



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

AUGUST 23, 2016

On August 23, 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; 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 Pastor Bobby Bell, Tree of Life, and followed by the Pledge of Allegiance to the United States and Texas flags.

Mayor Turner presented a Certificate of Recognition to Mariela Sanchez, Miss Odessa who would compete in Miss Texas USA on September 2-4, 2016.

CONSENT AGENDA ITEMS

- A. City Council minutes, August 9, 2016;
- B. **Resolution No. 2016R-92 – Donation from Chevron to Odessa Fire Rescue and appropriating the funds from this donation;**
- C. **Ordinance No. 2016-27 – Request of Benjamin D. Casarez, owner, for a specific use permit to allow a one chair beauty salon in a Single Family-Two (SF-2) Zoning District, Lot 18, Block 36, University Gardens (northeast corner of the intersection of Richwood Rd. and Bobwhite Dr.);**
- D. **Ordinance No. 2016-28 – Request of Billy Jack Glover, owner, S. W. Howell, Inc., agent, for original zoning of Light Industrial (LI) on approximately 8.84 acres and original zoning of Light Industrial-Drill Reservation (LI-DR) on approximately 3.56 acres in Section 32, Block 42, T-2-S, T&P Ry. Co. Survey, Ector County, Texas (1800 ft. southwest of the intersection of W. Murphy St. and S. Williams Ave.);**
- E. **Ordinance No. 2016-29 - Request of DJK Inc., owner, RSP Permian LLC, lessee, for original zoning of Future Development-Drill Reservation (FD-DR) on a 6.03 ac. tract in Section 2, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co., Texas (north of the intersection of Dorado Dr. and Mission Blvd.);**
- F. **Resolution No. 2016R-93 – Assignment of the Compliance**

- Services Contract with Weaver and Tidwell, LLP to Odessa Development Corporation (ODC);**
- G. **Resolution No. 2016R-94 – 2016-2017 budget for the Emergency Communication District of Ector, County;**
 - H. **Resolution No. 2016R-95 - Use of additional General Fund revenues to fund one-time supplemental budget requests for FY 2016;**
 - I. Lease agreement for property located on East 8th Street and Dixie Boulevard;
 - J. Contract renewal with DPC Industries at a cost of \$579 per dry ton for the purchase of sodium hydroxide;
 - K. Contract renewal with DPC Industries at a cost of \$694 per ton for the purchase of liquid/ gas chlorine;
 - L. Contract renewal with Badger Meter in the amount of \$144,438 for the purchase of 5/8" x 3/4" and 1" AMR compatible water meters;
 - M. Contract renewal with Polydyne in the amount of \$33,810 for polymer for the Bob Derrington Water Reclamation Plant.

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

Motion was made by Council member Graff and seconded by Council member Gonzales that the consent agenda items be approved except for Item I. The motion was approved by unanimous vote.

Resolution No. 2016R-96 – Lease agreement for property located on East 8th Street and Dixie Boulevard. Thomas Kerr, Director of Public Works/Utilities, stated that the City would lease the property to Comet Cleaners at \$1,200 annually with a \$100 increase at each five year period. Mr. Long stated that the land was used by the old Dairy Queen and the cleaners would utilize the same space.

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

OTHER COUNCIL ACTION

PUBLIC HEARING

Open a public hearing to consider approval of the request by Miguel and Christina Benavides for original zoning to Planned Development-Single Family-One (PD-SF-1) on approximately 0.20 acre tract in Section 4, Block 41, T-2-S, T&P Ry. Co. Survey, Ector County, Texas (northwest of the intersection of Cobblestone Ln. and Castlegate Ln.) Randy Brinlee, Director of Planning, reviewed the location of the property which was vacant. The zoning would be for single family-one. The Planning and Zoning Commission recommended for approval with certain conditions. 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 for first approval. The motion was approved by unanimous vote.

Open a public hearing for the FY 2016-2017 annual budget. Jamie Minor, Budget

Manager, stated that this was a required public hearing for the budget. The proposed budget was filed on August 8 with the City Secretary and the County Clerk. No one came forward and the public hearing was closed.

Open a public hearing to consider annexation to the City of Odessa of approximately 25.47 acres of land out of Section 23, Block 41, T-2-S, Odessa, Midland County (south of IH-20); approximately 3.98 acres of land out of Section 25, Block 42, T-2-S, Ector County (north of East Murphy Street between South Meadow Avenue and South Pagewood Avenue, north of IH-20); and approximately 2.29 acres of land out of Section 18, Block 42, T-2-S, Ector County (north east corner of West Loop 338 and University). Mr. Long stated that this was a voluntary annexation by the City. There were six pieces of property. Two properties were for industrial district. Three properties were for the CVS Pharmacy on Loop 338 and University and one property was a cleanup on Murphy. There has not been any protest. 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 moving forward with the annexation. The motion was approved by unanimous vote.

ORDINANCE

Solid waste rate changes. Mr. Hildebrandt proposed to raise the solid waste rate by 9% for residential and multi-family. For residential, it would raise the rate by \$1.65 for a new rate of \$19.93. For multi-family, it would raise the rate by \$0.86 for a new rate of \$10.42. There were no proposed changes for the commercial or industrial solid waste rates. Council member Graff asked if the commercial and industrial rates should be raised. Mr. Hildebrandt stated that those fees were raised last year.

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

RESOLUTION

Tabled - Odessa Development Corporation budget FY 2016-17 and Odessa Development Corporation General Development Plan. Motion was made by Council member Graff and seconded by Council member Gonzales to table these two items. The motion was approved by a 3 - 2 vote with Council members Bryant and Gardner casting the nay votes.

Resolution No. 2016R-97 – Odessa Development Corporation Downtown Infrastructure Economic Development Agreement with Kristel Tate d/b/a The French Press Café. Gloria Hernandez, Downtown Odessa Director, stated that the grant would be for The French Press Café, 511 N. Grant. The Downtown Design Committee and the ODC board approved the grant for \$51,546.89. Council member Graff thanked Ms. Tate and wished her success.

Motion was made by Council member Gonzales to approve the grant without the hood system. The motion died for a lack of a second.

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

Council member Gonzales supported the grant but not the hood system. He stated that the

hood system was part of the package of opening up a restaurant business. Council member Graff stated that it provided everything for the building to bring up to code. Ms. Hernandez stated that the hood would stay with the building since it was built to suit. Ms. Tate stated that the hood was required by the code. Council member Bryant stated that Council needed to give direction to the ODC board on guidelines for the use of the funds. Mr. Long drafted seven questions that would assist with the guidelines for Council to consider.

Resolution No. 2016R-98 – Professional Service Agreement with Parkhill, Smith & Cooper, Inc. to provide Owner’s Representative services to the City under the Design Build Hotel and Convention Center Project and appropriating funds from the General Fund Fund Balance. Mr. Kerr stated that Parkhill, Smith & Cooper would be the owner’s representative for the convention center and hotel project. They would engage in oversight of the project. The cost was \$224,851 and the City’s portion was not to exceed \$95,000 which would be out of the General Fund.

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

Remove from the table and consider Hotel Conference Center Design Build agreement. No action.

MISCELLANEOUS

Appointment of Boards: Traffic Advisory Committee and Odessa Housing Finance Corporation. Motion was made by Council member Gonzales and seconded by Council member Gardner to appoint Israel Galvan to the Traffic Advisory Committee. The motion was approved by unanimous vote.

Citizen’s comments on non-agenda items. Mr. Marrero read the comments made by George Rice. Mr. Rice stated that the people were standing up with this election on the corrupt government. Under the Constitution agencies could not be created and he cited an example. He stated that the judicial system was unconstitutional.

There was no other business, the meeting adjourned at 6:32 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

David R. Turner
Mayor