



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

March 10, 2020

On March 10, 2020, 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: Dewey Bryant, District Two; Detra White, District Three; Tom Sprawls, District Four; Mari Willis, District Five; and Peggy Dean, At-Large.

City Council absent: Council member Malcolm Hamilton, District One.

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 Council member Bryant and followed by the Pledge of Allegiance and Texas flags.

CONSENT AGENDA ITEMS

- A. City Council minutes, February 25, 2020;
- B. City Council work session minutes, March 3, 2020;
- C. **Ordinance No. 2020-08 – Administrative corrections and amendments to the City of Odessa Zoning Ordinance;**
- D. **Ordinance No. 2020-09 - Amend 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".**

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

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

OTHER COUNCIL ACTION

Bid award for 2020 sealcoat project. Yervand Hmayakyan, City Engineer, recommended the bid to Ronald Wagner for \$1,814,652.06. The sealcoat was for 27.6 miles. For the total year, preventative maintenance was 72 miles.

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

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 and meeting with the representative, it was recommended that zoning be Planned Development-Retail-One. He reviewed required conditions. The Planning and Zoning Commission recommended for approval. Mr. Brinlee contacted the surrounding home owners with letters explaining the proposed zoning. There were no responses. Will Beard, Pugh representative, thanked City staff with the assistance in finding a creative attractive solution. No one else came forward and the public hearing was closed.

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

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

Open a public hearing to consider request by MCM Properties Ltd. and MCM Properties II LLC, owners, to rezone from Light Commercial-Drill Reservation (LC-DR) to Light Commercial (LC) approximately 13.5 ac. [four (4) drill sites] in Section 12, Block 42, T-2-S, T&P RR Co. Survey, Odessa, Ector County, Texas (northeast of the intersection of Tanglewood Ln. and E. 42nd St.) Mr. Brinlee reviewed the location. The request was to rezone to Light Commercial for retail use development. The Planning and Zoning recommended for approval. Roy Allen was present for any questions. No one came forward and the public hearing was closed.

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

Open a public hearing to consider approval of the rezone request by Leeco Properties, owner, LCA, agent, from Special Dwelling District-Drill Reservation (SPD-DR) to Special Dwelling District (SPD) on Lot 8, Block 14, Desert Ridge, 2nd Filing, Phase 3 (southeast of the intersection of Palo Duro Dr. and Boise Dr.) Mr. Brinlee reviewed the location. The purpose was to rezone to Special Dwelling District for 20 residential lots. It was a compatible development as it would be an extension of existing zoning. The Planning and Zoning recommended for approval. No one came forward and the public hearing was closed.

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

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

Open a public hearing to consider approval of the request by Wineglass Holdings, LLC, owner, for original zoning of Light Industrial (LI) on 24.29 ac. tract in Section 40, Block 42, T-2-S, T&P Ry. Co. (southeast of the intersection of W. Interstate 20 and S. County Rd. West) Mr. Brinlee reviewed the location which was vacant. The zoning was for Light Industrial for commercial development with related use. The Planning and Zoning recommended for approval. No one came forward and the public hearing was closed.

Motion was made by Council member Dean 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, Willis, and Dean
Nay: None

ORDINANCE

Amend the existing Odessa City Code Chapter 4 “Business Regulations”, Article 4-5 “Sexually Oriented Businesses”. Dan Jones, Senior Assistant City Attorney, stated that changes included increase in the distance from churches and schools from 600 feet to 1,500 feet and including the Spanish language on human trafficking. Council member Dean was concerned with the issue if there was a late water bill then the permit would not be renewed. Mr. Jones explained that the entertainer must be current on the water bill for the permit to be renewed. It provided an avenue of the workers not being a minor and with human trafficking. Council member Sprawls stated that should not be in the ordinance and it would not stop human trafficking. Council member Bryant stated that it was the intent to prevent human trafficking.

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, and Willis
Nay: Sprawls and Dean

RESOLUTIONS

Resolution No. 2020R-19 – Odessa Development Corporation (ODC) economic development agreement with Kaige Equipment, LLC. Wesley Burnett, Director of Economic Development, stated that the service and supply company would be relocating with six additional jobs and capital improvements of \$2.8 million. ODC approved the incentive grant for \$318,000 over five years.

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

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

Resolution No. 2020R-20 – Application to participate in the Odessa Development Corporation Section 501.103 Infrastructure Incentive related to Workforce Housing

Program by Tar Heel Holdings, LLC. Mr. Burnett stated that seven single family houses would be built. The application fit the guidelines for an infrastructure incentive. It would provide infill for the area.

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

Resolution No. 2020R-21 – Application to participate in the Odessa Development Corporation Workforce Housing Infrastructure Incentive Grant Program by JARB Holdings, LLC. Mr. Burnett stated that six townhomes would be built on Golder and 7th St.

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

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

Resolution No. 2020R-22 – Amended bylaws of the Midland-Odessa Urban Transit District (MOUTD). Robert Carroll, Assistant City Attorney, stated that the amended bylaws included a term limit and the city managers to appoint an ex-official.

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

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

MISCELLANEOUS

Appointment of Boards: Animal Shelter Advisory Committee, Historic Preservation Commission, 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 Chris Flores, and Armando Rodriguez to the MOUTD. The motion was approved by the following vote:

Aye: Turner, 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. No action.

There was no other business, the meeting adjourned at 6:33 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

David R. Turner
Mayor