



**CITY COUNCIL MINUTES
CITY OF ODESSA, TEXAS
JULY 14, 2009**

On July 14, 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 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 a proclamation for Odessa Pride Star Month to Lone Star Bank.

CONSENT AGENDA ITEMS

- A. City Council Minutes, June 23, 2009;
- B. **Resolution No. 2009R-45 - Ector County interlocal agreement for the division of 2009 Edward Byrne Memorial Justice Assistance Grant funds;**
- C. **Resolution No. 2009R-46 – Accept and appropriate additional grant funding and appropriate seizure funds for the 2008 bulletproof vest partnership grant program;**
- D. Renew annual maintenance for Tiburon safety software;
- E. **Ordinance No. 2009-21 - Revise speed limits and on-street parking;**
- F. **Resolution No. 2009R-47 – Representative Tryon Lewis lease agreement;**
- G. **Resolution No. 2009R-48 – Odessa Hispanic Chamber of Commerce lease agreement;**
- H. **Resolution No. 2009R-49 – Approve the City of Odessa’s application for Neighborhood Stabilization Program;**
- I. Bid award to Roll-Offs USA in the amount of \$194,925 for side-load refuse containers.

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

PUBLIC HEARING

Open a public hearing to consider approval of the request of James Hurt, owner, Landgraf, Crutcher, & Assoc., agent, for original zoning of Planned Development-Housing (PD-H) on approximately 17.5 ac. tract of land in Section 37 and 48, Block 42, T-1-S, T&P Ry. Co. Survey, Ector Co., Texas (southwest corner of the intersection of E. Loop 338 and Grandview Ave.). Marwan Khoury, Director of Planning, reviewed the location of the property. Single-family attachments or townhouses would be built. The Planning and Zoning Commission approved for recommendation with certain requirements. He reviewed the requirements. There would be a temporary access during the construction of the first phase. Mr. Khoury stated that there would not be a fence required towards the golf course. The landscaping would be coordinated with the owners and the Parks Department. Councilmember Goates expressed concern about people going through the golf course. The City can put a fence on its side. Mr. Morton stated that the Council could have more restrictions. No one came forward and the public hearing was closed.

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:

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 Love’s Travel Stops and Country Stores, Inc., owner, for original zoning to Light Industrial (LI) on approximately 3.4 ac. tract of land in Section 40, Block 42, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (east of the intersection of IH-20 and W. Co. Rd.). Mr. Khoury reviewed the location. It is currently vacant. The change would allow more buildings to the property such as a tire and repair shop. The Planning and Zoning Commission recommended for approval. No one came forward and the public hearing was closed.

Motion was made by Councilmember Cleaver and seconded by Councilmember Velasquez that the ordinance be approved for 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

Resolution No. 2009R-50 - Open a public hearing to consider an appeal made by Betty Lou McSpadden (owner) of the Board of Survey’s order to remove the structure and clear the lot of all debris. Darlene Mays, Neighborhood Services Supervisor, stated that the Board of Survey allowed time to secure the property on January 28 and on April 22 the structure was unsafe and ordered to be removed. On May 20, Betty Lou McSpadden filed an appeal. The condition of the structure is unsafe, a fire hazard, and there are continuous citizen complaints. Councilmember Cleaver asked about the taxes. The tax roll shows it at \$10,000 and there is a small amount of taxes due. Mayor Melton received a petition with 15 residents who signed in favor of tearing down the structure. The petition stated it has been vacant for 15 years. Jimmie Herman stated that the house needs repair and has been boarded up. He stated that there are no funds to revamp the house. Caryol



Kiser, 7001 E. 36th St., stated that the house is a hazard to the neighborhood and requested that it be torn down. No one else came forward and the public hearing was closed.

Motion was made by Councilmember Cleaver and seconded by Councilmember Goates 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

RESOLUTIONS

Resolution No. 2009R-51 – Remove the traffic signal at Washington and 5th St. Hal Feldman, Traffic Engineer, stated that Medical Center Hospital purchased the street and it no longer meets the warrant of the traffic signal. A traffic stop will be placed. The Traffic Advisory Committee recommended for approval.

Motion was made by Councilmember Goates and seconded by Councilmember Combs 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

Resolution No. 2009R-52 – Oil and gas lease between the City of Odessa and Devon Energy Production Company, L.P. Mr. Long stated that the City owns the mineral interest on a tract at McKinney Park and Devon Energy would drill oil and gas on the tract. The company would have no physical access to the park. Devon would pay royalties of 20%. The term would be for three years or as long as there is drilling.

Motion was made by Councilmember Combs 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

Resolution No. 2009R-53 – Memorandum of Understanding between the City of Odessa and TCEQ to provide City water to residences located in a Process Instrumentation and Electrical (PIE) State Superfund Site area. Debbie McReynolds, Director of Utilities, stated on 48th St. and Andrews Hwy. water was contaminated. TCEQ will tap the lines. The residents affected would sign a contract and pay outside the city water rates.

Motion was made by Councilmember Goates and seconded by Councilmember Bodiford

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

Resolution No. 2009R-54 – Name the new Skate Park located at Sherwood Park as Ruben Pier Memorial Skate Park. Steve Patton, Director of Parks and Recreation, stated that a committee chaired by Suzanna Pier, recommended to the Parks Advisory Board to name the skate park as Ruben Pier Memorial Skate Park in memory of her son, who lost his life.

Motion was made by Councilmember Goates and seconded by Councilmember Combs 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

Resolution No. 2009R-55 – Outside Agency requests of funding for FY 2009-10 budget.

Jo Ann Davenport-Littleton, 1201 Pine Ave, Black Cultural Council of Odessa, thanked the Council for past funding and reported that this year's celebrations were great. There is a good quality of entertainment.

Richard Esparza, Colores Productions, stated that Fiesta West Texas was a four-day event in May. This year the event was low in numbers due to the swine flu. Donations were made to youth scholarships. Donations are usually a 1% to 2% contribution. Past scholarships were made to the Mexican Scholarship for Odessa College and UTPB students and the soccer association.

Alison Trevino, CAF, stated that the air sho will have a change in format adding a USO style show and increasing the amount of children's activities. Eight recipients will be honored. The funds will promote the George H.W. and Barbara Bush Commemorative Center and the Commemorative Air Force Airpower Museum. Hotels in Midland and Odessa are used during the airsho. They are changing the website to keep a track of rooms used for the airsho.

Linda Sweatt, Convention & Visitors Bureau, reported last year's statistics in visitors. There has been over \$1 million in occupancy tax. For next year, there are 39 sporting events and other groups that are booked. The percentage in funding of salaries and expenses is 28%.

John Burns, Diamond Lanes, stated that the bowling state tournament event will be April - June 2011. The funds would be used to help defray the cost in advertising. Diamond Lanes could accommodate the tournament and 40,000 women are expected to participate.

Don Stice, 1406 E. 17th, stated that the Ector Theatre's had a good year in attendance. He requested \$30,000 with \$5,000 going towards repair and renovating the sign.



Jack Bain, Heritage Holiday treasurer, stated that there would be a New Year's celebration to end the season. The funds would be used for extra advertising. Last year's donations were \$12,000.

Nancy Wells, Main Street, reported a wonderful 4th of July celebration. The funds also contribute to Hot Summer Nights. She stated it was all good.

Carla Bryant, Odessa Council for the Arts and Humanities, thanked the Council for past funding. Some of the projects included were exhibits at UTPB, art museum, plays at the Globe Theatre, concerts and Hot Summer Nights. The funding is based on 1/7 of the revenue received for hotel tax.

Rick Gassler stated that the Jackalopes are ambassadors to the city. There are 32 home games and visitors stay overnight. Joe Clark thanked the Council for the support of the Jackalopes. Last season, the attendance increased by 1,000 a game. The team was honored as best team in community relations.

Mr. Patton stated that the Fall Fun Festival would be held on a three-day weekend and funds would be used to purchase small displays and there would be a movie in the park. The golf marketing funds would be used to advertise on a regional area. The funds for Starbright Village would be used to purchase some displays to fill in some gaps and to improve electrical and electric cost. For the Fall Fun Festival, assistance would be through volunteers to distribute candy. Councilmember Goates stated \$100,000 was given a few years ago to Starbright Village. Mayor Melton was concerned with too much overload for the Parks personnel. The golf funding would be an annual request.

Harold Fuller, Odessa Roughnecks, stated that the Roughnecks finished with a successful season. They are working with charity organizations and was awarded the best media relations. The league is comprised of 35 teams. This is the first time requesting for funds that would be used for marketing.

Karen Hirst, Permian Basin Fair & Exposition, thanked the Council for their support. The fair is a nine-day event including a carnival. This year, \$35,000 in scholarships was awarded. The website will be revamped to include hotel/motel information.

Scott Tidwell reported that this is the 77th year for the Sandhills Stock Show and Rodeo. The rodeo is a quality event.

Anthony Ridley thanked the Council for the past support to the Globe. The funds would be used to help market attractions and the Shakespeare Festival. The Globe received two grants. He reported that the numbers are growing in attendance.

Jim Butler, Texas Association of Local Housing Finance Agencies, stated that the organization advocates affordable housing. The funds would be for a conference in October 2010.

Stella Neboh, West Texas Track Club, stated that she encourages kids to stay active in the summer. The funds would be used to bring in athletes from out-of-town for a track and field meet.

Each Councilmember proposed recommendations. After further discussion, motion was made by Councilmember Combs and seconded by Councilmember Cleaver that the following be awarded from Hotel/Motel Tax Fund:



Black Cultural Council	\$30,000
Colores Production	20,000
Commemorative Air Force	50,000
Convention and Visitors Bureau	865,232
Diamond Lanes	6,000
Friends of Ector Theatre	30,000
Heritage Holiday	40,000
Main Street	75,000
Odessa Council for the Arts & Humanities	419,919
Odessa Jackalopes Hockey Team	50,000
Odessa Parks Department	
Fall Fun Festival	122,301
Ratliff Ranch Golf Course-Marketing	100,000
Starbright Village	121,991
Odessa Roughnecks	40,000
Permian Basin Fair & Exposition	75,000
Sandhills Stock Show & Rodeo	68,000
Southwest Shakespeare Festival	24,000
TX Assn. for Local Housing Finance	10,000
Agencies	
West Texas Track Club	20,000
Ector County Coliseum	50,000
Administrative Cost/Audit Fees	15,957

The motion was approved by unanimous vote.

Motion was made by Councilmember Goates and seconded by Councilmember Combs that the following be awarded from the General Fund:

Crime Stoppers	\$35,000
Teen Court	45,377

The motion was approved by unanimous vote.

Motion was made by Councilmember Goates and seconded by Councilmember Combs that the following be awarded from the Solid Waste Fund:

Keep Odessa Beautiful	\$129,443
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The motion was approved by unanimous vote.

MISCELLANEOUS

Appointment of Boards. Community Development Advisory Board and Traffic Advisory Committee.
No action.

Appointment of Officers. (551.074) Plumbing Advisory Board, Mechanical Board of Appeals, Odessa Development Corporation, Board of Survey, Electrical Board of Appeals and Zoning Board of Adjustment. Motion was made by Councilmember Goates and seconded by Councilmember Cleaver that Troy Walker be reappointed to the Electrical Board of Appeals and LeeDon Martin be reappointed as alternate to the Zoning Board of Adjustment. 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 7:30 p.m.

ATTEST:

APPROVED:

Norma A. Grimaldo
City Secretary

Larry L. Melton
Mayor