

June 5<sup>th</sup>, 2020

To The Honorable Mayor and City Council:

I would like to note the following items as the more significant, which Council will consider at its upcoming meeting on Tuesday, June 9<sup>th</sup>, 2020

#### IV. CONSENT AGENDA

D. With Council's approval, this item will approve the renewal of contract for auctioneering services for the City's online auctions. This renewal will authorize an additional one year extension to the original contract that was dated May 8<sup>th</sup>, 2007 with Rene' Bates Auctioneers.

#### V. OTHER COUNCIL ACTION

1. This item is for Council's approval for the award of bid for the purchase of Traffic Signals. The project will include the construction of a traffic signal at the intersection of Evans Boulevard and 87<sup>th</sup> Street as well as Dawn Avenue and 87<sup>th</sup> Street. The responsive bidder to this job was Willis Electric for \$298,000. The traffic poles had previously been ordered for this project.

#### PUBLIC HEARING

2. This item will open a public hearing to consider the allocation of 2020 Community Development Block Grant Funds (CDBG) (\$874,693), unprogrammed CDBG funds (\$53,015) as well as HOME Investment Partnership Program Funds (\$269,062). Agencies will be on hand to answer any questions Council may have on their requests of these funds.

#### RESOLUTION

4. Council will consider the appeal of Betenbough Homes of their final plat of Ratliff Ridge, 5<sup>th</sup> Filing. The property for this request is located east of Partner Lane and west of Loop 338. Betenbough is requesting an appeal of the Planning and Zoning Commissions decision on that final plat with the condition of having a secondary access to be coordinated with the City prior to filing the plat. City Staff has reviewed all conditions and are concerned for emergency vehicles access to that subdivision as was in the original plat. Several options have been presented and discussed with Betenbough, however they have yet to accept any of those proposals. City Staff agrees with the Planning and Zoning Commissions final plat and ask that it be approved with that condition prior to filing.

There will be no Briefing session; City Council will meet at the Floyd Gwin Park Pal Gym at 6 p.m.

Sincerely,

Michael Marrero  
City Manager

**David R. Turner**  
Mayor

**Michael Marrero**  
City Manager



**CITY COUNCIL**  
**Michael Shelton, District 1**  
**Dewey Bryant, District 2**  
**Detra White, District 3**  
**Tom Sprawls, District 4**  
**Mari Willis, District 5**  
**Peggy Dean, At-Large**

**City Council Meeting Agenda**  
**Floyd Gwin Park, 1015 N County Rd. West**  
**PAL Gym**

**June 9, 2020**  
**6:00 p.m.**

- I. INVOCATION Mayor Turner
- II. PLEDGE AND TEXAS PLEDGE Council member Bryant  
Honor the Texas Flag; I pledge allegiance to thee,  
Texas, one state under God, one and indivisible.
- III. PROCLAMATIONS, AWARDS AND PRESENTATIONS. Mayor Turner  
Fire Station Presentation – Chief John Alvarez  
Arts & Economic Prosperity Study – Randy Ham

**Any member of the public may address the City Council regarding any of its agenda items before or during the consideration of the item.**

IV. CONSENT AGENDA

**These items are considered to be routine or have been previously discussed, and can be approved in one motion, unless a Council Member asks for separate consideration of an item.**

- A. Consider approval of City Council minutes, May 26, 2020. Norma A. Grimaldo
- B. Consider approval of City Council Workshop minutes, May 27, 2020. Norma A. Grimaldo
- C. Consider approval of City Council Work Session minutes, June 2, 2020. Norma A. Grimaldo
- D. Consider renewal of contract for Auctioneering Services. JoAnn Samaniego
- V. OTHER COUNCIL ACTION
- 1. Consider bid award for the 2020 Traffic Signal Improvements. Hal Feldman

PUBLIC HEARING

2. Conduct a public hearing and consider the allocation of \$874,693 in Program Year 2020 Community Development Block Grant funds (CDBG) and \$53,015 in unprogrammed CDBG funds. In addition, consider the allocation of \$269,062 in 2020 HOME Investment Partnership Program funds. (Resolution) Merita Sandova

ORDINANCE

3. Consider an ordinance to install and remove traffic signals. (First Approval) Hal Feldman

RESOLUTION

4. Consider the appeal of Betenbough Homes, owner, of the final plat of Ratliff Ridge, 5th Filing as approved by the City of Odessa Planning and Zoning Commission. Randy Brinlee

MISCELLANEOUS

5. Appointment of Boards. Council

BOARD NAME	APPOINTED	APPOINTED BY	EXPIRATION DATE
<b>5a. ANIMAL SHELTER ADVISORY COMMITTEE</b>			
Detra White	1-19	Council	03-31-2019
Tom Sprawls	1-19	Council	
Henry Lide	3-14	Council	03-31-2020
Deidre Kimbrough	4-15	Council	03-31-2019
Kathleen Rector	5-16	Council	03-31-2020
Susan Clark	3-14	Council	03-31-2020
Connie Coots	3-14	Council	03-31-2019
Lisa Frost	4-18	Council	03-31-2020
Joyce Trower	3-14	Council	03-31-2019
<b>5b. HISTORIC PRESERVATION COMMISSION</b>			
Citizen		Council	04-30-2021
<b>5c. TRAFFIC ADVISORY COMMITTEE</b>			
Detra White		District 3	11-30-2020
<b>5d. ZONING BOARD OF ADJUSTMENT</b>			
Vacant		District 3	11-30-2020
<b>5e. MIDLAND ODESSA URBAN TRANSIT DISTRICT</b>			
Thomas Blackstone	6-04 & 2-19	Council	02-28-2020

6. Citizen comments on non-agenda items.

7. Adjourn.

### **COURTESY RULES**

Thank you for your presence. The City Council appreciates your interest in Odessa City Government.

PLEASE SILENCE OR TURN OFF ALL MOBILE DEVICES.

If you wish to address the Council, obtain a speaker card just inside the Council Chambers, complete the information requested on the card, and deliver to the City Secretary before the meeting or as soon as you can.

Speakers will be heard as the individual item(s) in which they have registered an interest come before the Council.

Your remarks will be limited in duration depending on the number of people wanting to speak on a particular item. PLEASE GIVE YOUR NAME AND ADDRESS FOR THE RECORD.

Delay or interruption of the proceedings will not be tolerated.

### **ASSISTANCE**

Please call (432) 335-3276 if you need assistance with interpretation or translation for this meeting.

*Si usted necesita ayuda con la interpretación o traducción de cualquier material en este sitio o en una reunión pública de la Ciudad de Odessa por favor llame al (432) 335-3276.*

### **AMERICANS WITH DISABILITIES ACT NOTICE**

The City of Odessa wants to ensure that City Council Meetings are accessible to persons with disabilities. If any individual needs special assistance or accommodations in order to attend a City Council meeting, please contact the City Secretary's Office at (432) 335-3276, in advance so accommodations can be made.

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	06/09/2020	Item Type:
Contact:	Norma Aguilar-Grimaldo	Regular
Department:	City Secretary	
Finance Committee Review? No		
CAPTION		
Proclamations, Presentations and Awards.		
SUMMARY OF ITEM		
Fire Station Presentation – Chief John Alvarez		
Arts & Economic Prosperity Study – Randy Ham		
FISCAL IMPACT? No		
Comments:		
Supporting Documents:	Other Departments, Boards, Commissions or Agencies:	

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	06/09/2020	Item Type:
Contact:	Norma Aguilar-Grimaldo	Consent
Department:	City Secretary	
Finance Committee Review? No		
CAPTION		
Consider approval of City Council minutes.		
SUMMARY OF ITEM		
City Council minutes May 26, 2020.		
FISCAL IMPACT? No		
Comments:		
Supporting Documents:	Other Departments, Boards, Commissions or Agencies:	
 5-26-20.doc		



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

**May 26, 2020**

On May 26, 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.

Due to the COVID-19, the meeting was teleconferenced, as allowed by Governor Abbott's executive order. The City Council was present through teleconference.

City Council present: Council members: Michael Shelton, District One; Dewey Bryant, District Two; Detra White, District Three; Tom Sprawls, District Four; Mari Willis, District Five; and Peggy Dean, At-Large.

City Council absent: Mayor David R. Turner.

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; and other members of City staff.

A quorum being present, Mayor Pro Tem Dean called the meeting to order and the following proceedings were held:

The invocation was given by Council member Sprawls and followed by the Pledge of Allegiance and Texas flags.

**Parks and Recreation site openings** – Steve Patton, Director of Parks and Recreation, reported that the Parks Department was in compliance with the Governor's order. On June 1, the community buildings could be rented at 50% capacity. The playgrounds opened on May 22. The youth programs would resume on May 31. He reviewed the requirements for the youth programs. The spray grounds remained closed. The Governor allowed the pools at 25% capacity. With 25% capacity, it would equal 150 people at our aquatic facilities. Staff would be difficult to find and there would be added expense at 25% capacity. He recommended the pools to remain closed. He was concerned with the issues of social distancing, staff cleaning and the potential numbers going up on the corona virus. The pool management contract would include more fees to follow the CDC guidelines and the anticipated loss of revenue. He would analyze the conditions and monitor the situation for next season. Council member White was concerned with the company charging more and to consider other alternatives. Council member Willis stated that Dr. Saravanan reported that the numbers were increasing on recent cases due to family gatherings. She asked how it would be monitored. Mr. Patton stated that there would not

be any monitoring with the lack of personnel or authority. She emphasized that they understand and follow the guidelines.

**Recognition of Odessa Fire Rescue for American Heart Association** – Rodd Huber, Assistant Fire Chief, reported that the Odessa Fire Rescue received the highest accreditation for the mission lifeline for the second year in a row. The award was for cardiac care and Odessa Fire Rescue was the only one in the Permian Basin and the Regional Advisory Council to receive this award. Council member Dean thanked all the fire personnel for their work during this pandemic and congratulated the Fire Rescue Department.

**Perryman Odessa Virus and Oil Response** – Dr. Ray Perryman thanked the Council for their service. He reported the findings from the report. He stated that the structure must be kept for the local workforce and businesses. The Permian Basin was important to Texas and the United States but the story must be told. Our area was underrepresented with playing a major role in the economy. He reviewed the economic benefits and fiscal benefits in 2019 at normal conditions. The Permian Basin contributed billions in tax revenue to State and local taxing entities as well as the federal government through severance taxes paid on production and the increased taxes. The effects of COVID-19 provided a drastic decline in energy with losses of \$14.1 billion in output and 35,900 jobs in 2020 in the Permian Basin. He stated it was not like the 1980's. He explained the difference between the 80s and today. Dr. Perryman provided recommendations, which some were underway. A taskforce was implemented and David Boutin was leading the taskforce. Other recommendations included assisting local families, provide a marketing and advocacy campaign, and provide a universal broadband. He stressed the importance of an aggressive focus response of advocacy and marketing. Council member Bryant thanked Dr. Perryman and stated it was important to send the message out to the legislators. Council member Dean stated that the report was concise and compelling. Wesley Burnett, Director of Economic Development, stated that meetings were moving forward with a marketing and advocacy campaign. CVA would provide the marketing to local, state and national coverage.

### **CONSENT AGENDA ITEMS**

- A. City Council minutes, May 12, 2020;
- B. City Council work session minutes, May 19, 2020;
- C. **Resolution No. 2020R-36 - Accept grant funding from Walmart Community Grants Team and Facility #537, and appropriating the funds to Odessa Fire Rescue;**
- D. **Resolution No. 2020R-37 - Apply for and accept a Federal Government Grant (\$80,800) to provide partial payment for bulletproof vests, committing to a cash match, appropriating awarded grant funds, and authorizing expenditure of awarded grant funds;**
- E. Purchase for roll of truck for Solid Waste from Big Truck Rental for \$199,593;
- F. Reject any and all bids for dry type transformers.

Motion was made by Council member Bryant and seconded by Council member Sprawls

to remove Item E. from the consent agenda items. The motion was approved by the following vote:

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

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

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

**Purchase for roll of truck for Solid Waste from Big Truck Rental for \$199,593.** Mr. Urrutia stated that the purchase was for a truck. The insurance disbursement was \$129,924. The rest of the funds would be paid out of the Equipment Services Capital Replacement Fund. The total cost was \$199,593. The purchase was not from the buy board. Council member Sprawls had concerns on the purchase from Baltimore and not local. Mr. Urrutia talked to the local vendor but the truck was not readily available.

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

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

#### **OTHER COUNCIL ACTION**

**Karla Flores Façade Grant at 513 N. Grant Avenue.** Lawanna Lambert, Director of Downtown Odessa, stated that the grant was for 513 N. Grant. She reviewed the tier structure with funding. The business investment was \$21,560 with the façade investment of \$25,000, which brought the total investment of \$46,560. She reviewed the materials for the façade. The property would be a bar restaurant type of facility. Project completion would be 12-months. The Odessa Design Committee and ODC approved the grant.

Motion was made by Council member Bryant and seconded by Council member White to approve the façade grant. The motion was approved by the following vote:

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

#### **RESOLUTION**

**Resolution No. 2020R-38 - Support urging the Texas Department of Transportation to include all routes as part of its study of the extension of I-27 (Ports to Plains). In particular, the areas considered in the original analysis of the Lubbock to I-10 Study conducted from 1993-1997. The economic impact and population growth of the areas in Odessa-Midland is significant and should be a leading consideration of any study.**

James Beauchamp, MOTRAN, reported that The Texas Department of Transportation was conducting a feasibility study of the designated Ports to Plains corridor. This study was a continuation of the original Lubbock to I-10 study that was done in 1993-97 where multiple routes were studied but ultimately no route was identified for designation or build out to an interstate standard. The extension of the I-27 would provide a positive impact with the major route to Midland and Odessa. The economic analysis included economic and demographic justification. The Midland-Odessa would account for 60% of the projected population growth from the 69 counties included in the entire corridor and 69% of that growth along segment 2. Mr. Beauchamp stated that telling the story of the Permian Basin would help in the persuasion of the extension of I-27. Council member Bryant expressed his support.

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

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

**Resolution No. 2020R-39 - Deny Oncor's requested rate change.** Mr. Urrutia stated that Oncor filed an application of a rate increase. Oncor was seeking to increase rates by approximately \$75.8 million. This was Oncor's third filing under law. The City of Odessa was a member of the Oncor Cities Steering Committee. The committee recommended the denial of the rate increase and allow for outside counsel and consultants, Lloyd Gosselink Rochelle & Townsend, P.C., to review the filing and negotiate on behalf of the steering committee cities.

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

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

#### MISCELLANEOUS

**Appointment of Boards: Animal Shelter Advisory Committee, Historic Preservation Commission, Housing Authority of Odessa, Traffic Advisory Committee, Zoning Board of Adjustment and Midland Odessa Urban Transit District.** No action.  
**Citizen's comments on non-agenda items.** No action.

There was no other business, the meeting adjourned at 7:11 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC  
City Secretary

Peggy Dean  
Mayor Pro Tem

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	06/09/2020	Item Type:
Contact:	Norma Aguilar-Grimaldo	Consent
Department:	City Secretary	
Finance Committee Review? No		
CAPTION		
Consider approval of City Council Workshop minutes.		
SUMMARY OF ITEM		
Consider approval of City Council Workshop minutes, May 27, 2020.		
FISCAL IMPACT? No		
Comments:		
Supporting Documents:	Other Departments, Boards, Commissions or Agencies:	
 5-27-20.doc		



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

**May 27, 2020**

On May 27, 2020, a workshop of the Odessa City Council was held at 9:01 a.m., City Hall, Council Chambers, 5<sup>th</sup> floor, 411 W. 8<sup>th</sup> St., Odessa, Texas.

Due to the COVID-19, the meeting was teleconferenced, as allowed by Governor Abbott's executive order. The City Council was present through teleconference.

City Council present: Council members: Michael Shelton, District One; Detra White, District Three; Tom Sprawls, District Four; Mari Willis, District Five; and Peggy Dean, At-Large.

City Council absent: Mayor David R. Turner and Council member Dewey Bryant, District Two.

Others present: Norma Aguilar-Grimaldo, City Secretary; Cindy Muncy, Interim Assistant City Manager; and other members of City staff.

**Presentation on the eligible uses of the local hotel tax and discuss the most effective practices utilized by cities throughout Texas to maximize the impact of these funds.**

Monica Tschauner, Discover Odessa Director, thanked the Council for being a great advocate for the hotel funds. Scott Joslove, President the Texas Hotel and Lodging Association, provided his background on Hotel Motel Tax funds. He explained the general uses of the tax that included public safety and any public purpose. The tax funds to be used needed to pass a two part test that included to directly promote tourism and the hotel and convention industry and meet a category used for conventions, hand out materials, advertising, promotion of arts or historical restoration and preservation.

Council member White joined the meeting 9:13 a.m.

Mr. Joslove explained the categories that the hotel tax funds could be used. The categories were convention centers, registration and convention delegates, advertising and promotions, promotion of the arts, historical restoration and preservation, sporting related events, sporting related facilities, tourism related signage, and spending funds on shuttles. He provided examples of each category. Randy Ham, Odessa Arts Executive Director, stated that there were alternative measures for the hotel funds such as hosting events at a hotel. Mr. Joslove stated it must have tourist impact. He encouraged that the attractions be made an amenity. Mrs. Tschauner stated that the Chamber has worked with the arts as it improved the quality of life. Council members Shelton and Dean thanked Mr. Joslove for the information. Mr. Joslove commended Mrs. Tschauner for the leadership and partnership for the hotel industry.

There was no other business, the meeting adjourned at 9:50 a.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC  
City Secretary

Peggy Dean  
Mayor Pro Tem

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	06/09/2020	Item Type:
Contact:	Norma Aguilar-Grimaldo	Consent
Department:	City Secretary	
Finance Committee Review? No		
CAPTION		
Consider approval of City Council Work Session minutes.		
SUMMARY OF ITEM		
Consider approval of City Council Work Session minutes, June 2, 2020.		
FISCAL IMPACT? No		
Comments:		
Supporting Documents:	Other Departments, Boards, Commissions or Agencies:	
 6-2-20 work session.doc		



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

**June 2, 2020**

On June 2, 2020, a work session meeting of the Odessa City Council was held at 10:00 a.m. in the Council Chambers, City Hall, 411 West 8th Street, Odessa, Texas.

Due to the COVID-19, the meeting was teleconferenced, as allowed by the Governor's executive order. Mayor Turner was present through teleconference.

City Council present: Mayor David R. Turner, Council members: Michael Shelton, 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, Assistant City Manager; and other members of City staff.

**Odessa Teen Court Presentation.** Rebecca Grisham, Teen Court Director, provided the background on Teen Court. Youth that participate were from 10 years old to 17 years old. Violations included speeding, traffic, alcohol, drug paraphernalia, and theft. The school and City funded Teen Court. There was an interlocal agreement with the County. She explained the process of a jury trial. The state Teen Court conference will be held in 2021 in Odessa. Teen Court provided outreach across the State. Denise Swanner, Teen Court, stated that students were given volunteer hours that helped the non-profit. During the COVID-10, the students were allowed to pay for their hours. Ms. Grisham stated that it was difficult to measure the success rate but it was about 85%. The Council commended Teen Court for their work.

**Contract renewal for auctioneering services.** JoAnn Samaniego, Director of Purchasing, stated that the renewal was for the annual action with the school and hospital. Each had its own auction but it was a joint contract. The auction included fleet and miscellaneous equipment. The auctioneer received 5% of the sales.

**Install and remove traffic signals.** Hal Feldman, Traffic Engineer, stated that the ordinance was to update the listing of the traffic signals. The University widening project had some traffic signal changes and the update would include the change. He stated that Muskingum and

University would have a signalized pedestrian crossing. He explained the crossing as it was different from other crossings.

**Bid for 2020 traffic signal improvements.** Mr. Feldman stated that the project was for two traffic signals. The traffic signal poles for this job have already been purchased for \$63,632, making the total project cost of \$361,632. This project will be funded from an approved supplemental budget request and the remainder of funds will come from the Street Maintenance account. The low bidder was Willis Electric for \$298,000.

**Betenbough Homes of final plat of Ratliff Ridge, 5<sup>th</sup> filing.** Randy Brinlee, Director of Development Services, stated that this was an appeal for the Betenbough homes at Partner Lane and west of Loop 338. City staff initiated the request of a secondary access out of public safety concerns. He explained the appeal process. The cost was not an issue as it would be an added cost of \$150 a lot. Betenbough did not want to add the secondary access as it would eliminate lots for development and increase the cost of the property. The Police Department and Fire Rescue supported the secondary access. For the emergency response, two accesses were preferred. Council member Willis appreciated the options given for the safety of the public.

**Allocation of CDBG and HOME funds.** Merita Sandoval, Director of Community Development, stated that the allocation for CDBG funds was \$874,693 and \$53,015 in unprogrammed CDBG funds. HOME funds were \$269,062. There was over \$1.1 million in requested funds. The HOME funds must be spent on housing projects. She reviewed the caps for the funds. She explained the Community Housing Development Organization (CHDO) funds. The CARES CV funding was available under the act.

**Discuss CARES Funding.** Mr. Marrero stated that the CARES funding was a total of \$6.6 million. For the CDBG program, there was no public service cap for the CARES CV funding. With the application, there was \$1.3 million available. He thanked the committee of Councilmembers Bryant, Dean and Shelton. A list of priorities was developed. He outlined the categories with targets to be used from the CARES funding. The categories included medical expenses, which would be for past medical expenses, and future costs to the city. A plan was being developed for a targeting testing mobile program to be proactive or hit hot spots. Another category was public health expenses that included public education and PPE expenses. Under this category, it allowed for disinfecting city facilities and technical assistance. Other categories were payroll expenses and compliance for health measures. Under health measures, it would allow for food assistance, care of the homeless population and improve telework capabilities for the public employees. The targeted economic support category included the grant program and assistance to local small businesses. He stated that 75% would be spent on medical, health and payroll. The funds were to be used on expenses from March 1 to December 30, 2020.

Mrs. Sandoval identified the four categories for CDBG CV funds. The categories were testing, food assistance, rental/housing assistance, and mental health assistance. She stated that the application for assistance on these funds was on the website and it was sent to nonprofit agencies. A public hearing would be held on June 10 with the deadline of applications on June 19. Council would consider the funding on July 14. The grant must meet CDBG regulations that addressed the virus. The recipients had to fall in the low to moderate-income category.

Council member Willis commended the task force on addressing the concerns. She stated that a support system was needed for those that tested positive.

**Discuss Water and Sewer CIP Funding.** Tom Kerr, Director of Public Works/Utilities, reviewed the projects for the Certificates of Obligation (CO) issue. The Water Treatment Plant needed significant improvements at \$95 million. It would take three years to build and three years to complete. Line P was needed for long term of the city. The Faudree lift station was at the eastern portion of the city. Due to the population growth, building of apartments and houses it was needed. The Southwest development system was stressed. It would take 18 to 24 months to complete. The plans for Line P were complete and the Line Q was almost ready. Line P was critical if the city were to continue its growth east. It would take 18 to 20 months to build Line P. Council member Dean stated that the lines were needed and the city needed to catch up. Mrs. Muncy stated an option for funding, in addition to the Cos, was use the Water Development Board funding. She reviewed its stringent guidelines. The Water Treatment Rehab was a good project for the Water Development Board financing. The contractors may increase its expense, as it was extra paperwork. For Line P, there was \$17 million that were available from the Pioneer funds. The rest of the funds could be taken out of the Water/Sewer Fund or CO issuance. For the existing issues of the replacement of lines, there was a planned \$6 million annually. The increase in water rates would grow the funding for the future and possibly an annual slight increase for the operating budget yearly. She stated that the existing Water/Sewer Debt would be paid off in 2027. Additional debt could be issued. Council member Dean summarized that the Water Treatment Plant must be done, add an additional \$10 million for Line P and finance through the Water Development Board \$95 million. Council member Bryant stated that the needs have not changed due to the adversity of the pandemic. There was growth with houses and apartments. The issues needed to be addressed prudently to properly take care of the city. Mrs. Muncy stated that there would be savings through the Water Development Board. The Council had a consensus to proceed with a pre-application meeting. She would provide options on the financing.

**Discuss Budget.** Mrs. Muncy provided an update on the Hotel Motel tax projection. For September 2019, \$7.1 million was received and allocation of expenditures was \$2,798,297. In addition, the convention center was completed using funds of \$3,561,755. Hotel/Motel collections through May 2020 was \$4,351,853 and was at budget. She explained the allocation of funding with the agencies, which would be reimbursed with receipts. A report on this year's expenditures would be provided. Mrs. Muncy stated that in past years, Council would allocate \$3 million. Mr. Marrero recommended to allocate \$3 million and set aside the rest of the funds for projects or to spread out due to the anticipated decrease in the tax. Mrs. Muncy explained the collections and receivables. She reported that some agencies may return the funds or ask to keep the funds for the following year. The agencies would be contacted for a status on its current expenditures of its allocation.

Mrs. Muncy reviewed the status of the sales tax. She explained the projections from June to September as it was very conservative. There was a projected decrease in sales tax. Currently, there was a hiring freeze and no projected raises. There would only be critical supplemental items and a possible 10% reduction in department budgets. In property tax, there was no decrease in value. Ector County values went up slightly. Mrs. Muncy reviewed the preliminary taxable values. There was an increase of 4.4%. A portion of taxes would go to TIRZ. She

reviewed the preliminary taxable values with increase of 3.5% and 8%. General Fund revenues at 3.5% would generate \$34,218,290. She stated that law allowed a disaster declaration which cities could use the 8% increase. Governor Abbott's comments asked cities to be cognizant. The proposed tax rate was based on the maintenance and operations rate. The calculations were preliminary and certified values were expected on July 25 but may be extended. The Council retreat was scheduled on July 28. The Council congratulated Mrs. Muncy for accepting the Assistant City Manager position.

There was no further business, the meeting adjourned at 12:00 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC  
City Secretary

Peggy Dean  
Mayor Pro Tem

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	06/09/2020	Item Type:
Contact:	JoAnn Samaniego	Consent
Department:	Purchasing	

Finance Committee Review? Yes

**CAPTION**

Consider Renewal of Contract for Auctioneering Services

**SUMMARY OF ITEM**

On May 8, 2007, City Council approved an auctioneering service's contract with Rene' Bates Auctioneers of McKinney, TX. Auctions are conducted "on-line". The initial term of the contract was four (4) years with an option to review for additional one (1) year periods. Approval of this agenda item authorizes a one (1) year renewal. Attached is correspondence from the Ector County Joint Purchasing Group accepting renewal under the same terms. This will be the eighth renewal period.

Commission Rate: 5% of sales

Average Annual Auction Revenue for 3 years: \$1,657,100.49

Contract Period: May 14, 2020 thru May 13,2021

Approval is recommended

**FISCAL IMPACT? Yes**

Fiscal Year:	Available Funds	Budget	Est / Actual Cost	Difference
Fund:	Total Project/Account:	\$0	\$0	\$0
	Less Other Items:	\$0	\$0	\$0
	This Agenda Item:	\$0	\$0	\$0

Fiscal Note Attached:

**ACTION NEEDED TO AMEND THE BUDGET**

Appropriation Amount:	Transfer Amount:
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Appropriation By:

Comments:

Supporting Documents:	Other Departments, Boards, Commissions or Agencies:
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 Rene Bates Auctioneer.pdf	
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**ECTOR COUNTY PURCHASING DEPARTMENT**

1010 E 8<sup>th</sup> Street  
Odessa, TX 79761  
May 14, 2020

Rene Bates Auctioneers, Inc.  
4660 County Road 1006  
McKinney, TX 75701-6617  
Attn: Michelle Bates  
972-548-9636

Dear Ms. Bates,

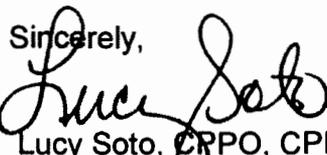
This Tuesday, Ector County Commissioners Court, on behalf of the Ector County Joint Purchasing Group, approved the yearly extension of the proposal for ON-LINE AUCTIONEER SERVICES to your company.

The Original Agreement was originally approved May 14, 2007, for a term of four (4) years, with Ector County and the Ector County Governmental Purchasing Group. This includes a Compensation Commission rate/fee, of 5% for all items, paid to the Auctioneer by each participating Entity.

After the initial term, the Ector County Governmental Purchasing Group reserves the right to extend this agreement on an annual basis, which will be from May 14, 2020 – May 13, 2021.

This agreement may be terminated by either party in writing at any time by giving thirty (30) days prior written notice.

We look forward to the continued working relationship between your company and each entity participating in this bid.

Sincerely,  
  
Lucy Soto, CPPO, CPPB  
Assistant Purchasing Agent

Cc: JoAnn Samaniego - City of Odessa  
Cheryl McQueen - Medical Center Hospital  
Cindy Curnutt - Odessa College  
Cynthia Brown - Permian Basin Community Centers  
Kristy Engeldahl – Midland County  
Ellen Friar – Ward County  
All Interlocal Agreements

Albert Valencia - ECISD  
Diana Rodrigues – UTPB  
Lucero Sandoval – Reeves County  
Barbara Fennell – Midland College

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	06/09/2020	Item Type:
Contact:	Hal Feldman / Tom Kerr	Regular
Department:	Public Works / Traffic Engineering	Bid Award

Finance Committee Review? Yes

**CAPTION**

Consider award of bid for the 2020 Traffic Signal Improvements. Job # 202370-27

**SUMMARY OF ITEM**

This project will construct a traffic signal at the intersections of Evans Blvd & 87th Street and Dawn Ave & 87th Street. There was one bid for this project which was opened on May 26, 2020.

The responsive bidder was Willis Electric in the amount of \$298,000.

The traffic signal poles for this job have already been purchased for the amount of \$63,632, making the total project cost of \$361,632.

This project will be funded from an approved supplemental budget request and the remainder of funds will come from the Street Maintenance account identified for traffic signal improvements.

87th & Evans traffic signal supplemental account	\$295,000
Street maintenance- traffic signal improvements	<u>\$66,632</u>
<b>Total Project Cost</b>	<b>\$361,632</b>

City staff have reviewed the bid and recommend awarding to Willis Electric in the amount of \$298,000.

**FISCAL IMPACT? Yes**

Fiscal Year:	2020	Available Funds	Budget	Est / Actual Cost	Difference
Fund:		Total Project/Account:	\$298,000	\$298,000	\$0
		Less Other Items:	\$0	\$0	\$0
Cost		This Agenda Item:	\$298,000	\$298,000	\$0

Fiscal Note Attached: **ACTION NEEDED TO AMEND THE BUDGET**

No	Appropriation Amount:		Transfer Amount:	
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Appropriation By:

Comments:

Supporting Documents: Other Departments, Boards, Commissions or Agencies:

  
bid tab.pdf

The right place in Texas<sup>SM</sup>



### BID TABULATION

2020 Traffic Signal Improvements for Evans Blvd & 87<sup>th</sup> St and Dawn & 87<sup>th</sup> St  
Job No. 202370-27  
May 26, 2020 @ 3:30pm

BIDDER	BID SECURITY	TOTAL BID
Willis Electric	✓	\$ 298,000.00

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	06/09/2020	Item Type:
Contact:	Merita Sandoval	Regular
Department:	Community Development	Resolution; Hearing
Finance Committee Review? Yes		

**CAPTION**

Conduct a public hearing and consider the allocation of \$874,693 in Program Year 2020 Community Development Block Grant funds (CDBG) and \$53,015 in unprogrammed CDBG funds. In addition, consider the allocation of \$269,062 in 2020 HOME Investment Partnership Program funds.  
**(RESOLUTION)**

**SUMMARY OF ITEM**

The City of Odessa has been allocated \$874,693 in Program Year 2020 CDBG funds from the U. S. Department of Housing and Urban Development. There is an addition \$53,015 in Unprogrammed CDBG funds to be reallocated. The City has also been allocated Program Year 2020 HOME funds in the amount of \$269,062 from the U. S. Department of Housing and Urban Development.

**FISCAL IMPACT? Yes**

Fiscal Year:	Available Funds	Budget	Est / Actual Cost	Difference
Fund:	Total Project/Account:	\$0	\$0	\$0
	Less Other Items:	\$0	\$0	\$0
	This Agenda Item:	\$0	\$0	\$0

Fiscal Note Attached: **ACTION NEEDED TO AMEND THE BUDGET**

Appropriation Amount:	Transfer Amount:
-----------------------	------------------

Appropriation By:

Comments:

Supporting Documents:	Other Departments, Boards, Commissions or Agencies:
 HOME REQUESTS 2020.docx  CDBG REQUESTS 2020.docx  Resolution_PY2020 Allocations.docx	

## 2020 REQUESTS FOR HOME FUNDING

2020 HOME FUNDS AVAILABLE		
HOME ALLOCATION	\$	269,062
TOTAL AVAILABLE FOR ALLOCATION	\$	269,062

2020 HOME FUNDS REQUESTS		
HOME Program Administration <i>(20% maximum allowed: \$26,906)</i>	\$	26,906
Housing Infill Program	\$	100,000
Homeowner Rehab Program	\$	101,796
Community Housing Development Organization (CHDO)	\$	40,360
TOTAL HOME REQUESTS FOR FUNDING:	\$	269,062

## 2020 REQUESTS FOR CDBG FUNDING

CDBG FUNDS AVAILABLE		
CDBG ALLOCATION	\$	874,693
UNPROGRAMMED CDBG FUNDS	\$	53,015
<b>TOTAL AVAILABLE FOR ALLOCATION:</b>	<b>\$</b>	<b>927,708</b>

REQUESTS		
<b>Community Development</b>		
Program Administration <i>(20% maximum allowed: \$174,938)</i>	\$	150,000
Demolition Activities	\$	230,000
Housing Rehabilitation	\$	398,395
Elderly & Disabled Lawn Mowing Program	\$	30,000
<b>TOTAL DEPARTMENT REQUEST:</b>	<b>\$</b>	<b>808,395</b>
<b>Outside Agencies</b>		
Family Promise	\$	12,000
Meals on Wheels	\$	64,000
Salvation Army	\$	33,000
Whitiker Head Start	\$	44,084
Hollingsworth Head Start	\$	139,291
<b>TOTAL OUTSIDE AGENCY REQUESTS:</b>	<b>\$</b>	<b>292,375</b>
<b>ALL REQUESTS FOR FUNDING:</b>	<b>\$</b>	<b>1,100,770</b>

**RESOLUTION NO. 2020R-\_\_\_**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ODESSA, TEXAS, ALLOCATING \$874,693 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR VARIOUS PURPOSES FOR THE 2020 PROGRAM YEAR; REALLOCATING \$53,015 OF UNPROGRAMMED CDBG FUNDS AND AUTHORIZING THE TRANSFER OF SAID FUNDS, FOR ADDITIONAL FUNDING, TO THE 2020 PROGRAM YEAR; ALLOCATING \$269,062 OF HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS FOR VARIOUS PURPOSES FOR THE 2020 PROGRAM YEAR; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY CONTRACTS OR DOCUMENTS NECESSARY TO DISTRIBUTE THESE FUNDS; AND DECLARING AN EFFECTIVE DATE.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ODESSA, TEXAS:**

**Section 1.** That after careful consideration of all proposed uses for the available CDBG funds, the City Council hereby determines that the aforementioned funds shall be allocated to the following projects and activities as shown on the attached Exhibit "A".

**Section 2.** That the sum of \$53,015 of unprogrammed funds is hereby reallocated and authorized to be transferred to the 2020 CDBG Program year.

**Section 3.** That after careful consideration of proposed uses for the available HOME Investment Partnership Program funds, the City Council hereby determines that the aforementioned funds shall be allocated to the following projects and activities as shown on the attached Exhibit "B".

**Section 4.** That the City Manager is hereby authorized to sign any contracts or other documents necessary to distribute these funds.

**Section 5.** That this resolution shall be effective at the time of its adoption.

The foregoing resolution was approved and adopted on the 9th day of June, A.D., 2020, by the following vote:

Michael Shelton Sr.	_____
Dewey Bryant	_____
Detra White	_____
Tom Sprawls	_____
Mari Willis	_____
Peggy Dean	_____

Approved the 9th day of July, A.D., 2020.

\_\_\_\_\_  
David R. Turner, Mayor

ATTEST:

\_\_\_\_\_  
Norma Aguilar-Grimaldo, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Natasha Brooks, City Attorney

**EXHIBIT "A"**  
**Allocation of CDBG Funds**

<b>PROJECT</b>	<b>AMOUNT REQUESTED</b>	<b>FUNDED</b>
Program Administration – Community Development	\$150,000.00	
Housing Rehabilitation – Community Development	\$398,395.00	
Demolition – Community Development	\$230,000.00	
Family Promise – Public Service Activities	\$12,000.00	
Meals on Wheels of Odessa – Public Service Activities	\$64,000.00	
Elderly & Disabled Lawn Mowing Program	\$30,000.00	
Salvation Army – Housing Activities	\$33,000.00	
Whitiker Head Start – Public Facilities Improvements	\$44,084.00	
Hollingsworth Head Start – Public Facilities Improvements	\$139,291.00	
<b>TOTAL CDBG REQUESTS</b>	<b>\$1,100,770.00</b>	

**EXHIBIT "B"**  
**Allocation of HOME Investment Partnership Program Funds**

<b>PROJECT</b>	<b>AMOUNT REQUESTED</b>	<b>FUNDED</b>
Housing Infill Program	\$100,000.00	
Homeowner Rehab Program	\$101,796.00	
Community Housing Development Organization (CHDO)	\$40,360.00	
HOME Program Administration	\$26,906.00	
<b>TOTAL HOME REQUESTS</b>	<b>\$269,062.00</b>	

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	06/09/2020	Item Type:
Contact:	Hal Feldman / Tom Kerr	Consent
Department:	Public Works / Traffic Engineering	
Finance Committee Review? No		
CAPTION		
Consider an ordinance to install and remove traffic signals. (Ordinance - First Approval)		
SUMMARY OF ITEM		
<p>As part of the on-going University Boulevard Improvements Project, there are changes to the signalized intersections that need to be updated in the City of Odessa ordinances.</p> <p>Remove: Tom Green &amp; University</p> <p>Add: Muskingum &amp; University (pedestrian crossing)          Freedom Park &amp; University (pedestrian crossing)          Bonham &amp; University</p> <p>This agenda item addresses the updating of the City's ordinances, previous agenda items have taken care of the funding for these projects.</p>		
FISCAL IMPACT? No		
Comments:		
Supporting Documents:	Other Departments, Boards, Commissions or Agencies:	
 5o-031 Amend 12-1-4 Signalized Intersections.pdf		

**ORDINANCE NO. 2020-\_\_**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ODESSA, TEXAS, AMENDING THE ODESSA CITY CODE CHAPTER 12 "TRAFFIC AND VEHICLES," ARTICLE 12-1 "GENERAL PROVISIONS," SECTION 12-1-4 "PRESUMPTION OF VALIDITY OF TRAFFIC-CONTROL DEVICES AND LIST OF SIGNALIZED INTERSECTIONS"; PROVIDING A PENALTY CLAUSE AND OTHER APPROPRIATE CLAUSES.

**WHEREAS**, Traffic Engineering investigations by the City of Odessa have revealed that it would materially contribute to traffic safety to make the hereinafter described amendments;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF ODESSA, TEXAS**

**Section 1.** That the Odessa City Code Chapter 12 "Traffic and Vehicles," Article 12-1 "General Provisions," Section 12-1-4 "Presumption of Validity of Traffic-Control Devices and List of Signalized Intersections" is hereby amended by deleting and adding the following:

**Section 12-1-4 Presumption of validity of traffic-control devices and list of signalized intersections**

(b) Pursuant to city code section 12-1-3(a), the following is a list of all signalized intersections found within the city limits.

**DELETING:**

Tom Green & University

**ADDING:**

Muskingum & University (Pedestrian signal)

Freedom Park & University (Pedestrian signal)

Bonham & University

**Section 2.** That should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction be invalid, the same shall not affect the validity of

this ordinance or any other ordinance of the city as a whole or any part thereof, other than the part so declared to be invalid.

**Section 3.** That any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding \$200.00 as provided in Section 1-1-9, "General Penalty", Odessa City Code, which section is adopted by reference and made a part hereof.

**Section 4.** That the caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the city of Odessa as provided by City Charter section 65.

**Section 5.** That this ordinance shall go into effect five (5) days after its publication following adoption on second approval as provided by City Charter section 65.

The foregoing ordinance was first approved on the 9<sup>th</sup> day of June, A.D., 2020, by the following vote:

Michael K. Shelton, Sr.	_____
Dewey Bryant	_____
Detra White	_____
Tom Sprawls	_____
Mari Willis	_____
Peggy Dean	_____
David R. Turner	_____

The foregoing ordinance was adopted on second and final approval on the 23<sup>rd</sup> day of June, A.D., 2020, by the following vote:

Michael K. Shelton, Sr.	_____
Dewey Bryant	_____
Detra White	_____
Tom Sprawls	_____
Mari Willis	_____
Peggy Dean	_____
David R. Turner	_____

Approved this the 28th day of April, A.D., 2020.

\_\_\_\_\_  
David R. Turner, Mayor

ATTEST:

\_\_\_\_\_  
Norma Aguilar-Grimaldo, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Natasha Brooks, City Attorney

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	06/09/2020	Item Type:
Contact:	Randy Brinlee	Regular
Department:	Planning	Resolution

Finance Committee Review? No

**CAPTION**

Consider the appeal of Betenbough Homes, owner, of the final plat of Ratliff Ridge, 5th Filing as approved by the City of Odessa Planning and Zoning Commission

**SUMMARY OF ITEM**

The property involved in this request is located east of Partner Ln. and west of Loop 338. The site is zoned Special Dwelling District (SPD) and is currently vacant. Land use in the general area consists of single family residential development and vacant land.

The applicant is Betenbough Homes, owner, and the purpose of the request is to appeal the decision of the City of Odessa Planning and Zoning Commission of the final plat of Ratliff Ridge, 5th Filing with the condition:

Secondary access for this subdivision be coordinated with the City prior to filing the plat.

City staff initiated the request of a secondary access out of concern for emergency vehicle access to the subdivision at the Platting Conference prior to the preliminary platting of the property. The preliminary plat was approved with the secondary access to be worked out prior to final plat of the property.

The final plat for this subdivision was approved by the Planning and Zoning Commission with the condition that secondary access for the subdivision be coordinated with the City prior to filing the plat.

Several options related to secondary access have been presented and discussed with the applicant's representatives, however the applicant has yet to accept any of the proposals offered by staff.

The Staff concurs with the Planning and Zoning Commission that the final plat of Ratliff Ridge, 5th Filing be approved with the condition that secondary access for the subdivision be coordinated with the City prior to filing the plat.

**FISCAL IMPACT? No**

Comments:

Supporting Documents:	Other Departments, Boards, Commissions or Agencies:
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Zoning Map:



Zoning map.pdf

Aerial:



Aerial.pdf

Minutes for May 7, 2020 Planning & Zoning  
Commission meeting:



P&Z Minutes for Ratliff Ridge 5th Filing.pdf

Applicant's proposed plat:



Ratliff Ridge 5th Filing proposed plat.pdf

Option Information:



Cost estimates.pdf



Proposed Option 1.pdf



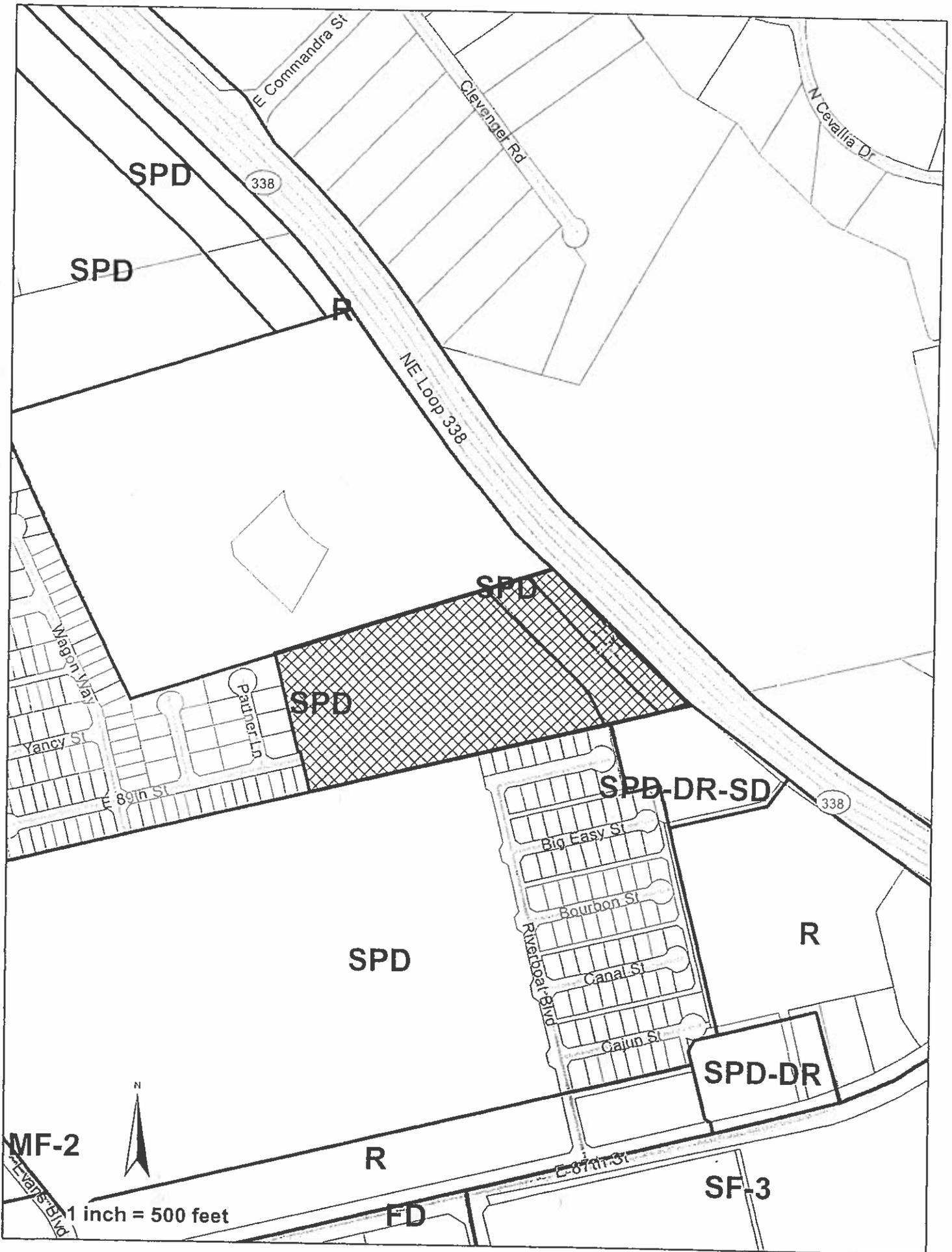
Proposed Option 2.pdf

Resolution:



5r-110 Betenbough Appeal Ratliff Ridge 5th Filing.pdf

Planning & Zoning Commission  
recommendation:  
Unanimous approval with conditions  
(05/07/2020)





AGENDA  
PLANNING AND ZONING COMMISSION  
COUNCIL CHAMBER

MAY 7, 2020

1:30 P.M.

1. Approve the minutes of the April 16, 2020 Planning and Zoning Commission meeting
2. CASE FILE NO. 2020-35-P  
Consider approval of the preliminary plat of Ratliff Ridge, 6<sup>th</sup> Filing, being a subdivision of 19.62 acres of land in Section 35, Block 42, T-1-S, T&P Ry. Co Survey, City of Odessa, Ector County, Texas (northeast of the intersection of Wagon Way and Red Cliff Ave.)
3. CASE FILE NO. 2020-36-P  
Consider approval of the preliminary plat of Ratliff Ridge, 7<sup>th</sup> Filing, being a subdivision of 19.70 acres of land in Section 35, Block 42, T-1-S, T&P Ry. Co Survey, City of Odessa, Ector County, Texas (southeast of the intersection of 96<sup>th</sup> St. and Sagebrush Ave.)
4. CASE FILE NO. 2019-84-P  
Consider approval of the final plat of Ratliff Ridge, 4<sup>th</sup> Filing, Phase 2, being a 9.09 ac. tract in Section 35, Block 42, T-1-S, T&P Ry. Co. Survey, City of Odessa, Ector County, Texas (northeast of the intersection of Wagon Way and E. 91<sup>st</sup> St.)
5. CASE FILE NO. 2020-19-P  
Consider approval of the final plat of Ratliff Ridge, 5<sup>th</sup> Filing, being an approximately 19.26 acre tract in Section 35, Block 42, T-1-S, T&P RR Co. Survey, Ector County, Texas (east of E. 89<sup>th</sup> St. and west of Loop 338)
6. Other business
7. Adjourn

CASE FILE NO. 2020-19-P (approved with conditions)

Consider approval of the final plat of Ratliff Ridge, 5th Filing, being an approximately 19.26 acre tract in Section 35, Block 42, T-1-S, T&P RR Co. Survey, Ector County, Texas (east of E. 89<sup>th</sup> St. and west of Loop 338)

Mr. McDaniel gave the following presentation: The property involved in this request is located east of 89th St. and west of Loop 338. The site is zoned Special Dwelling District (SPD) and is vacant. Land use in the general area consists of single family residential development and vacant land.

The applicant is Betenbough Homes, owner, and the purpose of the request is to create 86 single family residential lots (approx. avg. size of 5750 sq. ft.). Secondary access for subdivision needs to be worked out prior to filing final plat.

The Planning and Zoning Commission gave preliminary approval of this request on March 5, 2020 with the following conditions:

1. Lots with double frontage need to have rear yard building setback line (10') on the face of the plat. (Planning)
2. Note on Plat "Access to Loop 338 not allowed for proposed Lots 39 thru 46, Block 18". (Planning)

Conditions 1 and 2 have been met, however secondary access for the subdivision has not been worked out and needs to be resolved before final plat can be approved and filed for record.

Mr. Byrd asked if the applicant does not have secondary access worked out why is it coming before the Commission as a condition. Mr. Brinlee stated the secondary access could not be worked out between the applicant and the city. It will be up to the Commission to decide if the final plat will be approved with the condition of a secondary access being provided or if the plat will be approved as submitted. Mr. Brinlee stated there are two options available for secondary access. One option would be removed lots between 89<sup>th</sup> Street and Derrick to provide access. The other option would be to take 89<sup>th</sup> Street to the Loop and have a gate for emergency vehicles only. Ms. Earls asked if the applicant was aware a secondary access was being requested, being told the need for a secondary access was brought up during preliminary approval. An agreement for secondary access could not be worked out between the applicant and the City and the applicant requested the final plat be brought to the Commission for their decision. Mr. Brinlee stated there is only one access noted for entry into the subdivision which could create a bottleneck for emergency vehicles. The City is requesting the secondary access for safety concerns.

Mr. Berry stated they have worked with the City Staff on many occasions as they have developed within the City of Odessa. This particular section of the overall subdivision originally had a retail strip along Loop 338. TxDOT made some changes along the Loop and they rezoned the strip for additional single family development. Betenbough felt they gave the City ample opportunity to get back to them about a secondary access. It will be difficult for them to redesign this plat in order to provide a second access and would like to proceed with the plat as presented. Ms. Earls asked about the lots along 89<sup>th</sup> St. and Derrick Ave. Mr. McDaniel indicated the streets on the map. Mr. Brinlee stated if 89<sup>th</sup> Street is taken out to the Loop, the access would be for emergency vehicles only. Mr. Brinlee also stated there is a fence proposed between the Loop and this subdivision. If a gate is provided emergency vehicles would be able to access the area. He also indicated with either option the applicant would only lose two lots.

Ms. Coots asked why the applicant was not told about a secondary access. Mr. Brinlee stated when the preliminary plat was brought in the applicant was told about providing a secondary access. The preliminary plat was approved with a secondary access being worked out with the City before final plat was submitted. Mr. Berry pointed out they have a concept plan for the entire development and nothing was mentioned about a secondary access. Mr. Brinlee noted a concept plan is simply an idea of the overall development. The preliminary plat addresses the specifics for an area. Mr. Brinlee reminded the Commission

although the City is proposing this subdivision provide a secondary access the plat could be approved as presented. Ms. Earls stated she did not see where providing a secondary access in the middle of the block made that much of a difference. Ms. Coots asked what the length of the block was, being told approximately 1500 ft. Mr. Peacock noted having a secondary access for a particular subdivision has been brought up by the City in the past. Ms. Earls asked if this request would be taken to City Council, being told it would not. Mr. Peacock stated the City has already mentioned in previous requests they want this area to have more accessibility.

Member Peacock moved the request be approved with the following condition:

1. Secondary access for this subdivision be coordinated with the City prior to filing the plat.

Mr. Byrd stated he could see splitting the block but did not see going out to the Loop. Mr. Tercero stated the street going out through the corner lots would be for emergency vehicles only. Mr. Byrd stated going out to the Loop the lots would have to be reconfigured. Ms. Coots asked what the financial benefit would be. Mr. Berry stated they will be losing 2 lots. They could reconfigure the lots going out to the Loop for emergency access only. Ms. Earls asked how this would affect the look of the development, being told there should not be any impact. Mr. Brinlee stated once the work on Loop 338 is completed the gate would be removed and the subdivision would have direct access. Ms. Earls asked about the concept plan. Mr. Brinlee stated the concept plan is a fluid document that can change as the areas are developed. Mr. Earls verified the preliminary has been approved and now they are coming back for final approval, being told that was correct. Ms. Earls then asked if the applicant is saying the secondary access was not mentioned on the preliminary plat. Mr. Berry stated the City did let them know with the preliminary plat a secondary access was being requested.

There being no further questions or comments, Vice Chairman Tercero stated a motion had been made to approve the final plat with the condition for a secondary access. Member Byrd seconded the motion, with the vote being a unanimous "aye".

---

There being no further business to come before the Commission, the meeting was adjourned at 2:11 p.m.

---

Anne Roney, Secretary, placed the minutes in the Minute Book on May 7, 2020.

---

Steve Tercero, Vice Chairman

# Memo



TO: RANDY BRINLEE, DIRECTOR OF DEVELOPMENT  
FROM: LORRINE QUIMIRO, PLANNING MANAGER  
DATE: MAY 22, 2020  
SUBJECT: RATLIFF RIDGE , 5<sup>th</sup> FILING ACCESS OPTIONS

---

Joe brought over the two access options and their cost estimates Friday afternoon. We determined that there were 383 lots remaining in Ratliff Ridge 5<sup>th</sup> Filing through concept plan's 8<sup>th</sup> Filing.

## Option 1:

Description: Removing two lots in the middle of block 19  
Effect on total lots: Lose two  
Estimated cost: \$52,120  
Cost distributed across remaining lots: \$136.08

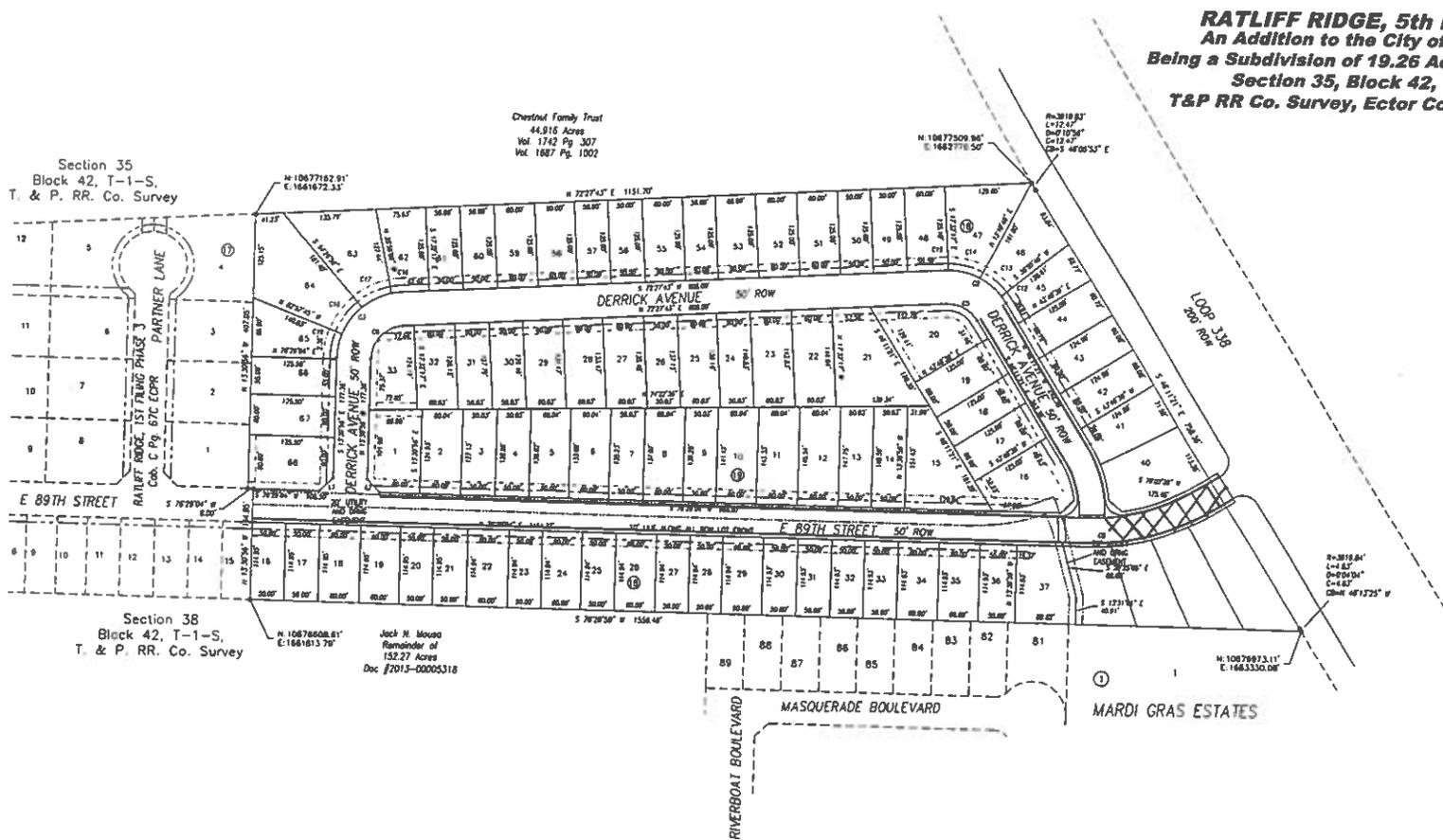
## Option 2:

Description: Extending 89<sup>th</sup> St. east to Loop 338.  
Effect on total lots: Gain 2 lots  
Estimated cost: \$55,723  
Cost distributed across remaining lots: \$145.49

Attachments



OPTION 2 \$ 55,723



**RATLIFF RIDGE, 5th FILING,  
An Addition to the City of Odessa,  
Being a Subdivision of 19.26 Acres of Land in  
Section 35, Block 42, T-1-S,  
T&P RR Co. Survey, Ector County, Texas**

**RESOLUTION NO. 2020R-\_\_**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ODESSA, TEXAS, AFFIRMING THE MAY 7, 2020, DECISION OF THE PLANNING AND ZONING COMMISSION FOR BETENBOUGH HOMES FINAL PLAT - RATLIFF RIDGE, 5<sup>TH</sup> FILING, CASE FILE NO. 2020-19-P; AND DECLARING AN EFFECTIVE DATE.

**WHEREAS**, the City of Odessa Planning and Zoning Commission met on May 7, 2020, to hear the request of applicant Betenbough Homes for the final plat of Ratliff Ridge, 5th Filing, being an approximately 19.26 acre tract in Section 35, Block 42, T-1-S, T&P RR Co. Survey, Ector county, Texas (east of E. 89th St. and west of Loop 338) (Case File No. 2020-19-P); and

**WHEREAS**, the Planning and Zoning Commission approved the request with the following condition: Secondary access for this subdivision be coordinated with the City prior to filing the plat; and

**WHEREAS**, pursuant to the City of Odessa Subdivision Ordinance Section 16A-12 "Appeal to City Council," any subdivider aggrieved by any finding or action of the Planning Commission, which involves the jurisdiction of the City Council as to dedication or improvements, shall appeal to the City Council within thirty (30) days from the date of such finding or action and not thereafter; and

**WHEREAS**, the applicant is appealing the decision of the Planning and Zoning Commission of the final plat of Ratliff Ridge, 5th Filing with the condition that secondary access for this subdivision be coordinated with the City prior to filing the plat; and

**WHEREAS**, the City Council finds that the decision of the Planning and Zoning Commission is in the best interest of the citizens of the City of Odessa;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ODESSA, TEXAS:**

**Section 1.** That the statements of fact in the Preamble are found to be true and correct and are approved as findings.

**Section 2.** That the City Council hereby affirms the decision of the Planning and Zoning Commission of the final plat of Ratliff Ridge, 5th Filing with the condition that secondary access for this subdivision be coordinated with the City prior to filing the plat.

**Section 3.** That this resolution shall be effective at the time of its adoption.

The foregoing resolution was approved and adopted on the 9<sup>th</sup> day of June, A.D., 2020, by the following vote:

Michael Shelton, Sr.	___
Dewey Bryant	___
Detra White	___
Tom Sprawls	___
Mari Willis	___
Peggy Dean	___
David R. Turner	___

Approved this the 9<sup>th</sup> of June, A.D., 2020.

\_\_\_\_\_  
David R. Turner, Mayor

ATTEST:

\_\_\_\_\_  
Norma Aguilar-Grimaldo, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Natasha Brooks, City Attorney

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	06/09/2020	Item Type:
Contact:	Norma Aguilar-Grimaldo	Regular
Department:	City Secretary	
Finance Committee Review? No		
CAPTION		
Appointment of Boards.		
SUMMARY OF ITEM		
ANIMAL SHELTER ADVISORY COMMITTEE		
HISTORIC PRESERVATION COMMISSION		
TRAFFIC ADVISORY COMMITTEE		
ZONING BOARD OF ADJUSTMENT		
MIDLAND ODESSA URBAN TRANSIT DISTRICT		
FISCAL IMPACT? No		
Comments:		
Supporting Documents:	Other Departments, Boards, Commissions or Agencies:	