125 - Donation of retired vehicle to the West Odessa Volunteer Fire Department.** Phillip Urrutia, Director of Purchasing, stated that the vehicle will serve in first response duties and assist the City, if needed. The vehicle was surplus property and should be donated per their request. Jimmy Ellis stated that the donation was needed. The Council thanked them for their work.

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

**Resolution 2016R-126 - Donation of retired vehicle to the Gardendale Volunteer Fire Department.** Mr. Urrutia stated that that the retired tanker truck will serve in first response duties and assist the City, if needed. The vehicle was surplus property and should be donated per their request. Chief Jennings stated that the donation was needed. He thanked the City Council. The Council thanked them for their work.

Motion was made by Council member Gonzales and seconded by Council member Gardner that the resolution be approved. The motion was approved by unanimous vote.

#### **PUBLIC HEARING**

**Open a public hearing to consider the request by CVS Pharmacy for original zoning of Retail (R) on approximately 2.29 acre tract in Section 18, Block 42, T-2-S, T&P RR Co. Survey, Ector County, Texas (proposed Lot 1, Block 1, CVS First Addition) (northeast**

**of the intersection of NW Loop 338 access road right-of-way and University Blvd.)**

Randy Brinlee, Director of Planning, reviewed the location of the zoning. The current building would be removed. The purpose was for a retail development. He stated that the entrance would be at the right-of-way east of the property off of Pacific. 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.

**Open a public hearing to consider the request of D. R. Horton-Texas, Ltd., owner, for original zoning of Special Dwelling District (SPD) on approximately a 60.35 acre tract and original zoning of special Dwelling District-Surface Drainage (SPD-SD) on approximately a 4.9 acre tract in Sections 45 and 46, Block 41, T-1-S, T&P RR Co. Survey, Odessa, Ector County, Texas (north and east of the intersection of proposed**

**Kate Reed Dr. and Cross B Rd.)** Mr. Brinlee reviewed the location of the zoning. The property was vacant. The purpose was to develop 242 single family residential lots. The Planning and Zoning Commission recommended for approval. No one came forward and the public hearing was closed. He stated that there was no potential for flooding to the houses next to the drainage area. John Landraf stated that the drainage easement was wide and shallow that would go towards the detention basin. The developer provided for proper drainage.

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.

**Ordinance 2016-46 - Open a public hearing to consider the request of St. Luke's Methodist Church, owner, and April Terrell--Aladdin's Castle Learning Center, optionee, for a specific use permit to allow a nursery school in a Single Family-Three (SF-3) Zoning District, Lot 8, Block 2, Lyndale Addition (northeast of the intersection of E. 42nd St. and Lyndale St.)** Mr. Brinlee stated that the purpose of the permit was to allow a nursery school at the vacant church building. A site plan was submitted. The Planning and Zoning Commission recommended for approval with certain conditions. The building could revert back into a church at a future date. No one came forward and the public hearing was closed.

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

## ORDINANCE

**Ordinance 2016-47 - Amend Article 4-6 of the City of Odessa Code of Ordinances, Entitled "Peddlers And Itinerant Vendors", by amending Section 4-6-1 to add a definition for "person"; amending Section 4-6-3 to exempt public school from permit requirements; amending Section 4-6-5 to enforce trespassing regulations; adding Section 4-6-6, entitled "Hours Of Operation"; and amending Section 4-6-9 to specify grounds for denial of a permit.** Mr. Long stated that the amendment specifies signage, sets hours of operations, and grounds of denial, revocation or suspension of a permit.

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.

**Amend Chapter 3, entitled "Building Regulations", of the City Code of Ordinances by adding Article 3-16 to be entitled "Minimum Building Standards and Property Maintenance".** Mr. Long stated that the amendment would set minimum building standards for commercial and apartment buildings. It would also establish the minimum size, mechanical requirements, and maintenance standards.

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

### RESOLUTION

**Resolution 2016R-127 - Leases with Eofficial Enterprises, Inc.: Ground Lease and License Agreement, Conference Center Lease, Parking Space Lease Agreement and Plaza Lease.** Mr. Long stated that this was leases with the partners. Motion was made by Council member Graff to go into executive session. The motion died for a lack of a second.

Mr. Long stated that the leases were with the hotel for 30 years with an option of an additional 30 years. The leases included the conference center and parking spaces. He stated that additional space was needed for the Marriott that would be used from the plaza space. The City can take the space for the plaza in the future. Sondra Eoff stated that there would be more amenities for the public.

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

**Resolution 2016R-128 – Support for the Odessa Hispanic Chamber of Commerce with regards to the Mexico Initiatives.** Mr. Morton stated that the resolution would be for the City's support of the efforts of the Odessa Hispanic Chamber of Commerce on the Mexico Initiatives that was funded through the Odessa Development Corporation.

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

### MISCELLANEOUS

**Appointment of Boards: Citizens Golf Advisory Committee; Appointment of Officers: Building Board of Appeals.** No action.

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

There was no other business, the meeting adjourned at 6:41 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC  
City Secretary

David R. Turner  
Mayor