



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

AUGUST 9, 2016

On August 9, 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 Terry Pierce, First Church of Nazarene, and followed by the Pledge of Allegiance to the United States and Texas flags.

CONSENT AGENDA ITEMS

- A. City Council minutes, July 26, 2016;
- B. City Council Budget Workshop minutes, July 26, 2016;
- C. **Resolution No. 2016R-83 – Submit updated Law Enforcement Agencies (LEA) application for participation for the Odessa Police Department;**
- D. **Ordinance No. 2016-25 – Amending Section 1-2-3 of Article 1-2, entitled “Administration”, of Chapter 1 of the City Code of Ordinances, entitled “General Provisions”;**
- E. Contract between the Midland County Elections Administrator and the City of Odessa;
- F. **Resolution No. 2016R-84 – State and Local HIDTA Task Force Agreement between the Drug Enforcement Administration (DEA) and the Odessa Police Department (OPD);**
- G. Contract renewal with Chameleon Industries in the amount of \$286.50 per ton for liquid aluminum sulfate for the Water Treatment Plant;
- H. Contract renewal with Chameleon Industries in the amount of \$75,000 for 40% liquid ammonium sulfate for the Water Treatment Plant.

Motion was made by Council member Graff and seconded by Council member Gonzales that the consent agenda items be approved with the exception of Item E. The motion was approved by unanimous vote.

Resolution No. 2016R-85 - Contract between the Midland County Elections

Administrator and the City of Odessa. Mrs. Grimaldo stated that the agreement with the Midland County Elections Administrator was for the purpose of furnishing election services for holding the November 8 election for registered voters residing in the city limits within Midland County only. The cost would be a proportional cost out of the precincts which our registered voters live. The agreement would be only for the November 8 election.

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

OTHER COUNCIL ACTION

Purchase of container transport trucks. Phillip Urrutia, Director of Purchasing, stated that two trucks would be purchased to replace two trucks with high mileage. He recommended purchasing the trucks from Rush Truck Center in the amount of \$215,896.

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

Bid award for proposed park improvement to Slator Park. Steve Patton, Director of Parks and Recreation, stated the bid award would provide park site improvements for Slator Park. He highlighted the renovations that included a dog park, playground, parking lot and lighting, a picnic pavilion and a basketball court. He recommended awarding the bid to Onyx Contractors in the amount of \$1,379,000. Council member Gonzales stated that the well site next to the park was an eye sore and if there was going to be anything done. Mr. Patton stated that there were not any plans for the well site. The community building will get a new coat of paint. Council member Gardner stressed that the community buildings needed to be fixed up and look good since they were highly used by the community. Council member Graff stated that the playground should be shaded due to the heat. Mr. Patton stated that there were issues with fabric shades but metal structures worked better for shade.

Motion was made by Council member Graff and seconded by Council member Gardner to award the bid as recommended. The motion was approved by unanimous vote.

Contract award for construction of a police parking structure. Mr. Urrutia stated that the police parking structure would be used to house Police Department vehicles and establish a forensic processing area. Currently, the special vehicles were parked outside and were in the weather elements. He recommended awarding the contract to Fehr's Metal Buildings in the amount of \$1,055,000 with 210 construction days. There were funds available for future developments that would unify the building design. Tim Burton, Police Chief, was pleased with the design. It would protect the equipment, provide forensic capabilities and the future development would be for training and the police academy. With the funds available, there would be two phases through a change order. The second phase would complete the stair and elevator tower. It would improve the downtown area.

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

PUBLIC HEARING

Open a public hearing to consider approval of the 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.). Randy Brinlee, Director of Planning, reviewed the location of the property which was on Murphy and Williams Avenue. The purpose was for furthering industrial development. The Planning and Zoning Commission recommended for approval. No one came forward and the public hearing was closed. Council member Gonzales asked about the pond close by and if it could be a park. The owner was ready to develop that land but there was not a plan. Mr. Long stated that the government did not have authority for refusing his request unless it was inconsistent with the zoning.

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

Open a public hearing to consider approval of the 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.). Mr. Brinlee reviewed the location of the property. The purpose for the permit was to allow a one chair beauty salon. The property was zoned single family residence. The Planning and Zoning Commission recommended for approval with certain conditions. He reviewed the conditions. Council member Graff received a complaint that the owner parks a large truck that blocked the view. Council member McNeil asked if the home would be homestead, and if there was a business it would be exempted from homestead. David Casarez stated that his truck was parked inside the circle drive and there was plenty of parking. He would apply for homestead at that location. No one else came forward and the public hearing was closed.

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

Open a public hearing to consider approval of the 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.). Mr. Brinlee reviewed the location of the property which was vacant. The zoning would establish a drill site. The Planning and Zoning Commission recommended for approval in 2014 but the owner wanted to hold on the zoning. He was ready to proceed. No one came forward and the public hearing was closed.

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

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 the request for annexation was for 31 acres. There would be three areas, one for a CVS Pharmacy on Loop 338 and University, two developments for FMC, and a strip along E. Murphy. 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 moving forward with the annexation. The motion was approved by unanimous vote.

Resolution No. 2016R-86 - Open a public hearing and consider approving the issuance by New Hope Cultural Education Facilities Finance Corporation of its Education Revenue Bonds (Compass Academy Charter School, Inc.) Series 2016A and 2016B for the acquisition, constructing, improving and equipping of Compass Academy's education facilities. Mr. Long stated that the resolution would allow Compass Academy on issuance of bonds for the construction of two facilities. The City would authorize the bonds but was not responsible for the payment. 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 resolution. The motion was approved by unanimous vote.

ORDINANCE

Ordinance 2016-26 - Calling the 2016 General City Election. Mrs. Grimaldo stated that this item would call the General City Election to be held on November 8, 2016. The positions up for election were Mayor, District One, and District Two for a term of four years. The election would be a joint election with Ector County.

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

RESOLUTION

Resolution No. 2016R-87 – Professional services agreement for surveying and ROW acquisition services for the University Boulevard project. Thomas Kerr, Director of Public Works/Utilities, stated that the professional services agreement was for survey and right-of-way services. He stated that a total of 64 properties would be purchased from land owners. The professional services agreement was in the amount of \$322,460.

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

Resolution No. 2016R-88 – Professional services agreement for the performance of Water and Wastewater Master Plans with Kimley Horn and Associates, Inc. Mr. Kerr stated that the professional services agreement would be with Kimley Horn to implement the Water Master Plan for the Ector County Utility District (ECUD) and the Water and Wastewater Master Plans for the City. The plans would reprioritize capital needs and provide financial forecasting. The total cost was \$850,200 with ECUD's portion of \$241,950 and the City's portion of \$608,250. Tommy Ervin, ECUD, reported that the ECUD board approved the amount for the master plan.

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. 2016R-89 – Memorandum of Understanding with Ector County Utility District. Mr. Kerr stated that the memorandum of understanding would establish the City as the administrator of the project for the master plans. ECUD would be invoiced for reimbursement on its share of the ECUD master plan.

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

Tabled – Hotel Conference Center Design Build Agreement. Mayor Turner welcomed Sandra Eoff. Motion was made by Council member Bryant and seconded by Council member Graff to table the item. The motion was approved by unanimous vote.

Resolution No. 2016R-90 – Hotel Conference Center City Development Agreement. Mr. Long stated that the City, Eofficial, Gatehouse and UEB have approved the Master Development Agreement which provides a general agreement of the Hotel Conference Center Project. This agreement will provide more specific detail regarding the work to be done for the hotel.

Motion was made by Council member Gonzales and seconded by Council member Bryant to approve the resolution to the Hotel Conference Center City Development Agreement in substantially the same form as submitted, which would allow the City Attorney to make certain changes to the contract if warranted. The motion was approved by unanimous vote.

Resolution No. 2016R-91 –Strategic Alliance Memorandum between the City of Odessa and the United States Small Business Administration and to authorize the Mayor to execute any documents necessary to implement the resolution. Mr. Long stated that the memorandum would allow a working relationship with the City and the Small Business Administration.

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

MISCELLANEOUS

Appointment of Boards: Traffic Advisory Committee, Cable Franchise Committee and Odessa Housing Finance Corporation. Motion was made by Council member Bryant and seconded by Council member Gardner to reappoint Odel Crawford and Bill Kilgore to the Cable Franchise Committee and Michael Marrero to the Odessa Housing Finance Corporation. 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 6:49 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

David R. Turner
Mayor