



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

**SEPTEMBER 10, 2019**

On September 10, 2019, a regular meeting of the Odessa City Council was held at 6:00 p.m., City Hall, Council Chambers, 5<sup>th</sup> floor, 411 W. 8<sup>h</sup> 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; 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 Pastor Sean Smith, Asbury United Methodist Church, and followed by the Pledge of Allegiance and Texas flags.

Mayor Turner recognized the high school students in the audience. He commented on the August 31 event and showed a memorial tribute video. The first responders were applauded for their service.

**CONSENT AGENDA ITEMS**

- A. City Council minutes, August 27, 2019;
- B. City Council Workshop minutes, August 27, 2019;
- C. City Council Work Session minutes, September 3, 2019;
- D. **Ordinance No. 2019-40 - Request of Betenbough Homes, owner, to rezone from Retail (R) to Special Dwelling District (SPD) approximately 19 ac. [two tracts] and rezone from Special Dwelling District (SPD) to Retail (R) approximately 0.8 ac. tract in Section 35, Block 42, T-1-S, T&P Ry. Co. Survey, Ector County, Texas (along East Loop 338 between 87th St. and proposed 100th St.);**
- E. **Ordinance No. 2019-41 – Solid Waste rate change;**
- F. **Ordinance No. 2019-42 - Amend the Odessa City Code Chapter 3 “Business Regulations”, Article 3-4 “Electricity”, Division 2 “Electrical Code”, Section 3-4-32 “Amendments to remove prior amendments to National Electrical Code (NEC) Section 230.24(B)(1), the section of the NEC will be adopted as written;**
- G. **Resolution No. 2019R-72 – MOUTD budget for FY 2019-2020;**
- H. Contract renewal for crack sealing compound with Right Pointe for \$61,056.

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

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

#### OTHER COUNCIL ACTION

**Bid award and contract to Fab Tech Wastewater Solutions LLC for repairs to the half bridge clarifier at the Bob Derrington Wastewater Reclamation Plant.** Thomas Kerr, Director of Public Works/Utilities, recommended the bid to Fab Tech Wastewater Solutions to rehab a clarifier. This was the third year of a four-year process to rehab all the clarifiers. The bid was for \$360,000.

Motion was made by Council member White and seconded by Council member Sprawls to approve the bid award as recommended. The motion was approved by the following vote:

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

#### PUBLIC HEARING

**Open a second public hearing on proposed tax rate and to consider levying the tax for the 2019 tax year.** Mrs. Muncy stated that the proposed tax rate of 47.6601 cents exceeded the effective tax rate and will increase the total property tax revenues by 22.7% over the preceding year. Council would vote on the tax rate on September 23 and 24, 2019. The proposed tax rate provided for exemptions. She reviewed the exemptions, which totaled \$2.37 million. Larry Robinson, 2219 E. 8<sup>th</sup> St., thanked the Council for their service and the first responders for their service. No one else came forward and the public hearing was closed.

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

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

#### ORDINANCES

**Remove from the table to amend Chapter 1 of the City of Odessa Code of Ordinances, Entitled "General Provisions", Article 1-4 "City Council" by adding Division 3 "Code of Conduct", sections 1-4-51 through 1-4-54, to update the City's Ethics and Code of Conduct ordinance.** No action.

#### RESOLUTIONS

**Resolution No. 2019R-73 – Odessa Housing Finance Corporation's (OHFC) application to participate in the workforce housing infrastructure incentive grant program.** Wesley Burnett, Director of Economic Development, stated that the OHFC application was to utilize the infrastructure incentives for the project on 87<sup>th</sup> St. The Compliance Committee reviewed and ODC approved the grant for \$1.5 million for multi-family housing. The project would begin January 2020.

Motion was made by Council member Dean and seconded by Council member Bryant 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-74 – Adopt the City of Odessa FY 2019-2020 annual budget.**

Mrs. Muncy stated that the budget was filed with the City Secretary and a public hearing was held. She recapped the budget with \$245 million in revenues and \$235 million in expenditures. The tax rate remained the same. The Solid Waste rate increased by 2.5%, there would be 17 new employees, and 3% raise for employees.

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

**Ratify the property tax revenue increase reflected in the FY 2019-2020 annual Budget.**

Mrs. Muncy stated that the tax rate remained the same. The annual budget for FY 2019-2020 will raise more total property taxes than last year's budget by \$8.5 million. New taxable property was added to the 2019 tax roll.

Motion was made by Council member Dean and seconded by Council member White to ratify the property tax revenue increase. The motion was approved by the following vote:

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

**Resolution No. 2019R-75 – ODC items: Budget for FY 2019-20; Five annual contracts; and General Development Plan for FY 2019-20.** Council member Dean commended the ODC members for their hard work and all they have done for our community. She thanked Betsy Triplett-Hurt for her hard work and energy in leading the ODC in following the rules and regulations and streamlining the operations. Mrs. Triplett-Hurt stated that every contract was standardized and she thanked the Legal staff. The General Development Plan reflected the contracts and funds according to the budget. Mayor Turner thanked Mrs. Triplett-Hurt for her leadership.

Motion was made by Council member Willis and seconded by Council member Dean 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: Downtown Odessa, Parks and Recreation Advisory Board, Planning and Zoning Commission, Traffic Advisory Committee; Zoning Board of Adjustment, Odessa Development Corporation and Public Art Committee.** Motion was made by Council member White and seconded by Council member Hamilton to appoint the following:

Connie Coots to the Planning and Zoning Commission  
David Boutin to the Odessa Development Corporation  
Chris Cole to the Odessa Development Corporation  
Tim Edgmon to the Odessa Development Corporation

The motion was approved by the following vote:

Aye: Turner, Hamilton, Bryant, White, Sprawls, Willis, and Dean  
Nay: None  
Abstain: Bryant on Mr. Cole's appointment

Motion was made by Council member Bryant and seconded by Council member Willis to appoint the following to the Public Art Committee: Dick Gillham, Yervand Hmayakyan, Chris Stanley, Toby Eoff, Lorraine Perryman, Lonnie Lawrence, Rachel Ambler, Cruz Castillo, Deana Cosper, Steve Patton, Randy Ham, Matt Rist and Michael Marrero.

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.

There was no other business, the meeting adjourned at 6:31 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC  
City Secretary

David R. Turner  
Mayor