



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

FEBRUARY 26, 2019

On February 26, 2019, a regular meeting of the Odessa City Council was held at 6:00 p.m., City Hall, Council Chambers, 5th floor, 411 W. 8th St., Odessa, Texas.

City Council present: Mayor David R. Turner; Council members: Malcolm Hamilton, District One; Dewey Bryant, District Two; Detra White, District Three; Tom Sprawls, District Four; Mari Willis, District Five; and Peggy Dean, At-Large.

Others present: Michael Marrero, City Manager; Norma Aguilar-Grimaldo, City Secretary; Phillip Urrutia, Assistant City Manager; Cindy Muncy, Interim Assistant City Manager; Gary Landers, Interim City Attorney; other members of City staff; and members of the news media.

A quorum being present, Mayor Turner called the meeting to order and the following proceedings were held:

The invocation was given by Mayor Turner, and followed by the Pledge of Allegiance to the United States and Texas flags.

CONSENT AGENDA ITEMS

- A. City Council minutes, February 12, 2019;
- B. City Council Work Session minutes, February 19, 2019;
- C. **Ordinance 2019-08 - Amend the Odessa City Code by adding Article 14-20, entitled "Downtown Overlay Zone," to Chapter 14 of the City Code of Ordinances, entitled "Zoning" and deleting and abolishing any previously adopted downtown overlay zoning regulations;**
- D. **Ordinance No. 2019-09 - Add Section 12-3-16, entitled "Parking of Commercial Motor Vehicles," to the City Code of Ordinances, Article 12-3, entitled "Parking, Stopping and Standing," of Chapter 12, entitled "Traffic and Vehicles.";**
- E. **Resolution No. 2019R-16 – TxDOT agreement for a temporary street closure;**
- F. **Resolution No. 2019R-17 - Accept and appropriate additional funds for the City of Odessa Police Department from the 2018 HIDTA Grant Award;**
- G. Ector County Independent School District interlocal agreement with the City regarding radio communications;
- H. Purchase AR-15 style rifles and accessories from Rock River Arm, Inc. for the City of Odessa Police Department from General Fund approved supplemental funds for \$285,432.50;
- I. **Ordinance No. 2019-10 - Revise rental rates for Sherwood and Woodson Family Aquatic Centers and the Junior League Jurassic Jungle Sprayground;**
- J. Authorize expenditures for data with Verizon Wireless for \$80,000.

Motion was made by Council member Dean and seconded by Council member Hamilton to approve consent agenda items. The motion was approved by unanimous the following vote:

Aye: Turner, Hamilton, Bryant, White, Sprawls, Willis, and Dean
Nay: None

OTHER COUNCIL ACTION

ORDINANCES

Establish speed limits. Hal Feldman, Traffic Engineer, stated that due to the recent annexed roads the ordinance would reflect the existing speed limits in the Code of Ordinances.

Motion was made by Council member Dean and seconded by Council member Hamilton to approve the ordinance on first approval. The motion was approved by the following vote:

Aye: Turner, Hamilton, Bryant, White, Sprawls, Willis, and Dean
Nay: None

RESOLUTION

Resolution No. 2019R-18 – Oppose a revenue cap and legislative interference with local services. Mr. Landers said that SB 2/HB2 are intended to lower the amount of increase in taxes that will require a local election. This amount is referred to as the “roll back election rate” and was set by the Texas Legislature in the past. Although some persons have referred to SB 2 as “tax reform” or a “transparency bill”, it is just amending currently existing State law on the amount of increase allowed before a REQUIRED local election must be held. Traditionally locally elected city councils have asked the Legislature to not increase their involvement in or interference with local decisions on tax rates since those rates are already being set by the city council elected locally. SB 2 should not affect nor change the current requirements for cities to **publish Notice of and all** tax increases. Current law also requires cities to publish notice of all local city council meetings when ANY local business including taxes, budgets, proposals to spend money, etc. are to be voted on. Lowering the amount of increase which requires a local election is not a issue about notice or transparency, it is a decision by the State Legislature that increases the need for local elections and their attendant cost.

Connie Coats, 63 La Promesa Circle, CEO Odessa Board of Realtors, was not in favor of opposing a revenue cap. She supported the reduction of the rollback rate. She stated if the rollback rate was exceeded, allow the voters to vote. She stated it was more in line with inflation. Aubrey Mayberry, 4207 Dakota, stated that the Republican Party, which was adopted as a legislative priority, supported Senate Bill 2. He stated that the issue was the taxing entities wanting to spend more money with no limits. Matt Stringer, 3719 Amhurst, was against the resolution. He asked to listen to the voice of Texans with the overburden of taxes. By lowering the rollback rate, it provided fiscal responsibility. Dottie Chavez, 8225 San Simon, asked the Council why they opposed it. Mayor Turner explained the State failed to pass school reform and State mandates were made but were not funded. He stated that the roads were wearing out and more fire stations were needed due to the number of runs and calls made. He explained that the ad valorem was only a small part of the budget. Ms. Chavez stated that citizens were not informed when raising taxes and more transparency

was needed. Council member Dean stated that there was no reckless spending but deliberation on the needs such as infrastructure. She stated it was important to get the information out to the citizens. Mayor Turner provided information on the homestead exemptions. Council member Bryant stated it was 17% of available taxes.

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

Aye: Turner, Hamilton, Bryant, White, Sprawls, Willis, and Dean
Nay: None

Resolution No. 2019R-19 – Support the U.S. Census Bureau 2020. Mr. Marrero stated that this was to support a successful census count, as it was critical to our community. An effective count would be made.

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

Aye: Turner, Hamilton, Bryant, White, Sprawls, Willis, and Dean
Nay: None

MISCELLANEOUS

Appointment of Boards: Board of Survey, Citizens Golf Advisory Committee, Parks and Recreation Advisory Board, Planning and Zoning Commission, Traffic Advisory Committee; Zoning Board of Adjustment; Midland Odessa Urban Transit District; and Mayor's Drug & Crime Commission. Motion was made by Council member Bryant and seconded by Council member Hamilton to reappoint the following:

Paul Weaver and Vickie Gomez reappointed to the Board of Survey
Elva Graham reappointed to the Citizens Golf Advisory Committee
Renee Earls reappointed to the Planning and Zoning Commission
Rodney Hurt reappointed to the Traffic Advisory Committee
Brooke Harper and Anthony Rios reappointed to the Zoning Board of Adjustment
Libby Campbell reappointed as alternate to the Zoning Board of Adjustment

The motion was approved by the following vote:

Aye: Turner, Hamilton, Bryant, White, Sprawls, Willis, and Dean
Nay: None

Motion was made by Council member Bryant and seconded by Council member Hamilton to reappoint the following:

Armando Rodriguez reappointed to the Midland Odessa Urban Transit District
The members of the Mayor's Drug and Crime Commission as stated in the bylaws

The motion was approved by the following vote:

Aye: Turner, Hamilton, Bryant, White, Sprawls, Willis, and Dean
Nay: None

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

As authorized by the Texas Government Code, Section 551.071 (Consultation with Attorney), and Section 551.074 (Personnel Matters), the City Council will adjourn into executive session: 1. To consider a performance evaluation of the interim city attorney and possible action on interim legal services. Motion was made by Council member Dean and seconded by Council member Willis to go into executive session under 551.071. The motion was approved by the following vote:

Aye: Turner, Hamilton, Bryant, White, Sprawls, Willis, and Dean

Nay: None

Upon returning from executive session, no action took place.

There was no other business, the meeting adjourned at 7:45 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

David R. Turner
Mayor