



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

June 22, 2021

On June 22, 2021, a regular meeting of the Odessa City Council was held at 6:00 p.m. in the Council Chambers, 5th floor, City Hall, 411 W. 8th, Odessa, Texas.

City Council present: Mayor Javier Joven; Council members: Mark Matta, District One; Steven P. Thompson, District Two; Tom Sprawls, District Four; Mari Willis, District Five; and Denise Swanner, At-Large.

City Council absent: Council member Detra White, District Three.

Others present: Michael Marrero, City Manager; Norma Aguilar-Grimaldo, City Secretary; Natasha Brooks, City Attorney; Phillip Urrutia, Assistant City Manager; Cindy Muncy, Assistant City Manager; and other members of City staff.

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

The invocation was given by Pastor Byron McWilliams, First Baptist Church, and followed by the Pledge of Allegiance and Texas flags.

CONSENT AGENDA ITEMS

- A. City Council minutes, June 8, 2021;
- B. City Council work session minutes, June 15, 2021;
- C. **Ordinance No. 2021-16 - Request by Leeco Energy & Investment Inc., owner, for Special Dwelling District (SPD) on a 119.92 acre tract in Section 2, Block 42, T-2-S, T&P RR Co. Survey, City of Odessa, Ector County, Texas (proposed Yukon Ridge, 1st Filing) northwest of the intersection of E. 61st St. and N. Grandview Ave.);**
- D. **Ordinance No. 2021-17 - Request by Leeco Energy and Investment, Inc., owner, LCA, agent, for original zoning of Special Dwelling District (SPD) on an 8.06 acre tract located in Section 2, Block 42, T-2-S, T&P RR. Co. Survey, City of Odessa, Ector County, Texas (proposed Desert Ridge, 2nd Filing, Phase 7 Subdivision) (northeast of the intersection of Dawn Ave. and Wrigley Dr.);**
- E. **Ordinance No. 2021-18 - Request by Maribel Caballero, applicant, to rezone from Special Dwelling District (SPD) to Office (O) of an approx. 0.138 acre tract, being Lot 28, Block 2, Odessa Housing, City of Odessa, Ector County, Texas (northeast of the intersection of Coronado Ave. and W. 8th St.);**
- F. **Ordinance No. 2021-19 – Chances to modify Section 12-2-7 (School Zones) of the City Code of Ordinances;**
- G. **Ordinance No. 2021-20 – Temporary speed limit for a TxDOT construction project;**
- H. **Resolution No. 2021R-44 – TxDOT agreement for a temporary**

street closure;

- I. Rene Bates Auctioneers contract renewal for auctioneering services.

Motion was made by Council member Swanner and seconded by Council member Sprawls to approve the consent agenda items. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Sprawls, Willis, and Swanner
Nay: None

OTHER COUNCIL ACTION

Accept the 2020 Comprehensive Annual Financial Report. Mrs. Muncy stated that the Comprehensive report was reviewed at the work session. Greg Peterson, Weaver Partner, reported that the audit received an unmodified, clean, opinion. No material weaknesses identified, or no noncompliance material noted. There was a deficiency with accounts payable that related to late invoices and change in accounting system. The single audit for the Federal Transit Cluster and CARES received an unmodified opinion. There were no issues. He reviewed the financial highlights. The net position for the governmental activities was \$194 million and business activities was \$219 million. He reviewed the changes in net position, revenues, and comparison of revenues and expenditures. Mr. Peterson reviewed the budgetary highlights with revenues of \$104 million and expenditures of \$89 million. He stated that outstanding debt totaled \$190 million. Council member Willis thanked staff for their work and efforts on receiving an unmodified opinion. She appreciated the explanation of the deficiencies as the City was in good hands.

Motion was made by Council member Willis and seconded by Council member Thompson to approve the 2020 Comprehensive Annual Financial Report. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Sprawls, Willis, and Swanner
Nay: None

PUBLIC HEARING

Open a public hearing to consider approval of the request by Permian Basin Womens Resource Center, Inc., Newton Engineering, agent, to rezone from Multi-Family Residence-One (MF-1) to Office (O) of 0.39 acre tract, being Lots 1-3, Block 11A, Herbert & Wight Addition, City of Odessa, Ector County, Texas (northwest of the intersection of N. Sam Houston Ave. and W. 8th St.) Randy Brinlee, Director of Development Services, stated the protest concern was the property taxes going up. He reviewed the location which was vacant. The rezoning would facilitate an office development. The Planning and Zoning Commission recommended for approval. No one came forward and the public hearing was closed.

Motion was made by Council member Swanner and seconded by Council member Matta to approve the ordinance on first approval. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Sprawls, Willis, and Swanner
Nay: None

Resolution No. 2021R-45 - Conduct a public hearing and consider the reallocation of \$50,000 in Community Development Block Grant-Coronavirus Round 1 funds (CDBG-

CV1) and \$40,000 in Community Development Block Grant-Coronavirus Round 3.

Merita Sandoval, Director of Community Development, stated that a reallocation of funds for \$50,000 in CDBG-CV1 and \$40,000 for CDBG-CV3 needed to be made. The funds were returned from two agencies. A request was received to use the \$90,000 for the mortgage rent utility assistance program. Assistance would be provided to people impacted by the coronavirus. It would assist with rent, mortgage, or utilities. There were 350 people on a waiting list and 25 clients have been assisted. The administrative cost was low with one full-time employee and one part-time employee that assisted with the application process and evaluation. No one came forward and the public hearing was closed.

Motion was made by Council member Matta and seconded by Council member Thompson to approve the resolution. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Sprawls, Willis, and Swanner
Nay: None

Resolution No. 2021R-46 - Conduct a public hearing and consider the allocation of \$842,418 in Program Year 2021 Community Development Block Grant funds (CDBG) and \$12,044 in unprogrammed CDBG funds and \$95,414 in CDBG program income funds. In addition, consider the allocation of \$275,124 in 2021 HOME Investment Partnership Program funds. Mrs. Sandoval stated that the City was allocated \$842,418 in CDBG funds and \$275,124 in HOME funds. There were \$107,458 in total unprogrammed and program funds. She provided the CDBG caps. Mrs. Sandoval reviewed each Community Development requests for CDBG and HOME funds. CDBG requests included program administration, demolition activities and housing rehab. HOME requests included the homeowner rehab program, HOME program administration and Community Housing Development Organization which had a requirement of \$40,360. She explained the program.

Margaret Burton, Meals on Wheels, thanked the City for the support and the clients were thankful. There were 98 CDBG clients being assisted. Many people were on a waiting list. She stated that the City was a lifeline with its support during the pandemic.

Jeanette Thorne, Special Olympics, stated that the funds would provide with 111 participants with life skills training through a variety of activities and training. Training programs included finding jobs, adapt social skills and be leaders.

Kara Dorethy, Family Promise, stated that the funds would assist with shelter, meals, and transportation for homeless families with children. There were 3,000 students identified as homeless. Services were at no cost to the families. Assistance included childcare, clothes, and supplies. This year four families and 17 individuals were helped.

LeeAnn Unruh, Greater Opportunities of the Permian Basin, stated that Hollingsworth served 70 head start children. The funds would be used for the playground surfacing project. She explained the condition of the playground. The renovation would allow access to the playground for children with disabilities. If funds were not received, the board would consider using funds from other projects that may include roof replacement and HVAC units.

Each Council member and the Mayor provided a recommendation for CDBG funds and HOME funds.

Motion was made by Council member Swanner and seconded by Council member Sprawls to approve the resolution. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Sprawls, Willis, and Swanner
Nay: None

The following CDBG Fund allocations were funded:

Program Administration	\$150,000
Housing Rehabilitation	414,226
Demolition	200,000
Hollingsworth Head Start	70,000
Family Promise	20,000
Meals on Wheels	79,000
Special Olympics	16,650

The following HOME Fund allocations were funded:

Homeowner Rehab Program	\$206,343
HOME Program Administration	\$27,512
Community Housing Development Organization	41,269

RESOLUTION

Resolution No. 2021R-47 – First amended and restated interlocal agreement for wastewater treatment services. Tom Kerr, Director of Public Works/Utilities, stated that Gulf Coast Authority received 2.5 MGD of wastewater from the city. A notice of termination was received for the effective date of December 2021. Gulf Coast Authority had the intent to renegotiate the agreement and continue to provide wastewater treatment services. The agreement would help maintain industrial activity. The renewal would provide for a one year agreement with automatic two year renewals not to exceed 50 years.

Motion was made by Council member Willis and seconded by Council member Sprawls to approve the resolution. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Sprawls, Willis, and Swanner
Nay: None

Resolution No. 2021R-48 – Outside agency requests for funding for FY 2021-22. Mrs. Muncy stated that outside agency requests were to be considered.

Haley Howey, Children’s Miracle Network, stated that the Children’s Miracle Network provided equipment, research and preventative education for MCH for its critical needs’ pediatric unit. The funds would be used to purchase an OmniBed. The cost of the bed was from \$36,000 to \$38,000. Council member Matta stated his family was blessed with the use of the bed with his child. Ms. Howey stated that this year’s funds were used to purchase special type of refrigerators.

Susan Rogers, Crime Stoppers, reported that over 9,600 cases were cleared since inception. She stated that Project Graduation was very successful as there were no fatalities or accidents this year.

Chris Barnhill, PermiaCare, reviewed the services and programs provided to clients and the funds would be matched with State funds.

Rebecca Grisham, Teen Court, reported that all MIPs go through Teen Court. Teen Court partnered with the City, County, and ECISD. Last year, 200 teenagers went through safety classes. Teen Court worked with Keep Odessa Beautiful with 392 teenagers that bagged 536 bags of trash. She introduced Stacy Walton, the longest serving Teen Court volunteer. Ms. Walton stated that Teen Court was an awesome program as records were expunged. She started a program at, formerly, Bowie Junior High School and parents were very appreciative, and students understand the court system.

Ryan Patton, Young Professionals of Odessa, stated that the organization developed business opportunity, provided leadership, and education. There were 700 volunteer hours last year. They partnered with Keep Odessa Beautiful, Code Enforcement and ECISD. The organization provided young professions and outlet and give back to the community. In the past, Council member Willis asked for membership diversity and has seen the change through activities. She congratulated the organization for the diversity and to continue the diversification.

JoAnn Davenport-Littleton, Black Cultural Council, thanked Council for its past support. Juneteenth was celebrated the past weekend and was very successful. She stated that the organization was nervous about losing the funding as there were new members on the Council. The funds would be used in events including Black History, Martin Luther King Celebration, Juneteenth, and a banquet for scholarships awards.

Diana Hamilton, Briar Patch Trade Days, stated that the trade days was twice a year since 2008. She worked with Discover Odessa. The funds would assist with more advertising. The event had 248 booths with 160 vendors and an average attendance from 3,700 to 5,000.

Gena Linebarger, Commemorative Air Force AIRSHO Director, stated that the airsho brought in out of town visitors including other countries. Hotel rooms were utilized and would be tracked. This 30th year, the airsho would be free as a thank you to the community. Alexa Moulakis, Downtown Odessa Event Coordinator, stated that the focus was to promote the downtown area to engage with the public. Events were held throughout the year utilizing hotels with attendees and vendors. She provided information on the Downtown social media.

Richard Esparza, Fiesta West Texas, stated that Fiesta West Texas was for the Cinco De Mayo celebration with crowds over 30,000. The three-day event featured concerts, food, exhibits, shows, and pageants. There were many out of town visitors. Average ticket prices were \$12 to \$18.

Kevin Hensley, Jr. Jacks Youth Hockey, stated that over 400 games were hosted and three tournaments. More games would be brought to Odessa. The season was from September to April. The age group was from 5 to 18 years old and there were 200 kids in the program. There were sponsors that offered scholarships to players if a need. The program was promoted through Odessa Jackalopes in the schools.

Brea Frazier, Junior League of Odessa, stated that Merry Market would be on November 4 – 7. There would be 80 booths with out of town vendors and 40,000 shoppers. The funds go

toward community projects.

Randy Ham, Odessa Arts, reported that the Ector Theater was filled with the Jazz Party and the Dallas Black Dance Theater. The events were funded through the HOT Funds. There were 13 art agencies that bring in culture. The arts played a role in revenue and leverage funds with grants. In 2019, there was \$6 million in economic activity with the \$700,000 of HOT money provided to the arts. The benefits enhanced the quality of life.

Monica Tschauner, Discover Odessa, stated that staff would attend trade shows, sales calls, convention recruiting and serving to promote Odessa and bring events to Odessa. There were five new conferences in Odessa. Discover Odessa was the only organization that markets every aspect of the city. The Sports Enhancement Program assisted in recruiting sports events to Odessa by incentivizing groups. She reviewed the process for funding. There were four new groups that applied and returning applicants.

Rick Matchett, Odessa Jackalopes, thanked the Council for the past funding. He reviewed the games were held with social distancing and increased hotel rooms. The average ticket prices were \$7 - \$24. Community programs were done with hockey, health and reading with the YMCA and ECISD.

Erika Thomas, Odessa Links, stated that the conference has double its attendance and outgrown the location. The conference provided interactive sessions and professional speakers for the communities and partners.

Mr. Patton stated that this year would be a Fall Fun event that would be less interaction and more a production that would include shows and a movie. He requested that the \$15,000 left over funds be used for the next Fall Festival that would be a full festival. The request for Starbright Village was \$136,000. There were 235,000 people that went through Starbright Village which has become a destination location.

Chandra Coleman, PermianCare Family Resiliency Center, stated that the center provided services at no cost that assisted with counseling, gardening, education and mental health classes. A post-critical incident three day seminar would be held to help first responders and spouses.

Chris Yount, Permian Basin Fair President, stated that the fair was ten days and over 100 vendors. There were 65,000 attendees and \$41,000 given in scholarships.

Jim Wise, Sandhills Stock Show and Rodeo, appreciated the past support and thanked the community that supported the event. The community came together for the rodeo.

Nick Hernandez, Tejano Super Show, stated that the car show had 50 years of tradition. Hotels were rented and there were no issues with last year's event. The car show utilized all the coliseum buildings. He stated that the advertising budget was \$40,000 and did not need all the requested \$92,575.

Casey Carson, U.T. Permian Basin Athletics, appreciated the support. She stated that athletics was part of the West Texas culture. There were 16 UTPB sports teams and overnight hotel nights were used from the visiting teams. She was working on corporate sponsorships and the investment was worthwhile.

Eugene Neboh, West Texas Track Club, stated that the Club was started to combat childhood obesity in a fun environment from 2 to 18 years old. Participation has grown. The

tiny tots started with eight kids and this year had 300 tiny tots. There were two events annually. A future regional meet may be obtained to be hosted in Odessa which was a weeklong event.

Christine Holcomb, White Pool House, stated that several years ago the museum only had 300 people a year. The Museum turned around with the City's assistance and it averaged 10,000 visitors a year. The wedding events had out of town visitors. The White Pool House was featured on a documentary.

There was a short recess from 8:35 p.m. to 8:41 p.m.

Each Council member and the Mayor gave a recommendation for funding.

Motion was made by Council member Matta and seconded by Council member Thompson to approve the resolution. The total allocation was \$3,065,549. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Sprawls, Willis, and Swanner
Nay: None

The following General Fund allocations were made:

Children's Miracle Network	\$40,000
Odessa Crime Stoppers	60,000
PermiaCare	90,000
Odessa Teen Court	66,950
Young Professionals of Odessa	20,000

The following Hotel/Motel Tax Fund allocations were made.

Black Cultural Council	\$ 75,000
Briar Patch Trade Days	5,000
Commemorative Air Force	50,000
Downtown Odessa	450,000
Fiesta West Texas	40,000
Jr. Jacks Youth Hockey	10,000
Junior League of Odessa	15,000
Odessa Arts	572,000
Discover Odessa	982,450
Sports Events Recruitment Program	60,000
Odessa Jackalopes Hockey	40,000
Odessa Links	15,000
Parks – Fall Festival	15,000
Parks– Starbright Village	136,000
PermiaCare Family Resiliency Center	7,500
Permian Basin Fair & Exposition	150,000
Sandhills Stockshow and Rodeo	125,000
Tejano Super Show	40,000
U.T. Permian Basin Athletics	100,000
West Texas Track Club	55,000
White-Pool House Friends	40,000
Ector County Coliseum interlocal agreement	50,000
Administrative Costs/Audit Fees	32,599

Resolution No. 2021R-49 – Employ the Law Firms of Cotton Bledsoe Tighe & Dawson, PC, Brockett & McNeel LLP, and Keith Stretcher to represent the City of Odessa in the lawsuit with AIM Media LLC d/b/a The Odessa American. Motion was made by Council member Willis and seconded by Council member Sprawls to approve the resolution. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Sprawls, Willis and Swanner
Nay: None

MISCELLANEOUS

Appointment of Boards: Historic Preservation Commission, Midland Odessa Urban Transit District, PermiaCare MH/MR Board of Trustees, and Tax Incentive Committee. Mrs. Grimaldo stated that Tim Harry was interested in serving on the Midland Odessa Urban Transit District. For the PermiaCare, Margaret Jones and Arlo Chavira were interested in serving on the board. Mr. Barnhill stated that Mrs. Jones was the Chair of the Texas Council of Community Centers and an excellent member.

Motion was made by Council member Thompson and seconded by Council member Matta to appoint Tim Harry to the Midland Odessa Urban Transit District and Margaret Jones reappointed to the PermiaCare MH/MR Board of Trustees. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Sprawls, Willis, and Swanner
Nay: None

Citizen’s comments on non-agenda items. No comments.

Motion was made by Council member Swanner and seconded by Council member Thompson to adjourn the meeting. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Sprawls, Willis, and Swanner
Nay: None

The meeting adjourned at 9:03 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

Javier Joven
Mayor