



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

**June 27, 2023**

On June 27, 2023, 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; Gilbert Vasquez, District Three; Greg Connell, District Four; Chris Hanie, District Five; and Denise Swanner, At-Large.

Staff present: Norma Aguilar-Grimaldo, City Secretary; Agapito Bernal, Interim City Manager; Dan Jones, City Attorney; 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 Harry Irwin, Sherwood Baptist Church, 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.

Motion was made by Council member Swanner and seconded by Council member Thompson to suspend the rules to move items 19 and 20 before 18.

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 Swanner and seconded by Council member Thompson to amend the motion to suspend the rules to move item 21.

The motion was approved by the following vote:

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

**Consent Agenda**

1. City Council minutes, June 13, 2023;
2. City Council Work Session minutes, June 13, 2023;
3. Special City Council minutes, June 20, 2023;
4. **Ordinance 2023-12 - Gas franchise with Atmos Energy Corporation and amend Chapter 4, Article 4-20, Division 2, entitled "Atmos Energy Corporation", of the City Code of Ordinances;**
5. **Ordinance 2023-13 - Maria Nunez Garcia, owner, Paul Garcia, applicant for a zone change from NS, Neighborhood Services to**

**SF-3, Single-Family Dwelling District an approx. 0.0015 acre tract, being Lot 1 Less S 5, Block 2, Kennedy Heights, City of Odessa, Ector County, Texas (northeast of the intersection of West Ave. and E. Clements St.);**

6. **Resolution No. 2023R-33 - Authorize the City to apply for, and accept a Federal Government Grant (\$8,000 federal + \$8,000 match = \$16,000) to provide partial payment for bulletproof vests, committing to a cash match, appropriate awarded grant funds, and authorize expenditure of awarded grant funds;**
7. Reject bid proposal for tire replacement and repair;
8. Purchase rotary service lift from Reeder Distributors for \$104,967.50;
9. Purchase mowers from Professional Turf Products for \$137,666.36;
10. Purchase mowers from Professional Turf Products for \$105,998.96;
11. Purchase genie articulating boom from H&E Equipment Services for \$164,640;
12. Bid award for janitorial services at 11 City facilities to A&L Diamond Shine Cleaning for \$400,000.92;
13. Renew contract with PNC Bank to provide treasury management services and a bank depository agreement with first year extension.

Motion was made by Council member Swanner 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

### Regular

**Amend the Family Health Project, change employees 90 day waiting period to a 30 day waiting period.** Delia Ortiz, Director of Risk Management, stated that amending the Family Health Project from 90 days to 30 days waiting period would help with recruitment. If approved, it would become effective on July 1, 2023.

Motion was made by Council member Swanner and seconded by Council member Hanie to approve the amendment to the Family Health Project as recommended. The motion was approved by the following vote:

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

### Public Hearing

**Resolution No. 2023R-34 - Open a public hearing to consider the reallocation of \$64,860 in CARES Act Community Development Block Grant-Coronavirus (CDBG-CV) funds.** Merita Sandoval, Director of Community Development, stated that the CARES Act allocation was to prevent, prepare and respond to COVID-19 by providing assistance to improve the health and safety of the elderly and disabled homeowners. Examples included replacement of HVAC systems, install air purifiers, provide window air conditioning units and replacement of doors and windows. There was \$64,860 in unspent CARES Act funds. Each Council member and the Mayor provided a recommendation for allocation. No one came forward and the public hearing was closed.

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

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

The following CDBG-CV Fund allocations were funded:

Elderly and/or Disabled Health and Safety Project \$64,860

**Resolution No. 2023R-35 – Open a public hearing to consider allocation of \$904,434 in Program Year 2023 Community Development Block Grant Funds (CDBG), \$54,772 in CDBG program income funds and \$12,295 in unprogrammed CDBG funds. Consider the allocation of \$364,752 in 2023 HOME Investment Partnerships Program (HOME) funds.** Mrs. Sandoval stated that the City was allocated \$904,434 in CDBG funds with a total available for allocation of \$971,501. She reviewed the funding caps and requests from Community Development. Each Council member and the Mayor provided a recommendation for CDBG and HOME funds.

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

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

The following CDBG Fund allocations were funded:

Program Administration	\$150,000
Housing Rehabilitation	445,000
Demolition	150,000
GOPB – Hollingsworth Head Start	75,000
Permian Basin Mission Center	18,000
Short-term rental assistance program	75,000
Elderly/Disabled Lawn Mowing Program	15,501
Family Promise	18,000
Meals on Wheels	15,000
West Texas Food Bank	10,000

The following HOME Fund allocations were funded:

Homeowner Rehab Program	\$273,564
HOME Program Administration	36,475
Community Housing Development Organization	54,713

No one came forward and the public hearing was closed.

### Resolution

**Resolution No. 2023R-36 – Authorize the release of a 25 foot wide drainage easement in Section 9, Block 41, T-2-S, T&P, Ry. Company Survey, Midland County.** Yervand Hmayakyan, City Engineer, stated that the existing drainage easement would be relocated for planned development. The release of the easement portion was no longer needed.

Motion was made by Council member Thompson 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

**Resolution No. 2023R-37 – Grant an easement on and across City owned property, being a 60’ wide road easement across a 48.64 acre remainder of a 170.70 tract out of Section 45, Block 42, T&P R.R. Co. Survey as referenced in cabinet C, Page 96B of Plat Records of Ector County, Texas to Intermountain Holdings, Inc.** Mr. Jones stated that granting a 60’ easement would allow access to the property.

Motion was made by Council member Thompson and seconded by Council member Matta to approve the resolution for 20 years with option to renew. The motion was approved by the following vote:

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

**Resolution No. 2023R-38 – Terminate pipeline license agreement with ETC Texas Pipeline, LTD, original license agreement with Odessa Gas Pipeline Company.** Mr. Jones stated that the original pipeline license agreement was executed in 1971. The resolution would terminate the agreement.

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

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

### Miscellaneous

**Appointment of Boards: Midland Odessa Urban Transit District.** No action.

**Resolution No. 2023R-39 – Outside agency requests for funding for FY 2023-24 budget.** Seth Boles, Interim Director of Finance, stated that the City used a two part test for the organizations meeting the Hotel Motel requirements. He reviewed the allowable categories for Hotel Motel Funds.

Allison Pradon, Children’s Miracle Network, stated that Medical Center provided care to 20,000 children in one year. The funds would be used to purchase scales, beds and provide charitable support to the families. She thanked Council for the support.

Susan Rogers, Odessa Crime Stoppers, reported that Crime Stoppers has provided 40 years of service. She reported that 9,838 cases were solved and under \$12 million in seized narcotics and stolen property was recovered. A podcast was featuring cases.

Chris Barnhill, PermiaCare, stated that the purpose was to assist clients with mental illness through programs. The funds would be matched with State funds. He reviewed the programs provided.

Rebecca Grisham, Odessa Teen Court, reported that the request was \$72,000 which had a 4% increase for cost of living. She reported that in over 30 years \$95,500 was given in scholarships. She reviewed the Teen Court programs that were offered.

Kaylie Banda, Young Professionals of Odessa (YPO), recognized the YPO members. She stated that the funds were used to increase service and promote community development. There was a 26% increase in membership. YPO donated \$7,000 to a school and was hosting a leadership symposium.

Javier Morales, Odessa Downtown Lions Club, stated that the July Fourth Parade was for remembering the wars, honoring the veterans and carry on patriotism. The request for the West Texas Folk Festival was to showcase all the cultures in our community.

Each Council member and the Mayor provided a recommendation for the General Fund. Council members Swanner and Matta abstained from Odessa Teen Court's request.

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

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

The following General Fund allocations were made:

Children's Miracle Network	\$50,000
Odessa Crime Stoppers	65,000
PermiaCare	90,000
Odessa Teen Court	50,000
Young Professionals of Odessa	10,000
Odessa Downtown Lions Club - West Texas Folk Festival	10,000
Odessa Downtown Lions Club - Fourth of July Parade	5,000

There was a recess from 7:16 p.m. to 7:27 p.m.

JoAnn Davenport-Littleton, Black Cultural Council, stated that there were three events hosted by the Black Cultural Council. The Juneteenth celebration was five full days of activities.

Gena Linebarger, Commemorative Air Force AIRSHO Director, stated that the funds were for the airsho advertising. She stated that there were 15,000 people for the two day event. Council member Connell stated to include Desert Squadron.

Elizabeth Prieto, Downtown Odessa, stated that Downtown Odessa promoted new businesses and bridged the gap. Parade of Lights and Firecracker Fandango were two events that had over 20,000 people from surrounding towns. Downtown Odessa partnered with Odessa Arts for events. She was working with Discover Odessa to track hotel nights.

Richard Esparza, Viva Fiesta, thanked the Council for the support. He provided an impact report for Viva Fiesta. There were 24,000 attendees in three days. He stated that there was an economic impact of \$1,616,850 and direct local tax return on investment was \$41,968.

Rick Matchett, Odessa Jr. Jacks Youth Hockey, stated that hockey has been in Odessa for 27 years. There have been 900 hotel night stays during the season. The Odessa Jackalopes had 1,776 hotel stays with its games. The team did not have ice to practice and the budget increased for travel due to practicing out of town. The Jackalopes promoted Odessa on the cable network.

Becca Myers, Junior League of Odessa, stated that Merry Market was in its 75 year. It was a four day event with 4,000 out of town attendees and over 85 vendors.

Randy Ham, Odessa Arts, highlighted the organizations' events along with the May Mural Fest that had over 3,000 people and 21 new art installations. The public art program received national recognition. He asked for continued investment with the arts.

Council member Vasquez abstained on Discover Odessa. Monica Tschauner, Discover Odessa, stated that Discover Odessa requested an increase in its budget. The Permian Basin Oil show would be held in October. The economic impact was \$7,179,869. There would be update on signage that included the OC scoreboard, Warbirds and at the UTPB sports complex. She was working with the hotels on reporting room nights from the events. The Sports Event Recruitment Program assisted in recruiting sports events to Odessa by incentivizing groups. Teresa Vasquez, Discover Odessa, reported that there were 16 applications with seven new applications.

Andrea Quiroz, Odessa Links, stated that the conference provided training on poverty, suicide, depression and other mental health issues. She thanked the Council for the support.

Max Reyes, Director of Parks and Recreation, stated that the Fall Festival was on October 21 that included traveling acts, food, and live music. There would be advertising in Southern New Mexico and the Permian Basin. Starbright Village had over 300,000 lights during the Christmas season. There were over 200,000 attendees. The Ratliff Golf Links request would be used for marketing at the airport and billboards.

Stephanie Bergstrom, Permiacare, stated that the Post Critical Incident seminar would be for first responders at all levels. It was a three day seminar at no cost to the attendees.

Susie Wyatt, Permian Basin Fair, stated that the fair has grown in over 47 years. The fair provided educational opportunities and promoted Odessa. The fair was for ten days and had 45,000 attendees with at least 250 hotel nights.

Jim Wise, Sandhills Stockshow and Rodeo, reported that the rodeo had 27,438 attendees. The rodeo had a dance and scholarships awarded. He thanked the Council for the support.

Todd Dooley, UTPB, stated that the \$125,000 request was for marketing events of golf, baseball and basketball. The events had a direct economic impact.

Eugene Neboh, West Texas Track Club, stated that AAU National Qualifier Track Meet impacted the youth and provided scholarships. This year there were 300 athletes. The request for the West Texas Track Club was to host three meets. The events have grown over the years. He thanked the Council for the support.

Christine Holcomb, White Pool House, stated that the history of the White Pool House provided identity, and preserved the legacy. There were over 100 hotel nights.

John Folasakin stated that the West Texas Worship Conference was a three day event that would train in faith based to local leaders. Last year, there was over 1,000 hotel nights with 3,000 attendees.

Dean Garza, West Texas Warbirds, stated that the West Texas Warbirds was in its 3<sup>rd</sup> season and joined the National League. The games were broadcasted. Hotel rooms were utilized for every home game.

There was a recess from 8:44 p.m. to 9:02 p.m.

Mr. Boles stated that the funds would be monitored, and a post event report would be required from the agencies funded. A new form would be used to monitor the hotel rooms.

Motion was made by Council member Thompson and seconded by Council member Swanner to consider Downtown Odessa, Odessa Arts, Discover Odessa and Discover Odessa Sport Events as separate items. The motion was approved by the following vote:

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

Each Council member and the Mayor gave a recommendation for funding. Council member Vasquez abstained from Discover Odessa, and Discover Odessa Sport Events. Council members Hanie and Connell abstained from Downtown Odessa. Council member Hanie abstained from the Odessa Arts.

Motion was made by Council member Matta and seconded by Council member Thompson to approve the Downtown Odessa allocation of \$425,000. The motion was approved by the following vote:

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

Motion was made by Council member Swanner and seconded by Council member Connell to approve Discover Odessa allocation of \$1.2 million. The motion was approved by the following vote:

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

Motion was made by Council member Thompson and seconded by Council member Hanie to approve Discover Odessa Sports Events Recruitment Program allocation of \$100,000. The motion was approved by the following vote:

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

Motion was made by Council member Vasquez and seconded by Council member Swanner to approve the Odessa Arts allocation of \$475,000. The motion was approved by the following vote:

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

Motion was made by Council member Matta and seconded by Council member Swanner to approve the following Hotel Motel allocations:

Black Cultural Council	\$ 65,000
Commemorative Air Force	45,000
Showbiz West Texas	20,000
Jr. Jacks Youth Hockey	15,000
Junior League of Odessa	15,000
Odessa Jackalopes Hockey	35,000
Odessa Links	5,000
Parks – Fall Festival	10,000
Parks– Starbright Village	130,000
Permiacare – Family Resiliency Center of the Permian Basin	5,000
Permian Basin Fair & Exposition	130,000
Parks – Ratliff Ranch Golf Links	30,000
Sandhills Stockshow and Rodeo	150,000
Tejano Super Show	0
U.T. Permian Basin Athletics	55,000
West Texas Track Club AAU track meet	40,000
West Texas Track Club	50,000
White-Pool House Friends	40,000
West Texas Worship Conference	35,000
West Texas Football	15,000
Ector County Coliseum interlocal agreement	0
Administrative Costs/Audit Fees	32,599

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 Swanner and seconded by Council member Vasquez 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 9:32 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC  
City Secretary

Javier Joven  
Mayor