

**CITY COUNCIL MINUTES
CITY OF ODESSA, TEXAS
APRIL 26, 2011**

On April 26, 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: Mayor Larry L. Melton; Council members; Bill Cleaver, District One; James B. Goates, District Two; Barbara Graff, 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 Rev. Luis Lopez, VFW Chaplain Post 4372, and followed by the Pledge of Allegiance to the United States and Texas flags.

Mayor Pro Tem Goates presented the Pray for Rain Day, Buddy Poppy and Hispanic Heritage Month proclamations.

CONSENT AGENDA ITEMS

- A. City Council Minutes, April 12, 2011;
- B. **Resolution No. 2011R-38 – Authorize the Odessa Police Department to apply with the Texas State Comptroller of Public Accounts for continued funding of the Statewide Tobacco Education and Prevention Program;**
- C. **Resolution No. 2011R-39 – Authorizing the Odessa Police Department to apply for a two year grant from the Attorney General's Office for a Crime Victim Liaison;**
- D. **Ordinance No. 2011-09 – Grant a limousine franchise to Genoveva Segovia d/b/a Gold Rush Limo Service;**
- E. Review monthly financial summary report for March 2011;
- F. 2010 Comprehensive Annual Financial Report.

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

OTHER COUNCIL ACTION

PUBLIC HEARING

Open a public hearing to consider approval of the request of Apollo Perforators, Inc., owner, LCA agent, for original zoning of Planned Development-Light Industrial (PD-LI) on approximately 9.3 ac. tract, original zoning of Planned Development-Light Industrial-Surface Drainage (PD-LI-SD) on approximately 14.6 ac. tract, and original zoning of Planned Development-Light Industrial-Drill

Reservation (PD-LI-DR) on two (2) tracts (approximately 4.16 ac. total) in Section 21, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co., Texas (northwest corner of the intersection of IH-20 and proposed Tucker Rd.). Marwan Khoury, Director of Planning, reviewed the location of the property which is vacant. The request was for three types of zoning. The Planning and Zoning Commission approved for recommendation with certain conditions. Raymond Fuqua, 2100 West 83rd, was concerned with one of the detention basins that was next to Pradon Construction. He stated that there were no overflow lines to the basin. The other basins have a provision made. Matt Squyres, Director of Public Works, reviewed the basin and the basin was large enough to contain itself. He would review it further. No one else came forward and the public hearing was closed.

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

Open a public hearing to consider approval of the 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.) Mr. Khoury reviewed the location of the property which would have two access roads. It would provide for 149 lots up to 7,900 square foot. The Planning and Zoning Commission recommended for approval. Council member Goates asked about the drainage and access to the South and adjacent to the property. Mr. Khoury reported that Bastrop Street would not be paved. There would be access through the alley on the drill site. Mr. Morton stated that the City could not force the street to be paved. No one came forward and the public hearing was closed. There was no motion.

ORDINANCE

Consider no parking zones and removal of parking meters. Hal Feldman, Traffic Engineer, stated that the no parking zones would improve site distance. The removal of parking meters would be replaced with a limit of two-hour parking.

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

Consider abandonment of Elliot Ave. between 7th and 8th Street. Mr. Squyres stated that the abandonment of Elliot between 7th and 8th would be developed into a new retail site. A portion of the R-O-W would be abandon.

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

RESOLUTION

Resolution No. 2011R-40 – Amendment of an economic development agreement with GEMSTAR, Inc. Mr. Long stated that the amendment of the GEMSTAR agreement would extend its time for one year to be in compliance with the agreement. If it does not meet the requirements after the deadline it would have to pay back the incentive.

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

Resolution No. 2011R-41 - Consider contract award for 2011 pavement rejuvenation. Mr. Squyres stated

that a new process of pavement rejuvenation would be beneficial for preventive maintenance on residential streets. The process works well for low volume and low speed streets.

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

MISCELLANEOUS

Appointment of Boards. Parks & Recreation Advisory Board, Midland Odessa Urban Transit District, Odessa Enterprise Zone Committee, and Historical Preservation Commission. No action.

Appointment of Officers. (551.074) Planning & Zoning Commission. Motion was made by Council member Cleaver and seconded by Council member Graff that Jim Rector be appointed to the Planning and Zoning Commission. The motion was approved by unanimous vote.

Citizen comments on non-agenda items. None.

Mayor Melton expressed his condolences to Kelli Hunton and the family of Roy Hunton. He did a great job on the City Council and would be missed.

There was no other business, the meeting adjourned at 6:36 p.m.

ATTEST:

APPROVED:

Norma A. Grimaldo, TRMC, CMC
City Secretary

Larry L. Melton
Mayor