



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

October 11, 2022

On October 11, 2022, 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; 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 Adrienne Coleman, Highland Methodist Church, and followed by the Pledge of Allegiance and Texas flags.

Mayor Joven presented proclamations for Chiropractic Health Month, Desk and Derrick Club, Walk to End Alzheimer's Day and Chef Alejandro Barrientos Day.

Citizen's comments on non-agenda items. No comments.

CONSENT AGENDA ITEMS

- A. City Council minutes, September 27, 2022;
- B. **Ordinance No. 2022-32 – Rezoning request by Wyly & Fredna Brown Family Partnership, LTD, owner, LCA, agent, for Planned Development-Retail (R) Zoning District on a 1.74 acre tract in Section 4, Block 41, T-2-S, T&P RR Co. Survey, City of Odessa, Ector County, Texas (south of the intersection of Rocking L Ranch Rd. & P Bar Ranch Rd.);**
- C. **Resolution No. 2022R-69 – Police Department switching cellular service from Verizon to T-Mobile;**
- D. Award contract with Credit Systems International for ambulance collection services;
- E. Contract renewal with Weaver and Tidwell, LLP. to provide professional auditing services.

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

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

OTHER COUNCIL ACTION

Reject the bid for the 4th and Jackson parking lot construction project. Scott Anderson, Director of Building Services, stated that the parking lot would construct 41 parking spaces. Two bids were received with one incomplete and the other over the estimated cost. He recommended to reject the bid. The plans would be revised to bring the project back at a later time.

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

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

Bid award for Tanglewood Lane reconstruction from Penbrook Street to E. 52nd Street. Yervand Hmayakyan, City Engineer, stated that the pavement would be reconstructed, remove and replace curb and gutter and a water line. Two bids were received. He recommended the bid to Permian Paving for \$1,915,187.60 and a 20% contingency. The project would take 120 days for completion.

Motion was made by Council member White and seconded by Council member Matta to approve the bid award as recommended. The motion was approved by the following vote:

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

Bid award for Meadow Avenue reconstruction from Murphy Street to I-20 Service Road. Mr. Hmayakyan stated that the roadway would be reconstructed and improve the drainage. He recommended Permian Paving for \$750,046.00 and a 20% contingency. The project would take 120 days for completion.

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

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

Discuss and consider the report and recommendation regarding public safety compensation from Evergreen Solutions, LLC. Mark Holcombe, Evergreen Project Manager, provided a compensation study project update. He reviewed the goals of the study as it was critical to compare similar tasks in the market and be internally equitable. He reviewed the project phases that included outreach, classification, compensation and solution. He explained the market survey methodology of identifying peer organizations, collecting market data on benchmark positions and analyzing pay ranges and market averages. Data was requested to represent the entire city. Mr. Holcombe asked for direction on what the City's market position would be either average, 66th/75th percentile or the lead. The higher percentile the more compensation expense. Supplemental pay and benefits would need to be considered. The philosophy would need to address the steps and progression of steps. He reviewed the options of average with a \$1.5 million to \$4 million cost, 66th percentile with a \$2.5 million to \$2.7 million cost, 75th percentile with a cost of \$6 million, or compared to cities shared by fire employees with the employee outreach. He stated that the cost was only for public safety employees not the general government

employees. He stated that the defined recommendation would be provided in two to three weeks. The firefighter position was about a 22% increase with option 2 and 3 and across the board it was an average of 13% to 14% increase. He explained the compression issue and could be based on time and rank for a varying payroll. Council member Swanner stated that the issue was with the firefighter level as the other ranks were not leaving the department. She stated that the step plan needed to be addressed. Mr. Holcombe stated that there was a bigger differential on the firefighter personnel than the other ranks. He stated that there would be an implementation timeline. Mayor Joven stated that there would be compression with every option. Mr. Holcombe explained the compression. Council member Thompson stated that there was a correct way to handle the issue. He supported giving the funds for salaries but asked how it would be funded. He asked how the number of runs would be factored. Mrs. Muncy stated that the proposed sales tax was \$45 million. She stated that all the property tax was used. The benefits were not part of the figures given as that would be a cost. Council member Willis stated that the other employees needed to be considered when the study was complete. The figures provided were only for public safety's base pay. Council member Swanner stated that there was \$14 million in ARPA funds which could fund for three years. Council member Willis stated that it was imperative for the process to be made as it affected the taxpayers. Council had a consensus for costs to be provided for options 2 and 3. Council member Sprawls asked about the compression with the changes. Mr. Holcombe stated it would depend on the option taken. He would need direction on the approach with the options for the general government employees. He stated there would be some compression. Council member Thompson asked that the numbers for the total package cost be provided for the budget impact. The benefits were above market. Council member White stated to keep the benefits at the same level. Ariel Caldwell stated that the methodology of pay should be based on principles. He stated that Odessa ranked 9th from the bottom in terms of safety. He stated that returning to principles would eliminate guess work.

PUBLIC HEARING

Open a public hearing to consider approval of the request by Jack N. Mousa Ltd., owner, LCA, agent, for rezone of Office (O) to Retail (R) of an approx. 5.87 acre tract located in Section 9, Block 41, T-2-S. T&P RR. Co. Survey, City of Odessa, Ector County, Texas, (northeast of the intersection of Tres Hermanas Blvd. and San Machell Dr.). Randy Brinlee, Director of Development Services, reviewed the location which was vacant. The purpose was for retail development. The Planning and Zoning Commission recommended approval. He stated that there would be no traffic issues on Tres Hermanas as it was designed to handle the traffic. 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 Ace Completions, LLC, owner, LCA, agent, for original zoning of Light Industrial (LI) of an approx. 31.51 acre tract in Sections 20 and 21, Block 41, T-2-S. T&P RR. Co. Survey, City of Odessa, Ector County, Texas, (northeast of the intersection of Pronto St. and Trunk St.). Mr. Brinlee reviewed the location. The purpose was for additional light industrial and replat.

The Planning and Zoning Commission recommended approval. No one came forward and the public hearing was closed.

Motion was made by Council member Matta 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

ORDINANCE

Ordinance No. 2022-33 - Voluntary annexation requested by Betenbough Homes, owner of approximately 280.68 acre tract in Sections 27 & 28 Block 42, T-1-S, T&P RR.Co. Survey, Ector County, Texas (southeast of the intersection of NE Loop 338 and US Hwy 385). Mr. Brinlee stated that the annexation was for 280.68 acres. The purpose was to develop 1,079 single-family residential lots, drainage and a drill site. Council member Thompson was concerned with the houses against Loop 338 as it may be a safety hazard. Mr. Brinlee stated it was a concern from staff and would be reviewing.

Motion was made by Council member Swanner and seconded by Council member White to approve the ordinance on second and final approval. The motion was approved by the following vote:

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

Amend Section 12-2-8, Temporary Speed Limits. Hal Feldman, Traffic Engineer, stated that two construction speed limits needed to be removed as the projects were complete on University and Parkway and Loop 338. He stated that one construction speed limit needed to be added on Faudree for the project. The speed limit would be reduced from 45 MPH to 30 MPH.

Motion was made by Council member Thompson 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

RESOLUTION

Resolution No. 2022R-70 – Black Cultural Council of Odessa lease agreement. Mrs. Muncy stated that the lease was for the Gertrude Bruce Center at 1020 E. Murphy to the Black Cultural Council. She reviewed the lease terms as it was for public purpose. The Center would be turned over once the lease was executed and the required information was in place.

Motion was made by Council member Willis and seconded by Council member White 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. 2022R-71 – Deny the May 13, 2022, filing of Oncor’s intent to increase rates. Mr. Marrero stated that Oncor filed a rate increase of \$251 million to cover its cost of its system. Customers would have a 11.2% rate increase. The Oncor Cities Steering Committee recommended to deny the rate increase for negotiation of a lower rate.

Motion was made by Council member White and seconded by Council member Thompson 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 Boards: Public Art Committee. Motion was made by Council member White and seconded by Council member Thompson for the following appointments:

Cruz Castillo reappointed to the Public Art Committee;
Deana Casper reappointed to the Public Art Committee;
Mari Willis appointed to the Public Art Committee; and
Tim O’Reilly appointed to the Public Art Committee

The motion was approved by the following vote:

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

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**

Mayor Joven protested and was uncomfortable going into executive session as the item listed for executive session was a broad range. He cautioned Council to discuss only what was listed on the agenda. He read each topic that could be discussed as it was listed. Council member White stated it was the annual appointee evaluations and there would be no salary increase. Mayor Joven had the item previously removed as the compensation study was taking place. He didn’t want to discuss appointee compensation.

Motion was made by Council member Sprawls and seconded by Council member White to go into executive session under 551.074. The motion was approved by the following vote:

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

Motion was made by Council member Swanner and seconded by Council member Matta 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 Swanner and seconded by Council member Matta 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 9:01 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

Javier Joven
Mayor