



**CITY COUNCIL MINUTES
CITY OF ODESSA, TEXAS
DECEMBER 8, 2009**

On December 8, 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.

CONSENT AGENDA ITEMS

- A. City Council Minutes, November 24, 2009;
- B. **Resolution No. 2009R-120 - Apply for Texas "J" RAC Tobacco Grant;**
- C. Bid award to Planet Ford and Sewell Ford in the amount of \$596,013 for automotive vehicles;
- D. **Ordinance 2009-46 - Request of Leeco Properties, Inc., owner, to rezone from Single Family-One-Drill Reservation-Surface Drainage (SF-1-DR-SD) to Light Commercial (LC) on approximately 0.82 ac. in Sections 8 and 17, Block 41, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (northeast of the intersection of E. Loop 338 and Hwy. 191);**
- E. **Ordinance 2009-47 - Request of W.F.D.R., owner, for original zoning of Retail-One (R-1) on approximately 50.1 ac. of land in Sections 3 and 10, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co., Texas (northeast of the intersection of Faudree Rd. and Dorado Dr.);**
- F. **Ordinance 2009-48 - Request of Leeco Properties, LLC, owner, to rezone from Multi-Family-Two (MF-2) to Retail (R) approximately 14.1 ac. in Section 15, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co., Texas (north of the intersection of Faudree Rd. and Fairway Dr.);**
- G. **Ordinance 2009-49 - Amend Chapter 8, "Offenses and Nuisances", Section 8-1-2, of the City of Odessa Code of Ordinances by provisions for paintball guns and supervised paintball courses;**
- H. **Ordinance 2009-50 - Renew the ARCO Industrial District;**



- I. **Ordinance 2009-51 - Renew the Mueller, Inc., Industrial District;**
- J. **Ordinance 2009-52 - Renew the Odessa Country Club Industrial District;**
- K. Stan Tinney as Emergency Management Coordinator;
- L. Emergency expenditure of funds for the repair of an electrical transformer at the Water Treatment Plant;
- M. **Resolution No. 2009R-121 – University of Texas of the Permian Basin interlocal cooperation contract for street services;**
- N. Renew public entity liability insurance with States Risk Retention Group;
- O. Renew excess workers' compensation insurance with Wells Fargo (Wachovia Safety National);
- P. **Resolution No. 2009R-122 – One City Council meeting for the month of December 2009;**

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

OTHER COUNCIL ACTION

ORDINANCES

Amend Article 5-3 of the City Code to send appeals of decisions under the Fire Prevention Code to the Building Board of Appeals. Mr. Long stated that all of the appeals were amended to go before the Building Board of Appeals. He and Chief Boyd recommended that the Fire Code appeals be sent to the Building Board of Appeals for decisions.

Motion was made by Councilmember Cleaver and seconded by Councilmember Goates 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

RESOLUTIONS

Resolution No. 2009R-123 – Support with Main Street for the City of Odessa application for the TxDOT Enhancement Program for the 5th Street Corridor Project.

Nancy Wells, Main Street Executive Director, requested for support on the enhancement grant. She highlighted the design enhancements which include safer zones, provide benefits for existing businesses and a catalyst for economic development. The value of the project would be \$1.78 million, in which 80% would be funded by TxDOT. The city would fund \$356,608. Councilmember Goates stated it was a good deal. Councilmember Bodiford stated that there was a lot of growth on Golder to N. Adams. He stated that there were 3,000 employees downtown, with over \$1 billion in the economy. It is a great enhancement to Odessa.

Motion was made by Councilmember Goates 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

MISCELLANEOUS

Appointment of Boards. Community Development Advisory Committee, Cable Franchise Committee and Parks & Recreation Advisory Board; Appointment of Officers. (551.074) Zoning Board of Adjustment. Motion was made by Councilmember Bodiford and seconded by Councilmember Goates that Phil George and Karen Hildebrand be appointed to the Parks & Recreation Advisory Board. The motion was approved by unanimous vote.

Evaluate performance of Council appointees. (551.074). Mayor Melton stated that Council would go into executive session under 551.074.

Upon returning from executive session, Mayor Melton stated that Council visited with each appointee on their responsibilities. He reported that each has done an outstanding job with the city. There was no salary increase with the evaluations. There was no other business, the meeting adjourned at 7:59 p.m.

ATTEST:

APPROVED:

Norma A. Grimaldo
City Secretary

Larry L. Melton
Mayor