



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

JANUARY 24, 2017

On January 24, 2017, a regular meeting of the Odessa City Council was held at 6:00 p.m., in the Council Chambers, fifth 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: Malcolm Hamilton, District One.

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 John Macklemore, Belmont Baptist Church, and followed by the Pledge of Allegiance to the United States and Texas flags led by Boy Scout Troop 1908.

CONSENT AGENDA ITEMS

- A. City Council minutes, January 10, 2017;
- B. Purchase hose for Fire Rescue units from Casco Industries in the amount of \$120,847.

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

OTHER COUNCIL ACTION

PUBLIC HEARING

Ordinance No. 2017-11 - Open a public hearing to consider approval of the request by Real Property Resources, Inc., owner, for original zoning of Planned Development- Single Family (PD-SF) on two tracts (approximately 16.71 ac.), original zoning of Planned Development- Single Family- Drill Reservation (PD-SF-DR) on two tracts (approximately 8.14 acres), and original zoning of Planned Development- Single Family- Surfaced Drainage (PD-SF-SD) on one tract (approximately 1 acres) in Section 34, block 42, T-1-S, T&P RR. Co. Survey, Ector County, Texas (northwest of the intersection of E. 91st St. and Bee Balm Ave). Randy Brinlee, Director of Planning, reviewed the location. The purpose was for 56 residential lots and 10 garden home lots. It would create two drill reservations and a drainage channel. The Planning and Zoning Commission recommended for approval with conditions. Council member Graff asked about

the protests. Mr. Brinlee spoke to the protesters and it lessened their concerns. Dustin Rose, 9234 Cabrito Drive, was worried with the value of his property going down due to these smaller homes. Mr. Brinlee explained the sizes of the homes. There would be some alleys in the area. All the utilities would be in the front. Tom Kerr, Director of Public Works/Utilities, stated that the new residential development would have rollouts. No one came forward and the public hearing was closed.

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

Ordinance No. 2017-12 - Open a public hearing to consider approval of the request by Real Property Resources, Inc., owner, for original zoning of Planned Development-Single Family (PD-SF) on approximately 7.56 acre tract and original zoning of Planned Development-Single Family-Drill Reservation-Surface Drainage (PD-SF-DR-SD) on approximately 4.05 acres tract (approximately 11.61 acre tract total) in Section 34, Block 42, T-1-S, T&P RR. Co. Survey, Ector County, Texas (southwest of the intersection of E. 100th St. and Evans Blvd.) Mr. Brinlee reviewed the location, which was vacant. The zoning was for 30 residential lots, 13 garden home lots, and reserve a drill site with surface drainage. The Planning and Zoning Commission recommended for approval with conditions. No one came forward and the public hearing was closed.

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

Open a public hearing to consider approval of the request by Odessa Housing Finance Corporation to rezone from Multi-Family Residence District One (MF-1) to retail District (R) on 1.98 acre tract in Section 38, Block 42, T-1-S, T&P RR. Co. Survey, Ector County, Texas (approximately 356 ft. east of E. 87th St. and proposed Hunter Miller Way). Mr. Brinlee reviewed the location. The purpose was to provide for retail development. The Planning and Zoning Commission recommended for approval. John Landgraf, 521 N. Texas, stated that this was part of the property that was from the scaled down apartments. He reviewed the location. The entire frontage would be retail. No one else came forward and the public hearing was closed.

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

ORDINANCE

Authorize the abandonment of a portion of N. Jackson Ave. right-of-way. Hal Feldman, Traffic Engineer, stated that the abandonment of a portion of N. Jackson would be to facilitate the development of the conference center, hotel, and parking garage. The City will not retain a general utility, access or drainage easement over the abandoned portion.

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

RESOLUTION

Resolution No. 2017R-06 – Authorize the abandonment of alley right-of-way located in Block 42, Original Town. Mr. Feldman stated that the abandonment of the alley behind the Ector Theater would facilitate the development of the conference center, hotel, and parking garage. The City utility lines would be abandoned and franchise utility lines will be relocated.

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 No. 2017R-07 – Authorize the abandonment of a portion of alley right-of-way located in Block 47, Original Town. Mr. Feldman stated that the abandonment of the alley would facilitate the development of the conference center, hotel, and parking garage. The City will retain a general utility and access easement over the entire property.

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

Resolution No. 2017R-08 – Authorize the abandonment of a portion of alley right-of-way located in Block 45, Sherwood Addition, 5th filing. Mr. Feldman stated that the Sherwood Church of Christ has requested that the City abandon a 0.21-acre portion of alley right-of-way east of N. Dixie Blvd. and south of E. 51st Street. It would compensate the city at the cost of \$15,732.

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. 2017R-09 – Use of prior unexpended promotional revenue for satisfaction of ten percent cap on promotional expenses for the Odessa Development Corporation (ODC). Mr. Long stated that there was a ten percent cap on the ODC promotional expenses. The Attorney General ruled if there were any prior unexpended funds for promotional purposes, it may be expended for that purpose. ODC has accumulated unexpended revenue of \$541,482.38, since 1998. The resolution would validate the use of the funds for promotional purposes.

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

Resolution No. 2017R-10 – Authorize the acceptance of donation of the Cloth World sign. Mr. Long stated that the owner, Ken Utzinger, donated the Cloth World sign to the City.

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. 2017R-11 – Lease agreement for approximately 1068 sq. ft. of property located in Lot 13, Block 44, Crescent Park, 2nd filing. (814 Maple Ave.) Mr. Long stated that the lease was for the property that the Cloth World sign was located along with the side road for access.

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

Resolution No. 2017R-12 – Support the study of the extension of I-27 to I-20. Mr.

Morton stated that TxDOT held public hearings on the Ports to Plains route. The resolution would support TxDOT to do a study to look at all possible routes with the extension of I-27. Council member Graff would like to invite Texas Transportation Commissioner Tryon Lewis to provide an update to the Council. Mayor Turner stated that TxDOT would pay for the study and needed to move forward.

Motion was made by Council member Bryant and seconded by Council member Gonzales to approve the resolution. The motion was approved by 3-0 vote and Council member Graff abstained.

Resolution No. 2017R-13 – Support the re-designation of the western leg of I-14. Mr.

Morton stated that the resolution would encourage the western leg of I-14 to terminate in Midland. The traffic would float East or West and follow I-10 and I-20. Council member Graff requested an update on this project. Council member Bryant stated that Odessa and Midland should be considered in the re-designation discussion.

Motion was made by Council member Bryant and seconded by Council member Gonzales to approve the resolution. The motion was approved by 3-0 vote and Council member Graff abstained.

Resolution No. 2017R-14 – Downtown infrastructure economic development

agreement with Tejas Shooting Sports, LLC. Gloria Salinas, former Downtown Odessa Director, stated that Tejas Shooting Sports received a \$30,000 façade grant. The owner requested a \$106,091 infrastructure grant. She reviewed the proposed improvements. The request met the infrastructure guidelines and the ODC board approved the grant. Council member Gonzales congratulated Kimberly Barry, the owner, and thanked her for investing in the building. Ms. Barry stated that the range has seven lanes and holds two people per lane. The range was open. Council member Gonzales asked if the list met the guidelines. Mr. Long confirmed that it met with the ODC findings.

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, Odessa Development Corporation, Parks and Recreation Advisory Board, and Public Art Committee;

Appointment of Officers: Building Board of Appeals. Motion was made by Council member Bryant and seconded by Council member Graff that Nelson Schott and Andrea Quiroz be reappointed to the Parks and Recreation Advisory Board. The motion was approved by unanimous vote.

Motion was made by Council member Bryant and seconded by Council member Gardner to appoint Dick Gillham, Yervand Hmayakyan, Jake Weigel, Connie Cherrybone, Jim Mosman, Chris Stanley, Karen Hembree, Lorraine Perryman and Lonnie Lawrence to the Public Art Committee. Council member Graff stated that Council member Hamilton had questions on the recommended appointments. She stated that not all the proposed member had turned in his or her resume. She recommended that the appointments be delayed until the next meeting. Randy Hamm, Odessa Council for the Arts and Humanities Executive Director,

stated that not appointing the members would delay the call for entry on the Cloth Word sign project. He would like the appointments made before any of the decisions were made. Council member Bryant called the question. The motion was a 2-2 vote with Council members Bryant and Gardner casted the aye votes and Council members Graff and Gonzales casted the nay votes. Mayor Turner broke the tie vote in favor of appointing the Public Art Committee.

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