



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

**OCTOBER 8, 2019**

On October 8, 2019, a regular meeting of the Odessa City Council was held at 10:00 a.m., City Hall, Council Chambers, 5<sup>th</sup> floor, 411 W. 8<sup>th</sup> St., Odessa, Texas.

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

City Council absent: Council members Malcolm Hamilton, District One; and Mari Willis, District Five.

Others present: Michael Marrero, City Manager; Norma Aguilar-Grimaldo, City Secretary; Natasha Brooks, City Attorney; Phillip Urrutia, Assistant City Manager; Cindy Muncy, Interim Assistant City Manager; 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 Rev. Ronnie Hankins Senior, First Presbyterian Church, and followed by the Pledge of Allegiance and Texas flags.

Mayor Turner proclaimed Code Enforcement Awareness Month. He recognized the Code Enforcement officers.

**CONSENT AGENDA ITEMS**

- A. City Council minutes, September 23, 2019;
- B. City Council minutes, September 24, 2019;
- C. City Council Work Session minutes, October 1, 2019;
- D. **Ordinance No. 2019-44 - Request of LOA Land Development, LLC, owner, and Maverick Engineering, agent, for original zoning of Single-Family-Four (SF-4) on an approximately 28.3 acre tract and original zoning of Single-Family-Four-Surface Drainage (SF-4-SD) on approximately 1.8 acre tract (approximately 30.2 acre total) in Section 15, Block 41, T-2-S, T&P Ry. Co. Survey, Midland County, Texas (east of the intersection of Mission Dr. and San Saba Dr.;**
- E. **Ordinance No. 2019-45 – Amend the Odessa City Code Chapter 1 “General Provisions”, Article 1-7 “Boards, Commissions, and Committees”; Section 1-7-20 Relating to Downtown Odessa, Inc. Board of Directors;**
- F. **Ordinance No. 2019-46 - Amend Chapter 4 “Business Regulations”, Article 4-10 “Taxicabs”, Section 4-10-40 “Operation Requirements” of the Code of Ordinances to change the requirement of operating at least five taxicabs each month to one each month;**
- G. Accept a donation from Occidental Petroleum Corporation to Odessa Fire Rescue and appropriating the funds from this donation of \$20,000;

- H. Accept a donation from Occidental Petroleum Corporation to Odessa Police Department and appropriating the funds from this donation of \$15,000;
- I. Contract renewal with Credit System International for ambulance collection service;
- J. Contract renewal with ESRI for an additional three years for \$188,746;
- K. Contract renewal for liquid aluminum sulfate for the Water Treatment Plant for \$245,000;
- L. Contract renewal for liquid ammonium sulfate for the Water Treatment Plant for \$80,000;
- M. Contract for annual purchase of irrigation supplies for \$70,000;
- N. Contract renewal with FIS iWorks for benefits claims administration software maintenance.

Motion was made by Council member Dean and seconded by Council member Bryant to remove items G & H. The motion was approved by the following vote:

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

Motion was made by Council member Dean and seconded by Council member Sprawls to approve consent agenda items A - F and I - N. The motion was approved by the following vote:

Aye: Turner, Bryant, White, Sprawls, and Dean  
Nay None  
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**Resolution No. 2019R-80 – Accept a donation from Occidental Petroleum Corporation to Odessa Fire Rescue and appropriating the funds from this donation of \$20,000; and Resolution No. 2019R-81 – Accept a donation from Occidental Petroleum Corporation to Odessa Police Department and appropriating the funds from this donation of \$15,000.** John Alvarez, Fire Chief, stated that the donation from Occidental was for \$20,000 to purchase training equipment. He thanked Occidental. Mike Gerke, Police Chief, stated that the Occidental donation was for \$15,000 to purchase training aids.

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

Aye: Turner, Bryant, White, Sprawls, and Dean  
Nay None  
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#### **OTHER COUNCIL ACTION**

#### **PUBLIC HEARING**

**Open a public hearing to consider approval of the request by Temple Baptist Church, owner, and Maverick Engineering, agent, for various original and rezone requests involving Special Dwelling District (SPD), Multi-Family-One (MF-1), Retail (R), Surface**

**Drainage (SD), and Drill Reservation (DR) (see attached list), on an approximately 65 acre tract in Section 9, Block 41, T-2-S, T&P Ry. Co. Survey, City of Odessa, Ector County, Texas (northeast of the intersection of Texas Hwy. 191 and Billy Hext Road).** Randy Brinlee, Director of Planning, reviewed the location, which was vacant. The various zoning purposes were for a diverse range of housing that included affordable dwellings. The zoning would support the retail services. The Planning and Zoning recommended for approval. No one came forward and the public hearing was closed.

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

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

**Open a public hearing to consider approval of the request by Kaige Properties, LLC, owner, SW Howell, agent, for original zoning of Light Industrial (LI) on an approximately 8.63 acre tract out of Section 40, Block 42, T-2-S, T&P Ry. Co. Survey, City of Odessa, Ector County, Texas (southwest of the intersection of Interstate 20 and Crane Ave.).** Mr. Brinlee reviewed the location, which was vacant. The zoning would facilitate industrial development for oil services. The Planning and Zoning recommended for approval. No one came forward and the public hearing was closed.

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

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

**Resolution No. 2019R-82 – Open a public hearing to consider a resolution in support of a Municipal Setting Designation application by NL Industries, Inc., for the City of Odessa’s support of a Municipal Setting Designation of 21.9 acres at the properties located at 2122 and 2120 Maurice Road and to consider amending Chapter 6, Health and Sanitation, Article 6-13 of the Code; and**

**Amend Chapter 6 “Health and Sanitation” Article 6-13 “Municipal Setting Designations” Section 6-13-13 “Municipal Setting Designation Sites in the City”, subsection (b) of the Code of Ordinances by adding designation ETJ-MSD-04 and providing for the prohibition of the use of groundwater for potable and irrigation purposes in the areas designated herein.** Atasi Bhavsar, First Assistant City Attorney, stated that the Municipal Setting Designation would specify 2122 and 2120 Maurice Road to prohibit the use of water for potable water. A public meeting was held on September 19, 2019 to discuss the remediation project. Kate McCarthy, Golder Environmental Consultants, provided background on the properties. She stated that the properties have been used since 1970 for oilfield services. The soil and groundwater was contaminated prior to 1991. The soil has been removed and there was low groundwater contamination only within the property. There has been monitoring for 30 years. Council member Dean stated that citizens were concerned with the contamination of the City’s water source. Ms. Bhavsar reported that the City received its water source from Ward County. There were no other sources affected. The contaminated water flowed in the opposite direction from Monahans Draw. No one else came forward and the public hearing was closed.

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, Bryant, White, Sprawls, and Dean  
Nay: None

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

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

## ORDINANCES

**Amend Chapter 4 “Business Regulations”, Article 4-8 “Secondhand Goods” Division 2 “License” Section 4-8-41 “Required”.** Dan Jones, Senior Assistant City Attorney, stated that this was a housekeeping item. The City cannot regulate secondhand goods if it was inside of a pawnshop, which was regulated by the State.

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

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

**Remove from the table and consider amending the Odessa City Code Chapter 1 “General Provisions” Article 1-1 “Code of Ordinances” Sec. 1-1-9 “General Penalty; Continuing Violations; Right of Entry; Enforcement Officers;” Chapter 3 “Building Regulations” Article 3-1 “General Provisions” Sec. 3-1-1 Building Permit Fees and Associated Fees,” and Article 3-16 “Minimum Building Standards Code” Sec. 3-16-2 “Amendments;” Chapter 4 “Business Regulations” Article 4-5 “Sexually Oriented Businesses” Sec. 4-5-2 “Definitions,” and Sec. 4-5-7 “Location,” and Chapter 12 “Traffic and Vehicles” Article 12-3 “Parking, Stopping and Standing” Division 1 “Generally” Sec. 12-3-8 “Stopping, Standing or Parking Prohibited in Specified Places” and Sec. 12-3-15 “Parking In Undeveloped Lots.”** Motion was made by Council member Dean and seconded by Council member Bryant to remove the item from the table. The motion was approved by the following vote:

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

Monique Wimberly, Assistant City Attorney, stated that the zoning ordinance was amended in April 2019 and the changes would reference the new zoning ordinance.

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

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

## RESOLUTIONS

**Resolution No. 2019R-83 – Authorize the conveyance of the City’s interest in a tax delinquent property located at 301 Fitch Street.** Ms. Brooks stated that the sale was for less than fair market value and the judgements against the property.

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, Bryant, White, Sprawls, and Dean  
Nay: None

**Tabled - Support of the August 31, 2019 mass shooting victims seeking additional state and federal funds.** Mayor Turner reported that the City Attorney’s office was researching additional ways to bring State and federal funds to the victims.

Motion was made by Council member Sprawls and seconded by Council member Dean to table this item. The motion was approved by the following vote:

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

#### **MISCELLANEOUS**

**Appointment of Boards: Downtown Odessa, Parks and Recreation Advisory Board, Traffic Advisory Committee; and Zoning Board of Adjustment.** No action.

**Citizen’s comments on non-agenda items.** No comments.

There was no other business, the meeting adjourned at 10:28 a.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC  
City Secretary

David R. Turner  
Mayor