



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

April 19, 2022

On April 19, 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. 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; Tom Sprawls, District Four; Mari Willis, District Five; and 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 Swanner gave the invocation.

Fix West Texas budget update. Karen Patterson requested a budget for a voucher program for people who could not afford the cost for spay and neuter. She reviewed numbers on euthanized animals for 2021 which had 2,380 animals euthanized, a 52% kill rate. She stated that there was a problem in the community with the lack of spaying and neutering. She stated that the City of Midland and Midland County assisted with funds for a voucher program. Council member White stated that the numbers included animals from the County that were taken to the shelter, voluntarily surrenders and from the Humane Society. Ms. Patterson stated that Fix West Texas received grants and \$40,000 was directed to the City and Ector County. She explained the Midland voucher program. Her goal was to have an euthanizing rate of 10%. She had proposed to have the Best Friends program run the shelter at no cost to the City. Council member White stated that the proposal was reviewed and it was recommended not to pursue. Ms. Patterson was concerned with the number euthanized. Mike Gerke, Police Chief, stated that the goal was to reduce the numbers. The Best Friends had a contract and included telling the director how to operate. He stated that 35% of animals were from the County. Mayor Joven asked for more data and supported the staff, and director with confidence of running the shelter.

Discover Odessa quarterly update. Monica Tschauner, Director of Discover Odessa, reported on the second quarter update. She stated that total economic impact was \$4,924,997 with sports having the highest category in group, attendees and hotel nights. She reviewed the groups assisted and the marketing report. A bus tour will be held on April 30 visiting Odessa sites. A podcast would be launched on May 3 highlighting city happenings and promote businesses.

ODC and Downing Wellhead Equipment economic development agreement. David Boutin, ODC President, stated that the Downing grant from ODC would be to create and retain jobs. The company was consolidating two locations to move into one location in Odessa. Downing would lease a building that was built to suite which there was no capital investment. He reviewed the jobs and salary with a total payroll of \$27,018,240. The grant was for \$1,640,000. Council member Thompson preferred the location in Ector County than

Midland County. Additional assistance could be given on infrastructure if located in Ector County.

Keep Odessa Beautiful (KOB) update. Claudia Ortega, Director of Keep Odessa Beautiful, reported on the strategic planning session. She reviewed the revised mission and the vision. She reviewed the 24 programs and events for KOB in which all four areas were supported. The Campus Cleanup Rivalry was a success with 11 schools participating and three schools expanded out of its campus. The Spring Sweep had 29.5 tons removed. Council member Thompson suggested addressing the issue with trash in the truck beds such as a PSA.

Municipal Court building security and A/V recording system modification. Mike Parrish, Director of Information Technology, stated that a new camera system was for Municipal Court. The cost was \$73,000 that included cameras, audio and a five-year support. The funds were from an approved supplemental.

Solid Waste systems evaluation and master plan presentation. Tom Kerr, Director of Public Works/Utilities, stated that the plan provides for options on service level production. Michelle Leonard, SCS Engineers Senior VP, and Vita Quinn, Director of Management Services presented the plan. Ms. Leonard stated the principles for the master plan included effectiveness, efficiency, quality, service and waste. The strengths and needs were assessed and action recommended. The plan provided for a five-year and a 20-year plan. Ms. Quinn reviewed the collection rates and collection cost was 83% personnel. The average operation route was \$143,000 a year. Ms. Leonard reviewed the options that included communication/data analyses, collection, recycling and organics recovery. It was recommended to amend the Waste Code in the Odessa Code of Ordinances. A collection option included reducing residential collection but the holidays were not addressed. Recycling options included promoting landfill diversion with recycling programs and providing standardized collection locations. Mr. Kerr stated that our region was unique from other regions and there were no significant issues identified in the system but there was a potential use of less money. Future considerations included re-evaluate transfer station and assess front end loader service benefits. Ms. Quinn reported that the plan recommended a rate increase and explained the impact on financial resources. Mayor Joven asked about the effects on trash with violations. He stated that if the plan was approved the recommendations included the consolidation of service. Mr. Marrero stated parts of the plan could be implemented. Council member Swanner asked for the code changes. Mayor Joven stated that language should be clear in the code.

Little McJack Properties infrastructure grant. Casey Hallmark, Director of Downtown Odessa, stated that Little McJack, a general store, was located at 411 N. Grant. The ODC approved an infrastructure grant for \$46,440. The owners' investment was \$119,256.40 and the total investment was \$165,696.40.

Little McJack Properties facade grant. Ms. Hallmark stated that the façade grant was for \$25,000 with a total investment of \$35,000.

Discuss and consider Council Appointees salary increases. Council member White recommended salary increases for Appointees, the same as other employees, 4% increase and a \$1,250 one-time payment to be effective as the same time as the employees. Council member Thompson agreed. He stated that the Appointees suffer from the same inflation problems and there was no salary increase in 2020. Council member Swanner stated that there were no guaranteed raises in evaluations and was good with the recommendation. Council member Matta requested the cost analysis. Council member Willis stated that the

salary increase was not based on evaluation and appointees were employees of the City. Council member White stated that appointees could be evaluated on performance at any time to address any issues immediately.

Remove from the table to discuss and approve amendments to “Article 4-17 Video Gaming”. Motion was made by Council member White and seconded by Council member Sprawls to remove the item from the table. The motion was approved by the following vote:

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

Ms. Brooks reviewed the recommendations for the ordinance amendments that included an interlocal on the use of the County’s authority to regulate, hours of operation, grandfather clause, required site plan and not exceed 50 video gaming devices on premises. Monique Wimberly, Senior Assistant Attorney, reported that the City of Fort Worth continued its interlocal with Tarrant County and were no changes with the Court’s opinion. Mayor Joven reviewed the Ector County’s ordinance. Ms. Wimberly stated that the County’s amendments were based on the City’s recommendations. Council member Thompson suggested to proceed with the interlocal until the Texas Supreme Court ruled. Council member Willis agreed. Mayor Joven asked about limiting the number of game rooms as permits, tax and collection would be continued. Ms. Brooks reported that the County ordinance limited 50 game rooms to the unincorporated County. Council member Willis suggested limiting the number of establishments in the City. Ms. Brooks stated that the request could be made to the County to include in the County ordinance. Council member Thompson suggested to add light industrial area for the incorporated area. Mayor Joven wanted no game rooms in the City. He stated applications will continue until the final City ordinance amendment second approval was effective. Council member Thompson stated it was prudent to adopt the ordinance with amendments until the interlocal was made. Chief Gerke stated that an issue was that game rooms get shut down and someone else opens the game room. Council member Matta stated that there was the ability to control with the amendments of the ordinance. He agreed to ask the County for the limit change. Mayor Joven stated that the number of game rooms would increase. Ms. Brooks stated it was not a recommendation to change the distance due to the Occupational Code limits to 300 feet. The County has the authority for 1,500 feet regulation. Council member Willis stated to move forward in following the law and procedures. The Council had a consensus to recommend a change in the County ordinance on the number of game rooms to include the incorporated Ector County, proceed with the interlocal, and amend the City ordinance.

Executive Session as authorized by the Texas Government Code, Section 551.101, the City Council will hold an executive session, which is closed to the public, to discuss the following matters permitted under the following sections of the Texas Government Code: Section 551.071, Consultation with the City Attorney 1. Discuss contemplated litigation involving Chapter 387 of the Texas Local Government Code. 2. Discuss Opinion No. KP-0365 issued by Ken Paxton, Attorney General of the State of Texas, on April 5, 2021. Motion was made by Council member Swanner and seconded by Council member Thompson to go into executive session under 551.071. The motion was approved by the following vote:

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

Motion was made by Council member Sprawls and seconded by Council member Thompson

to return from executive session. The motion was approved by the following vote:

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

No action was taken in executive session.

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

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

The meeting adjourned at 6:50 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

Javier Joven
Mayor