



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

**June 1, 2021**

On June 1, 2021, a work session meeting of the Odessa City Council was held at 3:00 p.m., Council Chamber, 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; 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 Matta gave the invocation.

**Consider resolution giving of notice of intent to issue City of Odessa, Texas Combination Tax and Revenue Certificates of Obligation, Series 2021.** Mrs. Muncy stated that the giving of notice of intent for 2021 Certificates of Obligation for the Water Treatment Plant rehabilitation would be at the June 8 meeting. It would allow to acquire property, if needed, and would not exceed \$95 million. It would be paid out of the Water and Sewer operations and the date to consider authorizing issuance was July 27. George Williford, Hilltop Securities, reviewed the timetable. The target was to finance at the end of August. He reported that the market conditions were favorable and stable. The sell and locking the rate would be one week after July 27. Mrs. Muncy stated that the impact on rates was 5 ½% depending on the final bid. She stated that the financing could be less than \$95 million and a short call could be an option for a portion of financing. Mr. Williford explained that a decision to pay down the debt could be made. Council member Willis stated that if it was approved, the funds could not be used but only what it was set aside. Mrs. Muncy stated that the notice of intent was very specific.

**Consider approval of a PSA with Kimley Horn for a Downtown Master Plan update.** Mr. Urrutia stated that Kimley Horn reduced the scope, cost, and time frame for the Downtown Master Plan update. The proposal was for \$85,000 to be completed in six months. Brad Lonberger, Kimley Horn, stated that the plan was streamlined. He provided an overview of the plan. He reported that progress was made with infrastructure and commercial. There was an employment and wage growth.

Council member Swanner arrived at 3:21 p.m.

Mr. Lonberger stated that the plan was to have virtual meetings for community engagement and a workshop. The quality of work was not being affected but the work was streamlined for the six-month completion. Council member Willis stated that Downtown was vital for Odessa, and it should be enhanced for visitors. All of Odessa should have community input. Craig Stoker, TIRZ Chair, stated that the board supported the updated plan to move forward.

**Presentation regarding CIAC's recommendations on Impact Fees.** Tom Kerr, Director of Public Works/Utilities stated that a hearing date would be set at the June 8 Council meeting.

John Landgraf, CIAC Chair, acknowledged the members of the committee. He reported that input was gathered from the members and stakeholders. The board based its recommendation on making Odessa competitive. The impact fees were another tool for Odessa to grow. John Adkins, Kimley Horn, stated that the consultant provided the analysis for the impact fees. He provided detail on the impact fee study with regards to the service units, calculations and comparisons for the water, wastewater infrastructure, and roadway. The Capital Improvement Plan identified 25 years of projects for the three areas. Mr. Adkins compared the study with Midland. Odessa had a reduction of fees. He reviewed the CIAC's recommendation for total impact fee. There was a recommendation to provide a two-year grace period for previous approved final plats. He provided a comparison chart on land use for single family residential on its calculations. Odessa would be competitive as it was below Midland's highest value. He explained a shopping center that the builder could recover the value from the impact fees. If there was a submeter the cost could be recouped. Mr. Adkins reviewed the generating revenues for projects identified from the Master Plan. The impact fees would not conflict with Midland's fees. He stated that the funds collected must be spent in the same area. With three areas, it provided flexibility to use its funds. Filiberto Gonzales, 1424 Alameda, stated that the members worked hard on this recommendation. He stated, with the City's growing pains, it would generate funds for the needs of the community. Mr. Adkins stated that the impact fees could be changed as many times as long that it did not exceed maximum value. Mr. Landgraf stated that the Council could set the vote at zero and implement later.

**Discuss setting a public hearing on the adoption of impact fees.** Mr. Kerr stated that a public hearing would be set at the June 8 Council meeting for the public hearing to be on July 13 at the Council meeting. There would be no action on the impact fees at the June 8 meeting. The parks were not eligible for the use of impact fees.

**Public Works CIP update.** Mr. Kerr provided an update on public works projects. He reviewed the design and construction projects' status that was funded from the 2019 Certificates of Obligation in the amount of \$42,925,000. There was a line item for TxDOT road participation of funds of \$4 million. The funds would be to improve project standings and time frame. The Transportation Master Plan recommendations were reviewed. Projects were identified based out of the plan. Mr. Kerr identified those projects in design, geotech evaluation, construction and TxDOT improvements. He displayed the maps for the projects. He reviewed the funding planning from the maintenance fund regarding performance conditions. Mr. Kerr identified the road classifications including the arterial, collectors and locals and its conditions. Future roadway reconstruction needs were identified which included: Tanglewood (42<sup>nd</sup> to 52<sup>nd</sup> St) at \$1.8 million; 52<sup>nd</sup> St (Dixie to JBS) at \$20 million; University (Grandview to Loop 338) at \$7.4 million; Murphy (W. Loop 338 to Grandview) at \$8.8 million; Eastridge (E. Loop 338 to Faudree) at \$5.5 million; Billy Hext at \$2.1 million and Yukon at \$22 million which would expand to a five-lane.

**Consider rejecting bids for the install of a new concession/restroom building at Floyd Gwin.** Steve Patton, Director of Parks and Recreation, stated that four bids were received for the concession/restroom building for Floyd Gwin Park. The bids were over budget. He recommended to reject the bids as the plans would be reworked for a single-story building. He reported that the cost of materials were high.

**Consider resolution to accept and appropriate funds to OPD from Bustin for Badges.** Mike Gerke, Police Chief, recommended to accept \$105,000 from the Bustin for Badges event. The funds were divided by the four law enforcement agencies.

**Consider resolution accepting JRAC funds for Odessa Fire Rescue.** Rodd Huber, Assistant Fire Chief, stated that the accepting of JRAC funds would be used for EMS supplies. There was no cash match.

**Consider resolution to accept and appropriate funds for Odessa Fire Rescue from LEOSE.** Michelle Cervantes, Fire Marshal, stated that the annual grant was to train officers. There was no cash match.

**Consider changes to modify Section 12-2-7 (School Zones) of City Code of Ordinance.** Hal Feldman, Traffic Engineer, stated that City Management Services, the private crossing guard company, requested a list of school zones and crossing guard changes. Traffic Engineering evaluated the requests. He reviewed the following proposed changes: Clover & 52nd - propose to remove the existing school zone and crossing guard; Reagan (in front of school) - propose to install a new school zone on 21<sup>st</sup>; Grandview & 21st - propose to remove existing school zone; Dixie & 13th - propose to remove the existing school zone and crossing guard; Dixie & Monahans - propose to remove the existing school zone and crossing guard; Lincoln & Clements - propose to remove the existing school zone and crossing guard; and 87th & Rainbow - propose to remove existing school zone. Mr. Feldman stated that 12 different locations were identified that needed crossing guards and would be redirected to the need.

**Consider ordinance for temporary speed limit for TxDOT construction project.** Mr. Feldman stated that TxDOT requested a reduction of speed for E. Loop 338 and JBS Parkway from 55 mph to 45 mph. The request was for a temporary construction project from September - November 2021.

**Consider resolution supporting application to TxDOT's 2021 Transportation Alternatives call for projects.** Mr. Feldman stated that Traffic Engineering submitted a project for the Faudree Road Sidewalk project. It involved building a sidewalk on Faudree Road for the Parks Senior Living community to walk to the retail area from Eastridge. The application was accepted, and it required a resolution of support for the project. The project was a reimbursement project. The City would pay the cost of \$331,0000 and be reimbursed minus the 20% required match of \$66,200. Mr. Marrero stated that the funds may be used from the maintenance fund.

**Discuss Boards and Commissions.** Mrs. Grimaldo provided a boards and commissions chart that identified the boards that Council served and the type of board. With the six pick cities, most of its Council did not serve and if they served it was in the capacity of liaison or ex-officio. She stated that it was Council's discretion to consider discussing a policy on Council serving on boards whether its voting, liaison, or ex-officio. Ms. Brooks passed out the State statute on Chapter 171 and Chapter 176 for conflict of interest. She stated that avoiding the conflict of interest was to not serve on boards. She stated that abstentions, moving forward, would fall under Chapter 171 and 176. She stated that the Council could abstain based on public perception. She suggested that Council could serve on boards or committees as a liaison. She suggested that reporting on boards should be made to the City Council. Ms. Brooks stated serving as an elected official should not conflict as a board member. Council member Willis requested that any research requested be sent to all on the Council. Ms. Brooks stated that the composition of the boards could be reviewed. Mayor Joven stated that the Design Committee's purpose was redundant. Mr. Marrero stated that the Design Committee could be eliminated and have staff review for final Council approval. Some board needed a Council member vote on boards such as the MPO. Ms. Brooks stated that some boards, such as MPO and MOTRAN, required elected representatives with their vote. Mayor Joven supported a policy to implement as City Council serving as liaison

except for those boards that required elected officials. Ms. Brooks stated that advisory committees were only advisory in nature and not a conflict. The Firemen's Pension board was a separate board. Council member White stated to keep it simple and agreed to non-voting. Council member Sprawls would like to see if the six pick cities have a policy on conflict of interest. Research will be done and sent to Council.

Motion was made by Council member Willis and seconded by Council member Sprawls 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 5:29 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC  
City Secretary

Javier Joven  
Mayor