



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

May 25, 2021

On May 25, 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; 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; 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 Daniel Perez, Odessa Bible Church, and followed by the Pledge of Allegiance and Texas flags.

CONSENT AGENDA ITEMS

- A. City Council minutes, May 7, 2021;
- B. City Council minutes, May 11, 2021;
- C. City Council work session minutes, May 18, 2021;
- D. **Ordinance No. 2021-13 - Request by E&E Environmental Experts Inc., owner, LCA, agent for original zoning of Light Industrial (LI) on Lots 9-11, Block 1, West Interstate Industrial Sites 3-41, City of Odessa, Ector County, Texas (northeast of the intersection of Walther Rd. and Interstate Highway 20).**

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

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

OTHER COUNCIL ACTION

Award contract to Onyx Contractors for the construction of Odesa Animal Shelter for \$8,308,472. Mike Gerke, Police Chief, stated that Onyx Contractors was the low bid for \$8,308,472. The total project cost with the soft cost was \$10,100,000. He reviewed the current and proposed square footage. He reported that the animal shelter had an issue with drainage. Council member Matta stated that the cost per square foot was \$405 which was very high. He researched a city similar in Wisconsin and its shelter was built for \$2 million with a \$500,000 operating cost. He asked about the new shelter requiring more personnel but only two personnel were being added. Chief Gerke stated that the employee cost was not huge, and the new facility was more efficient. Council member White stated that the issue was discussed three years ago and the funds were borrowed for a new animal shelter

and could not be used on another project. Council member Matta stated that there must be a better option. Council member White trusted the judgement. Council member Thompson stated that the city and county were growing, and the pet problem was worse. He stated it was an obligation to keep animals off the streets and supported moving forward with the construction. Chief Gerke reported that the cost of the turnkey was \$10.010 million with a contingency of \$400,000. Mayor Joven asked if any Council member had seen the blueprints. The floor plans were seen. Council member Thompson called the question.

Motion was made by Council member Swanner and seconded by Council member Matta to not accept the Animal Shelter construction contract. Council discussed if the Council members serving on the Animal Shelter Advisory Committee could vote. Mrs. Grimaldo stated that the Animal Shelter Committee was an advisory committee and Council members serving could vote. Ms. Brooks stated that all Council members could vote no matter if they were serving on the boards. Council member Sprawls stated that the Committee did not handle policy or funding. The motion was denied by the following vote:

Aye: Joven, Matta, and Swanner
Nay: Thompson, White, Sprawls and Willis

Motion was made by Council member Thompson and seconded by Council member Willis to accept the low bid of \$8,308,472. The motion was approved by the following vote:

Aye: Thompson, White, Sprawls, and Willis
Nay: Joven, Matta, and Swanner

PUBLIC HEARING

Open a public hearing to consider approval of the request by Tania Hospitality Management LLC and Carl Floyd, owners, Maverick Engineering, agent, for original zoning of Light Industrial (LI) on a 17.35 ac. tract in Section 32, Block 42, T-2-S, City of Odessa, Ector County, Texas (northwest of the intersection of Walther Rd. and W. Remington Rd.) Randy Brinlee, Director of Development Services, reviewed the location for zoning. The purpose was for future additional industrial development use. 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 Willis to approve the ordinance on first approval. The motion was approved by the following vote:

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

Open a public hearing to consider approval of the request by Sonya A. Wilson, owner, to rezone from Neighborhood Services (NS) to General Residential (GR) on the west 134' of Lot 21, Block 3, Smith Heights, City of Odessa, Ector County, Texas (southeast of the intersection of Murphy St. and Fitch Ave.) Mr. Brinlee reviewed the location which was vacant. The purpose was to accommodate residential development. The request would remove an existing spot zone of the property and return the tract to the surrounding zoning designation. 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 Sprawls to approve the ordinance on first approval. The motion was approved by the following vote:

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

RESOLUTION

Resolution No. 2021R-31 and Resolution No. 2021R-32 – Downtown Infrastructure and Façade grants for Icon Tavern. Alexa Moulakis, Downtown Event Coordinator, stated that Icon Tavern, a sports bar, was located at 418 N. Grant. Icon applied for infrastructure and façade grants. She reviewed the investments for the infrastructure and façade. The infrastructure grant was for \$145,685.26. The façade grant was for \$25,000. Icon planned to be opened by September.

Motion was made by Council member Thompson and seconded by Council member White to approve the resolutions. Council members Swanner and Matta stated that they were Downtown Odessa board members. The motion was approved by the following vote:

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

Resolution No. 2021R-33 – Downtown Infrastructure grants for The House Downtown Bar, LLC. Ms. Moulakis stated that The House was located at 513 N. Grant. The request was for an infrastructure grant and reviewed the investment. The grant was for \$40,951.25.

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

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

Resolution No. 2021R-34 and Resolution No. 2021R-35 – Downtown Infrastructure and Façade Grants for Nasuhoglu Investments, Inc. dba PediCardio of West Texas. Ms. Moulakis stated that location was at 520 N. Lee. She reviewed the infrastructure and façade investment. The Infrastructure grant was for \$161,213.50 and the façade grant was for \$25,000. The construction would take one year.

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

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

MISCELLANEOUS

To consider, discuss and take any necessary action regarding any and all issues related to COVID-19. No discussion.

Appointment of Boards: Historic Preservation Commission, Housing Authority of Odessa, and Tax Incentive Committee. Motion was made by Mayor Joven and seconded by Council member Matta to reappoint Eddy Spivey and appoint Ron Chesnut and Wayne Russell to the Housing Authority of Odessa. The motion was approved by the following vote:

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

Citizen's comments on non-agenda items. None.

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 consider pending litigation. Reconvene in open session for possible action. Motion was made by Council member Sprawls 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 Thompson and seconded by Council member Willis to return from executive session. 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 adjourn the meeting. The motion was approved by the following vote:

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

The meeting adjourned at 7:47 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

Javier Joven
Mayor