



**CITY COUNCIL MINUTES
CITY OF ODESSA, TEXAS
AUGUST 24, 2010**

On August 24, 2010, 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; Barbara Graff, District Three; Dean Combs, District Four; and Roy Hunton, District Five.

Others present: Richard Morton, City Manager; Larry Long, City Attorney; Fara Corrales, Deputy 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 Chaplain Owen Sharp, Odyssey Health Care, and followed by the Pledge of Allegiance to the United States and Texas flags.

CONSENT AGENDA ITEMS

- A. City Council Minutes, August 10, 2010;
- B. Renew annual maintenance for Tiburon public safety software;
- C. **Ordinance No. 2010-24 Consider approval of the request of Apollo Perforators, owner, for original zoning of Planned Development-Light Industrial (PD-LI) on approximately 24.0 ac. tract of land and Planned Development-Light Industrial-Surface Drainage (PD-LI-SD) on approximately 4.8 ac. tract of land in Sections 21 and 22, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co., Texas (northeast of the intersection of Lufkin Rd. and IH-20);**
- D. **Ordinance No. 2010-25 Consider approval of the request of Sewell Land & Development, LLC, owner, for original zoning of Light Commercial (LC) on approximately 70.0 ac. tract of land in Section 9, Block 41, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (southwest and southeast corner of Parks Legado Rd. and State Highway 191 intersection);**
- E. **Resolution No. 2010R-59 Consider donation of city vehicles;**
- F. **Ordinance No. 2010-26 Consider Storm Water Management Ordinance;**
- G. **Resolution No. 2010R-60 Amend the Odessa Development Corporation Job Creation Benefit Eligibility Matrix;**
- H. Review Monthly Financial Report for July 2010.

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



OTHER COUNCIL ACTION

PUBLIC HEARING

Open a public hearing for the 2010-2011 Annual Budget. Mr. Zentner reviewed the proposed annual budget. The proposed expenditures are \$136,600, 837. General Fund increased an additional \$5,000 to \$59,464,941. The proposed tax rate is 52.275.

Javier Joven, 3006 Byron, asked Council to consider private sectors when setting the tax rate. Citizens are repeating the process with the College and County. The people want to see cuts.

Dawn Tucker, 6209 Mecca, stated that she is a member of the Tea Party. The government is becoming too big in some areas. The City of Odessa should not be in the entertainment business. She stated that a million dollars is being lost to the golf course, that money should be going to the Police Department, Fire Department or other areas in need. She asked that the government stop with increases for some period of time. Councilmember Goates stated that \$200,000 per year is going towards the golf course from the General Fund. No one else came forward and the public hearing was closed.

A preliminary motion was made by Councilmember Goates and seconded by Councilmember Hunton that the budget be approved. The motion was approved by the following vote:

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|-----------------|-----|
| Bill Cleaver | Aye |
| James B. Goates | Aye |
| Barbara Graff | Aye |
| Dean Combs | Aye |
| Roy Hunton | Aye |

ORDINANCE

Consider approval of rate tariffs under a negotiated settlement with Atmos Energy – West Texas Division. Mr. Morton stated that Atmos requested a rate increase of \$4.7 million. The Steering Committee reduced the rate by four million and approved a rate increase of \$700,000. Reducing the request from Atmos is saving money for rate payers.

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

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|-----------------|-----|
| Bill Cleaver | Aye |
| James B. Goates | Aye |
| Barbara Graff | Aye |
| Dean Combs | Aye |
| Roy Hunton | Aye |

Levying the tax for the 2010 tax year. Mr. Zentner stated that the rate was the same as last year and is below the effective rate. Councilmember Goates asked if the valuations were increased to the 10% cap. Mr. Zentner stated that the market value decreased with the new value being \$60-70 million. Without the cap, the



tax would be less than last year. Councilmember Combs stated that there is no increase from the city if the assessed and appraised stay the same.

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

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|-----------------|-----|
| Bill Cleaver | Aye |
| James B. Goates | Aye |
| Barbara Graff | Aye |
| Dean Combs | Aye |
| Roy Hunton | Aye |

RESOLUTION

Resolution No. 2010R-61- Approval of the budget, certain contracts, and the General Development Plan of the Odessa Development Corporation. Austin Keith, ODC President, stated that the total expenditures were \$1,392,089.00. The contracts with the Odessa Chamber of Commerce increased by 2.6%. The Hispanic Chamber of Commerce was the same as last year and MOTRAN was receiving \$68,970.

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

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|-----------------|-----|
| Bill Cleaver | Aye |
| James B. Goates | Aye |
| Barbara Graff | Aye |
| Dean Combs | Aye |
| Roy Hunton | Aye |

Resolution No. 2010R-62 - Economic development agreement with Precision Lining Systems, LLC. Et al. Arleene Lloyd stated that the agreement was reviewed by the Compliance Committee and ODC. Councilmember Combs asked if they were moving into an existing facility. Ms. Lloyd stated that they were and that it's a possibility that other locations will move into the new location as well. This will not count towards the twenty employees in the contract. There are currently twelve employees working for Precision. These positions will count towards the twenty people that they will employ. Ms. Lloyd did not know if they would keep the same people in those positions or if they would hire different people. Councilmember Cleaver asked how the payments would be made. Ms. Lloyd stated that one lump sum will be paid after the closing. Councilmember Hunton asked if there was a closing date. There is not one set but it should be during the September-October time frame.

Larry Robinson, 809 Larchmont, asked Council to consider noise abatement and set a reasonable hour to begin work. Mr. Long stated that there was not any consideration to hours of operation in the contract. The whole process would have to be repeated to add hours of operation to the contract.

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



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|-----------------|-----|
| Bill Cleaver | Aye |
| James B. Goates | Aye |
| Barbara Graff | Aye |
| Dean Combs | Nay |
| Roy Hunton | Aye |

Appointment of Boards. Cable Franchise Committee, Historic Preservation Commission, Community Development Advisory Committee, Appointment of Officers. (551.074) Board of Survey. Motion was made by Councilmember Cleaver and seconded by Councilmember Combs that Bill Kilgore be reappointed to the Cable Franchise Committee and JoAnn Joven be appointed to the Community Development Advisory Committee. The motion was approved by unanimous vote.

Citizen comments on non-agenda items. No one came forward.

There was no other business, the meeting adjourned at 6:26 p.m.

ATTEST:

APPROVED:

Fara Corrales
Deputy City Secretary

Larry L. Melton
Mayor