

**CITY COUNCIL MINUTES
CITY OF ODESSA, TEXAS
AUGUST 9, 2011**

On August 9, 2011, 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: Council members; Bill Cleaver, District One; James B. Goates, District Two; Dean Combs, District Four; and Sandra Carrasco, District Five.

Members absent: Mayor Larry L. Melton and Council member Barbara Graff, District Three.

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 Pro Tem Goates called the meeting to order and the following proceedings were held:

The invocation was given by Pastor Jimmy Dennis, Agape Ministries Dream Center, and followed by the Pledge of Allegiance to the United States and Texas flags.

Mayor Pro Tem Combs presented a proclamation for Odessa Pride Star to WOW Fashions.

CONSENT AGENDA ITEMS

- A. City Council Minutes, July 26, 2011;
- B. **Ordinance No. 2011-29 – Request of White Knight Properties, Ltd., owner, Landgraf, Crutcher & Assoc., agent, for original zoning of Light Commercial (LC) on approximately 5.0 ac. tract of land in Section 9, Block 41, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (west of the intersection of Hwy. 191 and Faudree Rd.);**
- C. **Ordinance No. 2011-30 – Request of Jack Mousa, owner, S. W. Howell, Inc., agent, for original zoning of Special Dwelling District (SPD) on approximately 34 ac. tract of land and Special Planned Development-Drill Reservation (SPD-DR) on approximately 0.14 ac. tract in Section 16, Block 41, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (southeast of the intersection of Gravensteen Ave. and Bastrop Ave.);**
- D. **Resolution No. 2011R-66 – Oppose the placement of the Dunes Sagebrush lizard on the endangered species list;**
- E. **Resolution No. 2011R-67 – City of Odessa’s 2011 Action Plan;**
- F. Renew contract for irrigation supplies with Ewing Irrigation and Benchmark Supply;
- G. **Resolution No. 2011R-68 – Review and approve the City's Investment Policy and the Approved Brokers/Dealers & Financial Institutions list.**

Motion was made by Council member Combs and seconded by Council member Cleaver that the consent

agenda items be approved. The motion was approved by unanimous vote.

OTHER COUNCIL ACTION

BID AWARD

Contract with Motorola Solutions, Inc. for the purchase of an emergency back-up radio site, and a CAD-RMS software package. Motion was made by Council member Cleaver and seconded by Council member Carrasco that the Motorola Solutions, Inc. contract be tabled. The motion was approved by unanimous vote.

PUBLIC HEARING

Open a public hearing to consider approval of water rates. Matt Irvin, Utilities Director, stated that CRMWD increased water charges for operations and maintenance and for the new pipeline. He recommended a 10% water and 10% sewer rate increase. He provided examples of the new charges for residential customers. The rate would be effective in the October billing. Margie Frasier, 2102 Washington, was opposed to the rate increase. She stated that the citizens are penalized and many live with only social security. She recommended that dessert landscaping be used for new homes. Conrad Turner, 3904 Lakeside, was upset that there was no back-up plan if Lake Ivie goes dry. He stated that there was no assurance of rain and decisions should be made if there is no water. Mayor Pro Tem Goates stated that a pipeline was being built to the Ward Well fields, in Monahans, and the size was doubled which would increase the water. With this new source of water, there is 23 years of water. No one else came forward and the public hearing was closed.

Motion was made by Council member Combs and seconded by Council member Cleaver that the ordinance be approved on first approval. The motion was approved by unanimous vote.

ORDINANCE

Amending Article 6-13 of the City Code of Ordinances regarding Municipal Setting Designations. Mr. Long stated that proposed changes will limit the notification requirements to those more likely to be affected by the municipal setting designations. It would also lessen the confusion of property owners not immediately adjacent to the designated site during the notification process.

Motion was made by Council member Cleaver and seconded by Council member Carrasco that the ordinance be approved on first approval. The motion was approved by unanimous vote.

RESOLUTION

Resolution No. 2011R-69 – Proposal to establish a tax rate of \$0.522750 for fiscal year 2011-12. Mr. Zentner stated that the tax rate was set at \$0.522750 per \$100 valuation. The tax rate is the same as the last two fiscal years. Public hearings would be held on August 23 and September 13, 2011. The final vote on the proposed tax rate will be on September 27, 2011. Mr. Morton stated that in the last seven years the tax rate was lowered 16.715 cents. Mayor Pro Tem Goates stated that the tax rate would gain some money and it would be spent on infrastructure.

Motion was made by Council member Combs and seconded by Council member Cleaver that the resolution be approved. The motion was approved by unanimous vote.

Resolution No. 2011R-70 – Atmos Energy Corporation rate review filing and approval for the creation of a regulatory asset associated with higher depreciation rates and other related items. Mr. Zentner stated that Atmos filed its fourth rate review with a \$2.9 million increase in rates. After an analyst reviewed the file,

the findings of its increase had a disparity among the area cities. He recommended that the city deny the rate filing and request a system to bring parity to area cities on the rates.

Motion was made by Council member Goates and seconded by Council member Carrasco that the resolution be approved. The motion was approved by unanimous vote.

MISCELLANEOUS

Appointment of Boards. Parks & Recreation Advisory Board, Historical Preservation Commission, Community Development Advisory Committee, Traffic Advisory Committee, Cable Franchise Committee and Odessa Housing Finance Corporation. Appointment of Officers. (551.074) Board of Survey and Zoning Board of Adjustment. Motion was made by Council member Combs and seconded by Council member Cleaver that the following be appointed:

Dr. Joel Edwards be appointed to the Cable Franchise Committee
Brad Howell be reappointed to the Odessa Housing Finance Corporation
Melanie Hollmann be appointed to the Odessa Housing Finance Corporation
Steve Kelley be appointed to the Odessa Housing Finance Corporation
Ludie Warner be reappointed to the Zoning Board of Adjustment
Jack Dillard be reappointed to the Zoning Board of Adjustment

The motion was approved by unanimous vote.

Citizen comments on non-agenda items. None.

There was no other business, the meeting adjourned at 6:24 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

James B. Goates
Mayor Pro Tem