



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

On April 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; and Dean Combs, District Four.

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 Pastor Byron McWilliams, First Baptist Church, and followed by the Pledge of Allegiance to the United States and Texas flags.

CONSENT AGENDA ITEMS

- A. City Council Minutes, March 24, 2009;
- B. **Resolution No. 2009R-19 - Sale of tax delinquent property located at 1301 S. Texas Ave.;**
- C. **Resolution No. 2009R-20 - Sale of tax delinquent property located at 801 Magnolia Blvd.;**
- D. **Resolution No. 2009R-21 - Operation of five shuttle (limousine) vehicles by GK's Shuttle Services, LLC.;**
- E. **Resolution No. 2009R-22 - Odessa LINKS lease agreement, a non-profit organization;**
- F. **Resolution No. 2009R-23 - Bid award to Morrison Supply and Western Industrial in the amount of \$261,493 for valves and fittings.**

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

OTHER COUNCIL ACTION

Bid award for City's 2009 sealcoat project. Ajay Shakyaver, City Engineer, stated that two bids were submitted. He recommended the project be awarded to Ronald Waggoner in the amount of \$2,660,003.28. This amount includes a change order reducing the amount of quantities. Last year, materials of specified rock and asphalt were used. This project would use the same materials as last year. Matt Squyres, Director of Public Works, stated that this would be a big step to catch up on the sealcoat. The adjusted quantities were reduced to stay within budget which was reduced by 1%.

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



PUBLIC HEARINGS

Open a public hearing to consider ordinance continuing the "Offenses" provisions of Chapter 8, Article 8-3, Sections 8-3-31 through 8-3-35 establishing a nocturnal curfew for persons under 17. Police Chief Tim Burton, reported that the curfew ordinance was enacted in 1997 at the city and statute requires that it be renewed every three years. He recommended that the curfew ordinance be renewed. The ages are from nine years old to 17 years old. It is a valuable tool to maintain control over juveniles and to save them from further incidents. Mayor Melton stated that Council reviewed the statistics and it had remarkable improvements. Chief Burton stated that in the city prior to Odessa, he had to deal with groups of juveniles in the early morning hours. There was no enforcement for the officers to use for the safety and welfare of the children. 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:

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|-----------------|-----|
| Bill Cleaver | Aye |
| James B. Goates | Aye |
| Royce Bodiford | Aye |
| Dean Combs | 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 2.1 ac. tract of land in Section 14, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co., Texas (north of Old Bankhead Hwy. (CR 122W) and E. of LCC Links Course). Marwan Khoury, Director of Planning, reviewed the location of the property. The land is currently vacant. The Planning and Zoning Commission recommended for approval. No one came forward and the public hearing was closed.

Motion was made by Councilmember Bodiford 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 |
| Royce Bodiford | Aye |
| Dean Combs | Aye |

Open a public hearing to consider initiation of annexation to the City of Odessa approximately 784 ac. of land in Sections 1 and 2, Block 42, T-2-S, and Section 6, Block 41, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (vicinity of E. 52nd St., JBS Parkway Blvd. and E. Loop 338 and N. Grandview Ave. and Yukon Rd.), approximately 288 ac. of land in Sections 10, 11, 14 and 15, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co., Texas (east of Mission Blvd.) and approximately 856 ac. of land in Sections 15, 21, 22, 27 and 28, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co., Texas (vicinity of Business IH-20 and IH-20) Mr. Khoury stated that the request is for three annex requests. He reviewed the locations of the properties. The land usage includes commercial, retail, residential and one area is for industrial development. He stated that this annexation would have a major impact to the city. He thanked Mr. Long for his work in this project. No one came forward and the public hearing was closed.



ORDINANCE

Consider calling the special election to fill City Council District 5 vacancy. Mr. Long stated that the ordinance orders the special election to fill the vacancy of District 5.

Motion was made by Councilmember Bodiford and seconded by Councilmember Combs that the election be held on Saturday, June 6, 2009 and that the ordinance be approved for first and final approval. The motion was approved by the following vote:

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| Bill Cleaver | Aye |
| James B. Goates | Aye |
| Royce Bodiford | Aye |
| Dean Combs | Aye |

The application dates to file and early voting dates were given.

MISCELLANEOUS

Appointment of Boards. Parks & Recreation Advisory Board, Complete Count Committee, Midland Odessa Urban Transit District, Odessa Enterprise Zone Committee, Historic Preservation Commission; Appointment of Officers. (551.074) Plumbing Advisory Board, Mechanical Board of Appeals and Zoning Board of Adjustment. Motion was made by Councilmember Goates and seconded by Councilmember Bodiford that Kevin Demel be reappointed to the Odessa Enterprise Zone Committee and David Vincent be reappointed to the Historic Preservation Commission. 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 6:18 p.m.

ATTEST:

APPROVED:

Norma A. Grimaldo
City Secretary

Larry L. Melton
Mayor