



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

March 24, 2020

On March 24, 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: 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 Wally Shiwart, New Dawn Fellowship, and followed by the Pledge of Allegiance and Texas flags.

Mayor Turner provided an update to COVID -19. He met with pastors and non-profits and they were praying for our city. He was in contact with the area Mayors and the issues were stay home/shelter in place. Mayor Turner discussed the shelter in placed that were issued in several Texas cities and they were all similar. Council member Hamilton asked what preparations the City was doing if the hospitals were at full capacity. He asked if the hotels would offer their rooms. Mayor Turner stated that the tents would be used, there were three hospitals and additional floors at ORMC. He stated it was important to flatten the curve. The West Texas Food Bank was prepared to distribute food. He reviewed the area with coronavirus cases. Odessa was testing the sickest patients. Council member White stated that hotels did not have the appropriate equipment and staff. Mayor Turner stated that the EOC was activated for State and Federal funds. Council member Bryant stated that protocol was in place, should the situation becomes critical. Mr. Marrero reported that two hotels offered its facilities and were directed to the hospitals.

CONSENT AGENDA ITEMS

- A. City Council minutes, March 10, 2020;
- B. City Council work session minutes, March 17, 2020;
- C. **Ordinance No. 2020-10 – 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.);**
- D. **Ordinance No. 2020-11 - 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.);**
- E. **Ordinance No. 2020-12 - 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);**
 - F. Amend the existing Odessa City Code Chapter 4 "Business Regulations", Article 4-5 "Sexually Oriented Businesses";
 - G. **Resolution No. 2020R-23 - Odessa Police Department to accept Texas Law Enforcement Officer Standards Education Funds (LEOSE) for \$10,741.53.**

Motion was made by Council member Sprawls and seconded by Council member Dean to remove item F from the consent agenda. The motion was approved by the following vote:

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

Motion was made by Council member Willis and seconded by Council member White to approve the consent agenda items A-E and G. The motion was approved by the following vote:

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

Ordinance No. 2020-13 - Amend the existing Odessa City Code Chapter 4 "Business Regulations", Article 4-5 "Sexually Oriented Businesses". Dan Jones, Senior Assistant City Attorney, asked that Section 4-5-10, D.2. payment of utilities be removed from the ordinance at this time and the section would be placed on reserve. Billing and Collection was researching a software to read all accounts including all types of permits. Council member Hamilton stated that was intrusive and far reaching if the utility bill is late. Ms. Brooks stated it would be brought back for Council consideration.

Motion was made by Council member Dean and seconded by Council member Bryant to approve the ordinance with the removal of Section 4-5-10, D.2. on second and final approval. The motion was approved by the following vote:

Aye: Turner, Hamilton, Bryant, White, Sprawls, 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 Planned Development-Retail-One (PD-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 Planned Development-Retail-One. Staff worked with the agent and conditions were

included. He reviewed the required conditions. The Planning and Zoning Commission 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 Willis 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

RESOLUTIONS

Resolution No. 2020R-24 – Professional Services Agreement with Kimley-Horn and Associates, Inc. and amending the budget for FY 2019-2020 in order to appropriate funds for the development of an Impact Fee Study related to Roadway, Water, and Wastewater Impact Fees for \$181,000. Tom Kerr, Director of Public Works/Utilities, stated that Kimley-Horn would provide services for an impact fee study that would take six to eight months to complete for \$181,000. Information would be gathered, reviewed and a recommendation made through a committee. Public meetings would be held for public input. Council member Sprawls was concerned with the cost of the study. Mr. Kerr stated that Kimley-Horn was chosen based on qualifications and has done other plans for the City. The cost of the study was in line with other cities. Council member Hamilton asked if they were the only qualified firm as it was a lot of money. Mr. Kerr stated that there were other qualified firms but Kimley-Horn did our master plan and had the knowledge of our city. The fee structure was not out of range. He explained the scope of the impact fee study. Council member Dean stated that there were a lot of efficiencies as they have developed the city's priorities, and have the knowledge of Odessa with projections. Mr. Kerr stated with another firm it would extend the time of approximately three months due to an RFP. Council member Bryant called the question.

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

Resolution No. 2020R-25 – Extend the Mayor's Declaration of Local Disaster, declared on March 18, 2020. Ms. Brooks stated that the extension of the declaration took in account Governor Abbott's executive order from March 19, 2020. The City's declaration was more in-depth as it addressed more issues. The extension will be in effect until Council terminates. There was no conflict with the executive order.

Motion was made by Council member Hamilton 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: Animal Shelter Advisory Committee, Historic Preservation Commission, Traffic Advisory Board, Zoning Board of Adjustment and Midland Odessa Urban Transit District. No action.

Citizen's comments on non-agenda items. Council member Hamilton announced his resignation effective March 24, 2020. He stated it was a pleasure serving with the Council. His priorities were his family and children. He thanked administration and the citizens he represented.

There was no other business, the meeting adjourned at 6:40 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

David R. Turner
Mayor