



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

August 2, 2022

On August 2, 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; Dan Jones, Senior Assistant 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 Thompson gave the invocation.

Discuss revisions pertaining to the Tier Map in the Downtown Odessa Infrastructure and Façade grant program ordinance. Casey Hallmark, Downtown Odessa Executive Director, stated that the revision of the tier map was made to encourage more participation in the grant program. Tiers 3 and 4 were removed and Tiers 1 and 2 were expanded but the boundaries remained the same. The change would encourage and engage in downtown revitalization. Eligibility would be for more funds.

Discuss City of Odessa's 2022 Action Plan. Mr. Urrutia stated that the action plan would be submitted to HUD. The plan reflected the projects that were approved by the Council from the CDBG, HOME and CDBG-CV funds and with the submitted plan the funds would be disbursed.

Discuss Emergency Communication District 2022-23 budget. Mike Gerke, Police Chief, stated that the Emergency Communication budget was funded by fees and the residents did not pay taxes. He reviewed the budget. The equipment maintenance had an increase to provide for new computers, software and maintenance agreement.

Discuss an ordinance to establish speed limits for Estancia Boulevard. Tom Kerr, Director of Public Works/Utilities, stated that the 35 MPH speed limit would be established for Estancia Blvd. from 56th St. to Hwy. 191. There was no school zone on this road.

Discuss a bid award for maintenance equipment replacement for Parks and Recreation Department. Matt Christman, Deputy Director of Parks and Recreation, stated that six mowers would be replaced for the Parks and Recreation. He reviewed the costs. The retired mowers would be placed in auction.

Discuss a bid award for repairs to the Water Treatment Plant freight elevator to TK Elevator Corporation. Mr. Kerr stated that the freight elevator at the Water Treatment Plant was inoperable which serviced three floors. TK would make the repairs for \$120,618.15 and contingency funds would be used for the parts and labor.

Discuss award for annual lab supplies to Fisher Scientific for category I general supplies and Fox Scientific for category II chemicals and reagents. Mr. Kerr stated that the supplies would be to Fisher for \$32,870.38 and Fox Scientific for \$17,342.31. There was a reduction in costs from last year.

Discuss award of proposal for the roadway widening of Faudree Project and approve amendment to the PSA with Kimley Horn and Associates. Mr. Kerr stated that the bids were over the \$20 million estimate. He provided the project background of widening to a five-lane due to high traffic, growth and new schools. He reviewed design challenges that included traffic control, relocation of utilities, on-going development and additional design work. Two bids were received with the lowest bid of \$31,527,012.60. Staff investigated the costs which was due to higher material and labor costs. He reviewed potential cost savings with the uncertified culvert boxes at \$200,000 and sidewalk reduction at \$400,000. Cost contributors included drainage requirements, economic conditions, traffic control and demand for roadway construction. The shortfall of funds was \$16,668,487. Mr. Kerr identified the funding for the shortfall. The project would take two to three years and would start in two months. The Yukon project would be completed by the end of the year that would help relieve traffic. Mrs. Muncy explained that the funds from the 2013 Certificate of Obligations was mostly from interest earnings. The TxDOT funding was set aside with no specific requests. The drainage funds of \$2 million were to be used. Council member Thompson stated that the drainage basin at the Country Club has reduced the issues with other improvements to the other drainage basin on 56th St. Mayor Joven suggested to utilize the savings on the sidewalk reduction and culvert boxes. Council member Thompson stated that if there were enough funds left in contingency to use if for the sidewalks. Council had a consensus.

Discuss authorizing additional funds for the Plains Pipeline lowering associated with the Faudree Linear Detention Basins project. Mr. Kerr stated that the award was awarded to Onyx in February and there were cost increase to lowering the pipeline. The cost was \$1.5 million and requested an additional \$500,00 to pay for the cost of the work. Stormwater funds would be used.

Discuss and consider amendments to the City Code, Chapter 4 “Business Regulations” Article 4-17 “Video Gaming”. Mr. Jones stated that this was an opportunity to reevaluate the ordinance before its second reading on August 9. The changes included the grandfather clause to locations, the number of machines, no window tint, and zoning. Ian Kapets, Police Sergeant, asked that clarifications be given on the enforcement actions of suspensions and revocations for the game rooms. Mayor Joven stated that there were two new game rooms since May 1 with a total of 32 current game rooms in the city limits.

Mayor Joven stated that people’s perceptions were that there were more game rooms. He asked the Council for a game room policy. He stated that the appeals court reaffirmed that video gaming was gambling, a game of chance and was illegal. He questioned if the City would continue to permit and allow operation in the community. He stated that the game rooms were a negative eyesore. He asked for Council to consider a policy on how the City would operate the game rooms and if commence the revoking of licenses on an annual basis. Mr. Jones stated that Council could make policy. A permit was needed to operate. He stated that the policy could be chosen to be enacted. Mayor Joven stated that with the Ft. Worth versus Riley appeal was denied. He stated that the City could have a policy to stop permitting and revoking licenses. He stated that the machines were lotteries and illegal in Texas. Chief Gerke stated that with the operation there was a determination of gambling operations. The game room was no longer operational. The game room could apply under the new restrictions of the ordinance. He stated that inspection and enforcement was done.

Council member Thompson asked how other cities handled the game rooms. Mr. Jones stated that it appeared to be city policy. Council member Thompson stated that the game rooms were used to clean the money. Sergeant Kapets stated that there were instances in money laundering. Council member Thompson agreed to place on the Council agenda.

Motion was made by Council member Sprawls and seconded by Council member Swanner 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 4:22 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

Javier Joven
Mayor