



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

SEPTEMBER 27, 2016

On September 27, 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; Barbara Graff, District Three; Michael Gardner, District Four; and Filiberto Gonzales, District Five.

Council member absent: Dewey Bryant, District Two.

Others present: Larry Long, City Attorney; Norma Aguilar-Grimaldo, City Secretary; 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 Doug Herget, Odessa Tabernacle, and followed by the Pledge of Allegiance to the United States and Texas flags led by Boy Scout Troop 1908.

Jackie Freeman and Holly Haynes presented the Council with lapel pins in honor of Breast Cancer Awareness for Pink the Basin.

CONSENT AGENDA ITEMS

- A. City Council minutes, September 13, 2016;
- B. City Council joint minutes with ODC, September 13, 2016;
- C. **Resolution No. 2016R-108 – Purchase Focus 3D laser scanner from FARO Technologies in the amount of \$67,207.30;**
- D. **Resolution No. 2016R-109 – Authorize to use electronic signature on TxDOT Traffic Safety eGrants;**
- E. Annexation to the City of Odessa approximately 25.47 acres of land out of Section 23, Block 41, T-2-S, Midland County (south of IH-20 and east of S. Faudree Rd.); approximately 3.98 acres of land out of Section 25, Block 42, T-2-S, Ector County (a portion of the northern one-half of E. Murphy Street between S. Meadow Avenue and Highway 80, north of IH-20); and approximately 2.29 acres of land out of Section 18, Block 42, T-2-S, Ector County (northeast corner of Loop 338 and W. University Blvd.);
- F. Amending Article 6-7, entitled "Tobacco Products," of Chapter 6 of the City Code of Ordinances, entitled "Health and Sanitation.";
- G. Tabled - Amending Article 1-1 Of The City Of Odessa Code Of Ordinances, Entitled "Code Of Ordinances", By amending Section 1-1-9(b)(1), Entitled "General Penalty; Continuing Violations; Right Of Entry; Enforcement Officers";

- H. Contract renewal with Hydro Plus LTD for purchase of algaecide in the amount of \$73,950 for the Water Treatment Plant.

Motion was made by Council member Gonzales and seconded by Council member Graff that the Items E. & F. be removed from the consent agenda and Item G. be tabled. 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 A. – D. and H. be approved. The motion was approved by unanimous vote.

Ordinance No. 2016-33 - Annexation to the City of Odessa approximately 25.47 acres of land out of Section 23, Block 41, T-2-S, Midland County (south of IH-20 and east of S. Faudree Rd.); approximately 3.98 acres of land out of Section 25, Block 42, T-2-S, Ector County (a portion of the northern one-half of E. Murphy Street between S. Meadow Avenue and Highway 80, north of IH-20); and approximately 2.29 acres of land out of Section 18, Block 42, T-2-S, Ector County (northeast corner of Loop 338 and W. University Blvd.); Mr. Long stated that the annexation was for six parcels of land. He reviewed the areas for annexation and its usage. Legal notices were published for the proposed annexation. The ordinance passed for first approval on September 13, 2016.

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

Ordinance No. 2016-34 - Amending Article 6-7, entitled "Tobacco Products," of Chapter 6 of the City Code of Ordinances, entitled "Health and Sanitation." Mr. Long stated that e-cigarettes would be added to the current tobacco ordinance with the same restrictions as tobacco products.

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

OTHER COUNCIL ACTION

Ordinance No. 2016-35 – Appoint judges for the General City Election to be held on November 8, 2016. Mrs. Grimaldo stated that the ordinance declares the appointment of judges and establishes the judges and clerks fees for the November 8 General Election for Council District One. She reviewed the fees for the judges and clerks.

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

PUBLIC HEARING

Ordinance No. 2016-36 – Open a public hearing on the proposed tax rate and levy the tax for the 2016 tax year. Jamie Minor, Budget Manager, stated that the proposed tax rate of 47.0590 cents does not exceed the effective tax rate. The total tax revenues from properties on the tax roll will increase by 2.99% from last year. She reviewed the operating tax rate and the debt tax rate. No one came forward and the public hearing was closed.

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

RESOLUTION

Tabled - Amend economic development agreement with FMC Technologies, Inc.

Motion was made by Council member Gonzales and seconded by Council member Graff to table the item. The motion was approved by a 3 – 1 vote with Council member Gardner casting the nay vote.

Resolution No. 2016R-110 – Economic development contract with Select Energy Services, LLC. Richard Browning, Odessa Development Corporation (ODC) President, stated that this new contract would establish an added new service. The company would retain 144 jobs and create 26 new jobs. It will increase the capital investment in the amount of \$320,147. The ODC grant would be for \$91,871 to be paid out over five years. The ODC board approved the grant.

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. 2016R-111 – Administrative outside agency contract with UTPB-X-Energy. Mr. Browning stated that the request would extend the project with UTPB and X-Energy. Two months of the project would be funded. There would be meetings with X-Energy and other parties for the project. The ODC contract was for \$40,000 for two months.

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. 2016R-112 – Management agreement for Hotel and Conference Center. Mr. Long stated that Aimbridge was chosen for the operation of the hotel. The City had the right to review the agreement. The agreement was for the City Manager to approve the agreement as the City reviewed the agreement and it did not conflict with other agreements.

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

Resolution No. 2016R-113 – Amend the FY17 adopted Budget for the purchase of miscellaneous equipment needed to outfit the ten new fire trucks that will arrive in the Spring of 2017. Ms. Minor stated that the ten new fire trucks would be arriving in the Spring of 2017, sooner than expected. The purchase was for equipment to outfit the trucks in the amount of \$805,000.

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

MISCELLANEOUS

Appointment of Boards: Odessa Housing Finance Corporation, Permian Basin Airport Board and Odessa Development Corporation. Appointment of Officers: Building Board of Appeals and Planning and Zoning Commission. Motion was made by

Council member Gardner and seconded by Council member Graff to appoint the following:

Jim Rector appointed to the Odessa Housing Finance Corporation
Roy Allen appointed to the Odessa Housing Finance Corporation
Tim Edgmon appointed to the Odessa Development Corporation
Willie Taylor reappointed to the Permian Basin Airport Board

The motion was approved by unanimous vote.

Motion was made by Council member Graff and seconded by Council member Gardner to appoint Anabel Spencer to the Planning and Zoning Commission. 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 6:20 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

David R. Turner
Mayor