

**CITY COUNCIL MINUTES
CITY OF ODESSA, TEXAS
AUGUST 23, 2011**

On August 23, 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; Dean Combs, District Four; and 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 Mayor Melton and followed by the Pledge of Allegiance to the United States and Texas flags.

CONSENT AGENDA ITEMS

- A. City Council Minutes, August 9, 2011;
- B. **Resolution No. 2011R-71 - Accept and appropriate revenue received by the Odessa Police Academy Class #3;**
- C. **Resolution No. 2011R-72 - Approve the 2011-2012 budget for the Emergency Communication District of Ector County;**
- D. **Resolution No. 2011R-73 – Authorize the City Manager to approve change orders involving an increase or decrease of \$50,000 or less;**
- E. **Resolution No. 2011R-74 –Reimbursement agreement with the Bureau of Alcohol, Tobacco, Firearms and Explosives;**
- F. **Resolution No. 2011R-75 – Authorize the Odessa Police Department to accept a one year grant from the Attorney General’s Office for a Crime Victim Liaison;**
- G. Review monthly financial summary report for July 2011;
- H. **Resolution No. 2011R-76 – ODC training grant program;**
- I. **Resolution No. 2011R-77 – ODC training grant with Triangle Pump Components, Inc.;**
- J. **Resolution No. 2011R-78 – ODC training grant with Miether Bearing Products, Inc.**

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

OTHER COUNCIL ACTION

Consider a contract with Motorola Solutions, Inc. for the purchase of an emergency back-up radio site, and a CAD-RMS software package. Mark Simpson, Director of Purchasing, stated the Motorola contract is for an emergency back-up tower site and the software. The current system is analog and the Tiburon system

will not be supported after the spring of 2013. The contract is for a seven year lease purchase. The interest rate has dropped since the beginning of negotiations. A Motorola representative stated that the interest rate is determined by the H15 Federal Government. Mr. Simpson stated that due to the decrease in rate it would save the city about \$15,000 a year. Council member Goates thanked the staff for their hard work on this contract.

Motion was made by Council member Goates and seconded by Council member Graff that the Motorola Solutions contract be amended and approved subject to approval by the city attorney. The motion was approved by unanimous vote.

BID AWARD

Consider bid award for CIP water & sewer improvements, Phase 5. Ajay Shakyaver, City Engineer, stated that four bids were received. He recommended that the bid be awarded to Smithco Construction Inc., in the amount of \$2,199,037. It is below the engineer's estimate. The project would be completed in 180 working days and the company is bonded. There are more phases to this project.

Motion was made by Council member Cleaver and seconded by Council member Graff that the bid award be approved. The motion was approved by unanimous vote.

PUBLIC HEARING

Ordinance No. 2011R-31 - Open a public hearing to consider approval of water and sewer rates. Mr. Zentner stated that a change was made to implement a tier rate. The base rate was increased and the more water citizens use a higher rate would be used. Council member Goates stated that the base rate was only increased by 20%. Mr. Morton stated that the user using up to 10,000 gallons would not be affected. He stated users would pay more per 1,000 gallons. Conrad Turner, 3984 Lakeside, stated that the elected officials were supposed to take care of the citizens. He was upset that water was being sold which was something that the city does not have. No one else came forward and the public hearing was closed.

Motion was made by Council member Combs and seconded by Council member Goates that the ordinance be approved on second and final approval. The motion was approved by unanimous vote.

Open a public hearing for the proposed tax rate. Mr. Zentner stated that the tax rate is set at \$0.522750 per \$100 valuation. The tax rate is the same as the last two fiscal years. Another public hearing would be held on September 13. The final vote on the proposed tax rate will be on September 27. Juanita Love, 2701 Idlewood, provided several appraised values on houses around her home which had different values. Council member Goates stated that the Council does not set the valuation on property. The Ector County Appraisal District sets the value and citizens can appeal during a time frame. No one else came forward and the public hearing was closed.

Motion was made by Council member Cleaver and seconded by Councilmember Goates that the proposed tax rate be approved. The motion was approved by unanimous vote.

Open a public hearing for the 2011-12 annual budget. Mr. Zentner stated that the total budget was \$148,110,848. Total operating budget was \$143,862,107 plus equipment replacement was \$3,173,550. The General Fund revenues were estimated at \$64,362,267, an 8.24% increase over last year's budget. The budget reflects additional personnel of four officers, two building code inspectors, and one new construction coordinator. It includes the step pay increases and a 3% salary increase to all city employees. There are no increases to the solid waste rates and the storm water fee. No one came forward and the public hearing was closed.

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

RESOLUTION

Resolution No. 2011R-79 – Chapter 380 agreement with WFDR Partnership for the development of property located east of Faudree Rd. & Tres Hermanas Blvd. (551.087) Mayor Melton stated that the Council would go into executive session under 551.087.

Upon returning from executive session, motion was made by Council member Goates and seconded by Council member Combs 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. Cable Franchise Committee and Tax Incentive Committee; Appointment of Officers. (551.074) Board of Survey and Zoning Board of Adjustment. Motion was made by Council member Cleaver and seconded by Council member Carrasco that the following be appointed:

Ismael Navarrete be appointed to the Community Development Advisory Committee
Cathy Rodriguez be appointed to the Traffic Advisory Committee
Willie Taylor, Kevin Demel, Sue Mercer, & Bill Cleaver be appointed to the Tax Incentive Committee
LeeDon Martin be reappointed to the Zoning Board of Adjustment

The motion was approved by unanimous vote.

Citizen comments on non-agenda items. Sheri Bassham, 9100 Andrews Hwy. #424, stated that there is litter all over our city. There are Jaguar solicitation postcards with pornography placed at UTPB where children can pick up the postcards. This happened during Camp Falcon at UTPB. It also happened at the YMCA. The stack of postcards was placed inside the YMCA building. YMCA President James Rush has dealt with the problem. She asked that the city deal with this issue. She requested that October 30 – November 6 be proclaimed as White Ribbon Pornography Week. Mayor Melton directed city staff to handle the situation and that a proclamation will be issued.

There was no other business, the meeting adjourned at 6:53 p.m.

ATTEST:

APPROVED:

Norma A. Grimaldo, TRMC, CMC
City Secretary

Larry L. Melton
Mayor