



**CITY COUNCIL MINUTES
CITY OF ODESSA, TEXAS
OCTOBER 13, 2009**

On October 13, 2009, 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.

Members present: Mayor Larry L. Melton; Councilmembers; Bill Cleaver, District One; James B. Goates, District Two; Royce Bodiford, District Three; Dean Combs, District Four, and Benjamin Velasquez, District Five.

Others present: Richard Morton, City Manager; Larry Long, City Attorney; Norma A. Grimaldo, City Secretary; James Zentner, Assistant City Manager; Michael Marrero, Assistant City Manager; other members of City staff; and members of the news media.

A quorum being present, Mayor Melton called the meeting to order and the following proceedings were held:

The invocation was given by Mayor Melton and followed by the Pledge of Allegiance to the United States and Texas flags.

Mayor Pro Tem Bodiford presented proclamations for Odessa Pride Month – Sonic Drive In #6115, Code Enforcement Awareness Month and Odessa Chamber of Commerce Week. Mayor Melton recognized and welcomed our new Fire Chief Roger Boyd.

CONSENT AGENDA ITEMS

- A. City Council Minutes, September 22, 2009;
- B. Bid award to Drive Train Specialists, Heavy Vehicle Parts, Sewell Ford and Stewart & Stevenson in the amount of \$60,000 for heavy truck parts;
- C. Bid award to O'Reilly Auto Parts, NAPA and Heavy Vehicle Parts in the amount of \$60,000 for automotive parts;
- D. **Ordinance No. 2009-36 – Request of Maria D. Salazar, owner, to rezone from Planned Development- Neighborhood Service (PD-NS) to Single Family-Three (SF-3), Lots 5, 6, 7 (less 20x20 out the northwest corner) and 8, Block 7, Crestview Addition (northwest corner of the intersection of W. 8th St. and Lauderdale Ave.);**
- E. **Ordinance No. 2009-37 – Amending Planning and Zoning fee schedule Section 1-8-4 of the City of Odessa Code of Ordinance regarding preliminary, final short form plats and replats;**
- F. **Ordinance No. 2009-38 – Renew the limousine franchise of Aaron Alvarado d/b/a First Choice Limousine;**
- G. **Resolution No. 2009R-97 – Amend the budget for the 2009-2010 fiscal year to appropriate an additional \$69,125 in Neighborhood Stabilization Program Funds;**



- H. Renew janitorial services contract with Professional Janitorial Services in the amount of \$200,702
- I. **Resolution No. 2009R-98 – Accept four (4) grant contracts with the Permian Basin Regional Planning Commission (PBRPC) for Solid Waste Recycling and Reduction Purposes;**
- J. **Resolution No. 2009R-99 – Necessary signatures in connection with Municipal Court cash bond account;**
- K. **Resolution No. 2009R-100 – Authorize the city to accept \$13,361.00 from the Texas "J" RAC 2009 EMS/Trauma Care System funds.**

Motion was made by Councilmember Cleaver and seconded by Councilmember Bodiford that the consent agenda items be approved. The motion was approved by unanimous vote.

OTHER COUNCIL ACTION

BID AWARD

Bid award to construct Phase II of the C.I.P. water and sewer lines replacement project. Ajay Shakyaver, City Engineer, stated that four bids were received. He recommended the award to TEC Excavation Inc., in the amount of \$1,015,515. The bid was below the engineer's estimate by 11.75%. It will be completed in 180 days with November 3 as the start date.

Motion was made by Councilmember Combs and seconded by Councilmember Goates that the bid award be approved. The motion was approved by unanimous vote.

PUBLIC HEARINGS

Open a public hearing to consider approval of the request of Devi Investments, Inc., owner, to rezone from Retail-One (R-1) to Planned Development-Retail-One (PD-R-1) Lots 2 and 3, Block 1, Brownstone Addition, 3rd Filing (southeast of the intersection of Hwy. 191 and Faudree Rd.). Marwan Khoury, Director of Planning, reviewed the location of the property. The land is vacant. The rezoning would allow for a four story hotel, La Quinta. The Planning and Zoning Commission addressed the signage and the height. The lights would be hooded. The Planning and Zoning recommended for approval. No one came forward and the public hearing was closed.

Motion was made by Councilmember Cleaver and seconded by Councilmember Combs that the ordinance be approved on first approval. The motion was approved by the following vote:

Bill Cleaver	Aye
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Benjamin Velasquez	Aye

Open a public hearing to consider approval of the request of DJK, Inc., owner, EXL Petroleum, LP, leasee, for original zoning of Future Development-Drill Reservation (FD-DR) on approximately 4.1 ac. of land in Sections 2 and 12, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co., Texas (north of Old Bankhead Hwy. and east of OCC Links Course) Mr. Khoury reviewed the location. The rezoning would



allow oil and drilling on the property. The Planning and Zoning recommended for approval. No one came forward and the public hearing was closed.

Motion was made by Councilmember Cleaver and seconded by Councilmember Bodiford that the ordinance be approved on first approval. The motion was approved by the following vote:

Bill Cleaver	Aye
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Benjamin Velasquez	Aye

Open a public hearing to consider the limousine franchise renewal of Frank Nastase, d/b/a Basin Limousine. Mr. Long stated that the renewal would allow operating three vehicles. The rates were set and the applicant agreed to be in compliance. No one came forward and the public hearing was closed.

Motion was made by Councilmember Velasquez and seconded by Councilmember Cleaver that the ordinance be approved on first approval. The motion was approved by the following vote:

Bill Cleaver	Aye
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Benjamin Velasquez	Aye

RESOLUTIONS

Resolution No. 2009R-101 – Name the softball (8-field) complex at UTPB Park the “Mabel Powell Memorial Softball Complex”. Steve Patton, Director of Parks and Recreation acknowledged the members of the Odessa United Softball Sports Unlimited Association and the family of Mabel Powell. The Softball Association recommended to the Parks and Recreation Advisory Board to name 8-field at UTPB as Mabel Powell Memorial Softball Complex. Mr. Patton stated that Mrs. Powell was a friend, partner and an advocate of softball.

Motion was made by Councilmember Cleaver and seconded by Councilmember Velasquez that the resolution be approved. The motion was approved by the following vote:

Bill Cleaver	Aye
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Benjamin Velasquez	Aye

Discussion of Economic Development Projects along state Highway 191 (551.087). Mayor Melton stated that the Council would go into executive session under 551.087. Upon returning from executive session, no action was taken.



Resolution No. 2009R-102 – Adopt guidelines for Chapter 380 Economic Development Incentives. Mr. Long stated that the city had the opportunity to embrace an economic development program of Chapter 380. The program would enhance high quality development.

Motion was made by Councilmember Goates and seconded by Councilmember Combs that the ordinance be approved on first approval by including \$8 million and 100 jobs where applicable in the ordinance. The motion was approved by the following vote:

Bill Cleaver	Aye
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Benjamin Velasquez	Aye

MISCELLANEOUS

Appointment of Boards. Community Development Advisory Board, Cable Franchise Committee and Citizens Golf Advisory Committee. Appointment of Officers. (551.074) Zoning Board of Adjustment, Board of Survey, and Building Board of Appeals. Motion was made by Councilmember Goates and seconded by Councilmember Bodiford that Bob Carlson be appointed to the Citizens Golf Advisory Committee. The motion was approved by unanimous vote.

There was no other business and the meeting adjourned at 7:10 p.m.

ATTEST:

APPROVED:

Norma A. Grimaldo
City Secretary

Larry L. Melton
Mayor