



**CITY COUNCIL MINUTES  
CITY OF ODESSA, TEXAS  
JULY 28, 2009**

On July 28, 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 A. 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, July 14, 2009;
- B. City Council Retreat Minutes, July 11, 2009;
- C. **Resolution No. 2009R-56 – Accept a grant in the amount of \$10,000 from the Texas State Comptroller of Public Accounts for funding of the Statewide Tobacco Education and Prevention Program;**
- D. Bid award to GCR Tire Center and Bill Williams Tire Center in the amount of \$162,412 for tires;
- E. **Ordinance No. 2009-22 - 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.);**
- F. **Ordinance No. 2009-23 – 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 Sections 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.);**
- G. **Resolution No. 2009R-57 – City of Odessa's 2009 Action Plan;**
- H. Renew wrecker service contract with Neal Pool Rekers;
- I. **Resolution No. 2009R-58 – Adopt guidelines and criteria for the Enterprise Zones and Reinvestment Zones;**
- J. Renew monthly financial summary report for June 2009.



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

### OTHER COUNCIL ACTION

#### PUBLIC HEARING

**Open a public hearing to amend Section 12-101, 12-102 and 12-103 relating to Billboard Signs and establishing standards and regulations relevant to Electronic Billboard Signs.** Marwan Khoury, Director of Planning, stated that standards and regulations were established for electronic billboards. He met with Lamar Advertising and reviewed other cities' standards. There are 62 billboard locations inside the city. He reviewed the proposed standards. The electronic billboard will be at least 300 feet from the residential area. There is a minimum eight second hold message. Code Enforcement will enforce the regulations. Guy Speck, 4113 Baybrook, Midland, stated that it was a fair ordinance. He would set up the advertisements for 10 seconds with six advertisers. No one else 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

#### RESOLUTIONS

**Resolution No. 2009R-59 – Ector County Independent School District interlocal agreement of the school attendance court program.** Mr. Long stated that this would continue the truancy program for one year. It provides for staff, equipment, location and to process the truancy program.

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-60 – Request an exception to the CDBG and HOME Program regulations governing conflict of interest.** Mr. Marrero stated that Kerry Hobbs was a former city employee, a rehab specialist, and is working for a contractor that does work for the city. CDBG and HOME regulations require that anyone who had functions or responsibilities or in a position to gain inside information or with respect to the proceeds of CDBG/HOME assisted activities during their tenure or for one year after leaving employment with the City cannot benefit from any City assisted program.

The exception to the CDBG/HOME regulation will be submitted based on he no longer works for the City, he was never in a decision making position, and the methodology used for procuring contractors.



Motion was made by Councilmember Cleaver 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-61 – Support for continuing development of North East Loop 338 by Texas Department of Transportation (TxDOT).** Matt Squyres, Director of Public Works, stated that the resolution would indicate support to continue the development of East Loop to US Hwy. 385.

Motion was made by Councilmember Goates and seconded by Councilmember Cleaver 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-62 – Use Competitive Sealed Proposal (CSP) process to construct Sherwood Park Renovations project.** Mr. Squyres stated using the competitive sealed proposal process would allow to consider the price, past performance and evaluate the cost. He reviewed the percentage factors for determining the bid.

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-63– Extend JBS Parkway South in cooperation with TxDOT and Ector County.** Mr. Squyres stated that this would extend Parkway 2 ½ miles to FM 3503. There will be an Ector County agreement for its portion of \$70,000. The City would be the sole contracting entity with TxDOT.

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

### 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, and Zoning Board of Adjustment.** Motion was made by Councilmember Cleaver and seconded by Councilmember Velasquez that Dr. Russell Subia be appointed to the Odessa Development Corporation. The motion was approved by a 3-2 vote with Councilmembers Bodiford and Combs casting the nay votes.

**Citizen comments on non-agenda items.** No one came forward.

There was no other business, the meeting adjourned at 6:16 p.m.

ATTEST:

APPROVED:

Norma A. Grimaldo  
City Secretary

Larry L. Melton  
Mayor