



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

January 24, 2023

On January 24, 2023, a regular meeting of the Odessa City Council was held at 6:01 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; Gilbert Vasquez, District Three; Greg Connell, District Four; Chris Hanie, District Five; and Denise Swanner, At-Large.

Staff present: Agapito Bernal, Interim City Manager; Norma Aguilar-Grimaldo, City Secretary; Dan Jones, Interim City Attorney; Aaron Smith, 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 Wally Schiwart, New Dawn Fellowship, and followed by the Pledge of Allegiance and Texas flags.

Proclamations, Presentations and Awards. No presentations.

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

Consent Agenda

1. Special City Council minutes, January 9, 2023;
2. City Council minutes, January 10, 2023;
3. **Ordinance No. 2023-01 – Prohibit parking on Bankhead Hwy.**

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

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie, and Swanner
Nay: None

Other

Discuss and consider Interim City Attorney agreement. Anthony Robles stated that Mayor Joven told citizens he would bring financial responsibility. He asked how Council arrived at the dollar amount for the Interim City Attorney. He asked how it was being fiscal responsible by firing the City Attorney and the lawsuits. He asked what candidate would warrant the \$3,269.23 a week with a \$600 car allowance. He stated that the candidate costed the taxpayers money.

Motion was made by Council member Connell and seconded by Council member Hanie to approve the Interim City Attorney agreement. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie, and Swanner
Nay: None

Discuss and consider Interim City Manager agreement. Anthony Robles stated that Mayor Joven ran on being transparent and asked to show courtesy on how this was being financially responsible. Council member Thompson was concerned but it was not personal. He had a problem with the salary of almost the \$200,000 contract with the lack of experience or training. Council member Vasquez stated it was not personal but was concerned without any certifications or qualifications.

Motion was made by Council member Swanner and seconded by Council member Hanie to approve the Interim City Manager agreement. The motion was approved by the following vote:

Aye: Joven, Matta, Connell, Hanie, and Swanner
Nay: Thompson
Abstain: Vasquez

Resolution

Resolution No. 2023R-07 – Authorize representative for reporting in connection with Coronavirus State and Local Fiscal Recovery Funds (SLFRF). Seth Boles, Controller, stated that the authorized signatures for the SLFRF report would remove Michael Marrero and add Agapito Bernal. Mr. Boles would be authorized as the account administrator.

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

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie and Swanner
Nay: None

Appointment of Board: Board of Survey, Capital Improvement Advisory Committee, Historic Preservation Commission, Midland Odessa Urban Transit District, Planning and Zoning Commission, Tax Increment Reinvestment Zone, Traffic Advisory Committee, and Zoning Board of Adjustment. Motion was made by Council member Vasquez and seconded by Council member Thompson to make the following appointments:

Angie King appointed to the Capital Improvement Advisory Committee
Kaylie Banda appointed to the Zoning Board of Adjustment

The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie, and Swanner
Nay: None

Quality of Life Committee. Mayor Joven stated that the needs needed to be addressed with the infrastructure of roads, water, and sewer. He stated \$6 million was appropriated for line breaks but a long term plan needed to be addressed. Projects needed to be prioritized with the utilization of the Master Plans. With the City growing, there was a growing need with roads. He asked that Council members co-chair the committee and staff would assist. He stated to have meetings for feedback and to be placed on the ballot. Council members Thompson and Connell would chair the Roads Committee. Council members Matta and

Swanner would co-chair the Sports Complex Committee. Council members Hanie and Vasquez would co-chair the Infrastructure Committee. The chairs would lay out a formula utilizing the master plans and prioritize a list of projects.

Executive Session: As authorized by the Texas Government Code Section 551.074(a)(1) (Personnel Matters), the City Council may adjourn into executive session: to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

a. Municipal Court - Presiding Judge Carlos Rodriguez.

Gaven Norris stated good judges were needed to be fair and diligent in following the law. He referred to a letter dated June 1 written by Mayor Joven advising to prosecute a penalty of the full maximum extent of the law. Mayor Joven stated that the letter was written on the request of law enforcement for adults to not provide alcohol at graduation parties. He stated it was a request to protect the kids and the community. Rudy Sanchez stated the way Council was operating was not transparent and the decisions made were opposite of transparent. He stated Judge Rodriguez was following the law. Anthony Robles asked the Mayor and each Council member if anyone had accessed juvenile records. Each member of the Council responded no. He stated that the process always mattered, and the way Council acted was a violation of the process. Jason Schoel stated that Mayor Joven would not qualify as a juror since he would ask for the maximum punishment. He stated that Judge Rodriguez was a good judge, had integrity and was impartial and professional. Rebecca Grisham supported Judge Rodriguez and worked with the Judge for two years. She asked if there were issues to have conversations to get the answers. He was guided by the law and gave back to the community. Kris Crow was concerned with no jury trials. He stated jury trials were important.

Motion was made by Council member Swanner and seconded by Council member Matta to go into executive session under 551.074(a)(1). The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie, and Swanner
Nay: None

Mayor Joven stated no action was taken in executive session.

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

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie, and Swanner
Nay: None

To consider opening the position of Municipal Court Presiding Judge and to begin accepting applications for the position. Gaven Norris wanted to submit his name for the application of Presiding Judge. He had no experience, was not qualified, would not troll, and was the perfect candidate.

Motion was made by Council member Matta and seconded by Council member Vasquez to table the item. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie, and Swanner
Nay: None

Motion was made by Council member Thompson and seconded by Council member Matta to adjourn the meeting. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie, and Swanner
Nay: None

The meeting adjourned at 7:51 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

Javier Joven
Mayor