



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

August 29, 2023

On August 29, 2023, 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; Gilbert Vasquez, District Three; Greg Connell, District Four; Chris Hanie, District Five, and Denise Swanner, At-Large.

Staff present: Norma Aguilar-Grimaldo, City Secretary; John Beckmeyer, 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 Council member Hanie and followed by the Pledge of Allegiance and Texas flags.

Public Hearing

Open a public hearing for Fiscal Year 2023-2024 Budget. Seth Boles, Interim Director of Finance, stated that the proposed FY 2023-2024 budget was filed with the City Secretary on August 11, 2023. He stated that more revenue would be collected than anticipated. The budget had an increase in property tax. The sales tax was budgeted at \$54 million. Total revenues were \$269,555,712. There would be a 6% increase in water and sewer rates and 3.5% increase in solid waste rates. Total expenditures were \$277,023,424. The Council would vote on the budget at the September 12 Council meeting. No one came forward and the public hearing was closed.

Regular

Resolution No. 2023R-74 – Establish a maximum tax rate of \$0.483791 from Fiscal Year 2023-2024. Mr. Boles stated that the proposed maximum tax rate was \$0.483791 per \$100 valuation for Fiscal Year 2023-2024. The proposed rate was the same tax rate as approved for the 2022-2023 fiscal year. The proposed rate was higher than the no-new revenue rate of \$0.474371, and it was lower than the total voter-approval rate of \$0.522978, which consists of a 2023 unused increment rate of \$0.037217, and a current voter-approval rate of \$0.485761. The votes on the proposed tax rate would be on September 12 and September 26, 2023.

Motion was made by Council member Matta and 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

Resolution No. 2023R-75 – Signatures in connection with City Funds. Mr. Boles stated that the authorized signatures in connection with City funds would be amended by adding

John Beckmeyer and removing Larry Fry. The other representatives for signatures were Agapito Bernal, Seth Boles and Christopher Hayes. Mayor Joven thanked Mr. Boles and staff for the work done in finance.

Motion was made by Council member Thompson 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

Allow Odessa Soccer Association (OSA) to play the regular Fall 2023 season at Sherwood Park. Susannah Prucka, OSA Attorney, asked that the OSA be allowed to play its Fall 2023 season at Sherwood Park. OSA would transition to the use of Floyd Gwin and Comanche East and Comanche West after the 2023 season. The Fall play season was September 9 – November 11, 2023. Mayor Joven stated that there would be no permanent goals or structures. After the Fall season, the west side equipment of Sherwood Park would be removed if there was a continuance on playing at Sherwood Park but with a fixed fee. The goal was to transition all recreational leagues toward the new sports complex. The building belonged to the City and would be assessed and inspected after the Fall season. Council member Thompson stated that OSA received revenue through tournaments, and it was not paying the City any fees. Mr. Jones stated that the agreement had 10% fees to be paid to the City, but it was not assessed. The fees were to help with the maintenance of the fields and was not implemented. Max Reyes, Director of Parks and Recreation reported that no association paid its fee, but it was in the agreements. He was going to have meetings with the associations to hold everyone accountable and provide that the fees be paid to the parks system. Council member Thompson stated that the fields would need maintenance after the season.

Motion was made by Council member Vasquez and seconded by Council member Connell to allow the OSA to play the regular fall play soccer 2023 season from September 9 – November 11, 2023 at Sherwood Park. The motion was approved by the following vote:

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

Resolution No. 2023R-76 – Lease of the soccer fields and building located at 4819 N. Everglade, Odessa, Texas, Ector County, to the Odessa Soccer Association. The use of the City property for providing recreational activities will fill a public need in the community. Mayor Joven stated to waive the \$2,500 monthly fees and have the 10% membership fees paid to the City. Ms. Prucka asked that the fees be pushed to January 1 as the goals had a cost in excess of \$50,000 and OSA was not a wealthy association. Mayor Joven stated that OSA was playing soccer on City fields for over 25 years and the rules were in place but not enforced. He stated that both the City and the Association were at fault. According to City ordinance, the equipment at the park was City property. The move from UTPB to Sherwood was to be temporary. Council member Vasquez stated that over all the years funds must have been built up and may not be divulging the information. Ms. Prucka stated that the filed 990 would provide the financing of the Association. Mr. Jones stated that 10% of all sports associations would be assessed the fees but the amount could fluctuate. The funds would go the parks. Council member Matta pulled up the 2019 form 990 and it had a net assessed value of \$397,712. Ms. Prucka stated that was before the cost to move to Sherwood Park and the association did not have that amount. Mayor

Joven stated that the city needed to recoup to reinvest into the park. He stated that all associations must follow the rules and be held accountable.

Motion was made by Mayor Joven to lease the soccer fields at 4819 N. Everglade and building, waive the \$2,500 monthly fee through September 9 – November 11, 2023, assess the 10% membership fees to the City, waive the 10% concession fees, and with the indemnity agreements. Ms. Prucka stated that the 10% membership fee was more favorable than the \$2,500 monthly fee. Council member Thompson seconded the motion. The motion was approved by the following vote:

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

Tabled - Discuss Municipal Board appointments. Mr. Connell stated that the Downtown Odessa board was improving downtown but there were problems with signs. He stated that there was a zoning ordinance that provided for sign enforcement though the Municipal Board, but the board was never established. Mr. Jones reviewed the Municipal board requirements. Mr. Matta stated that the old signs would be grandfathered. Elizabeth Prieto, Downtown Odessa Director, stated it would be beneficial for Downtown. Mr. Jones would review the ordinance.

Motion was made by Council member Thompson and seconded by Council member Hanie to table the Municipal Board appointments. 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 7:00 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

Javier Joven
Mayor