



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

September 14, 2021

On September 14, 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 Marcos Zuniga, Kingdom Church, and followed by the Pledge of Allegiance and Texas flags.

Mayor Joven presented a proclamation for International Literacy Day.

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

CONSENT AGENDA ITEMS

- A. City Council minutes, August 24, 2021;
- B. City Council work session minutes, September 7, 2021;
- C. **Ordinance No. 2021-28 - Request by Noe Garcia, lessee, Town & Country Plaza Woodcrest, LTD, owner, for a specific use permit to allow a tavern or lounge (cigar lounge) use in a Retail (R) zoning district on Lot 24, Block 2, Springdale Addition (3131 E. University Blvd.);**
- D. **Ordinance No. 2021-29 - Amend the Odessa City Code Chapter 11 "Taxation and Finance" Article 11-4 "Downtown Infrastructure & Façade Grants;**
- E. Purchase one 2019 Demers Ford F 450 ambulance/chassis type 1 from Siddons-Martin Emergency Group;
- F. Purchase a crematorium unit for Animal Control from FC Industries Inc., for \$96,500;
- G. Settlement agreement for pending litigation;
- H. Bid award for Jim Parker Park and Freedom Park irrigation system installation project.

Motion was made by Council member Matta and seconded by Council member White to table Item E. 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 Matta and seconded by Council member Thompson to pull Item G. 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 White and seconded by Council member Sprawls to approve the consent agenda items A-D, F., and H. The motion was approved by the following vote:

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

Settlement agreement for pending litigation. Dan Jones, Senior Assistant City Attorney, stated that the settlement agreement was for \$65,000 to Mr. Hutchins.

Motion was made by Council member Thompson and seconded by Council member Sprawls to approve the settlement agreement for \$65,000. The motion was approved by the following vote:

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

OTHER COUNCIL ACTION

Ratifying the property tax revenue increase reflected in the FY 2021-22 annual budget.

Mrs. Muncy stated that there was no tax rate change from the current rate at \$0.477115 cents per \$100 valuation. This proposed tax rate was lower than the No-New-Revenue tax rate of \$0.482494 and lower than the Voter-Approval tax rate of \$0.502033. The budget would raise more total property taxes than last year's budget by \$587,774.00. The property tax raised from new property was \$1,307,290.00.

Motion was made by Council member Swanner and seconded by Council member Willis to approve ratifying the property tax revenue increase. The motion was approved by the following vote:

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

ORDINANCE

Solid waste rate change. Mrs. Muncy stated that a 2.5% increase to the solid waste rate was proposed. The funds would assist with the rise in costs of equipment and maintenance. The rates would affect all account types. The rate changes would be effective October 1, 2021 and reflected on the November 2021 bills. She reviewed the rates.

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

Sewer rate change. Mrs. Muncy stated that a 2.5% increase to the sewer rate was proposed. The funds would assist with the rise in costs of equipment, maintenance, repairs, and replacement of deteriorating lines. The rates would affect all account types. The rate changes would be effective October 1, 2021 and reflected on the November 2021 bills. She reviewed the user rates.

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

Water rate change. Mrs. Muncy stated that a 2.5% increase to the water rate was proposed. The funds would assist with the rise in costs of equipment, maintenance, repairs, and replacement of deteriorating lines. The rates would affect all account types. The rate changes would be effective October 1, 2021 and reflected on the November 2021 bills. She reviewed the user rates.

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

Levy the tax for the 2021 tax year, Fiscal Year 2021-22. Mrs. Muncy stated to levy the tax for the 2021 tax year by adopting a tax rate of 47.7115 cents per \$100 property valuation for municipal maintenance/operations and debt service for FY 2022. The proposed tax rate was the lower than the No-New-Revenue tax rate. The tax rate provided continuation of 20% exemptions. The 2021 total taxable value for Odessa was \$10,228,267,567.

Motion was made by Council member White and seconded by Council member Thompson 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-67 – Allocate \$10,161,479.50 in American Rescue Plan Act Funds (ARPA). Mr. Marrero stated that Council needed to allocate \$10,161,479.50 in ARPA funds. The City's requests were \$5 million COVID-19 activities, \$5 million for recovery of lost revenue to the General Fund; and \$5 million for water and sewer infrastructure. He reported that 100% reimbursement could be received if funds were allocated to the hospitals. He explained the reimbursement process. Council member Thompson stated that there was an emergency need to assist the hospitals. Mr. Marrero reported that the second half of the allocated funds would be received in July 2022. The organizations could reapply for funds. Russell Tippin, CEO Medical Center Health System, stated that hospital's request was for \$4 million. The funds were for payroll that include overtime, and contract labor and the funds would be reimbursed. He provided a report on the infusion clinic and the vaccines. Stacey Brown, ORMC President, stated that the request was for staff that included shift differentials and overtime. Mr Marrero reported that the expenses could be reimbursed to December 31,

2021. The ARPA funds could be spent up to two years. Council member Thompson appreciated ORMC's work and partnership with the community. A representative with Habitat for Humanity requested funds for housing issues. He appreciated the consideration to address affordable housing. Libby Campbell, West Texas Food Bank Executive Director, requested \$700,000 for the expansion of the Food Bank. She provided an overview of the expansion project that would be constructed in phases. Council member Matta asked if funding the medical response could be reimbursed. Mr. Marrero would report back to the Council. Each Council member and the Mayor provided a recommendation for funding.

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

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

The following ARPA allocations were funded:

Medical Center Hospital	\$3,000,000
ORMC	1,000,000
City – fund medical response	5,000,000
City – loss revenue	1,000,000
West Texas Food Bank	161,480

Resolution No. 2021R-68 – Allocation to the University of Texas of the Permian Basin from Hotel/Motel funding for the purpose of providing equipment and fixtures for field access to sport teams and for public usage. Mr. Marrero reported that the equipment was verified. The total requested items were \$280,936. Motion was made by Council member Swanner to allocate \$100,000. Mr. Marrero stated that the figures were provided by the University and it would be based on reimbursement. The motion was seconded by Council member Matta. The motion failed by the following vote:

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

Mr. Patton reported on the bleachers and shade structures. The park would be available on family days. Mayor Joven asked about the \$100,000 available to be designated at Council's discretion. Mrs. Muncy reported an anonymous donation was received and Council would consider the donation. The \$100,000 was unrestricted that could be at Council's discretion. Motion was made by Council member Thompson and seconded by Council member Sprawls to approve the resolution and allocate up to \$280,936 based on reimbursement. The motion was approved by the following vote:

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

Resolution No. 2021R-69 – Adopt the City of Odessa FY 2021-22 annual budget. Mrs. Muncy stated that the budget was filed on August 9 with the City Secretary. A public hearing was held on August 24, 2021.

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

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

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 and Tax Incentive Committee. No action.

Motion was made by Council member Thompson 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 7:32 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

Javier Joven
Mayor