



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

February 14, 2023

On February 14, 2023, 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; Gilbert Vasquez, District Three; Greg Connell, District Four; Chris Hanie, District Five; and Denise Swanner, At-Large.

Staff present: Agapito Bernal, Interim City Manager; Norma Aguilar-Grimaldo, City Secretary; Dan Jones, Interim City Attorney; Aaron Smith, 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 Rudy Espinoza, Iglesia Puerta del Cielo, and followed by the Pledge of Allegiance and Texas flags.

Proclamations, Presentations and Awards. Mayor Joven presented a proclamation for the School of World Missions Foundation Day.

Update of the PIDS for the 100th Street project of Betenbough Homes. No presentation.

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

Consent Agenda

1. City Council minutes, January 24, 2023;
2. City Council Work Session minutes, January 24, 2023;
3. **Resolution No. 2023R-08 - Extend the warranty of Stryker cots and power loads;**
4. **Resolution No. 2023R-09 - Odessa Development Corporation and Current Media Partners marketing services agreement;**
5. **Resolution No. 2023R-10 - Council member Thompson to serve on the Permian Basin MPO Policy Board;**
6. **Resolution No. 2023R-11 - Authorize the Odessa Police Department to apply for and accept; amend the fiscal budget to appropriate awarded funds as additional revenue and authorize the expenditure of awarded grant funds from the 2024 STEP Speed, Occupant Protection, Intersection Traffic Control, Distracted Driving and Driving While Intoxicated Grant.**

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

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie, and Swanner
Nay: None

Other

Reject bid proposals for food and beverage management and concession operation at Ratliff Ranch Golf Course. Matthew Christman, Deputy Director of Parks and Recreation, recommended that the bid be rejected. One bid was withdrawn and there was only one bid from the current vendor. He suggested to open it up for competitive bids. There were issues with the provider and not all the issues were addressed. The contract expired April 11, 2023 which was a five year contract. The Citizens Golf Advisory Committee was not part of the process for this bid. Derrick Bush operated the Links. He overcame COVID and served with the dying greens which affected revenue. He stated that the customers enjoyed the food. The staff was consistent and requested that Council vote against rejecting the bid. Tim Harry stated it was great food and service. He supported the contract extension. Mr. Christman explained the process of going out to bid after five years. Issues included the staff was not in attire and not identifiable as Links, and cleanliness. Mr. Bush reported that there were no bad health department reviews. The issues were not addressed to the Golf Advisory Committee. Steve Patton, Director of Parks and Recreation, stated that the contract included having an identifiable logo. The contract term was negotiable. The contract could be extended up to one year or negotiate a longer term. Council member Thompson was concerned with no term to the contract in the bid process. He supported the contract be renewed for five years. Council member Hanie supported the contract and include a five year term. Mr. Bush agreed to the five year agreement with the same payment.

Motion was made by Council member Matta and seconded by Council member Thompson to not reject the bid proposal from the Links. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie, and Swanner
Nay: None

Remove from the table to discuss recycle options. Motion was made by Council member Swanner seconded by Council member Thompson to remove from the table. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie, and Swanner
Nay: None

Tom Kerr, Director of Public Works/Utilities stated that the commercial recycling would be discontinued as it was difficult to manage, and it was not monitored. There were three options for Council consideration. Options included to discontinue recycling that would have a \$200,000 cost savings scale back collection only at the Time Machine with BRI monitoring the recycling or recycling with the Time Machine and remote sites that had controlled monitoring. Council member Connell stated that people liked to recycle and did not want it to be done away with in the community. Mr. Kerr stated that the most reasonable was option two to scale back with collection only at the Time Machine. Jesus Rodriguez, Solid Waste Superintendent, explained the current recycling process. The recycling containers would generate more revenue if they were converted to trash containers. Mayor Joven stated that there was a facility design for \$350,000 but there would be the cost of the building construction, bailer, and overtime. He asked to address the building, compact for option #2. He requested a cost analysis on option 2 and report to the Council.

Public Hearing

Open a public hearing to consider approval of the request by Forrest Hermanos, LLC, optionee, Newton Engineering, agent to rezone from Multi Family-Two (MF-2) to Planned Development-Light Commercial (PD-LC) a 1.68 acre section of Lot 5, Block 1, Parks Estates, 3rd Filing, City of Odessa, Ector County, Texas (east of the intersection of De Morada Dr. and Parks Legado Ct.). Lorraine Quimiro, Interim Director of Planning, reviewed the location which was vacant. The purpose of the rezoning would provide expanding the planned commercial development east of the property. There were protests received but were rescinded due to an amended allowable uses for the property. The Planning and Zoning Commission recommended for approval. No one came forward and the public hearing was closed.

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

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie and Swanner
Nay: None

Ordinance

Amending Section 12-2-8, Temporary speed limits. Hal Feldman, Traffic Engineer, stated that TxDOT requested a speed limit change for the construction project on the bridge at Crane and I-20.

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

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie and Swanner
Nay: None

Resolution

Resolution 2023R-12 – Parks and Recreation Advisory Board recommendation to pursue the development of a Sports Complex. Mr. Patton stated that the feasibility study was for \$15,000 and funds would be paid out from the Parks Department. ODC did not provide it as an allowable expense. The study would take six weeks with a March 28 recommendation to Council. He stated that that the study would prioritize locations using metrics including accessibility, accommodations and infrastructure. The consultant would work with the Quality of Life Committee. Christine Holcomb stated that there were other sport avenues to consider. She stated that youth sports should not be in the hands of one person or one company. She supported the sports complex, but it should be a community effort.

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

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie and Swanner
Nay: None

Appointment of Board: Board of Survey, Historic Preservation Commission, Midland Odessa Urban Transit District, Planning and Zoning Commission, Tax Increment Reinvestment Zone, and Traffic Advisory Committee. Motion was made by Council member Matta and seconded by Council member Swanner to make the following appointments:

Roland Spickermann reappointed to the Historic Preservation Commission
Israel Galvan reappointed to the Traffic Advisory Committee

The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie, and Swanner
Nay: None

Executive Session: As authorized by the Texas Government Code Section 551.071(1)(A) (Consultation with Attorney), the City Council may adjourn into executive session to: Discuss pending litigation with the Interim City Attorney and the attorneys hired by the City of Odessa, Cause No. B-22-02-0128- CV, D'Morriyon Breaux, et al. v. City of Odessa. Motion was made by Council member Swanner and seconded by Council member Matta to go into executive session under 551.071(1)(A). The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie, and Swanner
Nay: None

Mayor Joven stated no action was taken in executive session.

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

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie, and Swanner
Nay: None

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

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie, and Swanner
Nay: None

The meeting adjourned at 7:27 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

Javier Joven
Mayor