



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

**September 28, 2021**

On September 28, 2021, a regular meeting of the Odessa City Council was held at 6:00 p.m. in the Council Chambers, 5<sup>th</sup> floor, City Hall, 411 W. 8<sup>th</sup>, 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; 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 Ben Ford, Grace Christian Fellowship, and followed by the Pledge of Allegiance and Texas flags.

Hank Herrick, United Way Executive Director, presented the Dick and Amelia Saulsbury Sustained Excellence Award to the City of Odessa for the City's employees United Way contributions. Mayor Joven presented a proclamation for Odessa Teachers' Day.

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

**CONSENT AGENDA ITEMS**

- A. City Council minutes, September 14, 2021;
- B. City Council work session minutes, September 21, 2021;
- C. **Ordinance No. 2021-31 - Sewer rate change;**
- D. **Ordinance No. 2021-32 - Water rate change;**
- E. **Ordinance No. 2021-33 - Solid Waste rate change;**
- F. **Resolution No. 2021R-70 - Meals on Wheels extension of time to expend CDBG-CV funds for \$46,728 to provide meals to homebound elderly and/or disabled individuals;**
- G. **Resolution No. 2021R-71 - Jesus House extension of time to expend CDBG-CV funds for \$23,364 to assist homeless individuals with COVID testing, COVID prevention and emergency meals for homeless COVID patients in quarantine.**

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

**Remove from the table to purchase one 2019 Demers Ford F 450 ambulance/chassis type 1 from Siddons-Martin Emergency Group.** Motion was made by Council member Thompson and seconded by Council member White to remove from the table. The motion was approved by the following vote:

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

John Alvarez, Fire Chief, stated that the ambulance/chassis purchase would add to the fleet. The ambulance was needed due to increase in services and COVID calls. The cost of the ambulance was \$322,370 and requested additional equipment for a total cost of \$412,122.49.

Motion was made by Council member White and seconded by Council member Willis to approve the purchase the ambulance/chassis and equipment as recommended. The motion was approved by the following vote:

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

**Adopt the TIRZ Bylaws.** Dan Jones, Senior Assistant City Attorney, stated that the TIRZ Bylaws was housekeeping including director's terms and duties.

Motion was made by Council member Swanner and seconded by Council member Thompson to approve the TIRZ Bylaws. The motion was approved by the following vote:

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

### PUBLIC HEARING

**Open a public hearing to consider approval of the request by Smith West Texas Properties, owner, to rezone from Office (O) to Retail (R) Lot 26, Block 12, Crestwood Addition, City of Odessa, Ector County, Texas (3641 N. Dixie Blvd.).** Randy Brinlee, Director of Development Services, reviewed the location. The purpose was to allow the property for the use of a coffee shop and bakery. There was no negative impact. 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

### ORDINANCE

**Amend the Odessa City Code Chapter 1 "General Provisions", by adding Article 1-18 "Annexation".** Mr. Brinlee stated that the amendment would provide for an applicant to annex into the city. He explained the process for annexation. Ms. Brooks stated that the

ordinance included a severability clause and effective date.

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

**Amend the Odessa City Code Chapter 1 relating to Boards, Commissions and Committees.** Mrs. Grimaldo stated that the changes included housekeeping items and streamlined for consistency.

Motion was made by Council member Swanner 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

## RESOLUTION

**Resolution No. 2021R-72 – Review and approve the City’s investment policy and the brokers/dealers and financial institution list.** Larry Fry, Director of Finance, stated that the investment policy and brokers/dealers list was for the City and ODC funds as it required annual approval. He stated that the policy was for all City funds except the Firemen’s Relief funds. The policy and list outlined the investment officers and brokers and dealers.

Motion was made by Council member White 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

**Resolution No. 2021R-73 – Ector County Utility District (ECUD) wholesale water rate for the 2021-2022 contract term.** Tom Kerr, Director of Public Works/Utilities, stated that the water rate was established for ECUD. The monthly base fee was \$131,071 and the volumetric charge was \$0.7545 per 1,000 gallons.

Motion was made by Council member Swanner 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

**Resolution No. 2021R-74 – Accept and appropriate an anonymous donation for \$250,000.** Mr. Marrero stated that the City received an anonymous donation for \$250,000. The donator requested that the funds be used for any unbudgeted items, the Police Department receive \$100,000 and Fire Rescue receive \$50,000. The \$100,000 would be allocated to the UTPB sports tourism program.

Motion was made by Council member White 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

**Resolution No. 2021R-75 – Odessa College agreement on a donation.** Mr. Marrero stated that the purpose of the land donation transfer was for an Odessa College green space and downtown campus. Greg Williams, Odessa College President, stated that this was exciting partnership project. The community would benefit. There would be an educational component developed. Council member Willis congratulated OC for the foresight of the project. Mayor Joven thanked the OC board and leadership for its partnership.

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

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

### MISCELLANEOUS

**Appointment of Boards: Historic Preservation Commission, Public Art Committee, Tax Incentive Committee, and Tax Incentive Committee.** Motion was made by Council member Matta and seconded by Council member Swanner for the following Historic Preservation Commission appointments: Norlene McBride reappointed, Roland Spickermann appointed, and Grace King reappointed.

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 Willis and seconded by Council member Thompson for the following Public Art Committee appointments: appointed: Loretta Walker, Reno Ramos, Daniel Sorenson, Daniel Zies, and Lori White and reappointed Toby Eoff.

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 White for the following appointments: Kevin Demel reappointed to the Tax Incentive Committee and Charles Pierce appointed to the Tax Increment Reinvestment Zone.

The motion was approved by the following vote:

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

**As authorized by the Texas Government Code Section 551.071 (Consultation with Attorney), the City Council may adjourn into executive session to: Discuss pending litigation with the City Attorney and the attorneys hired by the City, Cause No. B-20-02-0127- CV, AIM Media, Texas LLC d/b/a The Odessa American vs. City of Odessa.**

Motion was made by Council member Swanner and seconded by Council member Matta 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 White to return from executive session. The motion was approved by the following vote:

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

Nay: None

No action was taken in executive session.

**As authorized by the Texas Government Code, Section 551.074 (Personnel Matters), the City Council may adjourn into executive session to consider personnel matters - deliberate the employment, evaluation, duties, discipline, complaint, or dismissal of a public officer or employee. (Texas Government Code 551.074): a. Municipal Court Judge - Carlos Rodriguez b. Associate Municipal Court Judge - Keith Kidd c. City Secretary - Norma Aguilar-Grimaldo d. City Attorney - Natasha Brooks e. City Manager- Michael Marrero.** Motion was made by Council member Matta and seconded by Council member Willis to go into executive session under 551.074. 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 Swanner 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 White and seconded by Council member Willis to provide for a 4% salary increase to all Council appointees: Carols Rodriguez, Keith Kidd, Norma Aguilar-Grimaldo, Natasha Brooks and Michael Marrero. 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 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 8:57 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC  
City Secretary

Javier Joven  
Mayor