

**CITY COUNCIL MINUTES
CITY OF ODESSA, TEXAS
SEPTEMBER 27, 2011**

On September 27, 2011, 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; Council members; Bill Cleaver, District One; James B. Goates, District Two; Barbara Graff, District Three; and Dean Combs, District Four.

Member absent: Sandra Carrasco, District Five.

Others present: Richard Morton, City Manager; Larry Long, City Attorney; Norma 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 Rev. Phil Skelton, Living Word Baptist Church, and followed by the Pledge of Allegiance to the United States and Texas flags.

Council member Goates presented a proclamation for breast cancer awareness month.

CONSENT AGENDA ITEMS

- A. City Council Minutes, September 13, 2011;
- B. City Council Special Minutes, September 20, 2011;
- C. Bid award to DPC Industries in the amount of \$216,284 for liquid chlorine;
- D. Bid award to Altivia Corp. in the amount of \$75,840 for 40% liquid ammonium sulfate;
- E. Bid award to Chameleon Industries in the amount of \$191,250 for liquid aluminum sulfate;
- F. **Ordinance No. 2011-33 – Request of Apollo Perforators, Inc., owner, LCA, agent, for original zoning of Planned Development-Light Industrial (PD-LI) on approximately 78.2 ac. tract in Sections 22 and 27, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co., Texas (southwest of the intersection of IH-20 and proposed Faudree Rd.);**
- G. **Resolution No. 2011R-85 – Amend the economic development agreement with Coca-Cola Enterprises, Inc.;**
- H. **Resolution No. 2011R-86 – Authorize the Odessa Police Department to accept a STEP Speed, Intersection Traffic Control, and seat belts grant;**
- I. **Resolution No. 2011R-87 – Request by Odessa Affordable Housing for an extension of time to expend 2010 CDBG funds to be used for minor and emergency repairs;**
- J. **Resolution No. 2011R-88 – Request by the City of Odessa Parks Department for an extension of time to expend CDBG**

funds in the amount of \$56,600 for improvements to O'Conner Park;

- K. **Resolution No. 2011R-89 – Request by Main Street Odessa for an extension of time to expend 2010 CDBG funds that were allocated for facade improvements;**
- L. Reject all bids for proposed utility vacuum truck building;
- M. **Ordinance No. 2011-34 – Amend the fund balance policy;**
- N. **Resolution No. 2011R-90 – Contract with Weaver and Tidwell, LLP., to provide auditing services for the fiscal year ending September 30, 2011;**
- O. Review monthly financial summary report for August 2011.

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

OTHER COUNCIL ACTION

Consider a bid award for the 24” sewer line crossing E. Loop 338, Phase 7A. Ajay Shakyaver, City Engineer, stated that the sewer line has deteriorated. The new sewer line crossing will be placed 50’ north of the existing location. He recommended Scott Thane Ditching services be awarded the bid for \$261,092, which is a 45% above than the engineer’s estimate. Council member Goates stated that the Finance Committee reviewed the project which it was an emergency situation and all bids were close in the cost of the project.

Motion was made by Council member Goates and seconded by Council member Combs that the bid award be approved as recommended. The motion was approved by unanimous vote.

PUBLIC HEARING

Ordinance No. 2011-35 - Open a public hearing to consider establishing the boundaries for the five Single Member Districts (SMDs). Audencia publica para considerar y establecer los limites de los cinco distritos del concilio. Mr. Morton stated that there were two options. The council supported plan 5A at the last meeting. Both plans were acceptable. No one came forward and the public hearing was closed. Mayor Melton stated that Council member Cleaver and Mr. Morton served on the committee that recommended plan 5A. Council member Goates thanked the committee for its hard work.

Motion was made by Council member Cleaver and seconded by Council member Goates that the ordinance with plan 5A be approved on second and final approval. The motion was approved by unanimous vote.

ORDINANCE

Ordinance No. 2011-36 - Levying the tax for the 2011 tax year. Mr. Zentner stated that the tax rate was 52.2750 cents per one hundred dollars. No one came forward and the public hearing was closed.

Council member Combs motioned that the property tax rate be increased by the adoption of a tax rate of 52.275 cents, which is effectively a 3.41 percent increase in the tax rate. It was seconded by Council member Goates that the ordinance be approved on second and final approval. The motion was approved by unanimous vote.

RESOLUTION

Resolution No. 2011R-91 – Remove from the table to consider approval of the budget, certain contracts, and the General Development Plan of the Odessa Development Corporation. Motion was made by Council member Combs and seconded by Councilmember Goates that the item be removed from the

table. The motion was approved by unanimous vote. Austin Keith, ODC President, stated that total proposed revenue was \$5,280,000 and total expenditures was \$15,217,529. Council member Goates congratulated the board for examining the budget.

Motion was made by Council member Goates and seconded by Council member Cleaver that the resolution be approved. The motion was approved by unanimous vote.

MISCELLANEOUS

Appointment of Boards. Parks & Recreation Advisory Board, Historical Preservation Commission, Community Development Advisory Committee, Traffic Advisory Committee, and Cable Franchise Committee; Appointment of Officers. (551.074) Board of Survey, Zoning Board of Adjustment, and Building Board of Appeals. Motion was made by Council member Combs and seconded by Council member Goates that the following be appointed:

K.T. McLeaish be appointed to the Community Development Advisory Committee;
Anabel Spencer be appointed to the Board of Survey;
Sandra McAdams be appointed to the Zoning Board of Adjustment; and
Cruz Castillo III be appointed to the Building Board of Appeals.

The motion was approved by unanimous vote.

Citizen comments on non-agenda items. Margie Frasier, 2102 N. Washington, stated that many citizens cannot attend the meetings due to working and other meetings. She requested that the city text, twitter or email their agenda for feedback from citizens. Mayor Melton stated that the staff will follow-up on her request.

Evaluate performance of Council Appointees. Mayor Melton stated that Council would go into executive session under 551.074.

Upon returning from executive session, Mayor Melton reported that the Council visited with each of the five appointees. The Council is proud on how well they represent the City. Motion was made by Council member Combs and seconded by Council member Graff the following yearly salaries be approved: City Manager Richard Morton receive \$180,000, City Attorney Larry Long receive \$140,000, City Secretary Norma Grimaldo receive \$65,000, Municipal Court Judge Carol Gregg receive \$97,000 and Associate Judge Dennis Jones receive \$83,000. The motion was approved by unanimous vote.

There was no other business, the meeting adjourned at 7:03 p.m.

ATTEST:

APPROVED:

Norma A. Grimaldo, TRMC, CMC
City Secretary

Larry L. Melton
Mayor