



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

NOVEMBER 22, 2016

On November 22, 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: Dewey Bryant, District Two; Barbara Graff, District Three; Michael Gardner, District Four; and Filiberto Gonzales, District Five.

Council member absent: Amye McNeil, District One.

Others present: Malcolm Hamilton, Council Member Elect; 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 Rev. Russell Nebhut, Asbury Methodist Church, and followed by the Pledge of Allegiance to the United States and Texas flags.

ELECTIONS

Ordinance No. 2016 – 48 - Canvass Election returns and declare the results of the 2016 General City Election. Mrs. Grimaldo stated that the certified election results declared Malcolm Hamilton elected as Council Member District 1 with 56.24% of the votes.

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

Present Certificates of Election. Certificates of Election were presented to Mayor Turner, Council members Dewey Bryant and Malcolm Hamilton.

Administer Oath of Office to newly elected officials: David Turner, Dewey Bryant and Malcolm Hamilton. Judge Sara Billingsley gave the Oath of Office to Mayor David Turner, Council members Dewey Bryant and Malcolm Hamilton.

CONSENT AGENDA ITEMS

- A. City Council minutes, November 8, 2016;
- B. **Resolution No. 2016R-129 – Review and approve the City’s Investment Policy and the Approved Broker’s/ Dealers and Financial Institutions List;**
- C. **Resolution No. 2016R-130 – Provide for only one City Council meeting for the month of December 2016;**
- D. Purchase camera van for Utilities Department from Silsbee Ford in the amount of \$187,478;
- E. Automotive vehicle purchase from Sewell Ford and local preferences in the amount of \$172,394;
- F. Award contract to Buffalo Business Products for the purchase of office supplies.

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

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

Purchase of camera van for Utilities Department. Phillip Urrutia, Director of Purchasing, stated that the purchase of a camera van would assist with repairing and replacing utility lines. The cost of the van was \$187,478.

Motion was made by Council member Graff and seconded by Council member Gonzales that the camera van purchase be approved. The motion was approved by unanimous vote.

Automotive vehicle purchase. Mr. Urrutia stated that seven vehicles would be purchased utilizing the local preference of Sewell Ford. The amount was for \$172,394 and it was a budgeted replacement item.

Motion was made by Council member Bryant and seconded by Council member Gardner that the automotive vehicle purchase be approved. The motion was approved by unanimous vote.

OTHER COUNCIL ACTION

Purchase of two sweeper trucks for Street Department. Mr. Urrutia stated that the purchase of the two sweeper trucks would be from Heil of Texas in the amount of \$456,903. This purchase was a change in vendor. The new trucks would provide for a larger hopper and a larger water capacity that would be more efficient. It would also have a quicker warranty service.

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

PUBLIC HEARING

Ordinance No. 2016 – 49 - Open a public hearing to consider approval of 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 demolished. The purpose of the zoning would be to develop a CVS Pharmacy. The zoning was in-line with the Comprehensive Plan. The entrance would be to the east side of the lot. 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 second and final approval. The motion was approved by unanimous vote.

Ordinance No. 2016 – 50 - 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. There would not be any alleys. Council member Hamilton asked about a future Fire Station. This was a possible future location for a Fire Station. No one came forward and the public hearing was closed.

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

ORDINANCE

Adding Section 12-3-15 entitled “Parking in Undeveloped Lots” to Article 12-3 of the City of Odessa Code of Ordinances entitled “Parking, Stopping and Standing” making it unlawful to park vehicles, trailers, or boats in undeveloped lots. Vanessa Ramirez, Assistant City Attorney, stated that it would be unlawful to park vehicles, trailers, or boats in undeveloped lots. Mr. Long stated that it would enhance the city. Candace Perry asked if the areas would be developed. Mr. Long stated that it would be up to the property owner if they wish to surface and prepare it for parking. Council member Gardner asked if there would be any signs on the property. Mr. Long stated that the property owners and vehicle owners would be notified. He stated that there was not a provision for signs. This was a city wide issue and it may be costly. After further discussion, more information would be provided.

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

Ordinance No. 2016 – 51 - 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”, which adopts an amended version of the 2012 International Property Maintenance Code and subsequent supplements. Ms. Ramirez stated that the ordinance will establish the minimum standards for the maintenance of commercial, residential, and non-residential buildings.

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.

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” to add violations of the proposed Minimum Building Standards and Property Maintenance Code. Mr. Ramirez stated that the violations for the minimum building standards and property maintenance code would be assessed a fine up to \$2,000 and not health related would be up to \$500.

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

Resolution 2016R-131 – UTPB X-Energy Agreement. Jim Breaux, ODC Vice President, stated that this was a contract with ODC and UTPB for X-Energy. Dr. David Watts, UTPB President, stated that the agreement would be for X-Energy to proceed building a nuclear reactor in Ector County.

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

Resolution 2016R-132 – REXtax, LLC and Orrex Plastics Company, LLC amended agreement. Mr. Breaux stated that the agreement would add Orrex to the contract and it would increase the number of jobs.

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

Resolution 2016R-133 – Professional Services Agreement with Carollo Engineers, Inc. for continuation of the Water Enhancement Project. Thomas Kerr, Director of Public Works/Utilities, stated that the assessment was completed. This would continue Phase 1B to study the enhancement of water quality and methods. The cost was \$2.1 million and would be completed in 15 months. The funds were from the Pioneer’s sale of reuse water. Council member Gardner stated that this was the best use of funds that would benefit all of Odessa.

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

Resolution 2016R-134 – Purchase of vertical turbine pumps. Mr. Kerr stated that the vertical turbine pumps would provide set up improvement to provide water. The cost of the pumps was \$263,172.

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 2016R-135 –Public Art Master Plan and authorize its integration into the City of Odessa Comprehensive Master Plan. Mr. Marrero stated that the Public Art Master Plan would be integrated into the Comprehensive Master Plan. Randy Ham, Executive Director of the Odessa Council for the Arts and Humanities, recognized the Public Art Committee and Board. Mr. Ham gave an overview of the Public Art Master Plan. He outlined the vision and it would build a strong identity of the arts. He recommended names for the Committee to recommend the art projects to the City Council. He outlined the process for public art to be part of the city. He discussed the art on the traffic boxes. Council member Hamilton stated that the committee should include public individuals. Mr. Ham would reach out to the area neighbors to weigh in on the proposed art projects.

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 2016R-136 – Downtown building façade agreement with Tejas Shooting Sports, LLC. Gloria Salinas, Downtown Odessa Director, stated that Tejas Shooting would provide a business investment of over \$1 million. The request was for a \$30,000 façade grant. She reviewed the façade investment. This was the first indoor shooting range in Odessa. The grand opening would be in April 2017. The ODC board approved the grant. Council member Gonzales thanked the owner for the investment in our City.

Motion was made by Council member Bryant and seconded by Council member Gardner 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 7:09 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

David R. Turner
Mayor