



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

January 18, 2022

On January 18, 2022, a work session meeting of the Odessa City Council was held at 3:00 p.m., Council Chambers, fifth floor, City Hall, 411 W. 8th St., Odessa, Texas.

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

City Council absent: Council member Tom Sprawls, District Four.

Others present: Michael Marrero, City Manager; Natasha Brooks, City Attorney; Cindy Muncy, Assistant City Manager; Celia Senoret, Deputy City Secretary and other members of City staff.

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

Council member Swanner gave the invocation.

Annual award of bid for crack sealing compound material. Phillip Urrutia, Assistant City Manager Community Service, stated this item was for a five-year agreement to purchase crack-sealing material for the Street Department. The bid was advertised and sent to six vendors. One bid was received from Crafcoc Inc. The proposal was \$0.5757, which was about 29% increase in price. The annual costs for this material went up from \$61,000 to \$82,000. The material would help with the seal coat or friction for 16 miles. Mr. Urrutia stated that the price would be negotiated every year.

Tax Increment Reinvestment Zone (TIRZ) update. Craig Stoker, TIRZ Chairperson, reported that the income was not what was projected. The plan was to revisit the project and finance plan that was going to help them to move forward with the Master Plan. They worked with Kimley Horn and the final edit was almost completed to present to Council for approval. Some of the projects were improvement of the lighting downtown, and revitalizing the parking lots at 4th and Grant. The TIRZ board approved the purchase of 12 flowerpots to help with landscaping at downtown. The Parks Department will help on planting. They were going to create an entry point into downtown at 2nd and 8th Street. They were planning an event and partner with Odessa Arts. Council member Thompson asked how many new business were coming. Mr. Marrero stated there were about five façade that were working through the city's program, but there was a number of private individuals. Mayor Joven had questions on the project finance plan, how much was going through annually and where they were now. Mr. Stoker stated about \$130,000 but expected was \$300,000 when the plan was developed.

Purchase Axon's Officer Safety Plan for Odessa Police Department. Matt Davidson, Deputy Police Chief, presented the technology for the Police Department for the next decade. He stated the Police Department was already utilizing Axon such as body cameras, in-car camera and evidenced data collection. The new technology would provide audio, video equipment, report management system, drone, community development and community participation. Ian Kapets, Police Corporal, stated that the purpose was to

increase efficiency. This would enhance the workflows, partnering with other city departments, such as Municipal Court, Legal, and Risk Management. One single contract would be inclusive that compass body-worn camera videos, and tasers. The plan was to go live in April 2023. The five-year contract, purchased in 2018 for \$2.6 million, included tasers, body-worn cameras and dash cameras. If continued, it would be for 10 years for about \$5.2 million. The proposal yearly expenses was \$520,000. Corporal Kapets reviewed the program features, hardware components, training and support, software components and warranties. He reviewed the cost savings. There were some existing credits, \$91,000 prepaid out of the 2018 contract for tasers and \$872,000 that was already budgeted and appropriated for the RMS and standard roll out. Operating expense savings over ten years was \$350,000 in training and cartridges and there was \$200,000 in damaging to equipment. Over the course of ten years, both incentives provided by Axon, they would receive \$5.1 million in savings over 10 years. This will equip officers with the best technology, software, and allow being more efficient and effective in policing the community. He reviewed the financing. Corporal Kapets gave a breakdown of a five-year contract versus the ten-year contract. Council member Thompson wanted to know how it was going to be paid off. Mr. Marrero stated the first year payment would be with the seizure funds. Deputy Chief Davidson stated the costs about saving in equipment was already paid. The Police Department replaced the equipment every two and a half years and for the next ten years would not have to renegotiate on new equipment. Mr. Marrero talked to Mrs. Muncy on a strategy to utilize supplemental dollars to sustain some or the payment. Council could appropriate funds to help support this program. Council member White stated this was an excellent program that protected the officers and the citizens and streamline functions. Council agreed on a 10-year contract.

Resolution accepting a donation from Chevron and appropriate funds to Odessa Fire Rescue. John Alvarez, Fire Chief, stated the donation was from Chevron for \$10,000 and be used as needed.

Resolution accepting a donation from Occidental and appropriating funds to Odessa Fire Rescue. Chief Alvarez stated the donation was from Oxy Corporation for \$20,000. Funds would be used for training or technical rescue on this funding. The donation would be used for the training division.

Bid award for 2021-22 paving and drainage CIP. Yervand Hmayakyan, City Engineer, stated that the bids for this project were opened January 11. The lowest responsive bidder was from Onyx General Contractors for \$356,797. The purpose of this project was to improve areas that have poor curb and roadway drainage. The project will include gutter replacement, concrete valley, handicap access ramp and concrete sidewalk installation. There were ten locations for this project with minor damage. Council member White had questions on the intersection of Murphy and Dixie. Mr. Hmayakyan stated that would be closed as part of this project. Mr. Marrero stated that this intersection was dangerous and was closed some years ago. Staff had removed the asphalt. This project would provide sidewalk and curb along with that, it would crumble around on Murphy. Council member White wanted to know if this project, on Dixie Boulevard and Walnut would help to relieve some of the problem. Mr. Hmayakyan stated the main problem was the flow on 42nd and Dixie, which flowed through Walnut. The project would fix some of the problems.

Discussion of future Work Sessions. Michael Marrero, City Manager, explained the context of the work sessions meeting. He stated that for many years, the City Council had a meeting prior to the Council meeting, the Finance Committee. It was comprised of staff and two appointed council members. In 2018 or 2019, Council wanted to be more engaged in understanding of the Finance Committee. The City Attorney, at that time, indicated that

presented a problem because it was no longer a committee of appointed council members. The conversation occurred that it would allow all other members to attend the meeting and make it an open meeting. The name changed from the Finance Committee to a Council Work Session because it would allow the Council to discuss items beyond purchases and items associated with finances. Council member Willis asked if they could have the next three meetings virtual due to uptake in COVID numbers in the community. Council member Thompson liked it as it was. Ms. Brooks stated that according to the Open Meeting Act, in order to go virtual they would have to have a quorum present in the Council Chambers. In addition, they would have to have sufficient technology in order to go virtual. To be able to communicate back and forth to meet the guidelines of the Department of Information recently released. Council member Willis stated that was a lot of work on staff and technology. She agreed to continue as it stood. Mayor Joven asked about the creation of committees if it relied through consensus, resolutions, ordinances, or through the Mayor's office. Ms. Brooks stated the Mayor has certain duties, in Article V, Section 55 of the City Charter. The Charter defined the duties of the Mayor. As home rule municipality, they were under the council manager form of government. According to the Code of Ordinances, any committee should be with the entire council. Mayor Joven asked how and when the Finance Committee started. Ms. Brooks would research.

Approving amendment to Article 4-17 Game Rooms and Video Gaming Ordinance. And Amendments to Article 14-2-2.4 Legend for Interpreting Schedule of Uses- Recreational and Entertainment Uses, Article 14-9-1.3(E) Vehicle Parking Regulations- Commercial Amusement, and Article 14-19-1(8) Definitions- Amusement, Commercial (Indoor). Randy Brinlee, Director of Development Services, stated that on October 2021 was an amendment that required certain information to be included on an application for a game room. Proposal for hours of operations was during the week from 8:00 a.m. to 11:00 p.m. and on the weekend, extend one hour to 12:00 a.m. Separation from existing game rooms from hospitals, schools, residential zoning districts and about 1,000 feet of separation. It would have the same parking standard, thirty spaces plus additional space above 2,000 square feet to meet the code of ordinances and zoning ordinances. Council member Thompson asked if Victoria County had reached out to the city regarding the agreement. Ms. Brooks had not been able to visit with the county regarding that specific ordinance. She stated the city has more restrictions. However, the county could order more restrictions with regard to game rooms. She suggested an interlocal agreement with the county. Mayor Joven had been trying to reach out to the county commissioners and had not been in communication. He wanted to find out the interlocal agreement with the county. Mayor Joven stated the community wanted action on this matter and Council wanted to move forward. Ms. Brooks stated that there was an occupational code and was limited to 300 feet. Council member Matta questioned what would eliminate the possibility of being sued. Dan Jones, Senior Assistant City Attorney, did not know what would eliminate the possibility of being sued. Entering into an interlocal agreement with the county would benefit the city. The intent was to adopt a 1,000 feet of separation, hours of operation from 8:00 a.m. to 11:00 p.m. weekly and 8:00 a.m. to 12:00 a.m. weekend. It would address automatic locking mechanism, and obstruction of windows. Letters would be send to the County Judge and County Attorney. Ms. Brooks stated that it was imperative to emphasize that they were not discriminating against game rooms and were operating legally. February 15 was the deadline to receive the response.

Recess for Executive Session: As authorized by the Texas Government Code Section 551.071 (Consultation with Attorney), the City Council may adjourn into executive session to: Discuss a settlement agreement for pending litigation presented by Dan Jones, cause number A-18-01-0122-CV, Lourdes Rodriguez v. City of Odessa. Motion

was made by Council member Thompson and seconded by Council member Swanner to go into executive session. The motion was approved by the following vote:

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

Motion was made by Council member White and seconded by Council member Thompson to return from executive session. The motion was approved by the following vote:

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

No action was taken in executive session.

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

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

The meeting adjourned at 4:58 p.m.

ATTEST:

APPROVED:

Celia Senoret
Deputy City Secretary

Javier Joven
Mayor