



**CITY COUNCIL MINUTES  
CITY OF ODESSA, TEXAS**

**JUNE 28, 2016**

On June 28, 2016, 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.

Council members present: Mayor David R. Turner; Council members Amye McNeil, District One; Dewey Bryant, District Two; Barbara Graff, District Three; Michael Gardner, District Four; and Filiberto Gonzales, District Five.

Others present: Richard Morton, City Manager; Larry Long, City Attorney; Norma Aguilar-Grimaldo, City Secretary; Michael Marrero, Deputy City Manager; Konrad Hildebrandt, Assistant City Manager; other members of City staff; and members of the news media.

A quorum being present, Mayor Turner called the meeting to order and the following proceedings were held:

The invocation was given by Pastor Matt Wilson, Antioch Christian Church, and followed by the Pledge of Allegiance to the United States and Texas flags.

**CONSENT AGENDA ITEMS**

- A. City Council minutes, June 14, 2016;
- B. **Resolution No. 2016R-58 – Accept and appropriate funds for the City of Odessa Police Department from Bustin for Badges function;**
- C. **Resolution No. 2016R-59 – State of Texas agreement to allow access to the Texas Department of motor vehicles records database;**
- D. Purchase emergency generator for Water Distribution Lab from Cummins Power Generation in the amount of \$77,439;
- E. **Resolution No. 2016R-60 – Annex Plumaneary Subdivision, Bock 11, Lots 15 & 16 into Ector County Utility District;**
- F. **Resolution No. 2016R-61 – Annex Western Hills Subdivision, Lot 1-3, Block 54 into the Ector County Utility District;**
- G. **Ordinance No. 2016-17 – Amend Article 11-2, “Hotel-Motel Occupancy Tax”, Section 11-2-10, “Payment of Portion of Revenue for Cultural Purposes,” of the City of Odessa, Texas Code of Ordinances;**
- H. Contract renewal for crack sealing compound with Right Pointe in the amount of \$61,056;
- I. Contract renewal for wrecker service contract with Neal Pool Rekers.

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

Motion was made by Council member Bryant and seconded by Council member McNeil that the outside agency request item be considered next. The motion was approved by unanimous vote.

## RESOLUTION

### **Resolution No. 2016R-62 – Outside agency request for funding for FY 2016-17 budget.**

Jo Ann Davenport Littleton, 1005 Pine, stated that the requested funding was for three events. Juneteenth was one of the largest celebrations bringing in over 10,000 attendees. She expressed appreciation with past support.

Mike Greer, BLST Triathlon, stated that the Buffalo Battle Odessa was a mud obstacle race at Mountain Bike Park located off of Billy Hext Road.

Mike George, Chamber of Commerce, stated that the sports recruit request was to recruit more sporting events. The Chamber requests the funds once awarded before any funds were given to the Chamber. It provides an economic impact to bring events to Odessa. Lawanna Lambert, Convention & Visitors Bureau, stated that the goals were to increase conferences for the upcoming year.

Gloria Hernandez, Downtown Odessa, stated that the request was to expand the program for two day events. The proposal was to grow Firecracker Fandango into two days. A new event would be for a Craft Beer Wine Festival in October. The events would increase hotel and motel stays. Alive After 5 would be a new event that would be in the evening that would expand downtown.

Richard Esparza, FWT Odessa Productions, stated that Fiesta West Texas had 22 years in existence. It's a four day event during the first weekend in May. There were over 30,000 attendees.

Donnie Margettie, Jr. Jacks Youth Hockey, stated that the request was for a league and travel programs. There was a junior varsity and varsity youth hockey teams. This year, 24 teams were from out of town that played in Odessa which equated to over 400 hotel rooms.

Dan Lavergne, Odessa Jackalopes, stated that the Jackalopes would have its 20<sup>th</sup> season next year. Thirty games were played and there was a 62% increase in attendance this past year due to entertainment brought in at the games. There were about 700 hotel rooms for the season.

Randy Ham, Odessa Council for the Arts and Humanities Executive Director, stated that the Arts Council has been a driving force for 40 years that has brought high end arts entertainment. In 2016, over \$300,000 sub grants were awarded. He discussed the events that were held.

Nancy Boles, Junior League of Odessa, thanked the Council for its past support. This year, it would be the 34<sup>th</sup> annual Merry Marketplace. The funds raised were returned to the community through projects. Ninety merchants would be at the event with five to six nights at the hotels. She highlighted the Junior League's projects.

Erika Thomas, Odessa Links, stated that the Links Community Conference expanded its reach. The attendance doubled this year.

Steve Patton, Director of Parks & Recreation, stated that the Fall Festival had almost 10,000 attendees last year. It was a one day event tailored for children. The request for the golf course was to recruit players from the outside area. Currently, it had 43,000 rounds. About 40% of the players were from out of town. He emphasized the importance of advertising at the airport which was a three year lease. Starbright Village has grown as a destination for West Texas. It's a one month event and the funds would be for displays, advertising and marketing.

Chuck Leckbee, Permian Basin Fair & Expo, stated that \$41,000 was given in scholarships at the fair. There was a week-long concert series and an enhanced website. He appreciated assistance for the fair.

Doug Tull, Rock the Desert, thanked Council for past support. He provided an overview of Rock the Desert. It was one of the largest Christian festivals in the nation for three days. There were between 12,000 to 15,000 people attending each day. A survey indicated that there were 75% attendees from out of town.

Bill Wight, Sandhills Stock Show & Rodeo, stated that this year would be the 83<sup>rd</sup> annual rodeo. This past year, there were 194 contestants and over 29,000 in attendance. The stock show had 819 animals shown.

Dr. David Watts, UTPB President, stated that the football was a great success bringing in over 40 new athletes. The first game would be on Sept 3, 2016. The second game would be aired on ESPN that would be broadcasted nationally.

Sheri Fincher, First 5 Permian Basin, stated that the Council supported the early childhood education. The program worked with over 30 entities and supports programs with the children including literacy. She highlighted the programs and projects.

Lorraine Perryman, Wagner Noel, stated that the Wagner Noel has been in existence for five years. It has grossed over \$19 million, with 834 events and 535,998 ticket sales. It has impacted the community and the funds were a balanced between the two communities for the \$70 million facility. The events appeal to all demographics. She withdrew the pet theater request for the children's fun festival. The Odessa Council for the Arts and Humanities stated that they would fund the event. Midland agreed to fund the same amount requested. Many visitors were from out of town and were tracked through the ticketing agency used to purchase the tickets for the events.

Stella Neboh, West Texas Track Club, stated that three track meets were hosted. Scholarships were given. The hotels were sold out from the participants. The State track meet will be held July 6 at Ratliff.

Christine Holcomb, White-Pool House, thanked the Council for past support that assisted the White Pool House to keep it open. It was almost self-sustained. The request was for finishing the placement of landscaping. The museum benefits the community. Aileen Taft stated that the White-Pool House has seen growth and tourism. There were 10,000 tours last year with more than 40 events booked. There were about 600 hotel nights.

Vern Foreman, Crime Stoppers, stated that Crime Stoppers has been successful for a number of years. It began in 1983 with recovery of over \$11 million in drugs and stolen goods. This year, Crime Stoppers assisted in 76 arrests.

Rebecca Grisham, Odessa Teen Court, requested the same amount of funds as last year. Teen Court has its numbers up in seeing kids. It does have a low rate of kids coming back to Teen Court.

Ramona Thomas, Permian Basin Community Centers, stated that the funding assists with programs that aid people with disabilities. The request would fund services for 80 people. The amount was part of the local share match cost that was required by the State. Ector County funds an equal local match. She reviewed the programs available for the clients.

Crissy Medina, Young Professionals Organization, stated that the organization came into existence through the Chamber in 2012 to sustain leadership in the community. There was leadership training, lunch and learn, and speakers at events. She thanked the Council for the support.

Mr. Morton stated that the Council could give the Odessa Council for the Arts and Humanities up to 15% which was \$831,000. Each Council member gave his and her recommendation for funding. After further discussion on funding the organizations, motion was made by Council member Graff and seconded by Council member Gonzales that the Hotel-Motel Tax fund be funded. The motion was approved by a 4 – 1 vote with Council member Bryant casting the nay vote to fund the following:

Hotel-Motel Fund:

Black Cultural Council	\$ 50,000
BLST Triathlon, Inc.	10,000
Commemorative Air Force	50,000
Convention and Visitors Bureau	811,208
Downtown Odessa	500,000
Ector County Coliseum	50,000
FWT Odessa Productions, Inc.	50,000
Junior Jacks Hockey	10,000
Junior League of Odessa	15,000
Odessa Council for Arts & Humanities	450,000
Odessa Jackalopes Hockey Team	35,000
Odessa Links – Community Conference	7,000
Odessa Links – Hope Fest	25,000
Parks Department – Fall Festival	75,000
Parks Department – Ratliff Ranch Golf Links	65,000
Parks Department – Starbright Village	123,600
Permian Basin Fair & Exposition	100,000
Rock the Desert Ministries	50,000
Sandhills Stockshow and Rodeo	75,000
Texas Tours. – Tejano Super Car Show	50,000
University of Texas of the Permian Basin	200,000
Wagner Noel 5 <sup>th</sup> Anniversary	40,469
West Texas Track Club	55,000
White-Pool House Friends	60,000
Administrative Costs/Audit Fees	42,723

Motion was made by Council member Bryant and seconded by Council member Gardner that the General Fund be funded. The motion was approved by unanimous vote to fund the following:

General Fund:

Odessa Crime Stoppers	\$55,000
Odessa Teen Court	59,920
Permian Basin Community Centers	75,000
Young Professionals Organization	10,000
UTPB First 5 Permian Basin	10,000

### OTHER COUNCIL ACTION

**Bid award for certain park improvements proposed for Western Manor Park and Murry Fly Park.** Steve Patton, Director of Parks and Recreation, stated that Western Manor Park and Murry Fly Park had proposed improvements. Western Manor Park improvements would be a walking trail, lighting, baseball backstop, and three picnic table pavilions. Murry Fly Park improvements would include a walking trail, lighting, tennis court construction, half-court basketball court, and three picnic table pavilions. He recommended the bid award to Onyx Contractors in the amount of \$689,155.

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

### PUBLIC HEARING

**Open a public hearing to consider the renewal of a taxicab franchise for Midessa Transportation, LLC.** Mr. Long stated that the renewal would be for Midessa Transportation for five years. It would have eight taxicabs and they agreed to the conditions. No one came forward and the public hearing was closed.

Motion was made by Council member Gonzales and seconded by Council member Gardner to approve the ordinance for first approval. The motion was approved by unanimous vote.

### ORDINANCE

**Amend Article 13-2 of the City Code of Ordinances by Amending Section 13-2-16(b), entitled "Stormwater Discharge Fee."** Vanessa Shrauner, Development Services Manager, provided a background of the mandated Stormwater Act. She reviewed the mandated requirements. The amendment would allow implementing the other mandated requirements. The options were to have a tiered rate based on impervious coverage. Four out of six pick cities had tiered rates. She proposed two options. One option was to have a rate implemented full five years funded with one rate. The second option was changing the rate each year to reflect the need of the five year plan.

Motion was made by Council member Gardner and seconded by Council member Bryant to approve the ordinance with the one year of tiered rates for first approval. The motion was approved by a 3 – 2 vote with Council members Graff and Gonzales casting nay votes.

**Adopt the landscape ordinance.** Mr. Morton stated that the landscape ordinance has been reviewed by Council at prior meetings.

Motion was made by Council member Bryant and seconded by Council member Gardner to approve the ordinance for first approval. The motion was approved by a 4 - 1 vote with Council member Graff casting the nay vote.

**Adopt the 2016 City of Odessa Comprehensive Master Plan.** Ms. Shrauner stated that this would adopt the Comprehensive Master Plan that has been worked on for two years.

Motion was made by Council member Bryant and seconded by Council member Gonzales to approve the ordinance for first approval. The motion was approved by unanimous vote.

#### MISCELLANEOUS

**Appointment of Boards: Historic Preservation Commission, Appointment of Officers: Board of Survey and Zoning Board of Adjustment.** Motion was made by Council member Bryant and seconded by Council member Gardner to reappoint Mark Windham to the Zoning Board of Adjustment. The motion was approved by unanimous vote.

**Consider Hotel Convention Center Master Development Agreement. (551.072, 551.087)** Mr. Long stated that hotel discussions has reached terms not agreed upon with the other party.

Motion was made by Council member Graff and seconded by Council member Gardner to go into executive session under 551.072 and 551.087. The motion was approved by unanimous vote.

Upon returning from executive session, there was no action taken.

**Citizen's comments on non-agenda items.** Alejandro Barrientos, co-owner of Curb Side Bistro, has been in business since 2014. He stated that the new ordinance requirement of moving every 24 hours affected his business. He leased a location that serves as a commissary and a central hub for deliveries. He requested that this requirement be reviewed and if there was a possibility of being grand-fathered or any other options available for him to keep his location lease. Esteban Barrientos stated that it was important to keep the same location of the food truck businesses. Bryan Patrick, Mobile Pizza Food Truck, had questions of the fire suppression ordinance. He needed clarification on the new ordinance requirements.

There was no other business, the meeting adjourned at 9:08 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC  
City Secretary

David R. Turner  
Mayor