



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

NOVEMBER 13, 2018

On November 13, 2018, a regular meeting of the Odessa City Council was held at 6:00 p.m., City Hall, Council Chambers, 5th floor, 411 W. 8^h St., Odessa, Texas.

City Council present: Mayor David R. Turner; Council members: Malcolm Hamilton, District One; Dewey Bryant, District Two; Barbara Graff, District Three; Michael Gardner, District Four; and Filiberto Gonzales, District Five.

Others present: Michael Marrero, City Manager; Norma Aguilar-Grimaldo, City Secretary; Cindy Muncy, Interim Assistant City Manager; Gary Landers, Interim City Attorney; 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 Mayor Turner and followed by the Pledge of Allegiance to the United States and Texas flags.

Mayor Turner recognized the Permian High students in the audience.

CONSENT AGENDA ITEMS

- A. City Council minutes, October 23, 2018;
- B. City Council Finance Committee minutes, November 6, 2018;
- C. Lease agreement for City owned property located on Bus 20/Hwy 80;
- D. Purchase computer hardware at \$169,810 allocated as a supplemental request in the FY 2018/2019 budget;
- E. Microsoft licensing agreement for \$389,577;
- F. Microsoft True Up costs for the Microsoft licensing for \$87,603;
- G. Sungard HTE software support annual renewal for \$128,246;
- H. Purchase three yard refuse containers from Roll-Offs for \$105,000;
- I. Contract to DPC Industries for purchase of liquid/gas chlorine for \$262,710;
- J. Annual Assetworks software maintenance agreement for \$158,269;
- K. Bid award to Hydro-Plus for algicide for \$60,000;
- L. Bid award to Chameleon Industries for liquid ammonium sulfate for \$80,000;
- M. Bid award to Chameleon Industries for liquid aluminum sulfate for \$245,000;
- N. Bid award to Sewell Ford for automotive vehicles for \$543,941.

Motion was made by Council member Hamilton and seconded by Council member Gardner to approve consent agenda items. The motion was approved by unanimous vote.

OTHER COUNCIL ACTION

Professional services agreement with Landgraf Crutcher & Associates for engineering and surveying services for the Line "P" and Line "Q" sanitary sewer trunks for \$1,263,610. Thomas Kerr, Director of Public Works/Utilities stated that the engineering design services was for Line P & Line Q, which were major sewer trunks that would serve development. The current infrastructure was meeting its capacity. The cost of the services was \$1,263,610. Line P would be completed November 2020 and Line Q would be completed February 2021. Mr. Kerr stated that the total cost of the project was \$40 to \$50 million. Council member Gonzales stated that it was progress for the community and 60% to 70% was located in Midland County. He suggested approaching Midland County to collaborate for the project. Council member Graff stated that the City would receive the tax dollars but the other entities would not since it was in Midland County.

Motion was made by Council member Bryant and seconded by Council member Gardner to approve the professional services agreement with Landgraf Crutcher & Associates as recommended. The motion was approved by unanimous vote.

PUBLIC HEARING

Open a public hearing and consider annexation to the City of Odessa of approximately 2,523 total acres of land adjacent to city limit lines throughout the city's extraterritorial jurisdiction in Ector and Midland Counties, Texas. Mr. Landers stated that this was the third public hearing out of the four required. He reviewed the proposed annexation. If all the areas were annexed, it would add portions to all single member districts. Ron Ainsworth, owner of Bosworth, asked about the timeframe that the city would provide water and sewer services to the annexed areas. He did not think it was appropriate to pay the City if the services were not available. He asked about an agreement where no taxes be paid until services were provided. Mr. Landers stated that the fees paid in lieu of taxes were the same amount of taxes. Mr. Kerr explained how new water and sewer was provided. It can be served in a reasonable time. Armando Rodriguez, 1206 Honeysuckle, stated there were citizens concerned about paying taxes and no water and sewer service. Council member Bryant stated that notifications were sent. Council member Gonzales reiterated that the fees paid were the same amount of fees with taxes. Mr. Landers stated two letters were sent to businesses in the annexation but there were no residences. No one else came forward and the public hearing was closed.

Motion was made by Council member Hamilton and seconded by Council member Gardner to approve the ordinance on first approval. The motion was approved by a 4-1 vote with Council member Graff casting the nay vote.

Ordinance No. 2018-44 - Open public hearing to consider approval of the request of Wyly and Fredna Brown Family Partnership, LTD., owners, for original zoning of Planned Development-Single Family-One (PD-SF-1) on approximately a 128 acre tract in Sections 3 and 4, Block 41, T-2-S, T&P Ry. Co. Survey, Odessa, Ector County, Texas (southeast vicinity of Faudree Rd. and P Bar Ranch Rd.) Randy Brinlee, Director of Planning, reviewed the location. The purpose was for single-family residential development and related uses. There would be between 180-200 lots developed. 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 Graff and seconded by Council member Hamilton to approve the ordinance on second and final approval. The motion was approved by unanimous vote.

ORDINANCE

Establish prohibited parking zones. Hal Feldman, Traffic Engineer, reviewed the locations of the proposed no parking zones. It would be in effect January 2019.

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

RESOLUTION

Resolution No. 2018R-94 – Chapter 380 Agreement between the City of Odessa and Success Foods Management Group LLC d/b/a Torchy's Tacos for the purpose of economic development in Downtown Odessa. Mr. Marrero stated that the Chapter 380 agreement was for construction of Torchy's Tacos, which would be located directly across the hotel and convention center. It was a \$1.7 million investment that would provide 60 permanent jobs for ten years.

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: Odessa Housing Finance Corporation, Public Art Committee, and Animal Control Advisory Committee; Appointment of Officers: Board of Survey, Building Board of Appeals, Planning and Zoning Commission, and Zoning Board of Adjustment. No action.

Citizen's comments on non-agenda items. No comments.

Tabled - Personnel matters – As authorized by the Texas Government Code, Section 551.074 (Personnel Matters), the City Council will adjourn into executive session: To deliberate the employment, evaluation, duties, discipline, complaint, or dismissal of a public officer or employee: Municipal Court Judge - Carol Gregg and Associate Municipal Court Judge - Dennis Jones. Council member Bryant requested criteria to properly evaluate the judges. Motion was made by Council member Bryant and seconded by Council member Gonzales to table this item. The motion was approved by a 4-1 vote with Council member Graff casting the nay vote.

There was no other business, the meeting adjourned at 6:36 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

David R. Turner
Mayor