



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

**April 5, 2022**

On April 5, 2022, a work session meeting of the Odessa City Council was held at 3:00 p.m., Council Chamber, fifth floor, City Hall, 411 W. 8<sup>th</sup> St., Odessa, Texas.

City Council present: Mayor Javier Joven; Council members: Mark Matta, District One; Steven P. Thompson, District Two; Detra White, District Three; Tom Sprawls, District Four; and Mari Willis, District Five

City Council absent: Denise Swanner, At-Large.

Others present: Michael Marrero, City Manager; Norma Aguilar-Grimaldo, City Secretary; Natasha Brooks, City Attorney; Cindy Muncy, Assistant City Manager; Phillip Urrutia, 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:

Council member Willis gave the invocation.

**MCH ARPA funding update.** Russell Tippin, Medical Center Health System CEO, reported that there were no COVID cases for over a week at the hospital. He stated that the FEMA application was in process and the second request for reimbursement was being completed. There was no conversation with the County for ARPA funds. Council member Willis thanked the hospital staff and employees. Mayor Joven gave a personal thank you for the care and dedication of the employees for his family care.

**Downtown Odessa Board update.** Shawn Rodriguez, Chair Downtown Odessa Board, introduced Casey Hallmark the Downtown Executive Director. He reported on Downtown's activities. Projects included the Downtown Master Plan, Odessa College park, egg hunt, art tour and Hot Summer Nights. He stated that a plan would be developed for the \$7 million of Downtown funds from the Certificate of Obligation issuance. Firecracker Fandango was scheduled for July 2 with the Multicultural Committee organizing the parade on July 4. The firecrackers would be set on Grant and 1<sup>st</sup> St. He stated that Patrick Clay's ICON Tavern would be open by September.

**Odessa Arts public art update.** Randy Ham, Odessa Arts Executive Director, stated that Ferdinand was almost complete and funded with grants and private donations. He reviewed the art projects in process that included at the Police Department Training Facility and Fire Station #9. He stated approval was needed for art projects at Fire Station # 6, a stained glass art, Animal Control for a metal sculpture and the Lee St. building for a postcard mural. He reviewed the budgets of each project.

**NetOps.** Mitchell Block, NetOps President, stated that NetOps was an internet service provider for outside the city limits. The project design was being finalizing. An ODC grant was approved for 20 full time employees. Mr. Block reviewed the pricing and structure. He has been in discussions with the County for the use of ARPA funds. He stated that supply was an issue. Mr. Block reviewed the cost for the fiber and the installation options. He reported that it would be between two and three years before the employees were hired. Council member Thompson was concerned with the City taking care of County business as

the project was outside city limits. He stated that this project should not involve the City as it was a County issue.

**ODC and NetOps Communications, LLC economic development agreement.** Tracy Jones, Director of Business Retention and Expansion, stated that the ODC funded a broadband study through MOTRAN. The NetOps capital investment was \$14 million with a job creation of 24 jobs. The ODC grant was for \$868,000 over five years.

**Amend the City Code, Article 6-9 Ambulances; providing definition of Hardship Assistance, adding reduction to ambulance service free with approved Hardship Assistance; and providing authority to create a Hardship Assistance Policy and Procedure.** Agapito Bernal, Director of Billing and Collection, explained the Hardship program. He reviewed the revenue from the fiscal year 2019 and the collection rate for 2021 with over \$5 million in lost revenue. The qualifications for hardship assistance were reviewed. Marketing the program would be done through the City's social media. The collection would be made through a third party with 15% of collected revenue paid to the collection provider. Council member Thompson asked for an analysis of cost for outside the city limits. Mr. Marrero stated that 30% of calls were from the County, Council member Thompson was concerned for the wear and tear of the equipment runs to the county. John Alvarez, Fire Chief, stated that 902 square miles were covered by Fire Rescue. Council member White was concerned with no service available if Fire was serving the county and a call came in the district with no available service.

**Amend the contract with Public Consulting Group, Inc.** Mr. Bernal stated that Public Consulting Group would provide the Medicare cost report and if there was no City participation the loss would be \$171,348.39 of Medicare payments. The contract cost was \$35,000 annually. Council had a consensus to proceed.

**Discretionary service agreement and funding for the work required of Oncor on the Water Treatment Plant rehabilitation and miscellaneous upgrades project.** Mr. Urrutia stated that the Oncor contract was for electrical upgrade and funds was from the 2021 Certificates of Obligation.

**Purchase six outfitted fire package Tahoes and equipment.** Saul Ortega, Assistant Fire Chief, stated that the Tahoes were for the replacement of aging fleet. The cost was \$423,907 from Siddons-Martin.

**Purchase 18 new sets of bunker gear.** Assistant Fire Chief Ortega stated that the bunker gear has a 10-year shelf life and 5-year use life which was for Fire Station #9. The cost was \$54,450.

**Purchase 35 replacement sets of bunker gear.** Assistant Fire Chief Ortega stated that the replacements of bunker gear were annual replacements. The cost was \$106,750.

**Purchase 20 portable radios for new Fire Stations.** Assistant Fire Chief Ortega stated that radios were to outfit the trucks and ambulances for the new fire stations. The cost was \$221,047.45.

**Purchase eight MSA G1 SCBA's.** Assistant Fire Chief Ortega stated that the MSA G1 SBCAs were for the trucks and ambulances for Fire Stations #9 and #6. The cost was \$221,047.45. He explained the use of the equipment.

**Purchase a Panther air compressor.** Assistant Fire Chief Ortega stated that the compressor would replace an aging air compressor. The compressor was for Fire Station #6 at a cost of \$58,578.

**Amend City Code, Chapter 1 relating to Boards, Commissions and Committees.** Mrs. Grimaldo stated that changes to the boards, commissions and committees were housekeeping items that included Parks and Recreation Advisory Board attendance and adding additional language on the purpose of the Odessa Development Corporation. Ms. Brooks stated that the added language was consistent with the Local Government Code and encompassed the full act.

**Discuss amendments to Article 4-17- Game Rooms and Video Gaming Ordinance.** Monique Wimberly, Senior Assistant Attorney, stated that Ector County amended its game room ordinance with the City's recommendations. An interlocal agreement was in negotiation. She reviewed the City recommendations that included limits on machines, days of operation and a 1,500 set back from residential. The County adopted no more than 50 game rooms and the City had 27. The interlocal agreement was for the creation of a task force for the City to assist with enforcing the County ordinance in the County. Discussion was held on maintaining, amending, or rescinding the City ordinance. Mayor Joven stated that there was no mechanism to protect the City with the number of game rooms. There was no revenue sharing. Ms. Brooks asked for Council direction. Mayor Joven had a concern with the financials and the interlocal should be done timely. He pointed out that the City was also in Midland County and Midland did not have a game room ordinance. He stated that the citizens wanted game rooms curtailed. If the City rescinded the City ordinance, then it would follow the County ordinance which included a grandfather clause. Amendments could be made to the City ordinance, but if was left as it stood it would conflict with the County ordinance. Mr. Marrero emphasized that the Police Department could enforce in the County if they chose under the interlocal agreement. Randy Brinlee, Director of Development Services, stated that there was restrictive parking for the commercial amusement in door, a certificate of occupancy was required and a game room license. No site plan was required. The Police Department and the Fire inspectors could inspect the game rooms. Mayor Joven did not oppose to amend the ordinance as recommended. He asked about the permitting fees. Mr. Bernal reviewed the process for the video gaming application, issuance of tags for the machines, and taxes. Mayor Joven asked about the fees in the budget. Mrs. Muncy stated that the fees were in the General Fund. Mayor Joven asked for the total amounts for each fiscal year since inception. Mr. Marrero stated that one account was used in the General Fund activities. Chief Alvarez stated that inspections were done every year. Council member Thompson asked that the ordinance with the amendments be considered with the discrepancy of the distance changed and the date for the ordinance be May 1st. Ms. Wimberly stated that a moratorium could not be done on incoming applications. The grandfather clause was tied to the applicant which was explained. Mike Gerke, Police Chief, explained the nuisance abatements.

**Discuss employee compensation.** Mr. Marrero provided proposed compensation adjustments to begin April 1 for the employees. There has been inflation increases and impacted employees. He stated that Fire Rescue and Police Department relied on overtime and it was a struggle with attracting and recruiting. He recommended a compensation study by a third party for an analysis to determine if salaries were comparable. He reviewed proposed options that included a one time payment of \$1,500 or \$1,750 to outside employees of Police and Fire. Sworn police officers and firefighters would be given a 5% increase or a 4% to all full time employees. Council member White had concerns of excluding the Fire and Police administrators from the 5% increase. She stated that there

would be compression. Chief Gerke stated that officers were lost between zero and five years of employment. Chief Alvarez explained the skilled and incentive pay for fire personnel. Mrs. Muncy stated it would be approximately six months for the compensation analysis. Council member Matta stated that costs were spent on County services. Mr. Marrero stated it was more significant than the City was receiving. Council member Thompson supported the study and the \$5 million in excess sales tax provided the funds. He proposed the option of a one-time payment of \$1,750 and a 5% increase across the board. He stated that, with the high inflation, employees needed to be helped and to proceed with the study with possible adjustments. Mayor Joven asked that the amount be provided for the next Council meeting. The appointees were not included in the proposed compensation as it would require a separate Council action.

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

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

The meeting adjourned at 6:18 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC  
City Secretary

Javier Joven  
Mayor