



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

**February 25, 2020**

On February 25, 2020, 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>th</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; Mari Willis, District Five; and Peggy Dean, At-Large.

City Council absent: Tom Sprawls, District Four.

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 Jeff Cleere, Chapel Hill Baptist Church, and followed by the Pledge of Allegiance and Texas flags.

**CONSENT AGENDA ITEMS**

- A. City Council minutes, February 11, 2020;
- B. City Council work session minutes, February 18, 2020;
- C. **Ordinance No. 2020-05 - Request by Betenbough Homes, owner, for rezoning from Retail (R) to Special Dwelling District (SPD) on approx. 10 acres (Tract 1: approx. 8.2 ac., Tract 2: approx.. 1.8 ac.) in Section 35, Block 42, T-1-S, T&P Ry. Co. Survey, Odessa, Ector County, Texas (northwest of the intersection of Loop 338 and 87th St.);**
- D. **Ordinance No. 2020-06 - DJK, Inc., owner, RSP Permian, LLC, lessee, for original zoning of Future Development-Drill Reservation (FD-DR) on an approx. 1.2 acre tract in Section 11, Block 41, T-2-S, T&P Ry. Co. Survey, Odessa, Midland County, Texas (southeast of the intersection of Santa Isabella St. and Yorkshire Dr;**
- E. **Ordinance No. 2020-07 - Adopt the Odessa City Code Chapter 5 "Fire Prevention and Protection" Article 5-5 "Fire Marshal";**
- F. **Resolution No. 2020R-14 – Abandon alley right-of-way located in Block 41, Harrisdale Addition, 6<sup>th</sup> Filing;**
- G. **Resolution No. 2020R-15 – Contract the operations of the City of Odesa Aquatic Facilities;**
- H. **Resolution No. 2020R-16 – Adopt an Employee Protection and Indemnity Policy, Section 6.105 for City Council members and employees for the City of Odessa.**

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

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

Nay: None

## OTHER COUNCIL ACTION

### PUBLIC HEARING

**Open a public hearing to consider approval of the request by Tommy Pugh, owner, Odessa (Pugh) DTP, LLC, optionee, John Cowan and Associates, agent, for annexation and original zoning of Retail-One (R-1) on an approximately 3 acre tract in Section 4, Block 41, T-2-S, T&P Ry. Co. Survey, Ector County, Texas (southeast of the intersection of Lagow Ln. and Faudree Rd.)** Randy Brinlee, Director of Development Services, reviewed the location. The purpose was to annex three acres in the city limits. The service plan was prepared. The request was for Retail-One and after staff consultation to minimize impact to the residence, it was recommended that zoning be Planned Development-Retail-One. He reviewed required conditions that included a buffer of screened fencing. The Planning and Zoning Commission recommend for approval. The home owners were appreciative of the buffer. William Beard, Pugh representative, stated that the 500 foot masonry fence was a cost prohibited. If the requirement remained, he would request to withdraw. No one else came forward and the public hearing was closed.

Motion was made by Council member Bryant 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, Willis, and Dean

Nay: None

**Open a public hearing to consider approval of administrative corrections and amendments to the City of Odessa Zoning Ordinance.** Mr. Brinlee stated that the corrections included adding the front yard parking on concrete to the Zoning Ordinance. There were administrative corrections to the ordinance. Council member Hamilton asked how many tickets were issued on the front yard parking. Council member Dean stated that there were a lot of cars parked at night but no cars were on the property during the day. Mr. Marrero stated that last month there were 51 notices of violation but were allowed time to comply. No one came forward and the public hearing was closed.

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

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

Nay: None

**Open a public hearing to consider approval of proposed amendment to the Odessa City Code Chapter 6 "Health and Sanitation" Article 6, "Food Establishments" and Chapter 12, "Traffic and Vehicles" Article 3, "Parking, Stopping and Standing".** Mr. Brinlee stated that the amendment added the definition to the outdoor market and allowed food trucks to be longer than 24 hours in the approved area. The time was designated with the activity in the outdoor market. The food trucks would require a permit. Ector County Health Department monitored the health and safety of the food trucks.

Motion was made by Council member Bryant 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, Willis, and Dean  
Nay: Hamilton

## RESOLUTIONS

**Resolution No. 2020R-17 – Landraf, Crutcher and Associates, Inc. (LCA) Professional Services Agreement for the roadway design of Dawn Ave.** Tom Kerr, Director of Public Works/Utilities, stated that the Landraf Crutcher professional services agreement was for the roadway design of Dawn from Yukon to 87<sup>th</sup> St. The design would upgrade Dawn to a five-lane road. The cost was \$307,110.

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

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

**Resolution No. 2020R-18 – Appropriate funds for payment to Oncor for services rendered.** Mr. Kerr stated that the University project required relocation of transmission structures to expand the roadway. The City's cost was \$268,027 which would be from the 2013 Certificates of Obligation's interest earnings. Oncor paid for the other half of the cost.

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

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

## MISCELLANEOUS

**Appointment of Boards: Historic Preservation Commission, Parks and Recreation Advisory Board, Traffic Advisory Board, Zoning Board of Adjustment and Midland Odessa Urban Transit District.** Motion was made by Council member Dean and seconded by Council member Willis to appoint Jonathan Edwards to the Parks and Recreation Advisory Board. The motion was approved by the following vote:

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

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

**Recess for Executive Session: As authorized by the Texas Government Code, Section 551.071 (Consultation with Attorney), the City Council may adjourn into executive session to consider pending or contemplated litigation.** 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, Willis, and Dean

Nay: None

Upon returning from executive session, there was no action taken. Council member Hamilton left the meeting during executive session.

There was no other business, the meeting adjourned at 6:56 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC  
City Secretary

David R. Turner  
Mayor