

July 24<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, July 28<sup>th</sup>, 2020

#### IV. CONSENT AGENDA

F. Council will consider the purchase of 50 laptops to help the City improve telework capabilities. These laptops will be used for employees to work remotely due to any rotating schedules and working from home assignments due to COVID-19. CARES CRF monies will be used for this purchase.

G. This item will award a contract for a Pandemic Marketing Consultant. A panel which was comprised of City Staff as well as Chamber staff interviewed all firms who submitted a proposal. Based on the scoring cards used from those interviews, it was recommended awarding the contract to Red Pixel Marketing. Red Pixel will continue to increase the education and awareness of COVID-19. They will be additionally focusing on an outreach program to reach vulnerable populations. This contract will not exceed the cost of \$155,000 and funds will be utilized from the CARES CRF monies.

#### V. OTHER COUNCIL ACTION

2. Council will consider awarding a contract to Fehrs for the Odessa Police Department's Phase III Finish Out. This contract will complete the renovations of the two story OPD Training and Academy facility. Eight bids were received for this project with Fehrs receiving the highest ranking of the eight. Total cost is \$2,386,240.00 and will be paid for out of the 2019 Certificates of Obligation funds. Construction time is estimated to take 245 days to complete.

#### RESOLUTION

5. This resolution will consider the allocation of CARES CRF funds as well as establishing a Business Assistance Program. This grant program will assist small businesses who were impacted by COVID-19. Any business who suffered interruptions occurring on or after March 18<sup>th</sup>, 2020 which resulted in them having to close, voluntarily close to promote social distancing or had a decrease in customer demand will be asked to apply. Grant awards will range from \$2,500-\$10,000. A CARES fund advisory committee member will be made available to any business that might need help applying for the grant.

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**

**July 28, 2020**  
**6:00 p.m.**

- I. INVOCATION Mayor Turner
- II. PLEDGE AND TEXAS PLEDGE Council member Willis  
Honor the Texas Flag; I pledge allegiance to thee,  
Texas, one state under God, one and indivisible.
- III. PROCLAMATIONS, AWARDS AND PRESENTATIONS. Mayor Turner  
ECISD School Year Update - Scott Muri  
August 31<sup>st</sup> Memorial Update - 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, July 14, 2020. Norma A. Grimaldo
- B. Consider approval of City Council Work Session minutes, July 21, 2020. Norma A. Grimaldo
- C. Consider approval of the request by Stacey James and Donna Bell, owners, to rezone from Single Family-Two District (SF-2) to Neighborhood Services District (NS) on approx. 0.48 acre, Lots 18 and 19, Block 106, Crescent Park, Odessa, Ector County, Texas (southeast of the intersection of N. Grandview Ave. and Oakwood Dr.) (Ordinance - Second and Final Approval) Randy Brinlee
- D. Consider approval of the request of James R. Hurt, et al., owners, City of Odessa/Kirk Strahan, agents, to rezone from Single Family-Three District-Drill Reservation (SF-3-DR) to Single Family-Three District (SF-3), south 3.67 acre of Lot 2, Block 1, Ratliff Ranch 38-1 (southeast of the intersection of E. 87th St. & Dawn Ave.) (Ordinance - Second and Final Approval) Randy Brinlee

- E. Consider approval of the request by PPR Properties LLC, owner, for original zoning of Light Commercial (LC) on 13.36 ac. tract located in Section 39, Block 42, T-2-S, T&P Ry. Co. Survey, Ector County, Texas (west of the intersection of S. Hwy. 385 and Mercer Rd.) (Ordinance - Second and Final Approval) Randy Brinlee
- F. Consider the purchase of 50 Dell Laptops to improve telework capabilities for City of Odessa employees in order to work remotely due to the Coronavirus Pandemic. Michael Marrero
- G. Consider the award of contract for a Pandemic Marketing Consultant for \$155,000. Phillip J. Urrutia
- H. Consider annual bid award for crack sealing compound material. Thomas Kerr
- V. OTHER COUNCIL ACTION
- 1. Consider bid award and contract to Fab Tech Wastewater Solutions LLC for Half Bridge Clarifier construction at the Bob Derrington Water Reclamation Plant for \$319,000. Thomas Kerr
- 2. Consider award of contract to Fehrs for the Odessa Police Department Phase III Interior Finish-Out. Mike Gerke

ORDINANCE

- 3. Consider calling the 2020 General Municipal Election for November 3, 2020. (First Approval) Norma A. Grimaldo
- 4. Consider amending Article 3-12 – Flood Damage Prevention in the City Code of Ordinance (First approval). Yervand Hmayakyan

RESOLUTION

- 5. Consider the allocation of \$500,000 of CARES Coronavirus Relief Funds (CRF) and establish the City of Odessa's Business Assistance Program to assist small businesses for loss of revenues due to business interruptions caused by required closures as a result of COVID-19. Michael Marrero

MISCELLANEOUS

- 6. Appointment of Boards. Council

BOARD NAME	APPOINTED	APPOINTED BY	EXPIRATION DATE
<b>6a. 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

BOARD NAME	APPOINTED	APPOINTED BY	EXPIRATION DATE
Lisa Frost	4-18	Council	03-31-2020
Joyce Trower	3-14	Council	03-31-2019
6b. CITIZENS GOLF ADVISORY COMMITTEE Vacant		Mayor	11-30-2020
6c. HISTORIC PRESERVATION COMMISSION Citizen		Council	04-30-2021
6d. TRAFFIC ADVISORY COMMITTEE Detra White		District 3	11-30-2020
6e. ZONING BOARD OF ADJUSTMENT Vacant		District 3	11-30-2020
6f. MIDLAND ODESSA URBAN TRANSIT DISTRICT Thomas Blackstone	6-04 & 2-19	Council	02-28-2020
6g. CAPITAL IMPROVEMENT ADVISORY COMMITTEE		Council	
7.	Citizen comments on non-agenda items.		
8.	Recess for Executive Session:		Council
	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. Reconvene in open session for possible action.		
	Personnel matters - Deliberate the employment, evaluation, duties, discipline, complaint, or dismissal of a public officer or employee. (Texas Government Code 551.074):		
	a. Municipal Court Judge - Carol Gregg		
	b. City Attorney - Natasha Brooks		
9.	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:	07/28/2020	Item Type:
Contact:	Norma Aguilar-Grimaldo	Regular
Department:	City Secretary	
Finance Committee Review? No		
CAPTION		
Proclamations, Presentations and Awards.		
SUMMARY OF ITEM		
ECISD School Year Update - Scott Muri August 31 <sup>st</sup> Memorial Update - Randy Ham		
FISCAL IMPACT? No		
Comments:		
Supporting Documents:	Other Departments, Boards, Commissions or Agencies:	

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	07/28/2020	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 July 14, 2020.		
FISCAL IMPACT? No		
Comments:		
Supporting Documents:	Other Departments, Boards, Commissions or Agencies:	
 7-14-20.doc		



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

**July 14, 2020**

On July 14, 2020, a regular meeting of the Odessa City Council was held at 6:02 p.m., 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: Mayor David R. Turner; 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.

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.

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

The invocation was given by Mayor Turner and followed by the Pledge of Allegiance and Texas flags.

**CONSENT AGENDA ITEMS**

- A. City Council minutes, June 23, 2020;
- B. City Council minutes, June 29, 2020;
- C. City Council work session minutes July 7, 2020;
- D. **Ordinance 2020-20 - Request by Investment Corporation of America, owners, to rezone Windsor Height Addition, 6th Filing, Block 55, Drill Site No. 7 (5.27 acres), from Single Family-Two-Drill Reservation (SF-2-DR) to Office District (O) approximately 5.27 ac., Odessa, Ector County, Texas (southeast of the intersection of E. 37th St. and Englewood Ln.;**
- E. **Ordinance No. 2020-21 – Amend Chapter 14 of the City Code of Ordinances, Section 14-11-1: Fences and Screening;**
- F. **Ordinance No. 2020-22 – Install traffic signals;**
- G. Award for professional services to conduct the City of Odessa facility needs assessment and conceptual planning;
- H. Annual contract renewal with Fox Scientific for the purchase of lab supplies.

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

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

#### **OTHER COUNCIL ACTION**

**Bid award to CED/Energy Electrical Distribution for \$94,050 for the purchase of 19 mini power packs for McKinney Park.** Steve Patton, Director of Parks and Recreation, stated that the bid award was to purchase power packs for Starbright Village electrical displays. The replacement packs would last about 10 to 15 years. The cost was \$94,050.

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

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

#### **PUBLIC HEARING**

**Open a public hearing to consider approval of the request by Stacey James and Donna Bell, owners, to rezone from Single Family-Two District (SF-2) to Neighborhood Services District (NS) on approx. 0.48 acre, Lots 18 and 19, Block 106, Crescent Park, Odessa, Ector County, Texas (southeast of the intersection of N. Grandview Ave. and Oakwood Dr.).** Randy Brinlee, Director of Development Services, reviewed the location. The rezoning purpose was for a children's clothing boutique. It would be complimentary to the area. The concern raised was parking space requirements. The issue was addressed as it would have rear access parking. The Planning and Zoning Commission recommended approval. No one came forward and the public hearing was closed.

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

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

**Open a public hearing to consider approval of the request of James R. Hurt, etal., owners, City of Odessa/Kirk Strahan, agents, to rezone from Single Family-Three District-Drill Reservation (SF-3-DR) to Single Family-Three District (SF-3), south 3.67 acre of Lot 2, Block 1, Ratliff Ranch 38-1 (southeast of the intersection of E. 87th St. & Dawn Ave.)** Mr. Brinlee stated that the location was vacant. The purpose to rezone was to remove the designation of Drill Reservation. The Planning and Zoning Commission recommended approval. Mr. Marrero stated that the Hurt family's generosity donated the property for a future fire station. Council member Dean expressed appreciation to the Hurt family. No one came forward and the public hearing was closed.

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

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

**Open a public hearing to consider approval of the request by PPR Properties LLC, owner, for original zoning of Light Commercial (LC) on 13.36 ac. tract located in Section 39, Block 42, T-2-S, T&P Ry. Co. Survey, Ector County, Texas (west of the intersection of S. Hwy. 385 and Mercer Rd.).** Mr. Brinlee stated that the property was vacant. The purpose was to zone for Light Commercial and was consistent with the surrounding area. The Planning and Zoning Commission recommended approval. No one came forward and the public hearing was closed.

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

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

**Tabled - Open a public hearing and consider the allocation of \$514,553 in Community Development Block Grant Coronavirus funds (CDBG-CV).** Merita Sandoval, Director of Community Development, stated that the City received \$514,553 in CDBG-CV funds to be used on responding to the virus. The Task Force Committee identified four areas for the use of the funds. She reviewed all the requests. On the project administration requests, one application was withdrawn and the other was ineligible due to lack of providing a plan.

Margaret Burton, Meals on Wheels, provided updated information with an increasing number of clients. The annual fundraiser was cancelled and was in desperate need for funds. She had 570 clients with 78 clients over the age of 90 years old. The delivery of meals was adjusted to protect the clients and volunteers. She reported that half of the clients were Hispanic. She explained the future client meal, as she was projecting more new clients. There was funding from other sources but it was allocated for other clients.

Juan Gomez, Salvation Army Captain, stated that the request was focused on food assistance, rent/mortgage & utility assistance and homeless assistance. He was anticipating that the need would go up. The funds would be used for the clients in need. He explained the requests.

Tom Jones, SHARE, stated that the request was for rent/mortgage and utility assistance. The funds would be used for families with children of special needs. It would include providing assistance with effects of COVID. SHARE partnered with ECISD to identify children. He reported that 1,300 families qualified for SHARE services. Out of the 100 families served from Odessa, 70% were single parents. Services also included counseling, case management and connecting assistance to government programs. The help provided was for immediate needs and long term.

Erika Thomas, Odessa Links, stated that the funds would be for rent/mortgage and utility assistance and to assist the homeless. The funds would be used as leverage for additional match with federal funds. The client diversion assistance provided an individual support system. The program was cost efficient, as clients under this category may not need shelter assistance.

Captain Gomez reported that the Salvation Army had to cut back on its occupancy for shelter to meet the social distancing requirements. He explained the food boxes as additional boxes to meet the needs. The food box may feed one or two weeks.

Thurman Bryant, Community Development Program Assistant, stated that the request for Family Promise of \$134,500 was for a purchase of a mobile home for transitional housing for the homeless with children. It would be used as a day center to house one or two families. Another request was for the upkeep, transportation, and supplies of the day center. Mayor Turner stated that the churches housed the families by taking turns and during the day the day centers would be utilized for those families. The CDBG-CV fund had to be expended in five years. A Family Promise representative explained the other request that was to be used for gas expenses, food, medical and school supplies. She stated it would be difficult to raise funds for the trailer home if not all the funds were received. The home would be in the same location. Mr. Marrero stated that there were no issues with the zoning.

Melanie Saiz, Centers for Children & Families, stated that the agency provided counseling for all individuals and payment was based on a sliding scale. There was a need for mental health services due to the pandemic. Their request of \$50,000 would provide 417 counseling sessions.

Council member Dean stated that even if not all the funds requested were allocated, it was fortunate to get these funds and distribute to those in need. Council member Willis thanked all the agencies for their service in the community. No one else came forward and the public hearing was closed.

Each Council member gave a recommendation for funding.

Council member Bryant stated that Family Promise had a long-range plan to fulfill the need with the purchase of a trailer. Council member Sprawls had concerns over providing a capital improvement and the possible burden on the agency to support the operations. He stated it might be a disservice if no help was given for the endowment.

The following CDBG-CV allocation had a consensus:

Food Assistance:	
Meals on Wheels	\$204,961
Salvation Army	No consensus
Rent/Mortgage & Utility Assistance:	
Salvation Army	85,000
SHARE	50,000

Odessa Links	28,100
Homeless Assistance:	
Salvation Army – protection and hygiene	30,000
Salvation Army	No consensus
Family Promise – day center/housing	No consensus
Family Promise –homeless care	18,000
Family Promise - homeless care	17,000
Odessa Links	26,490
Mental Health Counseling	
Centers for Children & Families	50,000

Discussion was held on where to allocate the funds. Mr. Marrero stated that there was a category under the CRF funds that could specifically be allocated to food delivery to residents but must be spent by the end of the year. Council member Bryant stressed that all the money given by the government be utilized and spent. He recommended exploring all options under the CRF funds especially with food, homeless and the other categories that was allowed. The allocation should be used with the most benefit to meet the needs of the community. Mr. Marrero will provide the information at the next work session.

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

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

**RESOLUTION**

**Resolution No. 2020R-43 – Texas Coalition for Affordable Power (TCAP) professional services agreement for participation in a Strategic Hedging Program for the procurement of wholesale energy.** Mr. Marrero stated that the professional services agreement was with TCAP for participation in a hedging program for wholesale energy. TCAP will contract for the purchase of energy in the wholesale market from an energy manager. Power would be purchased for two years in advance.

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

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

**MISCELLANEOUS**

**Appointment of Boards: Animal Shelter Advisory Committee, Historic Preservation Commission, Traffic Advisory Committee, Zoning Board of Adjustment, Midland Odessa Urban Transit District and Planning and Zoning Commission.** Motion was made by

Council member Sprawls and seconded by Council member Shelton to appoint Lance Marker to the Planning and Zoning Commission. The motion was approved by the following vote:

Aye: Turner, Shelton, 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 7:51 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC  
City Secretary

David R. Turner  
Mayor

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	07/28/2020	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, July 21, 2020.		
FISCAL IMPACT? No		
Comments:		
Supporting Documents:	Other Departments, Boards, Commissions or Agencies:	
 7-21-20 worksession.doc		



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

**July 21, 2020**

On July 21, 2020, a work session meeting of the Odessa City Council was held at 10:00 a.m., Odessa, Texas. Due to the COVID-19, the meeting was teleconferenced, as allowed by the Governor's executive order. The City Council was present through teleconference.

City Council present: Mayor David R. Turner; Council members: Michael Shelton, District One; Dewey Bryant, District Two; Tom Sprawls, District Four; Mari Willis, District Five; and Peggy Dean, At-Large.

City Council absent: Detra White, District Three.

Others present: Michael Marrero, City Manager; Norma Aguilar-Grimaldo, City Secretary; Natasha Brooks, City Attorney; Cindy Muncy, Assistant City Manager; and other members of City staff.

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

Council member Shelton gave the invocation.

**The Permian Fuels America Task Force Report.** Kirk Edwards, Task Force Chairman, appreciated the foresight of the City and ODC to address the oil and gas industry issues. He stated a press release was made that launched the task force with the message of The Permian that Fuels America. A website was established for the campaign. The task force members were Odessans that had experience with oil and gas. Mayor Turner thanked Mr. Edwards for leading the task force with his experience. David Boutin, ODC member, reported that the task force was working hard for 60 days and was pleased with the sense of urgency. The messaging plan aimed at the work force and federal government. The task force was engaging Austin and Washington with its messages. Council member Dean stated it was a great website and with no ambiguity. She thanked the task force. Mr. Edwards stated it was a great time with the President's visit. The message will be heard from all types of social media and the outcome would be monumental. Craig Van Amburgh, CVA Advertising, reported that the billboards would go up July 22 with the theme of The Permian Fuels America as it welcomes President Trump. The TV and radio would lead up to the President's visit. Council member Willis was grateful for the campaign underway in an expedient time. Mayor Turner stressed the importance of Council telling our story. He commended all the work that was done by the task force. Wesley Burnett, Director of Economic Director, thanked the task force and Mr. Edwards for the work done on the campaign. He also thanked ODC and the Legal Department for accommodating a quick response on emergency issues with the COVID-19. Council member Shelton commended the wonderful job on the marketing.

**Bid award and contract to Fab Tech Wastewater Solutions LLC (\$319,000).** Tom Kerr, Director of Public Works/Utilities stated that the bid award was to Fab Tech Wastewater Solutions for the rehab of the final clarifier for \$319,000.

**Annual award of bid for crack sealing compound material (\$61,776).** Mr. Kerr stated that the purchase was for the annual supply of crack sealing compound for the streets. He explained the crack sealing process, which the material performs well.

**Amending Article 3-12 – Flood Damage Prevention.** Yervand Hmayakyan, City Engineer, stated that in order to retain the CRS Class 8 rating, the City needed to add a section under the Flood Damage Prevention regarding the equipment and mechanical items.

**Purchase 50 laptops to improve telework capabilities (\$62,242)** Mr. Marrero stated that the purchase of the laptops would be consistent with the use of the CRV funds under the compliance with health measures category. Employees were working with an alternative schedule from home. The laptops would enhance the ability to work from home. The funds would be reimbursed from the CRV funds. Council member Sprawls questioned the \$1,250 cost for a laptop. Mike Parrish, Director of Information Technology, stated that was a standard laptop purchase for the work needed at the City. The memory and processor was required for programs and it included three years of warranty.

**Interlocal Agreements discussion.** Mr. Brooks asked for direction on renewing the eight industrial district agreements or provide utility service agreements. The parties from the agreements did not want to be annexed into the city. She provided the pros and cons of an industrial district. The industrial district agreement could be up to 15 years. The City standard was a seven-year agreement. Police and Fire protection was provided in an Industrial District agreement. With a utility agreement, the party must pay for tap fees and extend the waterline if needed. The industrial district had a fee in lieu of taxes while the utility service had a rate. Mrs. Muncy explained the formula for the utility service. The eight agreements were current with their fees. Mrs. Muncy stated that overall the payment in lieu of taxes was higher than the utility payments. Without an industrial district agreement, there was no police protection. Fire was provided under the County agreement for fire services. The Council had a consensus to provide an Industrial District agreement for seven years. Mr. Marrero suggested a task force to discuss relevant issues on the industrial district including revenue. Council members Bryant, Sprawls, and Shelton will serve on the task force.

Ms. Brooks asked if the delinquent accounts could be written off, as the businesses were no longer in existence. Council member Willis asked that a system be in place to be sure the accounts were paid. Ms. Brooks would visit with Ms. McCord and provide an update.

Motion was made by Council member Dean and seconded by Council member Shelton to write off the delinquent accounts. The motion passed by the following vote:

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

**Resolution No. 2020R-44 - Remove from the table to consider the allocation of CDBG CV funds.** Motion was made by Council member Dean and seconded by Council member Shelton to remove the item from the table. The motion passed by the following vote:

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

Merita Sandoval, Director of Community Development stated that the City was allocated \$514,533 that could be used on four categories. Mr. Marrero stated there were consensus

from the last meeting except with Family Promise and Meals on Wheels. He recommended that the Family Promise request for a mobile home be funded and the Meals on Wheels be funded from both funds of CDBG-CV and the CRV funds.

Motion was made by Council member Dean and seconded by Council member Bryant to allocate Family Promise for the mobile home of \$108,000, Meals on Wheels \$101,963 from the CDBG CV funds and Meals on Wheels \$103,000 from the CRV Funds.

Council member Willis asked that the agencies spend the funds in the timely manner for its allocated purpose. Council member Dean stated that there needed to be accountability. Mrs. Sandoval stated that forms would be provided and the funds would be spent according to the regulations. An orientation would be given to the agencies.

Council member Dean amended the motion seconded by Council member Bryant to allocate the following from CDBG CV Funds and approve the resolution:

Food Assistance:	
Meals on Wheels	\$101,963
Rent/Mortgage & Utility Assistance:	
Salvation Army	85,000
SHARE	50,000
Odessa Links	28,100
Homeless Assistance:	
Salvation Army – protection and hygiene	30,000
Family Promise – day center/housing	\$108,000
Family Promise –homeless care	18,000
Family Promise - homeless care	17,000
Odessa Links	26,490
Mental Health Counseling	
Centers for Children & Families	50,000

The motion passed by the following vote:

Aye: Turner, Shelton, Bryant, Willis, and Dean  
Nay: Sprawls

**Resolution No 2020R-45 - Allocate CRF Funds to Meals on Wheels. (\$103,000).** Mr. Marrero stated that \$103,000 could be allocated from the CRF Funds to Meals on Wheels and would be spent by the end of the year.

Motion was made by Council member Bryant and seconded by Council member Willis to allocate \$103,000 to Meals on Wheels from the CRF Funds. The motion passed by the following vote:

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

There was no other business, the meeting adjourned at 10:52 a.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC  
City Secretary

David R. Turner  
Mayor

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	07/28/2020	Item Type:
Contact:	Randy Brinlee	Consent
Department:	Planning	

Finance Committee Review? No

**CAPTION**

Consider approval of the request by Stacey James and Donna Bell, owners, to rezone from Single Family-Two District (SF-2) to Neighborhood Services District (NS) on approx. 0.48 acre, Lots 18 and 19, Block 106, Crescent Park, Odessa, Ector County, Texas (southeast of the intersection of N. Grandview Ave. and Oakwood Dr.) (Ordinance -- Second and Final Approval)

**SUMMARY OF ITEM**

The City Council approved this request on First Reading on July 14, 2020.

The property involved in this request is located southeast of the intersection of N. Grandview Ave. and Oakwood Dr. The site is currently zoned Single Family-Two (SF-2) and is occupied by single family residential development. Land use in the area consists of single-family residential and a mix of office/retail.

The applicants are Stacey James and Donna Bell, owners, and the purpose of the rezone request is to operate a children's clothing boutique.

The proposed rezone request is not contrary to the established land uses in the general area or the land use plan of the City of Odessa's Master Plan. The proposed zoning district is located between Office and Church uses and facing a main thoroughfare (Oakwood Dr.) in the area. Neighborhood Services would be a good compliment to the neighborhood. There are concerns over the space available for required parking. Parking will need to be addressed by providing rear access parking.

The Planning and Zoning Commission gave unanimous approval (5 members present) of this request to Neighborhood Services (NS).

**FISCAL IMPACT? No**

**Comments:**

The Planning Staff concurs with the Planning and Zoning Commission recommendation.

Supporting Documents:	Other Departments, Boards, Commissions or Agencies:
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Summary of property owners' response:



Response summary -- James - Bell.doc

Approval/protest cards:



Response cards -- James - Bell.pdf

Area zoning/notification map:



Zoning map -- James - Bell.pdf

List of uses allowed in a Neighborhood Services (NS) zoning district:



NEIGHBORHOOD SERVICE.doc

Planning & Zoning Commission memo:



P&Z Com -- James - Bell.doc

Proposed Ordinance



RZ-003 - James - Bell.pdf

Planning & Zoning Commission  
recommendation:  
Unanimous approval (5-0) (07/02/2020)

SUMMARY OF RESPONSE TO NEIGHBORING PROPERTY OWNERS

Stacey James and Donna Bell

DATE OF NEWSPAPER PUBLICATION: June 22, 2020

NOTICES MAILED OUT: 19

NOTICES RETURNED: 0

NUMBER OF PROTESTS: 0

NUMBER OF APPROVALS: 2

DOES PROTEST REPRESENT 20% OF THE AREA WITHIN 200 FOOT RADIUS OF THE ZONING REQUEST? NO

**\*SEE ATTACHED NOTIFICATION MAP FOR APPROVAL AND PROTEST AREAS.**

DATE: 6/22/2020 CASE FILE NO. 2020-15-2

AS AN INTERESTED PROPERTY OWNER I PROTEST ( ) OR APPROVE  THE REQUESTED ZONING AMENDMENT REPRESENTED BY THE ABOVE FILE NUMBER BECAUSE:

(Please mark either of the responses and give the reasons for your views, and complete the following if known:)

SUBDIVISION: Crescent Park BLK. NO. 87 LOT NO. 9  
ADDRESS: 2403 Oakwood  
SIGNATURE OF OWNER: [Signature]  
PRINTED NAME: Roger Swift

DATE: 6-23-2020 CASE FILE NO. 2020-15-2

AS AN INTERESTED PROPERTY OWNER I PROTEST ( ) OR APPROVE  THE REQUESTED ZONING AMENDMENT REPRESENTED BY THE ABOVE FILE NUMBER BECAUSE:

(Please mark either of the responses and give the reasons for your views, and complete the following if known:)

SUBDIVISION: Crescent Park BLK. NO. 107 LOT NO. 2  
ADDRESS: 2402 Cambridge Odessa Tx  
SIGNATURE OF OWNER: William Taylor  
PRINTED NAME: William Taylor WLT Properties

SF-3

LOTS 6-7 & S 55 OF LOT 5  
LESS 3684.8 SQ FT

(87)

A

10

(88)

5

SF-2

8

9

1200 Redbud Ave

2400

Oakwood Dr

Oakwood Dr 2400

2400

O

(106)

N PART OF LOT 15

2F-1

S PART OF LOT 15 &  
N 12.5 OF LOT 14

(106)

1

LOT 2 LESS S 41.92

LOT 20 REPLAT  
OF LOT 2

S 4 OF LOT 2 &  
LOT 3 LESS S 50

S 50 of LOT 3

4-F

16-17

(106)

4

5

(106)

6

7

8

9

SPD

2

3

A

(107)

SF-3



1 inch = 100 feet

Beechwood St

2400

## NEIGHBORHOOD SERVICE

The following uses are allowed in the Neighborhood Service (NS) District:

### PRIMARY RESIDENTIAL USES (14-2-2.1)

Single Family Dwelling Detached

### ACCESSORY AND INCIDENTAL USES (14-2-2.2)

Accessory Building or Use (Residential)

Accessory Building or Use (Business or Industry)

Beauty Shop -- One Chair Accessory Use

Garage or Estate Sale Accessory Use

Home Occupation

Off-Street Parking Required for Primary Use

Swimming Pool (Private)

Temporary Field Office, Construction Yard or Office (Subject to temporary permit issued by Building Official)

### UTILITY AND SERVICE USES (14-2-2.3)

Electrical Substation (High Voltage Bulk Power)

Electrical Transmission Line (High Voltage)

Fire Station or Similar Public Safety Building

Gas Line and/or Regulating Station

Library, Public

Local Utility Line

Municipal Office Building or City Hall

Wireless Communications Systems (by Specific Use Permit)

Sewage Pumping Station

Storm Water Retention Basin or Pumping Station

Telephone Business Office

Telephone Exchange--Switching, Relay or Transmitting Station Only

Water Reservoir, Water Well or Pumping Station

Water Stand Pipe and Elevated Storage Tank

Water Treatment Plant

### RECREATIONAL AND ENTERTAINMENT USES (14-2-2.4)

Country Club (Private)

Golf Course (Commercial) (by Specific Use Permit)

Park or Playground (Public)

Park or Playground (Other Than Public)

Swim or Tennis Club (by Specific Use Permit)

(Neighborhood Service -- Cont.)

Page 2

#### EDUCATIONAL, INSTITUTIONAL & SPECIAL USES (14-2-2.5)

Cemetery or Mausoleum (by Specific Use Permit)

Church or Rectory

Convent or Monastery

Day Care Center

Home for Senior Citizens or Nursing Home

Hospital, Acute Care

Hospital, Chronic Care

Institutional Out-Patient Medical Clinic

Kindergarten or Nursery School

School, Public or Denominational

#### AUTOMOTIVE & TRANSPORTATION RELATED USES (14-2-2.6)

Bicycle Sales and Service

Gasoline Sales

Helistop (by Specific Use Permit)

Railroad Track or Right-of-Way

#### RETAIL AND SERVICE TYPE USES (14-2-2.7)

Antique Shop

Art Supply Store

Bakery or Confectionery Shop (Retail)

Bank or Savings and Loan Office

Book or Stationery Shop

Cleaning and Pressing, Small Shop and Pick-Up

Clinic, Medical or Dental

Custom Personal Service Shop

Drapery, Needlework, Fabric or Weaving Shop

Drug Store or Pharmacy

Florist or Garden Shop

Food and Beverage Sales

Greenhouse or Plant Nursery (Retail Sales)

Household Appliance Service or Repair

Incidental or Accessory Retail or Service Use

Key Shop

Laboratory, Medical or Dental (by Specific Use Permit)

Laundry and Cleaning Shop (Self-Service)

Office, General Business or Professional

(Neighborhood Service -- Cont.)  
Page 3

(Retail and Service Type Uses -- Cont.)

Pet Grooming  
Restaurant or Cafeteria (Not Drive-In) (With Dining Room)  
Retail Shop, Apparel, Gifts, Accessories and Similar Items  
Studio -- Decorator, Artist or Photographer (by Specific Use Permit)  
Studio -- Music, Dance or Drama  
Travel Bureau or Travel Consultant

SIGN AND IDENTIFICATION USES (14-2-2.8)  
(see Section 14-10-1)

Construction Sign Temporary  
Development Sign Temporary  
General Business Sign  
Institutional Identification Sign  
Institutional Information Sign  
Name Plate  
Office Identification Sign  
Real Estate Sign (Temporary)

NATURAL RESOURCE STORAGE AND EXTRACTION (14-2-2.11)

Petroleum or Gas Well (permitted in any district carrying Drill Reservation "DR" suffix subject to Oil and Gas Ordinance)

SPECIAL INDUSTRIAL PROCESSES (14-2-2.12)

Asphalt or Concrete Batching Plant (Temporary) (by Specific Use Permit)

Planning and Zoning Commission memo

DATE OF P&Z MEETING: July 2, 2020

APPLICANT: Stacey James and Donna Bell, owners

REQUEST: Rezone request from Single Family-Two District (SF-2) to  
Neighborhood Services District (NS)

PROPERTY INVOLVED: Lots 18 and 19, Block 106, Crescent Park, Odessa, Ector County,  
Texas (southeast of the intersection of N. Grandview Ave. and  
Oakwood Dr.)

The property involved in this request southeast of the intersection of N. Grandview Ave. and Oakwood Dr. The site is currently zoned Single Family-Two District (SF-2) and is occupied by single family residential development. Land use in the area consists of single-family residential, and a mix of office/retail.

The applicants are Stacey James and Donna Bell, owners, and the purpose of the rezone request is to operate a children's clothing boutique.

Using the City's identified priorities contained in the City of Odessa's Comprehensive Plan to evaluate zoning amendments the following comments are offered:

Comprehensiveness: The proposed rezone request is not contrary to the established land uses in the general area or the land use plan of the City of Odessa's Master Plan.

Livability: The proposed zoning would not have a negative impact on this site or surrounding properties.

Reasonableness: The proposed zoning district is located between Office and Church uses and facing a main thoroughfare in the area. Neighborhood Services would be a good compliment to the neighborhood.

Based upon the preceding analysis, Staff recommends approval of the request.



approximately 0.48 acres, Lots 18 and 19, Block 106, CRESCENT PARK, Odessa, Ector County, Texas, as shown on the attached Exhibit "A." This land is located southeast of the intersection of North Grandview Avenue and Oakwood Drive. This change shall be shown on the official zoning district map of the City of Odessa and elsewhere as provided by ordinance.

**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 \$2000.00 as provided by City Code Section 1-1-9 "General Penalty." 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 14<sup>th</sup> day of July, A.D., 2020, by the following vote:

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

The foregoing ordinance was adopted on second and final approval on the 28<sup>th</sup> day of July, 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 28<sup>th</sup> of July, A.D., 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

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

ORDINANCE 2020-\_\_\_  
EXHIBIT "A"



**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	07/28/2020	Item Type:
Contact:	Randy Brinlee	Consent
Department:	Planning	
Finance Committee Review? No		
CAPTION		
Consider approval of the request of James R. Hurt, etal., owners, City of Odessa/Kirk Strahan, agents, to rezone from Single Family-Three District-Drill Reservation (SF-3-DR) to Single Family-Three District (SF-3), south 3.67 acre of Lot 2, Block 1, Ratliff Ranch 38-1 (southeast of the intersection of E. 87th St. & Dawn Ave.) (Ordinance -- Second and Final Approval)		
SUMMARY OF ITEM		
<p>The City Council approved this request on First Reading on July 14, 2020.</p> <p>The property involved in this request is located southeast of the intersection of E. 87th St. and Dawn Ave. The site is currently zoned Single Family-Three District-Drill Reservation (SF-3-DR) and is vacant. Land use in the area consists of an elementary school and vacant land.</p> <p>The applicant is James R. Hurt, etal., owners, City of Odessa/Kirk Strahan, agents, and the purpose of the zone change request to Single Family-Three District (SF-3) is to remove the Drill Reservation designation use from the property.</p> <p>This rezone request is not out of line with the City of Odessa's Comprehensive Plan and is part of a proposal for a new fire station to be placed in a rapidly growing part of Odessa. The proposed zoning would not have a negative impact of this site or surrounding properties.</p> <p>The Planning and Zoning Commission gave unanimous approval (5 members present) of this request to Single Family-Three (SF-3).</p>		
FISCAL IMPACT? No		
<p>Comments:</p> <p>The Planning Staff concurs with the Planning and Zoning Commission recommendation.</p>		
Supporting Documents:	Other Departments, Boards, Commissions or Agencies:	

Summary of property owners' response:



Response summary -- James R Hurt et al.doc

Area zoning/notification map:



Zoning map -- James R Hurt et al.pdf

List of uses allowed in a Single Family-Three (SF-3) zoning district:



SINGLE FAMILY RESIDENCE-3.doc

Planning & Zoning Commission memo:



P&Z memo -- James R Hurt et al.doc

Proposed Ordinance:



RZ-004 - James R Hurt, et al.pdf

Planning & Zoning Commission recommendation:  
Unanimous approval (5-0) (07/02/2020)

SUMMARY OF RESPONSE TO NEIGHBORING PROPERTY OWNERS

James R. Hurt etal

DATE OF NEWSPAPER PUBLICATION: June 22, 2020

NOTICES MAILED OUT: 1

NOTICES RETURNED: 0

NUMBER OF PROTESTS: 0

NUMBER OF APPROVALS: 0

DOES PROTEST REPRESENT 20% OF THE AREA WITHIN 200 FOOT RADIUS OF THE ZONING REQUEST? NO.

**\*SEE ATTACHED NOTIFICATION MAP FOR APPROVAL AND PROTEST AREAS.**

**SPD**

1800 Cajun St

**SPD-DR**

**R**

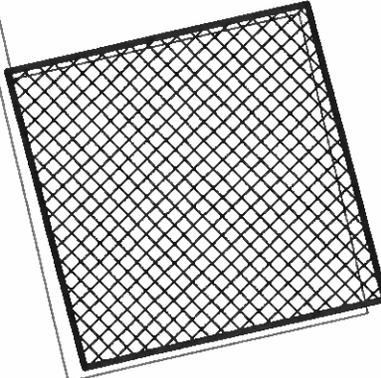
**R**

SEC 37 & 38 BLK 42 T-1-S

**SF-3**

(1)

1



**FD**



1 inch = 250 feet

Dawn Ave

7200

E 87th St 1800

8700

### SINGLE FAMILY RESIDENCE-3

The following uses are allowed in the Single Family Residence-Three (SF-3) District:

#### PRIMARY RESIDENTIAL USES (14-2-2.1)

Single Family Dwelling Detached

#### ACCESSORY AND INCIDENTAL USES (14-2-2.2)

Accessory Building or Use (Residential)

Beauty Shop - One Chair Accessory Use (by Specific Use Permit)

Garage or Estate Sale Accessory Use

Home Occupation

Off-Street Parking Required for Primary Use

Stable, Private (by Specific Use Permit)

Swimming Pool (Private)

Temporary Field Office, Construction Yard or Office (Subject to temporary permit issued by Building Official)

#### UTILITY AND SERVICE USES (14.2-2.3)

Electrical Substation (High Voltage Bulk Power) (by Specific Use Permit)

Electrical Transmission Line (High Voltage) (by Specific Use Permit)

Fire Station or Similar Public Safety Building

Gas Line and/or Regulating Station

Library, Public (by Specific Use Permit)

Local Utility Line

Municipal Office Building or City Hall (by Specific Use Permit)

Sewage Pumping Station

Storm Water Retention Basin or Pumping Station

Telephone Exchange--Switching, Relay or Transmitting Station Only

Water Reservoir, Water Well or Pumping Station

Water Stand Pipe and Elevated Storage Tank

#### RECREATIONAL AND ENTERTAINMENT USES (14-2-2.4)

Country Club (Private) (by Specific Use Permit)

Golf Course (Commercial) (by Specific Use Permit)

Park or Playground (Public)

Park or Playground (Other Than Public) (by Specific Use Permit)

Playfield or Stadium (Public) (by Specific Use Permit)

Swim or Tennis Club (by Specific Use Permit)

Zoo (Public) (by Specific Use Permit)

EDUCATIONAL, INSTITUTIONAL & SPECIAL USES (14-2-2.5)

Cemetery or Mausoleum (by Specific Use Permit)  
Church or Rectory  
College or University (by Specific Use Permit)  
Community Center (Public)  
Convent or Monastery (by Specific Use Permit)  
Day Care Center  
Hospital, Acute Care (by Specific Use Permit)  
Hospital, Chronic Care (by Specific Use Permit)  
Institution of Religious, Charitable or Philanthropic Nature (by Specific Use Permit)  
Kindergarten or Nursery School (by Specific Use Permit)  
School, Public or Denominational

AUTOMOTIVE & TRANSPORTATION RELATED USES (14-2-2.6)

Railroad Track or Right-of-Way

SIGN AND IDENTIFICATION USES (14-2-2.8)  
(See Section 14-10-1)

Construction Sign Temporary  
Development Sign Temporary  
Institutional Identification Sign  
Institutional Information Sign  
Name Plate  
Real Estate Sign (Temporary)

AGRICULTURAL TYPE USES (14-2-2.10)

Farm, Garden or Orchard

NATURAL RESOURCE STORAGE AND EXTRACTION (14-2-2.11)

Petroleum or Gas Well (permitted in any district carrying Drill Reservation "DR" suffix subject to Oil and Gas Ordinance)

SPECIAL INDUSTRIAL PROCESSES (14-2-2.12)

Asphalt or Concrete Batching Plant (Temporary) (by Specific Use Permit)

Planning and Zoning Commission memo

DATE OF P&Z MEETING: July 2, 2020

APPLICANT: James R Hurt Et al. owners  
City of Odessa/Kirk Strahan, agents

REQUEST: Rezone from Single Family-Three District-Drill Reservation (SF-3-DR) to Single Family-Three District (SF-3)

PROPERTY INVOLVED: South 3.67 acres of Lot 2, Block 1 Ratliff Ranch 38-1 (southeast of the intersection of E. 87<sup>th</sup> St. & Dawn Ave.)

The property involved in this request is located southeast of the intersection of E. 87th St. and Dawn Ave. The site is currently zoned Single Family-Three District-Drill Reservation (SF-3-DR) and is vacant. Land use in the area consists of an elementary school and vacant land.

The applicant is James R Hurt Et al., owners, City of Odessa/Kirk Strahan, agents and the purpose of the zone change request to Single Family-Three District (SF-3), is to remove the Drill Reservation designation use from the property.

Using the City's identified priorities contained in the City of Odessa's Comprehensive Plan to evaluate zoning amendments the following comments are offered:

Comprehensiveness: This rezone request is not out of line with the City of Odessa's Comprehensive Plan, and is part of a deal for a new fire station to be placed in a rapidly growing part of Odessa.

Livability: The proposed zoning would not have a negative impact on this site or surrounding properties. Removal of the DR designation would remove the ability for drilling activities on this site and would improve the quality of any future neighborhood.

Based upon the preceding analysis, Staff recommends approval of the request.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ODESSA, TEXAS, AMENDING THE ODESSA CITY CODE CHAPTER 14 "ZONING" ARTICLE 14-1 "GENERAL PROVISIONS" SECTION 14-1-4 "ZONING DISTRICT MAP" BY CHANGING THE ZONING CLASSIFICATION FROM SINGLE FAMILY-THREE DISTRICT-DRILL RESERVATION (SF-3-DR) TO SINGLE FAMILY-THREE DISTRICT (SF-3) DISTRICT ON THE SOUTH 3.67 ACRES OF LOT 2, BLOCK 1, RATLIFF RANCH 38-1 (SOUTHEAST OF THE INTERSECTION OF EAST 87<sup>TH</sup> STREET AND DAWN AVENUE); PROVIDING A PENALTY CLAUSE AND OTHER APPROPRIATE CLAUSES.

**WHEREAS**, all legal requirements, including public notice, hearing and recommendation by the Planning and Zoning Commission prerequisite to the amendment contained herein have been complied with and fulfilled; and

**WHEREAS**, The City Council considers the herein contained amendment to the Odessa City Code Chapter 14 "Zoning" Article 14-1 "General Provisions" Section 14-1-4 "Zoning District Map" to be in harmony with the general plan of development in the City of Odessa and consistent with the health, safety and welfare of the inhabitants of the City of Odessa;

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

**Section 1.** That the Odessa City Code Chapter 14 "Zoning" Article 14-1 "General Provisions" Section 14-1-4 "Zoning District Map" is hereby amended by changing the original zoning classification from Single Family-Three District-Drill Reservation (SF-3-DR) to Single Family-Three District (SF-3) on the south 3.67 acres of Lot 2, Block 1 RATLIFF RANCH 38-1,

as shown on the attached Exhibit "A." This land is located southeast of the intersection of East 87<sup>th</sup> Street and Dawn Avenue. This change shall be shown on the official zoning district map of the City of Odessa and elsewhere as provided by ordinance.

**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 \$2000.00 as provided by City Code Section 1-1-9 "General Penalty." 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 14<sup>th</sup> day of July, A.D., 2020, by the following vote:

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

The foregoing ordinance was adopted on second and final approval on the 28<sup>th</sup> day of July, 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 28<sup>th</sup> of July, A.D., 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

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

ORDINANCE 2020-\_\_\_\_  
EXHIBIT "A"



**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	07/28/2020	Item Type:
Contact:	Randy Brinlee	Consent
Department:	Planning	

Finance Committee Review? No

**CAPTION**

Consider approval of the request by PPR Properties LLC, owner, for original zoning of Light Commercial (LC) on 13.36 ac. tract located in Section 39, Block 42, T-2-S, T&P Ry. Co. Survey, Ector County, Texas (west of the intersection of S. Hwy. 385 and Mercer Rd.) (Ordinance -- Second and Final Approval)

**SUMMARY OF ITEM**

The City Council approved this request on First Reading on July 14, 2020.

The property involved in this request is located west of the intersection of S. Hwy. 385 and Mercer Rd. The site is currently designated Future Development (FD) and is vacant. Land uses in the area consists of commercial development and vacant land.

The applicant is PPR Properties LLC, owner, SW Howell, agent, and the purpose of the original zoning request of Light Commercial (LC) is to facilitate commercial development on the property.

The proposed original zoning is not contrary to the established land uses in the general area or the land use plan of the City of Odessa's Master Plan. The proposed zoning district would be consistent with surrounding zoning districts in the area, and the existing development is an allowed use in this zoning district.

The Planning and Zoning Commission gave unanimous approval (5 members present) of this request to Light Commercial (LC).

**FISCAL IMPACT? No**

Comments:  
The Planning Staff concurs with the Planning and Zoning Commission recommendation.

Supporting Documents:	Other Departments, Boards, Commissions or Agencies:
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Summary of property owners' response:



Response summary -- PPR Properties.doc

Area zoning/notification map:



Zoning map -- PPR Properties.pdf

Zoning exhibit:



Zoning exhibit -- PPR Properties.pdf

List of uses allowed in a Light Commercial (LC) zoning district:



LIGHT COMMERCIAL.doc

Planning & Zoning Commission memo:



P&Z memo -- PPR Properties.doc

Proposed Ordinance:



OZ-003 - PPR Properties.pdf

Planning & Zoning Commission  
recommendation:  
Unanimous approval (5-0) (07/02/2020)

SUMMARY OF RESPONSE TO NEIGHBORING PROPERTY OWNERS

PPR Properties, LLC

DATE OF NEWSPAPER PUBLICATION: June 22, 2020

NOTICES MAILED OUT: 2

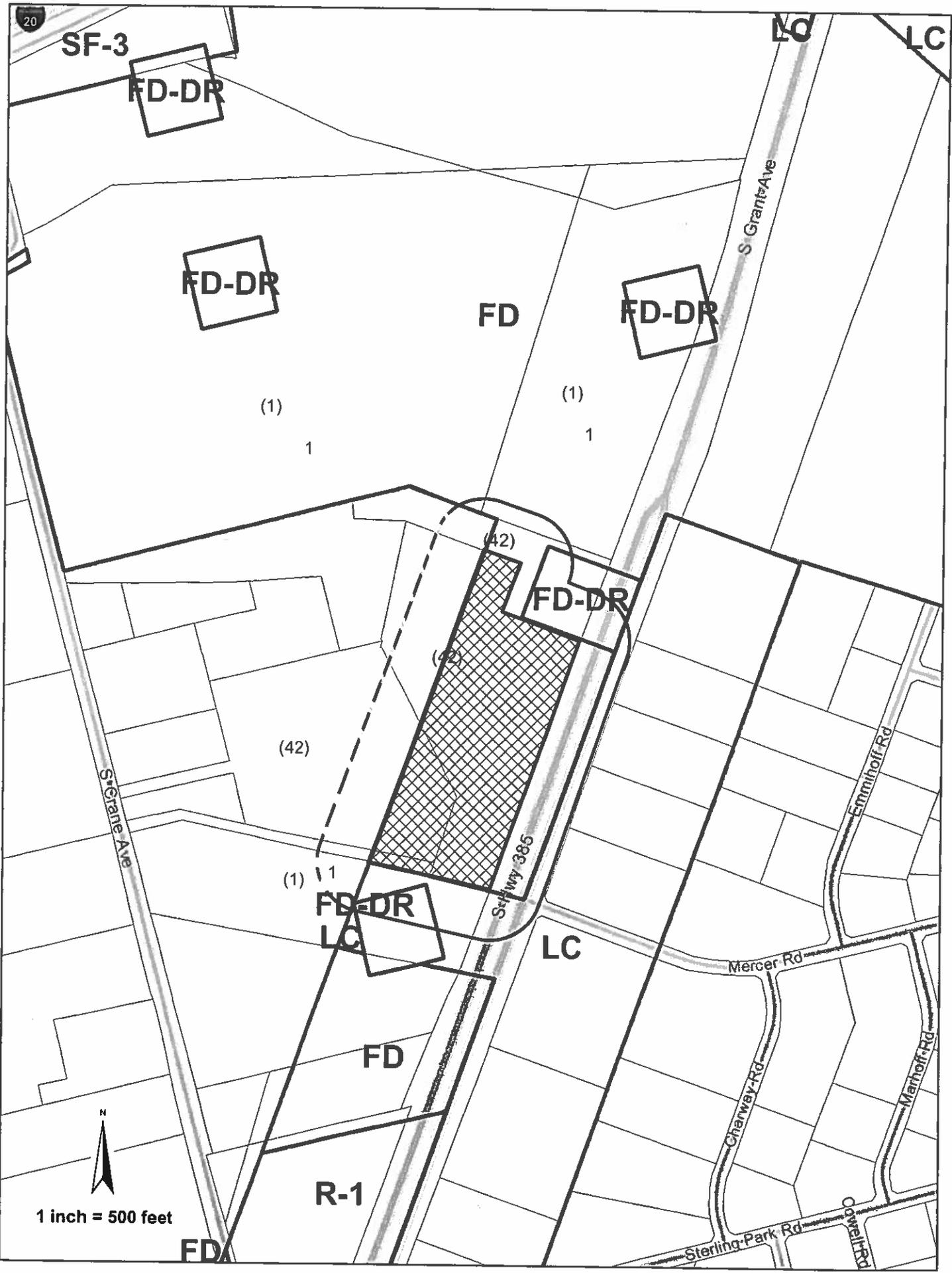
NOTICES RETURNED: 1

NUMBER OF PROTESTS: 0

NUMBER OF APPROVALS: 0

DOES PROTEST REPRESENT 20% OF THE AREA WITHIN 200 FOOT RADIUS OF THE ZONING REQUEST? NO

**\*SEE ATTACHED NOTIFICATION MAP FOR APPROVAL AND PROTEST AREAS.**





## LIGHT COMMERCIAL

The following uses are allowed in the Light Commercial (LC) District:

### PRIMARY RESIDENTIAL USES (14-2-2.1)

Single-Family Dwelling, Detached  
Single-Family Dwelling, Attached  
Two-Family Dwelling, (Duplex)  
Three or Four Family Dwelling  
Multiple-Family Dwelling (Apartment)  
Boarding or Tourist House  
Residence Home for the Elderly  
Mobile or HUD-Manufactured Home Dwelling  
Mobile or HUD-Manufactured Home Park  
RV Park  
Housing, Special Arrangement and Types  
Hostel-Living Quarters (Other) (by Specific Use Permit)  
Hotel or Motel

### ACCESSORY AND INCIDENTAL USES (14-2-2.2)

Accessory Building or Use (Residential)  
Accessory Building or Use (Business or Industry)  
Beauty Shop-One Chair Accessory Use  
Garage or Estate Sale Accessory Use  
Home Occupation  
Off-Street Parking Required For Primary Use  
Off-Street Parking Excess to Minimum Requirement  
Swimming Pool (Private)  
Temporary Field Office, Construction Yard or Office (Subject to temporary permit issued by Building Official)

### UTILITY AND SERVICE USES (14-2-2.3)

Electric Substation (High Voltage Bulk Power)  
Electrical Transmission Line (High Voltage)  
Fire Station or Similar Public Safety Building  
Gas Line and/or Regulating Station  
Library, Public  
Local Utility Line  
Municipal Office Building or City Hall  
Public Building, Shop or Yard of Local, State or Federal Agency  
Wireless Communications Systems

(Light Commercial -- Cont.)

Page 2

(Utility and Service Uses -- Cont.)

Radio or Television Transmitting Station  
Sewage Pumping Station  
Storm Water Retention Basin or Pumping Station  
Telephone Business Office  
Telephone Exchange-Switching, Relay or Transmitting Station Only  
Utility Shops, Storage Yards or Building (Private)  
Water Reservoir, Water Well or Pumping Station  
Water Stand Pipe and Elevated Storage Tank  
Water Treatment Plant  
Wind Energy Conversion Center

#### RECREATIONAL AND ENTERTAINMENT USES (14-2-2.4)

Amusement, Commercial (Indoor)  
Amusement, Commercial (Outdoor)  
Carnival or Circus  
Country Club (Private)  
Dance Hall or Night Club  
Golf Course (Commercial)  
Park or Playground (Public)  
Park or Playground (Other than Public)  
Playfield or Stadium (Public)  
Private Club  
Rodeo Grounds  
Roller or Ice Skating Rink  
Sexually Oriented Businesses  
Swim or Tennis Club  
Swimming Pool or Tennis Complex (Commercial)  
Tavern or Lounge  
Theater or Playhouse (Indoor)  
Theater, Drive-In (Outdoor)  
Zoo (Public)

#### EDUCATIONAL, INSTITUTIONAL AND SPECIAL USES (14-2-2.5)

Art Gallery or Museum  
Cemetery or Mausoleum (by Specific Use Permit)  
Church or Rectory  
College or University  
Convent or Monastery

(Light Commercial -- Cont.)

Page 3

(Educational, Institutional and Special Uses -- Cont.)

Day Care Center

Detention Halfway House (by Specific Use Permit)

Fairgrounds or Exhibition Area

Fraternal Club or Lodge

Home for Senior Citizens or Nursing Home

Hospital, Acute Care

Hospital, Chronic Care

Institution or Center for Alcoholic, Narcotic or Psychiatric Patients

Institution of Religious, Charitable or Philanthropic Nature

Institutional Out-Patient Medical Clinic

Kindergarten or Nursery School

School, Business

School, Public or Denominational

School, Trade, Technical or Commercial

#### AUTOMOTIVE AND TRANSPORTATION RELATED USES (14-2-2.6)

Airport or Landing Field

Auto Glass, Seat Cover or Muffler Shop

Auto Laundry or Car Wash

Auto Painting and Body Rebuilding Shop (by Specific Use Permit)

Auto Parts and Accessory Sales (Indoor)

Bicycle Sales and Service

Boat Sales or Display

Gasoline Sales

Gasoline or Motor Fuel Service Station

Heliport (by Specific Use Permit)

Helistop

Motorcycle or Scooter Sales or Service

Motor Freight Terminal

New Auto Display and Sales (Indoor)

New or Used Auto Sales (Outdoor Lot)

Parking Lot or Structure Commercial (Primary Use)

Parking Lot or Structure Non-Commercial

Railroad Freight Terminal

Railroad Passenger Station

Railroad Team Track

Railroad Track or Right-Of-Way

Repair Garage

Tire Retreading or Capping (by Specific Use Permit)

(Light Commercial -- Cont.)

Page 4

Truck or Trailer Rental

RETAIL AND SERVICE TYPE USES (14-2-2.7)

Antique Shop  
Art Supply Store  
Bakery or Confectionery Shop (Retail)  
Bank or Savings and Loan Office  
Book or Stationery Shop  
Cleaning and Pressing, Small Shop and Pick-Up  
Cleaning Plant (Commercial) (by Specific Use Permit)  
Clinic, Medical or Dental  
Custom Personal Service Shop  
Department, Variety or Discount Store  
Drapery, Needlework, Fabric or Weaving Shop  
Drug Store or Pharmacy  
Florist or Garden Shop  
Food and Beverage Sales  
Furniture or Appliance Store  
Greenhouse or Plant Nursery (Retail Sales)  
Hardware Store  
Household Appliance Service or Repair  
Incidental or Accessory Retail or Service Use  
Key Shop  
Laboratory, Medical or Dental  
Laundry and Cleaning Shop (Self-Service)  
Medical Appliances and Fitting, Sales or Rental  
Mortuary or Funeral Home  
Office, General Business or Professional  
Pawn Shop  
Pet Grooming  
Pet Shop  
Reprographic Service  
Restaurant or Cafeteria (Not Drive-In) (With Dinning Room)  
Restaurant or Eating Place (Drive-In Service)  
Retail Shop, Apparel, Gifts, Accessories and Similar Items  
Retail Shop or Store (General Items)  
Sales, Outdoor Temporary  
Studio-Decorator, Artist or Photographer  
Studio, Health, Exercise and Reducing  
Studio-Music, Dance or Drama  
Tool Rental, Domestic, Small Equipment

(Light Commercial -- Cont.)  
Page 5

(Retail and Service Type Uses -- Cont.)

Travel Bureau or Travel Consultant  
Veterinarian Hospital (Indoor Animal Pens)  
Veterinarian Hospital (Outdoor Animal Pens)  
Veterinarian Office Only (No Animal Pens)

SIGNS AND IDENTIFICATION USES (14-2-2.8)  
(see Section 14-10-1)

Apartment or Housing Project Identification Sign  
Apartment or Housing Project Informational Sign  
Construction Sign Temporary  
Development Sign Temporary  
General Business Sign  
Institutional Identification Sign  
Institutional Information Sign  
Name Plate  
Office Identification Sign  
Real Estate Sign (Temporary)

COMMERCIAL TYPE USES (14-2-2.9)

Bakery or Confectionery Plant (Wholesale)  
Bottling Works  
Building Material Sales (Outdoor or Open Shed Storage)  
Building Material and Home Supply Sales (Indoor Storage)  
Cabinet and Upholstery Shop  
Clothing or Similar Light Manufacturing  
Laboratory Manufacturing  
Laboratory, Scientific or Research  
Lithographic Shop or Commercial Printer  
Maintenance and Repair Service for Buildings  
Milk Depot, Dairy or Ice Cream Plant  
Mini-Warehouse  
Paint Shop  
Plumbing Shop  
Sales Space Contracting (by Specific Use Permit)  
Storage Warehouse  
Trailer or Mobile Home Sales or Rental  
Wholesale Storage and Sales

AGRICULTURAL TYPE USES (14-2-2.10)

Animal Pound (Public or Private) (by Specific Use Permit)  
Farm, Garden or Orchard  
Greenhouse or Nursery (Commercial)  
Hatchery, Poultry (by Specific Use Permit)  
Kennel

NATURAL RESOURCE STORAGE AND EXTRACTION (14-2-2.11)

Caliche Pit and Caliche Storage (by Specific Use Permit)  
Petroleum or Gas Well (permitted in any district carrying Drill Reservation "DR" suffix subject to Oil and Gas Ordinance)  
Petroleum Storage and Collecting Facilities (by Specific Use Permit)  
Sand or Gravel Extraction or Storage (by Specific Use Permit)  
Top Soil, Earth, Clay or Stone Extraction or Storage (by Specific Use Permit)

SPECIAL INDUSTRIAL PROCESSES (14-2-2.12)

Asphalt or Concrete Batching Plant (Permanent) (by Specific Use Permit)  
Asphalt or Concrete Batching Plant (Temporary) (by Specific Use Permit)

Planning and Zoning Commission memo

DATE OF P&Z MEETING: July 2, 2020

APPLICANT: PPR Properties LLC, owner  
SW Howell, agent

REQUEST: Original Zoning of Light Commercial (LC)

PROPERTY INVOLVED: An approximately 13.36 ac tract located in SEC 39, Block 42, T-2-S T&P RY Co. Survey, Ector County (west of the intersection of S Hwy 385 and Mercer Rd.)

The property involved in this request is located west of the intersection of S Hwy 385 and Mercer Rd. The site is currently designated Future Development (FD) and is occupied by vacant land. Land uses in the area consists of commercial development and vacant land.

The applicant is PPR Properties LLC, owner, SW Howell, agent and the purpose of the original zoning request of Light Commercial (LC) is to facilitate commercial development on the property.

Using the City's identified priorities contained in the City of Odessa's Comprehensive Plan to evaluate zoning amendments the following comments are offered:

Comprehensiveness: The proposed original zoning is not contrary to the established land uses in the general area or the land use plan of the City of Odessa's Master Plan.

Livability: The proposed original zoning would not have a negative impact on this site or surrounding properties. The proposed commercial development would not be out of line with development in the area.

Reasonableness: The proposed zoning district would be consistent with surrounding zoning districts in the area, and the existing development is an allowed use in this zoning district.

Based upon the preceding analysis, Staff recommends approval of the request.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ODESSA, TEXAS, AMENDING THE ODESSA CITY CODE CHAPTER 14 "ZONING" ARTICLE 14-1 "GENERAL PROVISIONS" SECTION 14-1-4 "ZONING DISTRICT MAP" BY ADDING THE ORIGINAL ZONING CLASSIFICATION OF LIGHT COMMERCIAL (LC) ON A 13.36 ACRE TRACT OF LAND LOCATED IN SECTION 39, BLOCK 42, T-2-S, T&P RY CO. SURVEY, ECTOR COUNTY, TEXAS (WEST OF THE INTERSECTION OF SOUTH HIGHWAY 385 AND MERCER ROAD); PROVIDING A PENALTY CLAUSE AND OTHER APPROPRIATE CLAUSES.

**WHEREAS**, all legal requirements, including public notice, hearing and recommendation by the Planning and Zoning Commission prerequisite to the amendment contained herein have been complied with and fulfilled; and

**WHEREAS**, The City Council considers the herein contained amendment to the Odessa City Code Chapter 14 "Zoning" Article 14-1 "General Provisions" Section 14-1-4 "Zoning District Map" to be in harmony with the general plan of development in the City of Odessa and consistent with the health, safety and welfare of the inhabitants of the City of Odessa;

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

**Section 1.** That the Odessa City Code Chapter 14 "Zoning" Article 14-1 "General Provisions" Section 14-1-4 "Zoning District Map" is hereby amended by granting the original zoning classification of Light Commercial (LC) on a 13.36 acre tract of land located in Section 39, Block 42, T-2-S, T&P RY. Co. Survey, Ector County, Texas, as shown on the attached Exhibit "A". This site is located west of the intersection of South Highway 385 and Mercer Road. These changes shall be shown on the official zoning district map of the City of Odessa and elsewhere as provided by ordinance.

**Section 2.** That should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to 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 \$2000.00 as provided by City Code Section 1-1-9 "General Penalty," 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 14<sup>th</sup> day of July, A.D., 2020, by the following vote:

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

The foregoing ordinance was adopted on second and final approval on the 28<sup>th</sup> day of July, 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 28<sup>th</sup> of July, A.D., 2020.

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David R. Turner, Mayor

ATTEST:

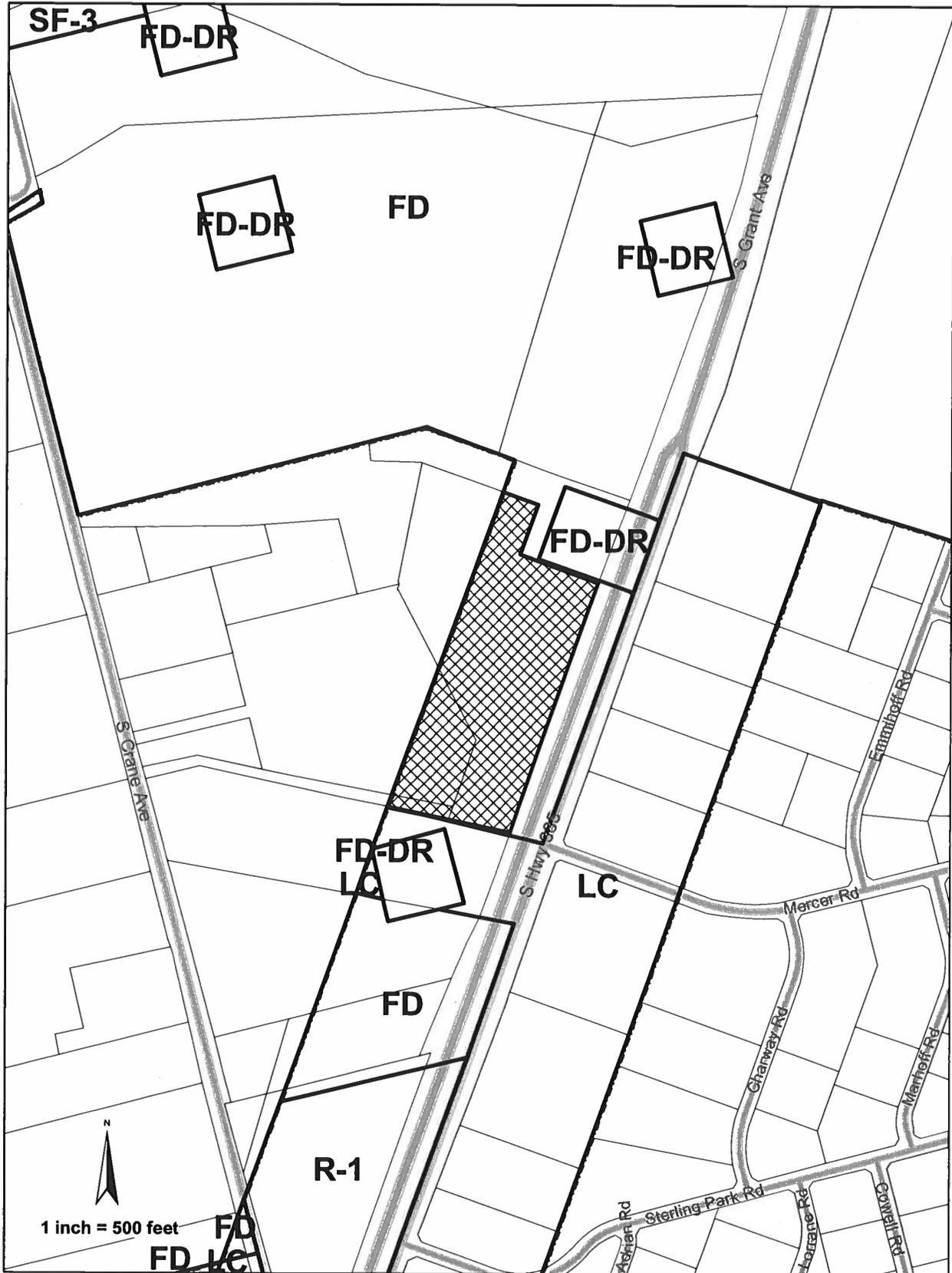
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Norma Aguilar-Grimaldo, City Secretary

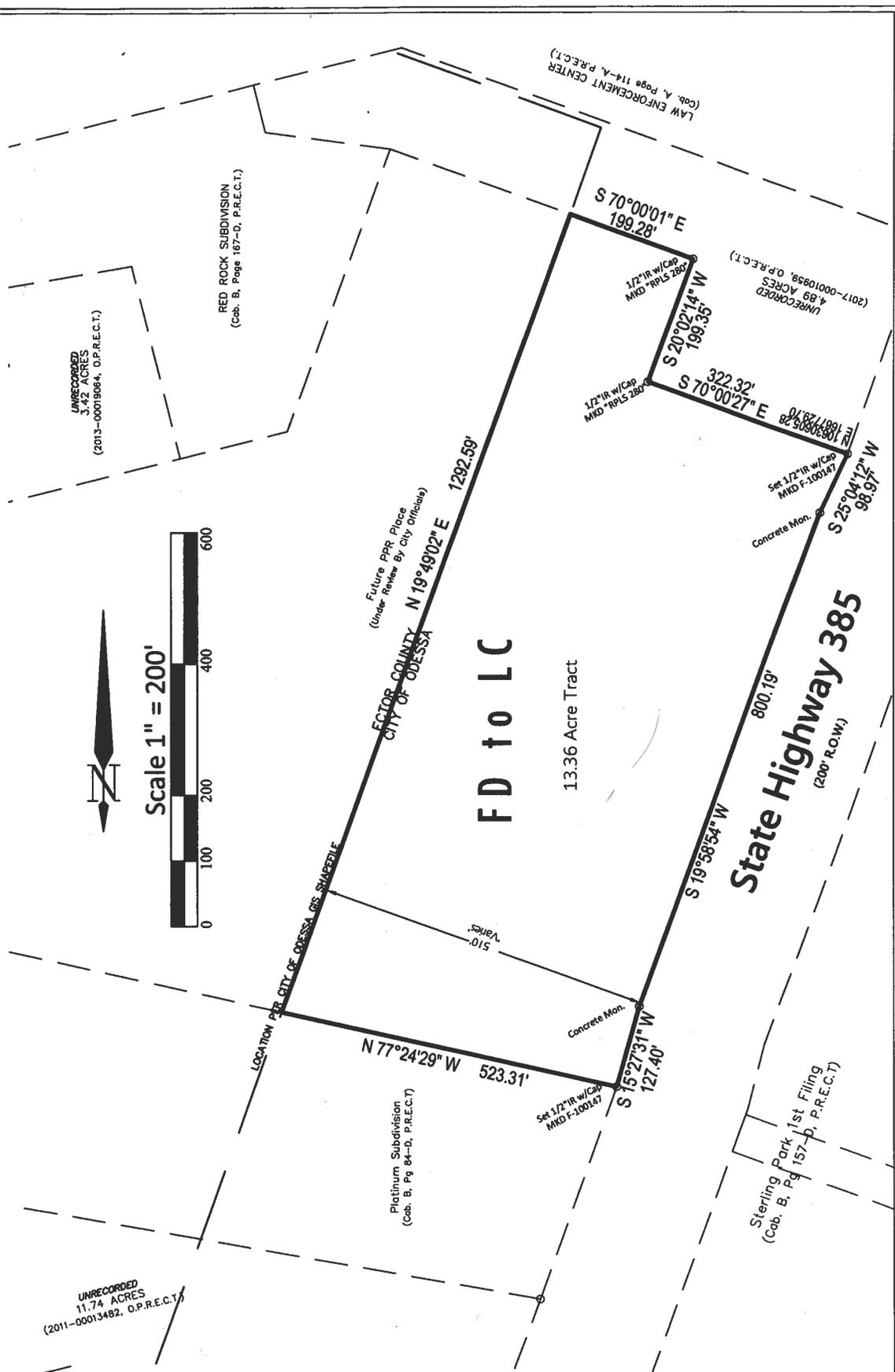
APPROVED AS TO FORM:

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Natasha Brooks, City Attorney



**REQUEST FOR ZONING AMENDMENT  
OF A 13.36 ACRE TRACT OUT OF  
SECTION 39, BLOCK 42, T-2-S, T & PRY CO SURVEY, ECTOR COUNTY, TEXAS**



ORDINANCE 2020-\_\_\_\_  
EXHIBIT "A"  
PAGE 3 OF 3



**S. W. HOWELL, INC.**

P. O. Box 22  
Odessa, Texas, 79760  
432-367-5711  
[swh@swhowell.com](mailto:swh@swhowell.com)  
Texas Engineering Firm #F-173  
Texas Surveying Firm #F-100147-00

FIELD NOTES OF 13.36 ACRE TRACT OF LAND BEING PORTION OF PROPOSED LOT 1, BLOCK 1, PPR PLACE, AN ADDITION TO THE CITY OF ODESSA, BEING OUT OF SECTION 39, BLOCK 42, T-2-S, T & P RY CO SURVEY, ECTOR COUNTY, TEXAS.

BEGINNING at a ½" iron rod marked "HOWELL F-100147" set in the west boundary line of State Highway 385 for the southeast corner of this tract and the northeast corner of Platinum Subdivision;

THENCE N77°24'29"W, 523.31 feet to a point for the southwest corner of this tract;

THENCE N19°49'02"E, 1292.59 feet to a point in a north boundary line of said Proposed Lot 1, for the most northerly northwest corner of this tract;

THENCE S70°00'01"E, with the north boundary line of said Lot 1, 199.28 feet to a point for an exterior corner of this tract;

THENCE S20°02'14"W, with an east boundary line of said Lot 1, 199.35 feet to a ½" iron rod marked "HOWELL RPLS 4631" found for an interior corner of said Lot 1 and this tract;

THENCE S70°00'27"E, 322.32 feet to a ½" iron rod marked "HOWELL f-100147" set in the northwest boundary line of State Highway 385 for the most easterly northeast corner of this tract;

THENCE S25°04'12"W, with the west boundary line of said State Highway 385, 98.97 feet to a point for a bend in the west boundary line of said State Highway 385

THENCE S19°58'54"W, with the northwest boundary line of said State Highway 385, 800.19 feet to a Concrete Monument found for an interior corner of this tract;

THENCE S15°27'31"W, with the northwest boundary line of said State Highway 385, 127.40 feet to the place of beginning and containing 13.36 acres of land.

20-36081  
June 11, 2020  
Zone FD to LC

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	07/28/2020	Item Type:
Contact:	Michael Marrero	Consent
Department:	City Manager's Office	

Finance Committee Review? Yes

**CAPTION**

Consider the purchase of 50 Dell Laptops to improve telework capabilities for City of Odessa employees in order to work remotely due to the Coronavirus Pandemic.

**SUMMARY OF ITEM**

Approval of this item will allow for the purchase of 50 Dell Latitude 5500 laptops for the Information Technology Department. These laptops will be used to help facilitate employees ability to remote working and/or work from home due to the Coronavirus pandemic. Funds for this purchase will be made utilizing the Coronavirus Relief Funds which were allocated to the City in respond to COVID-19.

**FISCAL IMPACT? Yes**

Fiscal Year:	2019-20	Available Funds	Budget	Est / Actual Cost	Difference
Fund:	COVID-19 Funds	Total Project/Account:	\$62,242	\$62,242	\$0
Cost		Less Other Items:	\$0	\$0	\$0
		This Agenda Item:	\$62,242	\$62,242	\$0
Fiscal Note Attached:	<b>ACTION NEEDED TO AMEND THE BUDGET</b>				
	Appropriation Amount:		Transfer Amount:		

Appropriation By:

Comments:

Supporting Documents:	Other Departments, Boards, Commissions or Agencies:
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 COVID19 Laptop Purchase.pdf

## Randi Pineda

---

**From:** Mike Parrish  
**Sent:** Tuesday, July 07, 2020 11:20 AM  
**To:** Randi Pineda  
**Subject:** FW: Dell Computer - Saved Quote Information -3000064550443

Randi,

Here is the requoted laptops. Let me know if you need more info.

Thanks,



*"Grace is but Glory begun, and Glory is but Grace perfected." – Jonathan Edwards*

---

**From:** Dell (please do not reply) <automated\_email@dell.com> **On Behalf Of** Dell Inc.  
**Sent:** Tuesday, July 7, 2020 11:11 AM  
**To:** Mike Parrish <MParrish@odessa-tx.gov>  
**Cc:** JoAnn Samaniego <jsamaniego@odessa-tx.gov>  
**Subject:** Dell Computer - Saved Quote Information -3000064550443



You have saved an eQuote 3000064550443

An eQuote is now saved in your Dell Online Store.  
This will be held for 30 days and will expire on 08/06/2020

---

Your eQuote has been sent to:  
Emailed to: [mparrish@odessa-tx.gov](mailto:mparrish@odessa-tx.gov)  
[jsamaniego@odessa-tx.gov](mailto:jsamaniego@odessa-tx.gov)  
[mparrish@odessa-tx.gov](mailto:mparrish@odessa-tx.gov)

To retrieve this eQuote

Login to [Premier](#)

Sign in to Odessa, Texas - TX DIR SDD 890 Contract 48ABO

Click on "Quotes" in the top menu bar and search for eQuote number 3000064550443

eQuote Name	Emergency Laptops July
Saved By	<a href="mailto:mparrish@odessa-tx.gov">mparrish@odessa-tx.gov</a>
eQuote Description	
Authorized Buyer	JoAnn Samaniego
Notes/Comments	
Account Name	Odessa, Texas - TX DIR SDD 890 Contract 48ABO
Contract Code	C000000006841

### Shipping Info

Michael Parrish  
119 W 4th St  
Ste 510  
Odessa, TX 79761-5015  
(432) 257-0573

### Billing Info

JOANN SAMANIEGO  
PO BOX 4398  
ODESSA, TX 79760-4398

### eQuote Summary

Description	Quantity	Unit Price	Subtotal
Latitude 5500 - Build Your Own	50	\$1,244.83	\$62,241.50

Non Taxable Amount \$62,241.50

eQuote Subtotal \$62,241.50

Shipping\* \$0.00

Shipping Discount\* \$0.00

**eQuote Total\* \$62,241.50**

\*The eQuote total, including applicable taxes and additional fees, may be viewable online.

Note: Your order may contain one or more items which are billed on a recurring basis. See Important Notes for details on your specific offering and, for customers with auto-renewing subscriptions, how to turn off automatic renewal.

### eQuote Details

Description	Quantity	Price
xctoI550015usr   Latitude 5500 - Build Your Own	50	\$100,389.50
<b>Premier Discount</b>		<b>\$38,148.00</b>
(Unit Price after discount: \$1,244.83 ea.)		<b>\$62,241.50</b>

Module Description Product Code Sku ID

Module	Description	Product Code	Sku	ID
Dell Latitude 5500	Latitude 5500 XCTO Base	G3UYF4M	[210-ASJH]	1
Processor	8th Generation Intel® Core™ i5-8365U Processor (4 Core,6MB Cache,1.6GHz,15W,vPro-capable)	GBQTD04	[379-BDLC]	146
Operating System	Windows 10 Pro 64bit English, French, Spanish	GF48XA1	[619-AHKN]	11
Windows AutoPilot	No Windows AutoPilot	GYES02AP	[340-CKSZ]	291
Office Productivity Software	No Microsoft Office License Included	GC70FJV	[658-BCSB]	1002
Graphics	Intel® Core™ i5-8365U Processor with Integrated Intel® UHD 620 Graphics, Thunderbolt	GVQ4IL7	[338-BRKU]	149
Systems Management	No Out-of-Band Systems Management - vPro Disabled	GZA6WNT	[631-ACBK]	49
2400MHz Memory	8GB, 1x8GB, DDR4 Non-ECC	G186L29	[370-AECX]	3
Hard Drive	2.5" 500GB 7200RPM SATA Hard Drive	G76OELP	[400-BDXY]	8
LCD	15.6" HD (1366 x 768) Anti-Glare Non-Touch, Camera & Microphone, WLAN Capable	GG345P1	[391-BEIJ]	760
PalmRest	Single Pointing, No Fingerprint and No SmartCard Reader, Thunderbolt™ 3	GAKVT1L	[346-BFES]	55
Keyboard	Single Pointing Non-Backlit US English Keyboard with 10 Key Numeric Keypad	GOMW58A	[583-BFBJ]	4
Wireless Driver	Driver for Qualcomm® QCA61x4A 802.11ac Dual Band (2x2) Wireless Adapter+ Bluetooth 4.2	GA54BU8	[555-BEUM]	7
Wireless	Qualcomm® QCA61x4A 802.11ac Dual Band (2x2) Wireless Adapter+ Bluetooth 4.2	GTYM34G	[555-BCMWW]	19
Mobile Broadband	No Mobile Broadband Card	GR957IY	[556-BBCD]	114
Primary Battery	3 Cell 51Whr ExpressCharge™ Capable Battery	GLKISE4	[451-BCIQ]	112
AC Adapter	65W AC Adapter, 7.4mm Barrel	GK5TJ8A	[492-BBFX]	1015
Security Software	No Anti-Virus Software	GD4K19S	[650-AAAM]	1014
Operating System Recovery Options	OS-Windows Media Not Included	GLA90Q1	[620-AALW]	200013
Power Cord	E5 US Power Cord	GPGC259	[450-AAEJ]	20
Placemat	Setup and Features Guide	G46GDKH	[340-CMFK]	60
Order Information	US No Canada Ship Charge	G3IA0L8	[332-1286]	111
Documentation	Safety/Environment and Regulatory Guide (English/French Multi-language)	G7RB0GY	[340-AGIK]	21

Configuration Type	Custom Configuration	NOFGA	[817-BBBB]	572
Label	Regulatory Label, FCC	GL7DVE2	[389-DPGZ]	676
Dell Application Software	Additional System Software for Win OS	GIJHBO6	[525-BBCL] [640-BBLW] [658-BBMR] [658-BBRB] [658-BDVK] [658-BEGF] [658-BEOK]	1003
Shipping Material	MIX SHIP Config (DAO/BCC)	G9V7B1N	[340-AAPP] [340-CMEO]	465
Processor Label	Intel® Core™ i5 Processor Label	GS8CVPI	[389-CGBB]	749
TAA	No TAA	GUSA19Y	[340-ACQQ]	97
Mouse	No Mouse	G8043UZ	[570-AADK]	12
Resource Media	No Resource Media	G5KFAU6	[430-XXYG]	50
ENERGY STAR	No ENERGY STAR Qualified	G8R9P53	[387-BBCE]	122
Transportation from ODM to region	Standard Shipment (S)	G7DC6AK	[800-BBQN]	200080
EAN/UPC Labels	No UPC Label	G8WGTYN	[389-BCGW]	292
Additional Opticals	No Removable CD/DVD Drive	GDCPVRO	[429-AATO]	105
Chassis Options	Latitude 5500 bottom door	G52UEWB	[321-BELH]	116
Hardware Support Services	3 Years Hardware Warranty with Onsite/In-Home Service after Remote Diagnosis	NBD3	[975-3461] [997-8317] [997-8328] [997-8332]	29

Non Taxable Amount \$62,241.50

eQuote Subtotal \$62,241.50  
Shipping\* \$0.00  
Shipping Discount\* \$0.00

**eQuote Total\* \$62,241.50**

\*The eQuote total, including applicable taxes and additional fees, may be viewable online.

Let's connect.



Legal Disclaimer: Please note that Dell cannot be responsible for pricing or other errors and reserves the right to cancel any orders arising from such errors. The amount of tax and shipping added to your order depends on where you have asked for the

product to be shipped as well as on which products and/or services you've chosen to purchase. Your order is subject to Dell's Terms and Conditions of Sale which include a binding arbitration provision.

**Subscription Customers:** If your order includes a recurring billing subscription, you authorize Dell to charge your payment method on file on a recurring basis. You may opt out of automatic renewal or update payment information at any time through the web portal used to manage your subscription. Offer specific subscription terms for details ([Commercial](#); [Consumer](#)).

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**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	07/28/2020	Item Type:
Contact:	Phillip J. Urrutia	Consent
Department:	City Manager's Office	

Finance Committee Review? No

**CAPTION**

Consider the award of contract for a Pandemic Marketing Consultant.

**SUMMARY OF ITEM**

City staff at the recommendation of the City's COVID-19 task force, released a Request for Proposals (RFP) on 6/11/2020 for a Pandemic Marketing Consultant. The goal of the partnership with a marketing consultant is to continue to increase the education and awareness of the seriousness of COVID-19 in our community. The City has a great presence on multiple media platforms with education on COVID-19, however the city wishes to create a larger impact and educational footprint with a marketing partner. This includes heavy emphasis on outreach to vulnerable populations including minority groups including Spanish speakers and the African American community, elderly and economic disadvantaged.

On 6/25/2020, RFP packets were opened in a public bid opening, four responses were received. A committee of City staff and Odessa Chamber staff members reviewed each proposal and recommended to interview three respondents. Interviews were held on 7/22/2020, each group was provided one hour to provide their experience and field questions. Following the interviews, each member of the review committee were given a score sheet to grade each firm based on the qualifications within the RFP packet. The score sheet looked at experience, costs, start up and references. Upon the completion of all score sheets, a compiled average score was given to each group based on the individual scores. The committee's averaged score sheet put Red Pixel Marketing as the highest scored. Red Pixel started their campaign pitch with heavy Spanish language influence, drafted graphics and slogans for the plans and also have a local feel for media presence as a Permian Basin firm.

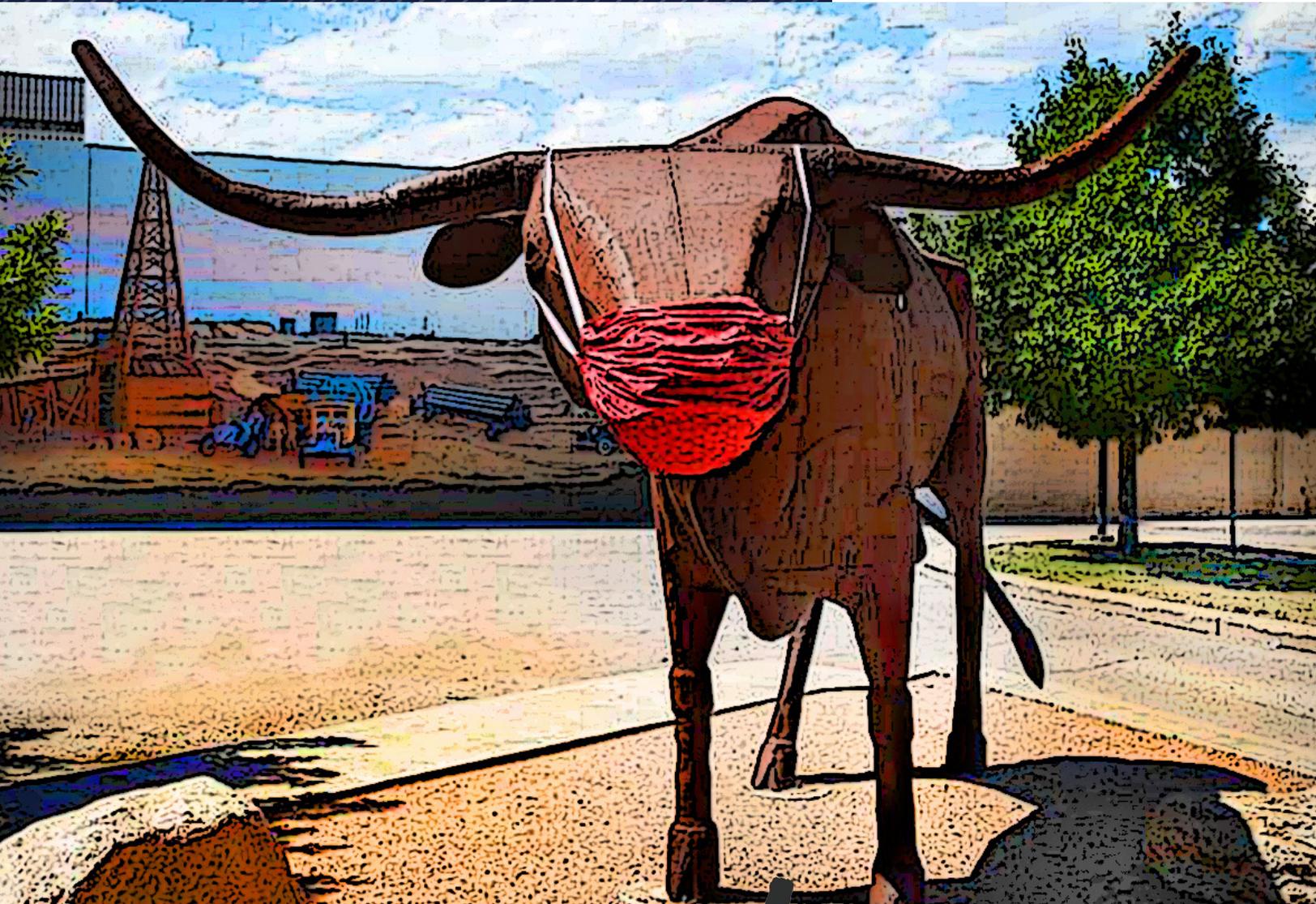
Approval of this agenda will authorize the City Manager to execute a contract with Red Pixel Marketing with a not to exceed of \$155,000 for pandemic marketing consultant. Funding will be from CARES-CRF funds.

**FISCAL IMPACT? Yes**

Fiscal Year:	FY 20	Available Funds	Budget	Est / Actual Cost	Difference
Fund:	CARES	Total Project/Account:	\$155,000	\$155,000	\$0
		Less Other Items:	\$0	\$0	\$0
Cost		This Agenda Item:	\$155,000	\$155,000	\$0

Fiscal Note Attached:		ACTION NEEDED TO AMEND THE BUDGET		
No	Appropriation Amount:		Transfer Amount:	
Appropriation By:				
Comments:				
Supporting Documents:			Other Departments, Boards, Commissions or Agencies:	
 Red Pixel Marketing RFP#20-51410-15.pdf  Average score sheet.pdf  individual score sheets.pdf				

**MARKETING/ADVERTISING  
SERVICES PROPOSAL  
FOR**

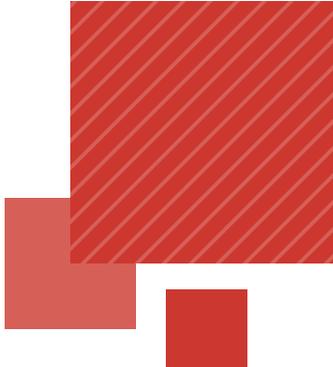


(432) 894-2484

[jose@redpixelmarketing.com](mailto:jose@redpixelmarketing.com)

[redpixelmarketing.com](http://redpixelmarketing.com)

# WHY **RED PIXEL** IS THE **RIGHT FIT**



Red Pixel Marketing is ready to help the City of Odessa generate broad knowledge among the public concerning the dangers and prevention of COVID-19. Our approach to marketing – including our “tradigital” approach, our focus on reaching diverse and broad audiences, and our history of helping similar clients – gives us the unique ability to cut through the noise and deliver success for our clients.

A key reason we’re the right fit is our unique focus on **Spanish-speaking populations**. Jose Gaona has spent his entire professional career reaching audiences via Spanish-speaking media. While in college he was chosen as one of the top bilingual journalism students in the nation. As a local journalist, news manager and broadcast TV general manager, Jose understood the importance of messaging to the local Hispanic population in both English and Spanish. It was this understanding of local Hispanic viewers that helped him create a plan that catapulted CBS 7 News to number one in just 6 months. His knowledge and insights on the local Hispanic market also led him to launch the first Spanish news app in West Texas.

Red Pixel also has experience in marketing in the **health care space**. Our firm has worked with Medical Center Health System to successfully message to the Odessa community in English and Spanish via digital, social, and traditional mediums. Our current health field clients include Excel ER Odessa, a for-profit standalone emergency room, as well as Healthy Minds Midland, a mental health initiative aimed at educating the public about mental health resources available to them.

**THE RED PIXEL TEAM  
UNDERSTANDS  
THE LOCAL HISPANIC  
MARKET.**

**Bottom line** – Jose and the Red Pixel team understand the local Hispanic market, and have had success messaging in the healthcare space. They are clearly the most qualified local team to take this very important message to the Odessa Hispanic community, in addition to the larger population.

# PAST EXPERIENCE

Our track record speaks for itself:



JOSE LAUNCHED AND MONETIZED **THE FIRST SPANISH MOBILE NEWS APP IN WEST TEXAS**, BRINGING ESSENTIAL INFORMATION AND ORIGINAL SPANISH CONTENT TO THE PUBLIC.



IN JUST 6 MONTHS, JOSE LED A TV STATION **FROM #2 TO #1** IN NEWS RATINGS AMONG FIERCE COMPETITION.



JOSE AND HIS TEAM LAUNCHED AND GREW WHAT IS NOW THE **MOST-FOLLOWED** SOCIAL MEDIA PAGE IN WEST TEXAS.



JOSE AND HIS TEAM WORKED WITH EDUCATE MIDLAND TO CREATE A CAMPAIGN EMPHASIZING EARLY CHILDHOOD EDUCATION, TARGETING SPANISH SPEAKERS WITH A WEBSITE AND MULTIPLE PRESS EVENTS. **THOUSANDS OF SPANISH SPEAKERS WERE REACHED** AND USED THE SPANISH VERSION OF THE WEBSITE AS A RESOURCE.

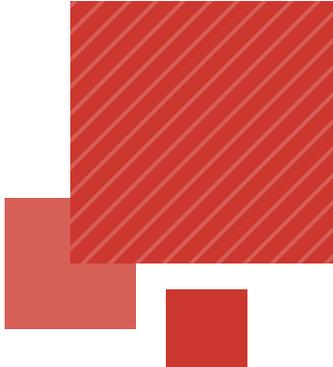


EACH OF THESE WERE **LARGE-SCALE PROJECTS** WITH **SUBSTANTIAL BUDGETS** THAT RELIED HEAVILY ON **BRANDING AND ADVERTISING**.

## OUR CLIENTS INCLUDE:



# OUR APPROACH



Each community member has the power to prevent the spread of COVID-19. They just need to feel educated and empowered with facts – not fears. Red Pixel Marketing can provide the marketing expertise and the strategic mindset necessary to educate and empower the people of Odessa to take action regarding COVID-19. Twenty years of experience in print, broadcast and digital marketing has taught us that even during a situation with this many challenges, powerful creative, expert storytelling skills and partnerships with key community stakeholders are what makes the difference. More importantly, we have the power to reach all of your key audiences, especially Spanish speakers.

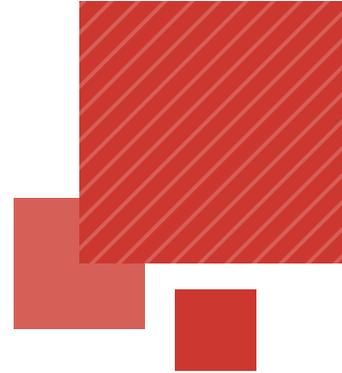
Red Pixel Marketing's approach to this campaign will invoke the simple yet powerful idea of loving your neighbor. Supporting, trusting, believing, and protecting your neighbors.

***POWERFUL CREATIVE, EXPERT  
STORYTELLING SKILLS AND PARTNERSHIPS  
WITH KEY COMMUNITY STAKEHOLDERS  
ARE WHAT MAKES THE DIFFERENCE***

Throughout COVID-19, we have been encouraged to protect those most vulnerable in our society. Our creative will bring that even closer to home, using the real words of Odessa citizens and their struggles with COVID-19.

# OUR APPROACH

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Community members might not believe the government. They might not believe public health officials. They might not believe the media. But they'll believe the words of their local banker, doctor or grocery store clerk. Odessans protect their own. The marketing campaign based on this concept will generate action among both all residents and our vulnerable populations, like persons with underlying health conditions, elderly, low-income persons, and persons of color. This concept will also be highly targeted toward persons whose primary language is Spanish. Our messaging will be translated and contextualized for this key audience, and the campaign will be tailored via media buys to reach them where they already look for trusted messages.



Red Pixel Marketing will manage any necessary implementation infrastructure, like websites or ads, to provide the exceptional experience that we deliver to our clients in the Permian Basin and beyond. We look forward to contributing to your efforts in educating the public about the risks and prevention tactics related to the COVID-19 pandemic.

# OUR IDEAS

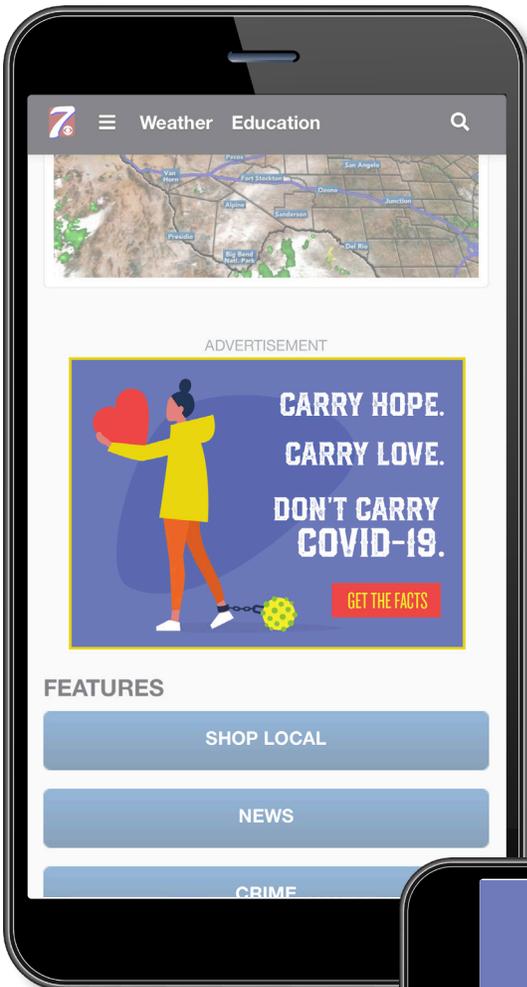
We've included below an example of the creative execution we can provide. This example is based on our key insights: that Odessans trust their neighbors' experiences and want to protect their friends and loved ones.



## PRINT ADS



# OUR IDEAS



DIGITAL ADS  
SOCIAL MEDIA  
VIDEO



# OUR IDEAS



OUT OF HOME

# OUR IDEAS



**TRANSMITA AMOR, ESPERANZAS Y OPTIMISMO A SU COMUNIDAD. NO TRANSMITA COVID-19.**

Cada resident de Odessa es importante en nuestra comunidad. Por eso necesita seguir los siguientes pasos para prevenir la transmisión de COVID-19 en nuestra ciudad.

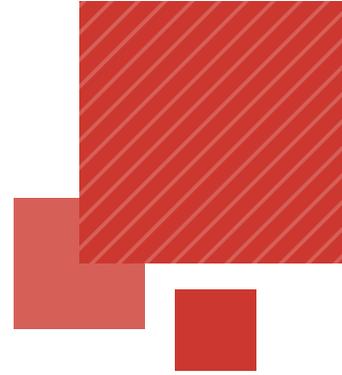
- Use mascara protectora.
- Manténgase 6 pies de distancia de gente que no vive con usted.
- Siga las guardia líneas del CDC y de funcionarios de la salud locales.
- Si no se siente bien, manténgase en casa.
- Siguiendo estas guardia líneas, usted puede evitar ser un portador de COVID-19 a su familia, amistades y vecinos.

**OBTENGA LOS HECHOS EN  
[WWW.CARRYODESSA.ORG](http://WWW.CARRYODESSA.ORG)**

Odessa Resident  
1234 Fairview Rd.  
Odessa, TX 79760

DIRECT MAIL

# SCHEDULE & **ACTION PLAN**



*For a successful campaign we propose the following:*

## **Reaching a broad audience through traditional media**

We recommend forming partnerships with the top rated TV and Radio broadcasters in the market. We have had success leveraging our media buys (paid spots) by requiring earned media (news coverage) and bonus spots for several non-profits and community initiatives. For your campaign, we would require that the partner station match the buy dollar for dollar and commit to working with Red Pixel on news coverage through out the campaign. We would do this for both English and Spanish partners.

## **Reaching a targeted audience with targeted digital media**

This campaign requires messaging to specific audiences. We will reach these specific demographics through targeted digital media. We will use audience specific platforms. For example, our data and research shows that in our area, the 25-54 Hispanic demographic tends to use Facebook more than other Social media platforms. With this information, we would prioritize Facebook over other platforms to reach the 25-54 Hispanic demo. Unlike all other local agencies, Red Pixel marketing is a direct supplier of Digital inventory. We buy digital inventory direct. This results in lower cost and allows us to personally manage your digital campaigns.

## **Public Relations- Own your story**

Our experience in this space is unmatched. We'll help you be proactive instead of reactive. If retained, Red Pixel will work directly with the news rooms to advocate for coverage that is factual and not fear driven. An example of a story pitch we would make would look like this:

### **FEAR: FACT:**

*This concept contrasts what some people may have heard in the media/from their neighbors with the actual truth about COVID-19.*

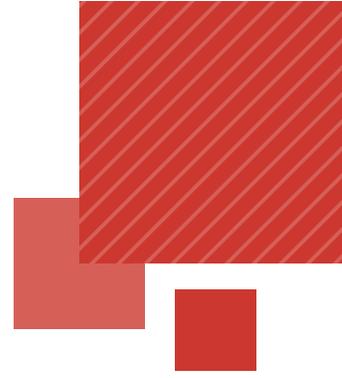
**FEAR:** The media is making a big deal about nothing. **FACT:** It's real. And it can affect everyone.

**FEAR:** Masks don't do anything. **FACT:** You can reduce transmission risk down to 1.5% with a cloth mask.

We propose creating a content calendar that would help plan and manage news content with our broadcast partners. Red Pixel would meet weekly with your team to generate ideas and we would pitch stories twice a week.

# PROPOSAL TIMELINE

---



**July 1** – Meet to discuss and finalize plan, messaging, other campaign details.

**July 6 – July 10** – Meet and negotiate with local broadcasters.

**July 13** – Begin public relations work. Start content calendar creation, start pitching stories.

**July 6 – July 31** – Build ALL media assets.

**Aug. 3** – Launch campaign with media event, unveil CHAT.  
Launch all targeted digital campaigns.

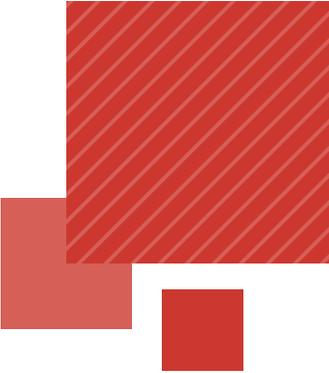
**Aug. 3 – January 31** – Campaign duration.

**September 15** – Launch game.

**Oct. 1** – Update messaging, creative.

**Dec. 1** – Update messaging, creative.

# PROPOSED BUDGET



**Agency services** ..... **\$15,000**

*Consulting, project management, campaign story boarding, media research, media buying, media placement, Social media content creation/management, ALL required graphics work, public relations consulting, media coordination, copy writing, photography, Spanish copy writing, Spanish translation.*

**Video Production** ..... **\$5,000**

*Filming/editing for 3 English 30 second spots and 3 Spanish 30 second spots.*

**Proposed Traditional Media budget** ..... **\$50,000 to \$75,000**

*TV, radio, billboard, direct mail, print etc...*

*\*Our target would be to reach 75% of people in Odessa 18+ with a minimum frequency of 3.0. We will determine this by using our media buying software.*

**Proposed Digital Media budget** ..... **\$40,000 to \$60,000**

*Targeted social (Facebook, Instagram, Snapchat, Tiktok, LinkedIn), Audience targeted mobile display, geo-targeted mobile, OTT*

# NON-TRADITIONAL EXPERIMENTAL OPTIONS

We know there are several great local agencies who can do the important work you need. We separate ourselves from the pack by thinking “outside the box”.

Here are two optional “outside the box” ideas that will bring **engagement and wow** to your messaging.

## Option 1

## CHAT (Community Health Assessment Tool)

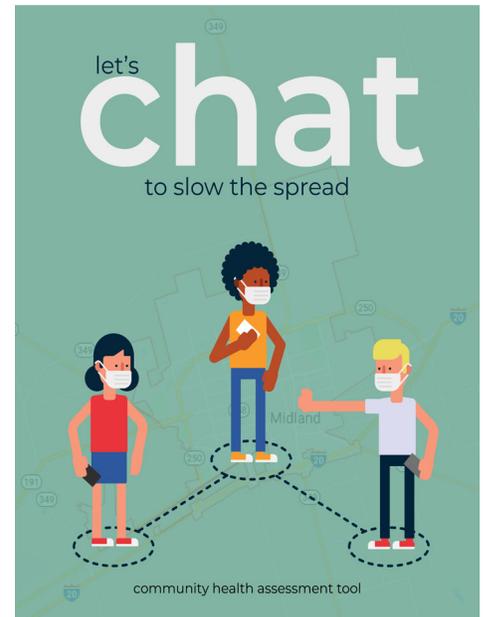
We propose a texting system similar to the one adopted by Midland County.

The system is called **CHAT**.

**CHAT (Community Health Assessment Tool)** is an innovative emergency management tool commissioned by Midland County Judge and Emergency Management Coordinator that utilizes SMS (texting) technology to gauge changes in the general health of the community during the COVID-19 pandemic. Like social distancing or wearing a face mask, CHAT relies on the community’s participation to Slow the Spread of the corona virus.

Initially, the system asks each participant three questions to establish baseline information.

1. What is your zip code?
2. What is your age range?
3. Do you have any of the following symptoms: Fever, Dry Cough or Shortness of Breath? Reply Y or N



*Every Monday, Wednesday and Thursday thereafter, CHAT will send question 3 to get an update on how the participant is feeling.*

By viewing the information over time, public policy makers will get a clearer picture of the community’s health by which to make decisions.

*Spanish Version (Mobile)*

# NON-TRADITIONAL EXPERIMENTAL OPTIONS

## Option 1 (continued)

## CHAT (Community Health Assessment Tool)

**DURATION:** July, August, September

**BUDGET: \$12,000** (system modifications to include Odessa, approximately 60,000 inbound and outbound texts per month, after that \$3/month/subscriber)

Budget based on estimated number of subscribers is 1,000.

**We recommend** that Odessa's system become an alert system on top of a Symptoms Survey. Subscribers could receive notifications and special announcement (eg. parks are now open).

The dashboard would be included. Here is what Midland's looks like.



# NON-TRADITIONAL EXPERIMENTAL OPTIONS

## Option 2

## Kick Covid (Mobile Augmented Reality Game)

We can create an augmented reality game called **Kick Covid**.

The kids game will use augmented reality to remind kids of the Corona Virus mitigation steps, while creating an engaged way to play.

### How to Play:

Kids will open the augmented reality application by:

1. Scanning a QR code or
2. Clicking on a link provided or
3. Texting *Kickcovid* to a phone number created for that purpose.



The game will start automatically after getting permission from the user to access their camera.

Kids will have the option of launching water, hand sanitizer, social distancing measures or a mask to kill or disarm the Corona Virus.



For every successful disarming, they will earn points. Depending on how many points they earn, they can redeem them for prizes (eg. free pizza, etc.) The sponsor of the game will be branded in the game.

**COST: \$12,000.**

The game will be live and active for **up to one year**.

The game can then be modified for other holidays/events for a re-configuration fee of **\$2,500**.

*(Halloween Modified Version)*

*This will include the texting subscription, the web based AR subscription and the reconfiguration. Each reconfiguration extends the subscriptions for 12 months from the date of reconfiguration.*

# MEET THE TEAM

Jaclyn and Jose Gaona bring a **combined 40 years of marketing, media, education and non-profit management experience**. In projects large and small, they have the know-how to take a marketing campaign from idea to execution. They have a proven track record of success and results. Jaclyn, Jose and the entire Red Pixel Marketing team are ready to go above and beyond to meet and exceed the City of Odessa's goals.



With a 20 year career as a journalist, news team leader and passionate story teller, **JOSE GAONA** has spent most of his life informing and educating the public through media and mass communications. As Vice President and General Manager of CBS 7, he helped plan and execute large scale creative multi-media campaigns that delivered results in all mediums, including social, digital, traditional and experimental. He fostered a love of collaboration as News Director and General Manager of CBS 7, where he established several business and community partnerships aimed at

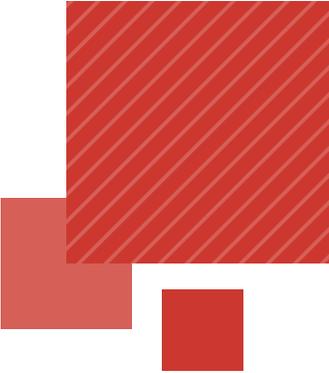
bettering the lives of West Texans. He now continues his collaborative work for his family and community as President and CEO of Red Pixel Marketing, helping the area's biggest brands meet their marketing objectives.



**JACLYN GAONA** brings to the table over 15 years of non-profit, education and marketing experience. After serving as Program Coordinator and Director of Midland College's Upward Bound program, Jaclyn's love for education was sparked. She has strived throughout her career to emphasize the doors that education can unlock. As Executive Director of the Education Foundation of Odessa, Jaclyn added to her education expertise by working in a K-12 setting. This administrative experience challenged her to work strategically with community leaders to craft and

market educational projects that benefit Ector County ISD. After realizing her unique skills in the marketing side of her positions, Jaclyn launched JLG PR Consulting in 2014. Jaclyn thrives on seeing projects from idea to result. Her strengths include strategic planning, marketing campaign creation, planning events and working with the media.

# MEET THE TEAM



**SEAN OLIVER** is our digital guru. He has more than 12 years of Digital Marketing experience with a focus in driving customer retention, development, testing, integration, and maintenance of digital marketing initiatives. Sean has worked as a Social Media Manager, Internet Marketing Manager, and Project Manager in digital media and has extensive B2B and B2C marketing experience working in many industries including but not limited to: health, technology, military, entertainment and higher education.

**ELIAS HERNANDEZ** is a project manager for Red Pixel Marketing. The Midland native started his career in 2008 as a web producer for CBS 7 News. He eventually served as Executive Producer for the station before moving to Albuquerque, New Mexico to work as a producer for KOB4. As project manager, he focuses on social media management and content creation as well as PR and media relations for several clients across the Permian Basin.

**SHARON OUD** joined the firm in 2019 as a project manager. She began her career as a field photographer during her military service before completing her bachelor's in communications. She later transitioned into a technical management role within a fortune 50 company with over a decade of experience in that capacity. Today Sharon brings a broad skill set and aids in bridging media concepts with modern information systems.

**IAN GREGORY BLAIN** is a passionate musician, with skills in graphic design, photo and video editing, and writing. He has worked at the Odessa American as a staff writer and page designer, and has over a decade of experience writing, directing, acting, and editing materials for educational programs. Ian is a Project Manager at Red Pixel Marketing and is equipped to assist with any digital or traditional media needs.

**AMANDA ALLEN** is a project manager for Red Pixel Marketing. Born and raised in Odessa, Amanda is a graduate of UTPB with a bachelor's degree in business marketing. She has managed the marketing efforts of a nonprofit organization in Odessa. Now, Amanda manages social media accounts along with other projects on the Red Pixel Team.

# REFERENCES & ENDORSEMENTS

## □ Jacqui Gore

*Executive Director of Advancement*

Odessa College

(432) 335-6815

[jgore@odessa.edu](mailto:jgore@odessa.edu)

## □ Lisa Wyman

*Senior Vice President -  
Credit Union Development*

Complex Community  
Federal Credit Union

(432) 967-2892

[lisaw@comcfcu.com](mailto:lisaw@comcfcu.com)

## □ Tatum Hubbard

*Chief of Staff - Executive Director of  
Communication and Marketing*

University of Texas Permian Basin

(432) 552-3102

[tatum.hubbard@utpb.edu](mailto:tatum.hubbard@utpb.edu)



# THANK YOU

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## WE'RE HONORED TO WORK WITH THE CITY OF ODESSA

on this important effort. As outlined in the Investment section, our pricing is valid until *August 31, 2020*. To take advantage of this proposal and proceed with the project as outlined, your next steps must be to:

- ☐ ***Accept the proposal as-is***
- or
- ☐ ***Discuss desired changes with Red Pixel Marketing***
- ☐ ***Finalize and sign contract***

Once completed, Red Pixel Marketing will contact the City of Odessa to schedule a launch meeting to make introductions and gather information before beginning the work.

We're happy to make changes to project scope on your request at any time.



(432) 894-2484

[jose@redpixelmarketing.com](mailto:jose@redpixelmarketing.com)

[redpixelmarketing.com](http://redpixelmarketing.com)

REQUEST FOR PROPOSAL EVALUATION  
 Pandemic Marketing Consultant #20-51410-15

RATING CRITERIA	ASSIGNED VALUE	HAN		CVA		RED PIXEL	
		RATING	SCORE	RATING	SCORE	RATING	SCORE
<u>Experience</u>	60% 1pt =12%	4.25	51%	3.583	43%	4	48%
<u>Cost of Plan</u>	20% 1pt = 4%	3	12%	3.916	16%	4.083	16%
<u>Start Up &amp; Implementation</u>	10% 1pt=2%	3.08	6%	3	6%	4.16	8%
<u>References</u>	10% 1pt= 2%	3.25	7%	4	8%	4	8%
<b>TOTAL SCORE:</b>			76%		73%		81%

Each criteria is rated on a value of 1-5 points with 5 being the highest.

Comments

REQUEST FOR PROPOSAL EVALUATION  
 Pandemic Marketing Consultant #20-51410-15

RATING CRITERIA	ASSIGNED VALUE	HAN		CVA		RED PIXEL	
		RATING	SCORE	RATING	SCORE	RATING	SCORE
<u>Experience</u>	60%	5	60%	4	48%	4	48%
<u>Cost of Plan</u>	20%	3	12%	4	16%	4	16%
<u>Start Up &amp; Implementation</u>	10%	2	4%	3	6%	4	8%
<u>References</u>	10%	2	4%	4	8%	5	10%
<b>TOTAL SCORE:</b>		12	70%	15	78%	17	82%

Each criteria is rated on a value of 1-5 points with 5 being the highest.

Comments

Haugh had great experience with lots of case studies which were interesting to look at. I like their expertise in Public Health ad Public Education but do wonder how they can take us on and put us as a priority while not being local. If you need something done quickly, will they be able to focus on our needs. Also, I would like to know how they would take a message and put it to appeal to Odessans. Odessa is very different than Austin so what works there, will not work here. How will they know how to form a message that will appeal to the individuals here?

CVA-I love that they are local and have Lila who has worked with media companies and TV stations for many years here. They have a ton of local connections as well as a medical facility they work closely with. I like the idea of forming a message with MCH and both really focusing on pushing out the same messages. The geofencing idea is also something that stands out to me and a very affective way to get in front of people. I would have like to hear a form of creative messaging they would like to push out. I like the idea of using a Priest to reach out to people and have a COVID social media page. The Strata information they spoke on what very interesting as well. They have great local references that we work with every day and know we can personally trust. How will it be different than what is already out there?

Red Pixel- They have a lot of good experience and I love the pull at your heat strings message. I like the Odessa protect Odessans message as well. I think they have great ideas on how to reach the Hispanic community as well. Being local is also a plus and they have good connections with local agencies as well. I like the idea of testimonials. I think seeing friends, neighbors and community members that are in the same area as us every single day is important and could make an impact. I like that they took the time to create graphics for us to get a good idea on what they want to offer. They have great local references that we work with every day and know we can personally trust.

REQUEST FOR PROPOSAL EVALUATION  
Pandemic Marketing Consultant #20-51410-15

RATING CRITERIA	ASSIGNED VALUE	HAN		CVA		RED PIXEL	
		RATING	SCORE	RATING	SCORE	RATING	SCORE
<u>Experience</u>	60% 1pt =12%	5	60	4	48	5	60
<u>Cost of Plan</u>	20% 1pt = 4%	3	12	4	16	3	12
<u>Start Up &amp; Implementation</u>	10% 1pt=2%	3	6	3	6	4	8
<u>References</u>	10% 1pt= 2%	3	6	4	8	3	6
<b>TOTAL SCORE:</b>			84		78		86

Each criteria is rated on a value of 1-5 points with 5 being the highest.

Comments

Hahn has a great background, exp. in Austin area with COVID messages

CVA's local abilities and connections would be an asset

Red Pixel is local and has done start up work with a slogan and graphics that we can customize

REQUEST FOR PROPOSAL EVALUATION  
 Pandemic Marketing Consultant #20-51410-15

RATING CRITERIA	ASSIGNED VALUE	HAN		CVA		RED PIXEL	
		RATING	SCORE	RATING	SCORE	RATING	SCORE
<u>Experience</u>	60% 1pt =12%	4	48	3	36	4	48
<u>Cost of Plan</u>	20% 1pt = 4%	2	8	3	12	3	12
<u>Start Up &amp; Implementation</u>	10% 1pt=2%	4	8	2	4	4	8
<u>References</u>	10% 1pt= 2%	4	8	4	8	4	8
<b>TOTAL SCORE:</b>	<b>20/100</b>	14	72	12	60	15	76

Each criteria is rated on a value of 1-5 points with 5 being the highest.

Comments

Hahn – expensive; Travel issues? Will need to introduce them to local media to establish relationship; what about when changes need to be made to copy/video/graphic due to changing information? How will they get video? Freelancer? Travel? Use Magaly? Wanted examples of marketing ideas; very impressive experience; love that they have covid marketing experience;

CVA – Didn't really present anything unique (all things we are already doing); there wasn't a real implementation plan; should never have to pay a talent fee, especially with Univision (which doesn't have a local news show, everything is done in El Paso). The lack of Spanish knowledge is not reassuring. I think if we go with CVA we already know what we are going to get, and there will not be anything earth shattering or groundbreaking.

Red Pixel – I was surprised by their plan, and how they already had examples of what the campaign would look like. I like the start with Spanish and work backward to English idea; I think infotainment approach for the younger demo is a good idea; I like that they included mailers for the older demo that isn't tech friendly; mental health initiative is something we didn't look at; more outside the box ideas; I know we'd get the care and attention we want from them, however I'm not sure they have the COVID experience that Hanh has

REQUEST FOR PROPOSAL EVALUATION  
Pandemic Marketing Consultant #20-51410-15

RATING CRITERIA	ASSIGNED VALUE	HAN		CVA		RED PIXEL	
		RATING	SCORE	RATING	SCORE	RATING	SCORE
<u>Experience</u>	60% 1pt =12%	5	60	4	48	5	60
<u>Cost of Plan</u>	20% 1pt = 4%	3	12	4	16	3	12
<u>Start Up &amp; Implementation</u>	10% 1pt=2%	3	6	3	6	4	8
<u>References</u>	10% 1pt= 2%	3	6	4	8	3	6
<b>TOTAL SCORE:</b>			84		78		86

Each criteria is rated on a value of 1-5 points with 5 being the highest.

Comments

Hahn has a great background, exp. in Austin area with COVID messages

CVA's local abilities and connections would be an asset

Red Pixel is local and has done start up work with a slogan and graphics that we can customize

REQUEST FOR PROPOSAL EVALUATION  
 Pandemic Marketing Consultant #20-51410-15

RATING CRITERIA	ASSIGNED VALUE	HAN		CVA		RED PIXEL	
		RATING	SCORE	RATING	SCORE	RATING	SCORE
<u>Experience</u>	60% 1pt =12%	4	48%	4	48%	4	48%
<u>Cost of Plan</u>	20% 1pt = 4%	3	12%	4	16%	5	20%
<u>Start Up &amp; Implementation</u>	10% 1pt=2%	3	6%	3	6%	5	10%
<u>References</u>	10% 1pt= 2%	4	8%	4	8%	4	8%
<b>TOTAL SCORE:</b>		14	74	15	78	18	86

Each criteria is rated on a value of 1-5 points with 5 being the highest.

Comments

**HAN-**

PROS-Good background experience, very complete team of experts

CONS- I'm not sure about how they can implement a good message to our residents without having a full understanding our local Hispanic culture- Lack of time to explore and experiment on how to create and deliver the message the best way possible.

Some of our best videos were last minute plans, or story ideas that we came across and put them together quick. How can they cater to that need? How flexible are they with having to do a spot story without much time to plan ahead?

**CVA-**

PROS - Local company

CONS – No innovative tactics to get the message across

**RED PIXEL**

PROS- Well prepared with a predesigned plan, thinking outside the box, good knowledge about local culture

CONS-

REQUEST FOR PROPOSAL EVALUATION  
 Pandemic Marketing Consultant #20-51410-15

RATING CRITERIA	ASSIGNED VALUE	HAN		CVA		RED PIXEL	
		RATING	SCORE	RATING	SCORE	RATING	SCORE
<u>Experience</u>	60% 1pt =12%	4	50	3	50	4	55
<u>Cost of Plan</u>	20% 1pt = 4%	3	10	4	13	5	18
<u>Start Up &amp; Implementation</u>	10% 1pt=2%	4	9	3	8	4	10
<u>References</u>	10% 1pt= 2%	4	8	4	10	4	7
<b>TOTAL SCORE:</b>			77		81		90

Each criteria is rated on a value of 1-5 points with 5 being the highest.

Comments

Recommend Red Pixel for award. Best overall proposal

REQUEST FOR PROPOSAL EVALUATION  
 Pandemic Marketing Consultant #20-51410-15

I say go local!  
 my score shows a difference, but I believe either will do a great job!

RATING CRITERIA	ASSIGNED VALUE	HAN		CVA		RED PIXEL	
		RATING	SCORE	RATING	SCORE	RATING	SCORE
Experience	60%	3.5	42	3.5	42	3	36
Cost of Plan	20%	4	16	4.5	18	4.5	18
Start Up & Implementation	10%	2.5	5	4	8	4	8
References	10%	2.5	7	4	8	4	8
<b>TOTAL SCORE:</b>		<b>14</b>	<b>70</b>	<b>16</b>	<b>76</b>	<b>15</b>	<b>70</b>

Each criteria is rated on a value of 1-5 points with 5 being the highest.

Comments

han - not local  
 large firm - staff - experience in public health  
 digital - heavy

CVA - local  
 MCH experience w/ COVID no graphic samples - translator  
 heavy on TV? glo facing unified msgs  
 mask content

Red Pixel - local mask ideas  
 sub contract no chat game  
 TV experience unified msgs  
 news app - push mix of latino probs

12

young focus group

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	07/28/2020	Item Type:
Contact:	Tom Kerr	Consent
Department:	Public Works/Street	

Finance Committee Review? Yes

**CAPTION**

Consider annual award of bid for crack sealing compound material.

**SUMMARY OF ITEM**

The Street Division uses crack sealing material for one of the major maintenance activities performed annually. This material will be used on numerous streets throughout the city. It is the recommendation of the staff to award the bid to the lowest responsive bidder meeting specifications, Right Pointe, LLC of Dekalb, IL, in the amount of \$0.429 per pound.

**FISCAL IMPACT? Yes**

Fiscal Year:	2021	Available Funds	Budget	Est / Actual Cost	Difference
Fund:	General Fund	Total Project/Account:	\$100,000	\$61,776	\$38,224
Cost		Less Other Items:	\$0	\$0	\$0
		This Agenda Item:	\$100,000	\$61,776	\$38,224

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

No	Appropriation Amount:	Transfer Amount:
----	-----------------------	------------------

Appropriation By:

Comments:

funds are available in the Street Division Maintenance of Improvements account 53030100-52125

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



20-53330-13 Crack Sealing Compound Eval.pdf

BID EVALUATION  
CRACK SEALING COMPOUND

Date: July 28, 2020  
Date Publicly Opened: July 7, 2020  
Specification: #20-53030-13

Prepared by:   
Purchasing Department

**RECOMMENDATION SUMMARY**

**It is recommended award be made to Right Pointe, LLC, of Dekalb IL, in the amount of \$.429 per pound, the low bidder meeting specifications.**

ITEM

Award of bid authorizes a five (5) year contracts for the purchase of crack sealing material as required by the Street Division.

Contract Period: 10-01-20 thru 09-30-25  
Estimated Usage: 144,000 pounds  
Estimated Expenditure: \$61,776.00

BIDS RECEIVED

<u>VENDOR</u>	<u>BID PRICE</u>	<u>COMMENTS</u>
Right Pointe, LLC Dekalb, IL	.429	Meets Specifications
Crafco, Inc. Chandler, AZ	.58	Meets Specifications

Specifications were sent to 6 vendors, 3 in the State of Texas and 3 out of state.

RECOMMENDATION

It is recommended award be made to Right Pointe, LLC, of Dekalb.IL, in the amount of \$.429 per pound, the low bidder meeting specifications.

PRICE COMPARISON

<u>19-20</u>	<u>20-21</u>	<u>% Difference</u>
.424	.429	+1.72%

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	07/28/2020	Item Type:
Contact:	Thomas Kerr	Regular
Department:	Utilities	Bid Award

Finance Committee Review? Yes

**CAPTION**

Consider bid award and contract to Fab Tech Wastewater Solutions LLC for Half Bridge Clarifier construction at the Bob Derrington Water Reclamation Plant

**SUMMARY OF ITEM**

Request for Proposals were issued by the City of Odessa for reconstruction work to Half Bridge Clarifier #4 at the Waste Water Plant. Specifications were mailed to 14 vendors. Proposal were opened and acknowledged on July 7, 2020, with responses as follows:

JS Haren Company proposed \$457,000.

Fab Tech Wastewater Solutions LLC proposed \$319,000.

Ideal Derrick submitted a No Bid.

Staff recommends award of the contract to Fab Tech Wastewater Solutions LLC as the lowest bidder.

It is further noted that Fab Tech has been lowest or single bidder and has been awarded past contracts, having satisfactorily completed reconstruction on clarifier #2 in 2016; clarifier #1 in 2018; and clarifier #3 in 2019.

**FISCAL IMPACT? Yes**

Fiscal Year:	2019-2020	Available Funds	Budget	Est / Actual Cost	Difference
Fund:	W&S Operating	Total Project/Account:	\$320,000	\$319,000	\$1,000
		Less Other Items:	\$0	\$0	\$0
Cost		This Agenda Item:	\$320,000	\$319,000	\$1,000
Fiscal Note Attached:	<b>ACTION NEEDED TO AMEND THE BUDGET</b>				
	Appropriation Amount:		Transfer Amount:		

Appropriation By:

Comments:

Funds to be utilized are from City Council approved supplementals in the amount of \$250,000 to the Derrington Capital Outlay Machine & Equipment Fund for the Rebuild Clarifier 4 project, acct. no. 5000-53660500-58200-83496; and from Derrington Maintenance Other Equipment, acct. no. 5000-53660500-52225 in the amount of \$70,000.

Supporting Documents:

Other Departments, Boards, Commissions or Agencies:



Bid #20 53610 14 Half Bridge Clarifier-Fab Tech Proposal.pdf

Council Work Session: 07-21-2020

PROPOSAL  
HALF BRIDGE CLARIFIER CONSTRUCTION  
#20-53610-14

Date: 6-30-2020

To: The Honorable Mayor and City Council  
City of Odessa  
P.O. Box 4398  
Odessa, Texas 79760-4398

I certify that the proposal offered meets all of the requirements of the proposal specifications and I hereby accept the provisions as described herein. I certify the attached Residency Certification as a part of this proposal.

Respectfully submitted,

Fab Tech Wastewater Solutions  
Company

J. Abney  
Authorized Signature

Jim Abney - Area Manager  
Print or Type Signer's Name and Title

24211 NW Service Road  
Address

Warrenton MO 63383  
City State Zip

314-333-1789  
Telephone Number

Specification # 20-53610-14  
**Bob Derington Water Reclamation Plant**  
**Half Bridge Clarifier #4 Construction Sheet**

Bid Item	QTY		Unit Price	Total Price
1		The existing collector drive unit	\$ -----	\$ -----
		a. Collector drive unit to Include; Reducer, motor, micro switch overload device and shear pin protection	\$ -----	\$ -----
		b. Driver is to be an H40 or proven equal H-40 Drive	\$ 32,000.00	\$ 32,000.00
2		Influent feed well and supports with Hot Dipped Galvanized coating	\$ 18,000.00	\$ 18,000.00
3		Truss arms with Hot Dipped Galvanized coating	\$ 12,000.00	\$ 24,000.00
4		Plow blades with Hot Dipped Galvanized coating	\$ 225.00	\$ 3,600.00
5		A frames scrubber arms with Hot Dipped Galvanized coating	\$ 450.00	\$ 2,700.00
6		Tie chord I Beams with Hot Dipped Galvanized coating	\$ 1,200.00	\$ 2,400.00
7		Clevis nut and bolt assembly to be 316 Stainless Steel	\$ 350.00	\$ 700.00
8		Scum blade with Hot Dipped Galvanized coating	\$ 1,400.00	\$ 1,400.00
9		316 stainless steel Skimmer assembly on inner and outer ring. Outer ring has skimmer on both arms while inner just has a single scrubber arm. Squeegees in outer ring are to be weighted.	\$ 9,000.00	\$ 9,000.00
10		316 Stainless steel bolted connections	\$ 4,800.00	\$ 4,800.00
11		10' X 9' 316 Stainless steel scum box	\$ 12,000.00	\$ 12,000.00
12		315' of 1/8" Weir with baffles and brackets. All to be 316 stainless steel	\$ 12,500.00	\$ 12,500.00
13		Replace PVC chlorine solution line	\$ 450.00	\$ 450.00
14		Well at center pier with Hot Dipped Galvanized coating	\$ 28,000.00	\$ 28,000.00
15		315' of 1/8" Weir with baffles and brackets for <u>Half Bridge Clarifier #1</u> . All to be 316 stainless steel.	\$ 24,000.00	\$ 24,000.00
Structural steel to conform to ASTM A36 Structural steel components shall have minimum thickness of 1/4" All welding to conform to American Welding Society Standard AWS D1.1 Removal of existing equipment, and install of new components  *Contractor will supply all parts, materials, and machinery to complete job and also state the warranty of the work completed.*			Parts not listed Manifold, Cage, Center Pier, Unitube Header, "Misc"	78,450.00
			Installation, Crane, & Lulls	65,000.00
<b>TOTAL PROJECT BID:</b>			<b>\$ <u>319,000.00</u></b>	

**NOTE: The above breakdown does not seem to include all the parts to make a complete clarifier The above total project bid price includes all the parts to duplicate Final Clarifier #3 & Weirs, Baffles and brackets for clarifier #1.**



DESCRIPTION	QUANTITY	AMOUNT	TOTAL
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*Make all checks payable to FAB TECH WASTEWATER SOLUTIONS LLC. THANK YOU FOR YOUR BUSINESS!*

QUOTE VALID FOR 30 DAYS

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	07/28/2020	Item Type:
Contact:	Chief Mike Gerke/Deputy Chief Wes Carta	Regular Bid Award
Department:	Police	

Finance Committee Review? Yes

**CAPTION**

Consider award of contract to Fehrs for the Odessa Police Department Phase III Interior Finish-Out.

**SUMMARY OF ITEM**

Consider awarding Fehrs with the contract to complete renovations of the two-story Odessa Police Department Training & Academy with the costs paid for by the 2019 Certificates of Obligation, Acct# 52110420-58050.

The bids for the project were opened 2019-2020. There were 8 bids submitted for the project. After ranking was completed, Fehrs received the highest percentage.

Cost: \$2,386,240.00

Calendar days to complete project: 245 days

**FISCAL IMPACT? Yes**

Fiscal Year:	19-2020	Available Funds	Budget	Est / Actual Cost	Difference
Fund:	COO Funds	Total Project/Account:	\$2,386,240	\$2,386,240	\$0
		Less Other Items:	\$0	\$0	\$0
Cost		This Agenda Item:	\$2,386,240	\$2,386,240	\$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:

  
 FEHRS P-III Training Building Proposal 07.2020.pdf  
  
 Ranking RLS.pdf

FEHRS

# 2,506,240

245 DAYS

OPD PHASE III INTERIOR FINISH OUT

CONSTRUCTION COSTS

# Construction Costs Form

City of Odessa  
Police Department

## Phase III Interior Finish Out RFP# 20-7101-11

Date: 07/07/2020

TO: THE HONORABLE MAYOR AND CITY COUNCIL  
THE CITY OF ODESSA, TEXAS

Gentlemen:

Pursuant to the foregoing Notice to Bidders, the undersigned bidder hereby proposes to do all the work and furnish all necessary superintendence, labor, machinery, equipment, tools and materials, and whatever else may be necessary to complete all the work upon which bids, as provided by the attached specifications and shown on the plans, and binds himself on acceptance of his proposal to execute a contract and bonds (where required), according to the accompanying forms, for performing and completing the said work within the time stated, and maintaining same as required by the detailed specifications for the prices stated on the following forms, including the issued Addenda(s) No. 1, 2, & 3. prepared by JSA Architects for the sum of:

two million two hundred eighty-two thousand seven hundred forty dollars

Dollars \$ 2,282,740.00

\* Note: Full tapered roof system might be required - added cost  
Calendar Days to complete Project: 245 days.

to bid amount if accepted:

\$103,500.00

2386240.00

Project Manager: Willie Penner  
Superintendent: TBD  
Mechanical Contractor: Southwest Contractors  
Electrical Contractor: Froze Electric

Proposer agrees that this Proposal shall be good and may not be withdrawn for a period of **sixty (60) calendar days** after the scheduled closing time for received bids.

- A. **I have enclosed this Construction Costs Form along with three (3) copies of my Proposal as outlined in Section 00 20 50 including any required Bid Security.**
- B. **Within 72 hours of opening the Proposals, I will submit:**
1. Final List of **ALL** Major Subcontractors/Suppliers
  2. Subcontractor's Qualification Statements, if requested.
- C. **Prior to a Notice to Proceed, I will submit the following:**
1. Performance Bond and Payment Bond in the amount of one hundred percent (100%) of the Contract Sum.
  2. Insurance Certificates verifying coverage as specified in the Contract Documents.
  3. An Executed Contract between Owner and Contractor.

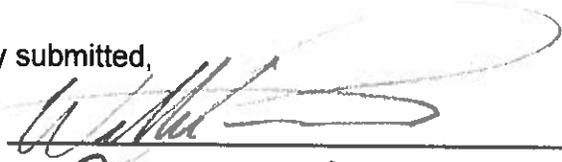
***The City of Odessa reserves the right to accept or reject any or all qualified Proposals.***

The undersigned bidder agrees to commence work within ten (10) days after the date written notice to do so shall have been given to him, or within fifteen (15) days after award of the contract, whichever occurs the earliest, and to complete the work on which he had bid within the number of working days listed on Construction Costs Form, as provided in the General Conditions of the contract.

Enclosed with this proposal is a Cashier's or Certified Check or Bid Bond in the amount of 5% of the GBA Dollars. The bidder agrees that this check or bond will be held by the City as security until an award is made for the work covered by this proposal or until all bids are rejected. The City will be allowed fifteen (15) days from date of bid opening to make this decision. In case award is not made on this proposal, the security check or bid bond will be returned to the undersigned bidder. If successful, the undersigned bidder will be allowed ten (10) days from date of notice to execute a Contract. If and when the Bond is furnished and the Contract is executed, within the time allowed, the attached check or bid bond shall be returned to the undersigned bidder. In case of failure to furnish the required Bonds or execute the Contract, with all required forms, within the time allowed, the City will be allowed to cash this check or make demand on this bond and retain the proceeds as liquidated damages.

Respectfully submitted,

Signed:



Title:

Project Manager

Firm:

FEHRS

Address:

P.O. Box 960, Seminole, TX 79566

Telephone:

432-788-1992

(Sealed if Corporation)  
State whether Corporation  
Partnership or Individual

PROPOSER RESIDENCY CERTIFICATION

I hereby certify the following information to be true and correct:

In accordance with paragraph 11, of the Standard Terms and Conditions of the bid I certify the following:  
(Check applicable statement(s))

- Proposal is from a State of Texas resident bidder.
- Proposal is from a non-resident bidder.

The following is further certified by non-resident bidder:

- Copy of non-resident current state statute is attached which specifies the amount that a Texas resident bidder would be required to under bid a non-resident bidder to obtain a comparable contract in the non-resident state in which principal place of business is located.
- No such statute exists in non-resident state.

  
\_\_\_\_\_  
Signature

Willie Penner - PM  
\_\_\_\_\_  
Name and Title

FEHRS  
\_\_\_\_\_  
Company

# CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

## FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

### OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2  Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

\_\_\_\_\_  
Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes       No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

Yes       No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6  Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

\_\_\_\_\_  
Signature of vendor doing business with the governmental entity

\_\_\_\_\_  
Date

**CONFLICT OF INTEREST QUESTIONNAIRE**  
**For vendor doing business with local governmental entity**

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

**Local Government Code § 176.001(1-a):** "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

**Local Government Code § 176.003(a)(2)(A) and (B):**

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

\*\*\*

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed;

or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

**Local Government Code § 176.006(a) and (a-1)**

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

**TEXAS STATUTORY PERFORMANCE BOND**  
**(PUBLIC WORKS)**

KNOW ALL MEN BY THESE PRESENTS, That \_\_\_\_\_ hereinafter called the Principal), as Principal, and \_\_\_\_\_, a corporation organized and existing under the laws of the State of \_\_\_\_\_, licensed to do business in the State of Texas and admitted to write bonds, as Surety, (hereinafter called the Surety), are held and firmly bound unto \_\_\_\_\_, hereinafter called the Obligee), in the amount of \_\_\_\_\_ (Dollars) (\$ \_\_\_\_\_) for the payment whereof, the said Principal and Surety bind themselves, and their heirs, administrators, executors, successors, and assigns, jointly and severally, firmly by these presents:

WHEREAS, the Principal has entered into a certain contract with the Obligee, dated the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, for \_\_\_\_\_ which contract is hereby referred to and made a part hereof as fully and to the same extent as if copies at length herein.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, That if the said Principal shall faithfully perform the work in accordance with the plans, specifications and contract documents, then this obligation shall be null and void, otherwise to remain in full force and effect;

PROVIDED, HOWEVER, that this bond is executed pursuant to the provisions of Chapter 2253, Texas Government Code and all liabilities on this bond shall be determined in accordance with the provisions, conditions and limitations of said Article to the same extent as if it were copies at length herein.

Notice of Claim may be sent to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (Name of Surety Company)  
\_\_\_\_\_ (Mailing Address for Surety Company)  
\_\_\_\_\_ (Physical Address of Surety Company)  
\_\_\_\_\_ (Telephone number including area code)

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this Instrument this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PRINCIPAL: \_\_\_\_\_

By: \_\_\_\_\_

(SEAL)

SURETY: \_\_\_\_\_

BY: \_\_\_\_\_

**TEXAS STATUTORY PAYMENT BOND**  
**(PUBLIC WORKS)**

KNOW ALL MEN BY THESE PRESENTS, That \_\_\_\_\_ (hereinafter called the Principal), as principal, and \_\_\_\_\_, a corporation organized and existing under the laws of the State of \_\_\_\_\_, licensed to do business in the State of Texas and admitted to write bonds, as Surety, (hereinafter called the Surety), are held and firmly bound unto \_\_\_\_\_, hereinafter called the Obligee), in the amount of \_\_\_\_\_ (Dollars) (\$ \_\_\_\_\_) for the payment whereof, the said Principal and Surety bind themselves, and their heirs, administrators, executors, successors, and assigns, jointly and severally, firmly by these presents:

WHEREAS, the Principal has entered into a certain contract with the Obligee, dated the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, for \_\_\_\_\_ which contract is hereby referred to and made a part hereof as fully and to the same extent as if copied at length herein.

NOW, THEREFORE, THE CONDITION OF THE OBLIGATION IS SUCH, That if the said Principal shall pay all claimants supplying labor and material to him or a subcontractor in the prosecution of the work provided for in said contract, then this obligation shall be null and void; otherwise to remain in full force and effect;

PROVIDED, HOWEVER, that this bond is executed pursuant to the provisions of Chapter 2253, Texas Government Code and all liabilities on this bond shall be determined in accordance with the provisions, conditions and limitations of said Article to the same extent as if it were copied at length herein.

Notice of Claim may be sent to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Name of Surety Company)  
(Mailing Address for Surety Company)  
(Physical Address of Surety Company)  
(Telephone number including area code)

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PRINCIPAL: \_\_\_\_\_

BY: \_\_\_\_\_

(SEAL)

SURETY: \_\_\_\_\_

BY: \_\_\_\_\_

# AIA<sup>®</sup> Document A310<sup>™</sup> – 2010

## Bid Bond

**CONTRACTOR:**

(Name, legal status and address)

Fehrs Metal Building Construction, LP  
P.O. Box 960  
Seminole, TX 79360

**SURETY:**

(Name, legal status and principal place of business)

Merchants National Bonding, Inc.  
P.O. Box 14498  
Des Moines, IA 50306

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

**OWNER:**

(Name, legal status and address)

City of Odessa, Texas  
411 W. 8th St.  
Odessa, TX 79761

**BOND AMOUNT:** Five Percent of the Greatest Amount Bid by Principal (5% GAB)

**PROJECT:**

(Name, location or address, and Project number, if any)

Police Department Phase III Interior Finish Out - RFP #20-7101-11

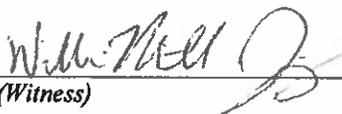
The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 7th day of July, 2020.

(Witness)



(Witness)

(Principal)

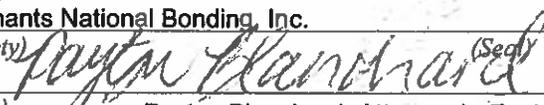
(Seal)

(Title)

Merchants National Bonding, Inc.

(Surety)

(Title)

  
Payton Blanchard, Attorney-in-Fact

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

Init.

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061110

**MERCHANTS**  
**BONDING COMPANY™**  
**POWER OF ATTORNEY**

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Allison C Lueck; Cadda E Eary; Donna Martinez; Gwendolyn Johnston; James R Reid; Katie Rogers; Kay Blair; Lindsay Senior Gingras; Marie Reyna; Minnie Ortiz; Payton Blanchard; Sandra Fuller; Shane Smith; Shawn Blacklock; Sherrl Collins; Tina LaValley; Tracy L Miller; William Blanchard; William Mitchell Jennings

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 8th day of April, 2020.

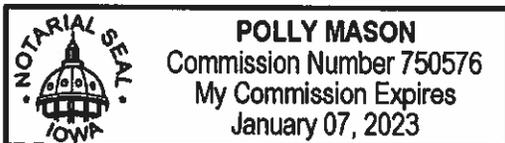


MERCHANTS BONDING COMPANY (MUTUAL)  
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*  
President

STATE OF IOWA  
COUNTY OF DALLAS ss.

On this 8th day of April, 2020, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



*Polly Mason*  
Notary Public

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 10th day of July, 2020.



*William Warner Jr.*  
Secretary



MERCHANTS BONDING COMPANY (MUTUAL) P.O. BOX 14498, DES MOINES, IOWA 50306-3498  
PHONE: (800) 678-8171 FAX: (515) 243-3854

## IMPORTANT NOTICE

To obtain information or make a complaint:

You may contact your insurance agent at the telephone number provided by your insurance agent.

You may call Merchants Bonding Company (Mutual) toll-free telephone number for information or to make a complaint at:

**1-800-678-8171**

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at:

**1-800-252-3439**

You may write the Texas Department of Insurance at:

P. O. Box 149104  
Austin, TX 78714-9104  
Fax: (512) 490-1007  
Web: [www.tdi.texas.gov](http://www.tdi.texas.gov)  
E-mail: [ConsumerProtection@tdi.texas.gov](mailto:ConsumerProtection@tdi.texas.gov)

**PREMIUM AND CLAIM DISPUTES:** Should you have a dispute concerning your premium or about a claim you should contact the agent first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

**ATTACH THIS NOTICE TO YOUR POLICY:** This notice is for information only and does not become a part or condition of the attached document.



**1. ORGANIZATION**

1.1 How many years has your organization been in business as a Contractor?

*Since 2000*

1.2 How many years has your organization been in business under its present business name:

*Date of Partnership: 2005*

1.2.1 Under what other or former names has your organization operated?

*John R Fehr DBA Fehrs Metal Building*

1.3 If your organization is a corporation, answer the following:

1.3.1 Date of incorporation: *N/A*

1.3.2 State of incorporation: *N/A*

1.3.3 President's name: *N/A*

1.3.4 Vice-president's name(s): *N/A*

1.3.5 Secretary's name: *N/A*

1.3.6 Treasurer's name: *N/A*

1.4 If your organization is a partnership, answer the following:

1.4.1 Date of organization: *February 5, 2005*

1.4.2 Type of partnership (if applicable): *LP*

1.4.3 Name(s) of general partner(s): *John R Fehr, Susie Fehr*

1.5 If your organization is individually owned, answer the following:

1.5.1 Date of organization: *N/A*

1.5.2 Name of owner: *N/A*

1.6 If the form of your organization is other than those listed above, describe it and name the principals: *N/A*

**2. LICENSING**

- 2.1 List jurisdictions and trade categories in which your organization is legally qualified to do business, and indicate registration of license numbers, if applicable.

*State of Texas                      General Contractor*

*State of New Mexico            General Building Contractor  
License #382651*

- 2.2 List jurisdictions in which your organization's partnership or trade name is filed.

*State Of Texas*

**3. EXPERIENCE**

- 3.1 List the categories of work that your organization normally performs with its own forces.

*Civil, Foundation, Structural, Pre-engineered metal buildings,  
Mechanical, Carpentry, Metal studs/drywall, and Ceiling grid.*

- 3.2 Claims and Suits. (If the answer to any of the questions below is yes, please attach details.)

- 3.2.1 Has your organization ever failed to complete any work awarded to it?

*No*

- 3.2.2 Are there any judgments, claims, arbitration proceedings or suits pending or outstanding against your organization or its officers?

*No*

- 3.2.3 Has your organization filed any lawsuits or requested arbitration with regard to construction contracts within the last five years?

*No*

- 3.3 Within the last five years, has any officer or principal of your organization ever been an officer or principal of another organization when it failed to complete a construction contract? (If the answer is yes, please attach details.)

*No*

3.4 On a separate sheet list major construction projects your organization has in progress, giving the name of project, owner, architect, contract amount, percent complete and scheduled completion date.

3.4.1 State total worth of work in progress and under contract: *\$50 Million*

3.5 On a separate sheet, list the major projects your organization has completed in the past five years, giving the name of project, owner, architect, contract amount, date of completion and percentage of the cost of the work performed with your own forces.

3.5.1 State average annual amount of construction work performed during the past five years: *\$40 Million*

3.6 On a separate sheet, list the construction experience and present commitments of the key individuals of your organization:

#### 4. REFERENCES

##### 4.1 Trade References:

*Odessa Winlectric  
2022 Kermit Hwy  
Odessa TX 79761  
432-967-3198*

*PB Materials  
4001 E. 42<sup>nd</sup> Suite 100  
Odessa TX 79762  
432-563-8036*

*Danny's Paving  
200 E 42<sup>nd</sup>  
Odessa TX 79762  
432-563-1273*

*Brazos Door & Hardware  
3701 Brazos Street  
Odessa TX 79764  
432-366-0405*

##### 4.2 Bank References:

*Mr. Mike Marshall  
Prosperity Bank  
Lubbock Tx.*

##### 4.3 Client References:

*Abel Salazar  
Salazar Services & Trucking  
5511 Starboard Dr.  
Midland TX 79706  
432-699-3900*

*Homer Daniels  
RK Pump & Supply  
11400 W. County Rd. 30  
Midland TX 79707  
432-349-0060*

*Jeremy Olive  
Warren Cat  
10325 Younger Rd  
Midland TX 79706  
432-571-4366  
Donald Murray  
Blakely Construction  
1623 N. Sooner Ave  
Odessa TX 79763  
432-381-3540*

*Luke Dunn  
Crownquest Operating  
2037 CR 2300  
Midland TX 79710  
432-818-0300  
Edgar Baiza  
E&A Construction  
4069 S. Co Rd West  
Odessa TX 79766  
432-337-0777*

*Byron Fender  
Fender Truck Accessories  
1400 W. Florida Ave  
Midland TX 79701  
432-683-8473*

*Johnny Kidd  
Oil Works Inc.  
2416 S. FM 1936  
Odessa TX 79763  
432-381-5265*

*Bob Fair  
Rino K&K  
11604 W Hwy 80  
Odessa TX 79765  
432-563-5163*

*Brian Knighton  
Knighton Machine Service  
3323 N. Co Rd West  
Odessa TX 79764  
432-362-0468*

4.4 Surety:

4.3.1 Name of bonding company:  
Merchants Bonding Company  
PO Box 26720  
Austin, TX 78755

4.3.1 Name and address of agent:

*Cameron Boothe  
Arthur J Gallagher & Co.  
2727 81 St.  
Lubbock TX 79423  
806-748-2016*

**5. FINANCING**

5.1 Financial Statement.  
*Financial statements will be provided upon request.*

- 5.1.1 Attach a financial statement, preferably audited, including your organization's latest balance sheet and income statement showing the following items:

Current Assets (e.g., cash, joint venture accounts, accounts receivable, notes receivable, accrued income, deposits, materials inventory and prepared expenses);

Net Fixed Assets;

Other Assets;

Current Liabilities (e.g., accounts payable, notes payable, accrued expenses provision for income taxes, advances, accrued salaries and accrued payroll taxes);

Other Liabilities (e.g., capital, capital stock, authorized and outstanding shares par values, earned surplus and retained earnings).

- 5.1.2 Name and address of firm preparing attached financial statement, and date thereof:

*Financial Statement Upon Request*

- 5.1.3 Is the attached financial statement for the identical organization named on page one?

- 5.1.4 If not, explain the relationship and financial responsibility of the organization whose financial statement is provided (e.g., parent-subsubsidiary).

- 5.2 Will the organization whose financial statement is attached act as guarantor of the contract for construction?

**6.0 SIGNATURE**

6.1 Dated at Seminole, Texas this \_\_\_\_ day of \_\_\_\_\_, 2020.

Name of Organization: *Fehr's Metal Building Construction LP*

\_\_\_\_\_  
By: *Fred Elias*

Title: *General Manager*

6.2 *Mr. Fred Elias* being duly sworn deposes and says that the information provided herein is true and sufficiently complete so as not to be misleading.

Subscribed and sworn before me this \_\_\_\_ day of \_\_\_\_\_, 2020.

Notary Public: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**WORK IN PROGRESS**

PROJECT NAME AND ADDRESS	ARCHITECT	CONTRACT AMOUNT	SQ. FT.	% COMPLETE	START DATE SCHED. COMP.
BMB/SWC Ranches Inc. Lauren's House Remodel Carlsbad, Nm	FEHRS	\$246,828.87	3,000	85%	3/7/18 4/1/20
Platinum Pipe Rentals 2580 S US HWY 385 Odessa, Tx	FEHRS	\$298,900.00	6,250	20%	10/8/18 12/31/20
Rick Munoz Downtown Plaza 901 N Grant Odessa, Tx	FEHRS	\$1,539,737.50	15,000	90%	10/5/18 3/13/20
BMB/SWC Ranches Inc. Blairs Lodge Orla, Tx	FEHRS	\$3,331,195.46	20,300	90%	10/30/18 3/5/20
Quail Tools 12014 W. County Road 100 Odessa, Tx	FEHRS	\$10,648,616.31	30,000	95%	10/31/18 3/31/20
BPL Industries 12605 W County Road 100 Odessa, Tx	FEHRS	\$1,477,386.87	11,250	75%	7/10/19 3/20/20
FFE Pool House 102 CR 404C Seminole, Tx	FEHRS	\$766,273.72	9,000	50%	10/21/19 8/1/20
CASA of West Texas Big Spring, Tx	FEHRS	\$799,323.21	4,600	15%	1/13/20 8/1/20
Bob Fair 11491 W CR 122 Odessa, Tx	FEHRS	\$798,700.00	8,500	85%	5/20/20 4/24/20
JB Whatley 4401 Mockingbird Ln Midland, Tx	FEHRS	\$377,800.00	11,150	55%	7/19/19 6/26/20
LLH Properties, LLC 2201 US HWY 87 Big Spring, Tx	FEHRS	\$931,723.20	10,000	40%	1/8/20 4/15/20
Saulsbury - Red Hills V 1934 W. NM HWY 128 Jal, Nm	Harris Group	\$951,285.01	11,600	40%	2/4/20 6/15/20
SCM Crude, LLC Reeves County Pecos, TX	FEHRS	\$988,300.00	6,000	70%	7/16/19 3/31/20

**WORK IN PROGRESS**

Targa Resources TX-137 Garden City, Tx	FEHRS	\$1,092,954.81	10,646	30	1/8/20 5/1/20
BMB/SWC Ranches Inc. Hill Top Home Carlsbad, NM	Forum Phi.	\$1,386,426.25	45,000	5%	5/22/19 7/18/23
Bailey Boiler Works, Inc. Lubbock, Tx	FEHRS	\$1,430,200.00	20,000	40	2/4/20 7/13/20
Lucid Energy Control Building 1934 W NM HWY 128 Jal, Nm	Harris Group	\$635,545.00	10,833	50%	12/3/2019
MBC Youth Center 5900 Whitman Drive Midland, Tx	Halo Architects	\$2,121,500.00	88,000	20%	9/16/19 5/29/20
Stream-Flo USA 10250 East County Road 90 Midland, Tx	Jacobs and Associates	\$2,305,267.21	11,250	15%	2/6/20 6/10/20
Baiza Properties Inc. Office 6999E Business 20 Odessa, Tx	FEHRS	\$2,676,015.73	22,463	10%	2/25/20 6/5/20
NTACT Constructors, LTD 951 S Faudree Odessa, Tx	FEHRS	\$3,022,345.37	30,480	35%	11/1/19 6/15/20
Viking 5518 W CR 123 Midland, Tx	FEHRS	\$4,129,758.00	35,500	30%	1/8/20 9/1/20
Forrest Brothers Lease Space Truck Street Odessa, Tx	FEHRS	\$8,362,226.40	71,000	75%	7/17/19 4/30/20

### MAJOR PROJECTS COMPLETED

PROJECT NAME AND ADDRESS	OWNER/ ARCHITECT	CONTRACT AMOUNT	SQ. FT.	% OF WORK IN-HOUSE	COMPLETION DATE
General Echols RV Park 502 E 13th St. Pecos, Tx	Owner: General Echols Architect: FEHRS	\$1,891,180.56	2,800	50%	10/11/19 2/11/20
Targa Resources 14912 FM 652 Orla, Tx	Rep: Mark J. Neal Architect: FEHRS	\$1,322,919.35	12,500	50%	7/18/19 3/3/20
Dahlia Development Midland, Tx	Owner: Ian Denholm Architect: FEHRS	\$2,005,333.83	10,375	50%	2/22/19 8/2/19
Saulsbury 1934 W. NM HWY 128 Jal, Nm	Rep: Travis Springer Architect: Harris Group	\$1,057,285.00	7,500	50%	3/20/19 9/19/19
Bob Fair Office Remodel 11604 W Hwy 80 Odessa, Tx	Owner: Bob Fair Architect: FEHRS	\$491,785.00	3,500	50%	7/8/19 12/13/19
West Texas Gas 2718 CR 2500 Stanton, Tx	Rep: Jackson Watkins Architect: FEHRS	\$599,585.28	14,200	50%	3/25/19 9/4/19
Forrest Tire Midland Facility Midland, Tx	Owner: Mike Forrest Architect: FEHRS	\$1,581,084.01	24,300	50%	12/3/18 12/5/19
The Reynolds Company 2365 Production St. Odessa, Tx	Rep: David Dozier Architect: FEHRS	\$2,218,681.45	29,300	50%	4/30/19 12/5/19
Viking Midland, Tx	Rep: Hjalmar Syversen Architect: FEHRS	\$1,533,620.84	15,350	50%	10/9/18 4/11/19
Forrest Truck Center 400 S JBS Pkwy Odessa, Tx	Owner: Mike Forrest Architect: FEHRS	\$1,288,347.24	7,000	50%	11/5/18 8/22/19
First Keystone Pecos Industrail Park, LP Pecos, Tx	Owner: Jeffrey Price Architect: FEHRS	\$731,881.55	10,250	50%	4/9/19 11/27/19
Kinney Inc. 2002 SW Mustand Dr. Andrews, Tx	Owner: Edward Saldivar Architect: FEHRS	\$1,145,780.00	9,500	50%	11/21/18 8/14/19
Saltcreek Midstream 1369 I-20 Pecos, Tx	Rep: Patrick Kannard Architect: FEHRS	\$937,791.86	12,000	50%	7/3/18 1/16/19

### MAJOR PROJECTS COMPLETED

Stewart's Inc. 1601 W. Broadway Andrews, Tx	Owner: Bob Stewart Architect: FEHRS	\$912,250.00	9,600	50%	10/8/18 5/14/19
LLH Properties, LLC Jal, NM	Owner: Homer Daniels Architect: FEHRS	\$826,222.28	10,000	50%	1/7/19 7/5/19
Barnhart Bolt 2419 W. 42nd St. Odessa, Tx 79765	Owner: Dax Barnhart Architect: FEHRS	\$559,919.00	5,800	50%	7/30/18 4/15/19
First Baptist Church Youth Bldg 301 E. Broadway St. Andrews, Tx 79714	Owner: Architects: Halo Architects	\$1,70,947.47	14,133	50%	10/1/18 12/17/19
Polar Service Center 12318 W. CR 100 Odessa, Tx 79765	Owner: Architect: Edmison & Associates	\$2,816,700.00	26,000	50%	8/24/18 5/13/19
Oil-Gas Tech 13209 W. County Road 100 Odessa, Tx 7975	Owner: Architect: FEHRS	\$1,017,087.82	12,000	50%	7/31/18 1/28/19
Apache Corporation Pecos, Tx 79772	Owner: Architect: FEHRS	\$1,327,276.71	12,153	50%	7/10/18 2/15/19
Targa Resources 4695 S. Loop 464 Monahans, Tx 79756	Owner: Architect: FEHRS	\$2,056,980.00	25,110	50%	6/14/18 3/29/19
Kirby Smith Lubbock, Tx	Owner: Architect: FEHRS	\$2,351,767.24	19,704	50%	6/1/18 12/9/19
Dahlia Development Midland, Tx	Owner: Ian Denholm Architect: FEHRS	\$4,124,856.00	55,250	50%	1/15/18 1/21/19
Bob Fair 11604 W Hwy 80 Odessa, Tx	Owner: Bob Fair Architect: FEHRS	\$1,438,595.30	18,900	50%	4/16/18 12/10/18
Dialog Wireline Services Midland, Tx	Owner: Architect: FEHRS	\$954,739.80	11,330	50%	4/24/18 10/22/18
D-Bat 12206 CR 100 Odessa, Tx	Owner: Architect: FEHRS	\$1,826,840.00	28,000	50%	5/30/18 4/18/19
BMB/SWC Ranches Inc. Corp. Office Orla, Tx	Owner: Craig Blair Architect: FEHRS	\$6,663,960.06	68,920	50%	3/20/17 1/8/20

### MAJOR PROJECTS COMPLETED

MidCentral Energy Services LLC 16937 N. Derby Ave. Gardendale, Tx	Owner: Kristian Kos Architect: FEHRS	\$1,762,090.00	16,574	50%	12/11/17 5/30/18
Eagleclaw Midstream, LLC Pecos, Tx	Owner: Eagleclaw Midstream LLC Architect: FEHRS	\$993,150.00	10,300	50%	12/15/17 6/1/18
MSA Industries, Inc. 2742 W. I-20 Odessa, Tx	Owner: Michael Ashton Architect: FEHRS	\$1,295,854.00	18,000	50%	1/12/18 6/18/18
Kirby Smith 7301 E. Interstate 20 Odessa, Tx	Owner: Ed Kirby Architect: FEHRS	\$793,925.71	7,450	50%	1/25/18 7/1/18
Forrest Tire 2525 E. 8th St. Odessa, Tx	Owner: Mike Forrest Architect: FEHRS	\$825,927.17	7,000	50%	1/9/18 5/25/18
Winlectric Company S. Meadow Ave. Odessa, Tx	Owner: Carl Long Architect: FEHRS	\$1,672,969.70	21,500	50%	1/18/18 8/31/18
EMR 723 N. Main Ave Denver City, Tx	Owner: Brad Parker Architect: FEHRS	\$799,105.00	7,500	50%	11/8/17 5/17/18
Salazar Services Pecos, Tx	Owner: Pilo Salazar Architect: FEHRS	\$1,456,777.26	11,200	50%	10/9/17 5/21/18
Sweet Properties LLC 118 Raul Flores Blvd Pecos, Tx	Owner: Jim Garrety Architect: FEHRS	\$613,687.52	3,782	50%	10/12/17 6/15/18
First Baptist Church 421 Harte St. Iraan, Tx	Owner: First Baptist Church Architect: JSA Architects	\$920,339.25	4,928	50%	9/1/2017 5/31/18
The Way Retreat Center Loop 250 & Todd Rd. Midland, Tx	Owner: The Way Retreat Architect: Jason Dean	\$9,778,013.32	42,380	50%	5/9/17 8/15/18
City of Odessa OPD 208 E. 2nd St. Odessa, Tx	Owner: City of Odessa Architects: JSA Architects	\$1,055,000.00	7,500	50%	11/10/16 6/1/18
Permian Basin Area Foundation 3312 Andrews Hwy. Midland, Tx	Owner: Permian Basin Area Foundation Architects: Jason S. Dean	\$3,349,575.68	11,010	50%	3/1/17 6/31/18
Bronze Key Properties LLC Midland, Tx	Owner: Darrel Farris Architect: FEHRS	\$851,880.00	7,500	50%	12/18/17 6/15/18

### MAJOR PROJECTS COMPLETED

Anadarko Mentone GP 2261 Pipeline Road, Loving County, Tx 79754	Owner: Anadarko Architect: FEHRS	\$1,144,780.18	7,126	50%	11/1/17 5/15/2018
Chickn4U Hwy 191 & Mission Blvd Odessa, Tx	FEHRS	\$1,440,461.03	4,800	50%	6/19/17 12/18/17
Bailey Toliver RV & Truck Country 3546 S. Frontage Rd. I- 20 Stanton, Tx	FEHRS	\$1,929,148.00	18,675	50%	2/27/17 9/1/17
Fluid Delivery Solutions Midland, Tx	Owner: Fluid Delivery Solutions Architect: FEHRS	\$1,289,705.75	27,000	50%	7/7/17 2/1/18
MidCentral Energy 16937 N. Derby Ave. Gardendale, Tx	Owner: Kristian Ko Architect: FEHRS	\$1,762,090.00	16,574	50%	12/11/17 5/30/18
Crownquest 2037 CR 2300 Midland, TX	Owner: Luke Dunn Architect: FEHRS	\$2,088,429.84	15,120	50%	6/16/17 3/14/18
Santa Rita Wind LLC. 4900 E. Hwy 67 Big Lake, Tx	Owner: Invenergy LLC Architect: Charles E. Smith	\$1,800,000.00	7,024	50%	8/15/17 5/1/18
Grigry Development 5215 Petroleum Dr. Carlsbad, NM	Owner: Grigry Development Architect: FEHRS	\$1,028,665.00	10,000	50%	7/21/17 2/5/18
Lonestar Shooting Sports 6020 43rd St. Lubbock, Tx	Owner: Thomas Larson Architect: DLC Designs	\$1,328,081.00	43,800	50%	5/31/17 2/28/18
Pro Access Rentals 673 I-20 West Pecos, Tx	Owner: David Darby Architect: FEHRS	\$995,458.36	15,000	50%	7/13/17 1/31/18
Warren OPE 2310 Production St. Odessa, Tx	Owner: Warren Equipment Company Architect: FEHRS	\$673,725.36	11,600	50%	7/12/17 2/9/18
TalCia Holding Company, LLC 1951 E. 37th St. Odessa, Tx	Owner: Mark Garcia Architect: FEHRS	\$524,354.90	5,668	50%	2/5/17 7/10/17
Warren Cat State Loop 306 San Angelo, Tx	Owner: Jeremy Olive Architect: Shiver Megert & Associates, LLP	\$6,763,400.00	31,998	50%	1/19/17 11/10/17
Saulsbury Jal, NM	Owner: Scott Satterwhite Architect: Saulsbury	\$399,750.00	5,040	50%	2/15/17 3/24/17

### MAJOR PROJECTS COMPLETED

Tejas Partners 9th & Ave. G Seagraves, Tx	Owner: Charlie Espinoza Architect: WTC	\$599,500.00	3,181	50%	9/21/16 3/11/17
Gaines Co. Community Center 807 US HWY 385 N. Seminole, Tx	Owner: Tom Keyes Architect: Level 5	\$1,641,464.00	9,703	50%	9/21/16 3/11/17
Trae Porter 3609 Mockingbird Lane Midland, Tx	Owner: Trae Porter Architect: Jason Dean	\$564,342.89	2,850	50%	11/19/16 6/10/17
Stonegate Fellowship 4240 Preston Smith Road Odessa, Tx	Owner: Kevin Doan Architect: JSA Architects	\$3,122,775.70	31,000	50%	11/2/16 6/30/17
Sweet Pizza LLC N. Sycamore St Ft. Stockton, Tx	Owner: Jim Gerety Architect: Gnich Architects	\$582,113.52	3,600	50%	1/13/17 4/28/17
Crossroads Fellowship 101 NW Ave. A Andrews, Tx	Owner: Sean Herr Architect: JSA Architects	\$605,432.45	7,000	50%	11/21/16 4/1/17
Hansen-Rice Inc. 5801 Martin Luther King Blvd Lubbock, Tx	Owner: Robert Carlton Architect: Hansen-Rice	\$436,980.00	50,590	50%	11/28/16 2/28/17
Centennial Resource Pecos, Tx	Owner: Oscar Peters Architect: FEHRS	\$894,251.61	5,985	50%	1/13/17 6/2/17
Rangeland NM, LLC E. County Rd. 90 Midland, Tx	Owner: Joe Young Architect: FEHRS	\$465,328.38	5,000	50%	1/12/17 6/30/17
Bethel Wind Farm CR 617 Bethel, Tx	Owner: Invenergy LLC Architect: Charles E. Smith	\$1,443,317.90	6,871	90%	7/22/16 12/21/16
Tejas Shooting Sports 421 E. 8th St. Odessa, Tx	Owner: Kimberly Barry Architect: FEHRS	\$828,079.57	3,600	70%	6/3/16 1/31/17
Cactus Fuel 6900 S. CR 1270 Midland, Tx	Owner: Jimmy Tindol Architect: FEHRS	\$1,200,000.00	6,200	50%	2/23/15 8/22/15
Dominos Monahans 1208 S. Stockton Ave. Monahans, TX 79756	Owner: Jim Gerety Architect: FEHRS	\$540,000.00	4,000	50%	4/23/15 10/20/15
Production Downhole 1302 US HWY 83 Denver City, Tx	Owner: Glen Strout Architect: FEHRS	\$950,000.00	12,600	50%	6/19/15 9/14/15

### MAJOR PROJECTS COMPLETED

Parsely Energy 1703 E. CR 120 Midland, Tx 79706	Owner: Brett Bernardino Architect: FEHRS	\$710,000.00	22,950	50%	7/22/15 1/18/16
Stabil Drill 2801 S. CR 1207 Midland, Tx	Owner: R.S. Bernard Architect: Ziler Architects	\$1,400,000.00	9,395	50%	7/8/15 8/1/16
Truck Town Chevy 2713 N. Lubbock Hwy Lamesa, Tx 79331	Owner: Kip Heins Architect: The Ratliff Group, LLC	\$855,000.00	10,000	50%	7/23/15 1/19/16
Regency Coyocona Coyocona, Tx	Owner: John Leahman Architect: FEHRS	\$775,750.00	5,102	50%	7/23/15 1/19/16
Enviro Vat 8501 W. HWY 158 Midland, Tx 79707	Owner: Jeff Leary Architect: FEHRS	\$995,000.00	10,500	50%	9/10/15 3/8/16
Krestridge Funeral Home 505 Austin St. Levelland, Tx 79336	Owner: Gene Allen Architect: FEHRS	\$1,265,000.00	16,100	50%	3/18/16 8/15/16
City of Kermit 110 S. Tornillo Kermit, Tx 79745	Owner: Troy Luedeker Architect: Parkhill Smith & Cooper	\$590,000.00		50%	4/6/16 9/30/16
Leverett House 142 Cherry Creek Rd Nogal, NM 88341	Owner: Shane Leverett Architect: FEHRS	\$425,000.00	3,400	50%	2/23/16 10/31/16
Gunsight Mountain Wind Energy 16018 HWY 669 Big Spring, Tx 79721	Owner: Invenergy LLC Architect: Charles E. Smith	\$1,450,000.00	6,841	50%	5/13/16 10/10/16
Pecos Fire Department 110 E. 6th St. Pecos, Tx 79772	Owner: Eric Honeyfield Architect: FEHRS	\$588,000.00	10,000	50%	5/14/16 11/2/16
RK Pump & Supply 12563 Lovington HWY Loco Hills, NM 88210	Owner: Homer Daniels Architect: FEHRS	\$596,000.00	6,250	50%	6/16/16 1/20/2017
Benny Boyd Dodge 1320 N. US Hwy 385 Andrews, TX 79714	Owner: Benny Boyd Architect: FEHRS	\$848,000.00	10,000	50%	8/3/16 10/19/16
San Angelo ISD N. River Dr. San Angelo, Tx 76901	Owner: San Angelo ISD Architect: Gary Donaldson Architecture	\$2,000,000.00	7,500	50%	10/05/15 05/02/16
Gaines Co. Vet. Memorial CR 311 CR 301 Seminole, Tx 79360	Owner: Wayne Mixon Architect: FEHRS	\$500,000.00	10,000	50%	01/03/16 05/26/16

### MAJOR PROJECTS COMPLETED

Nor Lea Hospital 1600 N. Main Lovington, Nm 88260	Owner: Robins & Morton Architect: Adam Kreher	\$1,000,000.00	5,000	50%	09/10/15 04/06/16
TX DOT Hangar 3110 Manahan St. Pecos, Tx 79772	Owner: Isabell Bouwer Architect: TX DOT	\$860,000.00	12,000	50%	10/15/15 04/19/16
BHP Billiton 714 W. Schmidt Dr. Pecos, TX 79772	Owner: Claudio Pinheiro Architect: Gensler Engineering	\$4,200,000.00	24,000	50%	10/04/15 6/12/16
Hillcrest School 2800 N. A St. Midland, TX 79705	Owner: Betty Starnes Architect: Jason Dean Architects	\$1,700,000.00	15,700	50%	01/04/16 09/15/16
Porters Thriftway 501 Birdwell Ln. Big Spring, TX 79720	Owner: Judd Porter Architect: FEHRS	\$1,900,000.00	36,000	50%	01/08/16 06/10/16
Keane Frac 12230 HWY 191 Midland, TX 79707	Owner: Fletch Smith Architect: Gary Baker & Assoc.	\$2,600,000.00	35,000	50%	06/17/15 02/20/16
Odessa Regional Medical 980 87th St. Odessa, TX 79765	Owner: Debbie Hinton Architect: JSA	\$670,000.00	4,000	50%	12/01/15 05/23/16
Plains Pipeline Pecos, TX 79772	Owner: Jeff Harper Architect: FEHRS	\$1,500,000.00	12,000	50%	12/09/15 06/01/16
Dance Studio 5001 Wayland Dr. Odessa, TX 79762	Owner: Tammy Locklar Architect: FEHRS	\$660,000.00	6,000	50%	11/10/15 03/29/16
KV Powers 1828 NW Ave F Andrews, TX 79714	Owner: Brian Hoffman Architect: FEHRS	\$1,600,000.00	16,500	50%	2/1/15 7/15/15
Stabil Drill 2805 S Co Rd 1207 Midland, TX 79706	Owner: RB Bernard Architect: Ziler Architects	\$450,000.00	6,250	50%	3/15/15 8/10/15
Crownquest 1150 CR 1170 Midland, TX 79706	Owner: Luke Dunn Architect: John Mertink	\$4,200,000.00	30,000	50%	11/1/14 8/1/15
Lonestar Corporation 2172 W. 42nd St. Odessa, TX 79764	Owner: Ronnie Hobbs Architect: FEHRS	\$1,300,000.00	13,000	50%	12/1/14 7/12/15
Laredo Petroleum 1451 Angle Rd St Lawrence, TX	Owner: Carrol Craig Architect: FEHRS	\$4,300,000.00	26,500	50%	9/15/14 7/1/15
Salazar Service 601 W. Loop 1910 Andrews, TX 79714	Owner: Abel Salazar Architect: FEHRS	\$1,300,000.00	14,000	50%	12/1/14 7/20/15

### MAJOR PROJECTS COMPLETED

Bamert Seed Company 1897 Co Rd 1018 Muleshoe, TX 79347	Owner: Nick Bamert Architect: FEHRS	\$900,000.00	6,500	50%	12/1/14 6/10/15
Atlee Snyder 6126 W. Alabama Hobbs, NM 88242	Owner: Atlee Snyder Architect: FEHRS	\$400,000.00	7,000	50%	11/1/14 7/1/15
Family Armor & Indoor Range 1100 W. Co Rd 72 Midland, TX 79707	Owner: Tony Grujavla Architect: FEHRS	\$1,300,000.00	8,000	50%	4/1/15 10/31/15
Dickson Corporate 3912 CR 1290 Midland, TX 79711	Owner: Clark Dickson Architect: FEHRS	\$1,100,000.00	8,000	50%	1/1/14 6/1/14
Dickson Welding Shop 3902 S. CR 1286 Odessa, TX 79765	Owner: Clark Dickson Architect: FEHRS	\$1,500,000.00	20,000	50%	3/6/14 7/10/14
Buffalo Oil 2001 E. CR 123 Midland, TX 79706	Owner: Lance Gilbert Architect: FEHRS	\$375,000.00	6,000	50%	4/1/12 9/1/12
Benny Boyd Dodge 1320 N. US Hwy 385 Andrews, TX 79714	Owner: Benny Boyd Architect: FEHRS	\$2,600,000.00	29,000	50%	5/1/14 11/1/14
Big E Services 11812 Onyx Dr. Midland, TX 79706	Owner: Liz Laferny Architect: FEHRS	\$1,500,000.00	13,600	50%	1/3/13 1/8/14
Salazar Corporate 5511 Starboard Dr. Midland, TX 79703	Owner: Abel Salazar Architect: Rattan & Associates	\$3,100,000.00	4,555	50%	4/1/13 2/1/14
Fair Hangar 197 Terminal DR. Odessa, TX 79765	Owner: Bob Fair Architect: FEHRS	\$1,100,000.00	25,000	50%	9/1/14 2/1/15
Salazar Fab Shop 4500 E. 158 Midland, TX 79706	Owner: Abel Salazar Architect: FEHRS	\$950,000.00	12,000	50%	3/15/14 9/15/14
West Texas Thermo King 8001 E. I-20 Odessa, Tx 79765	Owner: JR Flowers Architect: Andy Guiterrez	\$1,300,000.00	21,600	50%	7/1/12 1/20/13
Carters Thriftway 713 W. Broadway Denver City, TX 79323	Owner: Dale Carter Architect: Rattan & Associates	\$2,300,000.00	26,000	50%	2/15/12 10/15/12
Badger BMB Services 1724 S. Bickely Ave. Pecos, TX 79772	Owner: Wally Moon Architect: FEHRS	\$1,700,000.00	15,000	50%	6/1/12 12/31/12
Kirby Smith Machinery 7301 E. I-20 Odessa, TX 79761	Owner: Ed Kirby Architect: FEHRS	\$1,200,000.00	13,850	50%	2/1/12 8/1/12

### MAJOR PROJECTS COMPLETED

Ferguson Corporate 2200 S. Commercial Lovington, NM 88260	Owner: Mark Weiser Architect: Brad Nesser	\$1,600,000.00	13,000	50%	5/15/13 3/1/14
Tex-Mex Rentals 2604 NW Co Rd Hobbs, NM 88240	Owner: Ron Todd Architect: Lyndon Donahey	\$1,800,000.00	32,000	50%	5/20/11 12/30/11
Control Flow Inc. 125 N. Sunny Lane Moore, OK 73160	Owner: Darrel Berlin Architect: FEHRS	\$2,600,000.00	34,800	50%	9/1/13 4/1/14
Muleshoe Vet Clinic 1430 US Hwy 80 Muleshoe, TX 79347	Owner: Barry Cowart Architect: FEHRS	\$1,000,000.00	72,000	50%	4/1/14 8/29/14
Fellowship Church 5609 N. Grimes Hobbs, NM 88240	Owner: Mike Adams Architect: Lyndon Donahey	\$800,000.00	7,200	50%	9/1/13 2/27/14
Basic Energy Services 2753 Chisolm Trail Denver City, TX	Owner: Jackie Warren Architect: FEHRS	\$1,500,000.00	20,800	50%	6/1/12 12/1/12
B.B. Chemical 1100 N. Cresson Hwy Cresson, TX 76035	Owner: Bruce Bibb Architect: FEHRS	\$750,000.00	12,500	50%	11/1/10 4/1/11
Jetta Operating FM 516 N. 1 mile I-20 Barstow, TX	Owner: James Millett Architect: FEHRS	\$500,000.00	6,000	50%	11/1/13 4/15/14
Graco Fishing & Rental 3601 S I-20 Service RD. Monahans, TX 79756	Owner: Jon Rambo Architect: CLB Engineers	\$2,000,000.00	28,500	50%	2/1/14 11/1/14
Shell Warehouse 610 S. State Hwy 15 Kermit, TX 79745	Owner: Brad Wynn Architect: FEHRS	\$1,600,000.00	14,000	50%	6/1/14 4/1/15
Distribution Now 76 County Road 201 Pecos, TX 79772	Owner: Randy Taylor Architect: FEHRS	\$1,000,000.00	32,000	50%	7/1/14 2/1/15
Primexx Energy 2131 W Barillo Pecos, TX 79772	Owner: Randy Rayburn Architect: FEHRS	\$1,200,000.00	11,100	50%	2/1/14 12/1/14
International Palomerics 2790 Wilma ST Manahans, TX 79756	Owner: Donald Bramblett Architect: FEHRS	\$600,000.00	13,200	50%	8/1/14 2/1/15
FOWC Laundromat 102 James St Monahans, TX 79756	Owner: Mickey Mitchell Architect: Lyndon Donahey	\$600,000.00	4,500	50%	6/1/14 12/1/14
Ditch Witch Southwest 7801 E. I-20 Odessa, TX 79762	Owner: Ashlee Thane Architect: FEHRS	\$250,000.00	3,600	50%	5/1/12 9/1/12

### MAJOR PROJECTS COMPLETED

E&A Welding 4069 S. Co Rd Odessa, TX 79766	Owner: Edgar Baiza Architect: FEHRS	\$650,000.00	14,000	50%	7/1/12 12/1/12
Turbines Inc. 440 S. Meadow Odessa, TX 79766	Owner: Dezi Helmi Architect: FEHRS	\$300,000.00	3,500	50%	5/1/12 8/1/12
Fasken Oil & Gas 8898 SE 8000 Andrews, TX 79714	Owner: Mike Williams Architect: FEHRS	\$300,000.00	8,000	50%	10/1/12 2/31/13
Texas Generator 407 Lufkin Rd Odessa, TX 79761	Owner: Randy Morris Architect: FEHRS	\$600,000.00	32,000	50%	4/1/13 9/1/13
Nationwide Trailers 7901 E. I-20 Odessa, TX 79761	Owner: Titus Dueck Architect: FEHRS	\$800,000.00	10,000	50%	4/1/13 8/1/13
E&A Construction 4069 S. Co Rd Odessa, TX 79766	Owner: Edgar Baiza Architect: FEHRS	\$60,000.00	1,800	50%	1/1/15 3/1/15
American Crane 1105 OI DC Dr. Odessa, TX 79766	Owner: Ron Register Architect: FEHRS	\$1,700,000.00	25,000	50%	4/1/13 11/1/13
Blakely Construction 2830 W. I-20 Odessa, TX 79763	Owner: Randy Blakely Architect: FEHRS	\$3,000,000.00	40,000	50%	4/1/13 1/1/14
CRG Hangar 197 Terminal DR. Odessa, TX 79765	Owner: Charlie Grissom Architect: FEHRS	\$300,000.00	10,000	50%	2/25/13 4/15/13
BCKK MCC Buildings Andrews County Andrews, TX	Owner: Fasken Oil Architect: BCKK Engineering	\$600,000.00	8,000	50%	3/15/14 6/15/14
Permian Transport Trading 400 W. Wall St. 1000 Midland, TX 79701	Owner: Curt Ward Architect: FEHRS	\$1,300,000.00	10,000	50%	4/1/13 9/1/13
Control Flow Inc. 2301 E. Murphy Odessa, TX 79761	Owner: Darrel Berlin Architect: FEHRS	\$2,500,000.00	34,800	50%	9/1/13 4/1/14
Lighthouse Environmental 17501 W I-20 Odessa, TX 79763	Owner: Drew Lowe Architect: FEHRS	\$300,000.00	8,000	50%	5/1/13 10/1/13
BCKK Engineering Andrews County Andrews, TX	Owner: Fasken Oil Architect: BCKK Engineering	\$600,000.00	24,400	50%	7/1/13 11/1/13
Corchem 1227 S. Murphy Rd Odessa, TX 79761	Owner: Daryl Bibbens Architect: FEHRS	\$100,000.00	5,000	50%	7/1/13 9/1/13

### MAJOR PROJECTS COMPLETED

Basic Energy Services 2008 W I-20 Big Spring, TX 79720	Owner: Tommy Clayton Architect: FEHRS	\$1,200,000.00	13,000	50%	6/1/14 12/20/14
Permian Enterprise 2900 S. Sargent RD Odessa, TX 79766	Owner: Raymond Marrere Architect: FEHRS	\$500,000.00	19,000	50%	2/1/14 7/1/14

City of Odessa: OPD Phase III Interior Finish-Out RFP#20-7101-11  
 Request for Proposals  
 Selection Criteria Worksheet  
 7/7/20



Firm Name		Cooper	Mid-Tex	Frontera	Henthorn	Onyx	J.C. Roberts	Fehr's	RRC
Weight		Score (1-100)							
<b>A</b>	Proposed Construction Cost and Time	89	98	80	90	86	93	100	82
	Subtotal <b>50%</b>	45	49	40	45	43	47	50	41
<b>B</b>	Contractor's completion and quality of similar scope	96	95	85	90	90	90	95	85
	Subtotal <b>20%</b>	19.2	19	17	18	18	18	19	17
<b>C</b>	Proposed Project Manager, Superintendent & Sub-Contractors	96	95	85	90	90	90	95	85
	Subtotal <b>20%</b>	19	19	17	18	18	18	19	17
<b>D</b>	History of warranty and punchlist correction	96	95	85	90	90	90	95	85
	Subtotal <b>10%</b>	10	10	9	9	9	9	10	9
Totals for each General Contractor		<b>93</b>	<b>97</b>	<b>83</b>	<b>90</b>	<b>88</b>	<b>92</b>	<b>98</b>	<b>84</b>

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	07/28/2020	Item Type:
Contact:	Norma Aguilar-Grimaldo	Regular
Department:	City Secretary	Ordinance
Finance Committee Review? No		
CAPTION		
Consider calling the 2020 General Municipal Election for November 3, 2020. (Ordinance - First Approval)		
SUMMARY OF ITEM		
<p>The City is required to call the General Municipal Election pursuant to the City Charter and the Texas Election Code. Approval of the attached ordinance calls the general city election for Mayor, Council member Districts One, Two, and At Large, each to serve a term of four years, and designates the early voting locations and Election Day vote centers.</p> <p>The City will participate in a joint election with other public entities and the cost will be prorated amongst the entities.</p>		
FISCAL IMPACT? No		
Comments:		
Supporting Documents:	Other Departments, Boards, Commissions or Agencies:	
 4O-011 Ordinance CALLING 2020 General City Election.docx		

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ODESSA, TEXAS, CALLING THE 2020 GENERAL CITY ELECTION TO BE HELD ON NOVEMBER 3, 2020, FOR THE PURPOSE OF ELECTING THE FOUR MEMBERS TO THE CITY COUNCIL, MAYOR, CITY COUNCIL DISTRICTS ONE, TWO AND AT-LARGE; AGREEING TO PARTICIPATE IN A JOINT ELECTION; PROVIDING FOR ELECTION PROCEDURES AND EARLY VOTING; DESIGNATING THE ELECTION DAY VOTE CENTERS; PROVIDING FOR NOTICE OF THE GENERAL CITY ELECTION; AND DECLARING AN EFFECTIVE DATE.

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

**Section 1.** That there is hereby called and ordered to be held on November 3, 2020, a General City Election for the purpose of electing the four members of the City Council, Mayor, Districts ONE, TWO and AT-LARGE, for four-year terms. Said election is to be held between the hours of 7:00 o'clock a.m. and 7:00 o'clock p.m. on the above described date.

**Section 2.** That all candidates who desire to have their names placed on the official ballot of said 2020 General City Election for any of the above mentioned offices shall file a written application for same with the City Secretary of the City of Odessa no sooner than July 18, 2020, and no later than August 17, 2020, the 78th day before election day.

**Section 3.** That the City Council agrees to participate in a joint election with other entities and to pay its part of the cost as determined by the Elections Administrator.

**Section 4.** That said election shall be held in compliance with the provisions of the Texas Election Code applicable thereto, insofar as practical.

**Section 5.** That Elizabeth Sertuche, Ector County Elections Administrator, whose mailing address is 1010 E. 8<sup>th</sup> Street, Suite 101, Odessa, Texas 79761, is hereby appointed as the Early Voting Clerk for the joint early voting.

That Carolyn Graves, Midland County Elections Administrator, whose mailing address is 2110 N. A Street, Midland, Texas 79705, is hereby appointed as the Early Voting Clerk for the joint early voting.

**Section 6.** That the voting shall be done by an electronic voting system as provided by law. Early Voting by personal appearance shall commence on October 19, 2020, and shall terminate on October 30, 2020. Early Voting hours and locations shall be as follows:

**EARLY VOTING LOCATIONS – Ector County**

<p>ECTOR COUNTY COURTHOUSE ANNEX <b><u>1010 E. 8<sup>TH</sup> ST.</u></b></p>	
MONDAY, OCT. 19 – FRIDAY, OCT. 23	8:00 AM – 5:00 PM
SATURDAY, OCT. 24	7:00 AM – 7:00 PM
SUNDAY, OCT. 25	1:00 PM – 6:00 PM
MONDAY, OCT 26. – FRIDAY, OCT. 30	7:00 AM – 7:00 PM

<p style="text-align: center;">KELLUS TURNER COMMUNITY BUILDING <b><u>2230 Sycamore Dr.</u></b></p> <p style="text-align: center;">ODESSA COLLEGE SPORTS CENTER <b><u>201 W. University Blvd.</u></b></p> <p>MONDAY, OCT. 19 – FRIDAY, OCT. 23 SATURDAY, OCT. 24 SUNDAY, OCT. 25 MONDAY, OCT. 26 – FRIDAY, OCT. 30</p>	<p style="text-align: center;">WESTLAKE HARDWARE STORE <b><u>4652 E. University Blvd.</u></b></p> <p style="text-align: center;">SALINAS COMMUNITY BUILDING <b><u>600 W. Clements</u></b></p> <p>8:00 AM – 5:00 PM 8:00 AM – 6:00 PM 1:00 PM – 6:00 PM 8:00 AM – 6:00 PM</p>
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Early Voting for registered voters residing in the city limits of Odessa in Midland County shall early vote in Midland County. *ONLY THOSE VOTERS MAY EARLY VOTE AT THE FOLLOWING LOCATIONS:*

**EARLY VOTING LOCATIONS – Midland County**

ELECTIONS OFFICE – COUNTY ANNEX BUILDING <b><u>2110 NORTH “A” STREET</u></b>	
MONDAY, OCT. 19– FRIDAY, OCT. OCT. 23	8:00 AM – 5:00 PM
SATURDAY, OCT.24	7:00 AM – 7:00 PM
SUNDAY, OCT. 25	1:00 PM – 6:00 PM
MONDAY, OCT. 26 – FRIDAY, OCT. 30	7:00 AM – 7:00 PM

**EARLY VOTING LOCATIONS – Midland County (continued)**

CENTENNIAL LIBRARY <b><u>2503 W. LOOP 250 N</u></b>	COGDELL LEARNING CENTER <b><u>211 W. FLORIDA</u></b>
FELLOWSHIP COMMUNITY CHURCH <b><u>5206 N. MIDLAND DR.</u></b>	ST. PAUL’S METHODIST CHURCH <b><u>4501 THOMASON DR.</u></b>
MONDAY, OCT. 19 – FRIDAY, OCT. 23	8:00 AM – 5:00 PM
SATURDAY, OCT. 24	7:00 AM – 7:00 PM
SUNDAY, OCT. 25	1:00 PM – 6:00 PM
MONDAY, OCT. 26 – FRIDAY, OCT. 30	7:00 AM – 7:00 PM

**Section 7.** That Election Day vote centers for registered voters residing in Ector

County shall be as follows:

<b>ELECTION DAY VOTE CENTERS – Ector County</b>	
<b>LOCATION NAME</b>	<b>ADDRESS</b>
1. Albertsons Market - 8 <sup>th</sup> Street	1350 E. 8 <sup>th</sup> Street
2. Albertsons Market – West County Rd.	2751 N. County Rd. West
3. Crossroads Fellowship (Room 1135)	6901 Texas 191 Frontage Rd.
4. Ector County Coliseum (West end of Southwest Hallway)	4201 Andrews Highway
5. First Church of the Nazarene (Gymnasium)	2223 Lyndale Drive
6. Gardendale Community Bldg.	4226 E. Larkspur, Gardendale, TX.
7. Getsemani Church (Fellowship Hall)	8431 S HWY 385
8. Goldsmith Community Bldg.	301 Ave. H. Goldsmith, TX.
9. Kellus Turner Community Bldg.	2230 Sycamore Drive

10. Kingston Avenue Baptist Church (Fellowship Hall)	5200 Kingston Avenue
11. Lincoln Tower (Ballroom)	311 W. 4 <sup>th</sup> Street
12. Lutheran Church of the Risen Lord (Foyer)	1603 N. Grandview Avenue
13. Murry Fly Elementary (Foyer)	11688 W. Westview Drive
14. Northside Senior Center (Multi-purpose Room)	1225 N. Adams Street
15. Odessa College Sports Center (Foyer)	201 W. University Boulevard
16. Odessa Christian Faith Center; 180 Youth Building (Sanctuary)	8828 Andrews Highway
17. PAL Center	1015 N. County Road West (10th & W. Co. Rd.)
18. Salinas Community Bldg.	600 W. Clements Street
19. Sherwood Community Bldg.	4819 N. Everglade Avenue
20. Slator Community Bldg.	1001 W. 38th Street
21. St. Elizabeth's Catholic Church (Gymnasium)	7601 N. Grandview Avenue
22. VFW Bingo Hall (Non-Smoking Room)	208 E. 63RD Street
23. Westlake Hardware	4652 E. University Boulevard
24. Wilson's Corner (Dining Room)	16514 S. U.S. Hwy. 385
25. Woodson Community Bldg.	1010 E. Murphy Street

Registered voters residing in the city limits of Odessa in Midland County shall vote in Midland County. *ONLY THOSE VOTERS MAY VOTE AT THE FOLLOWING VOTE CENTERS:*

**ELECTION DAY VOTE CENTERS – Midland County**

<b>LOCATION NAME</b>	<b>ADDRESS</b>
1. Annex Courtroom	2110 North "A" Street
2. Boy Scouts of America	1101 W. Texas Ave.
3. Centennial Library	2503 W. Loop 250 N.
4. Cogdell Learning Center	211 W. Florida
5. Cotton Flat Baptist Church	6409 S. Highway 349
6. Fairmont Park Church of Christ	3813 N. Midland Dr.
7. Fellowship Community Church	5206 N. Midland Dr.
8. Golf Course Church of Christ	3500 W. Golf Course
9. Greater Ideal Life Center	301 S. Tyler
10. Greenwood Baptist Church	10908 FM 307
11. High Sky Childrens' Ranch	8701 WCR 60
12. Holy Cross Lutheran Church	5110 N. Garfield
13. Library at the Plaza (Downtown)	301 W. Missouri Ave.
14. Midland Chin Church	2705 W. Michigan Street
15. MLK, Jr Community Center	2300 Butternut
16. Odessa Country Club	#1 Fairway, Odessa, TX
17. Presence Church	901 N. Midland Dr.
18. St. Paul's Methodist Church	4501 Thomason
19. Stonegate Fellowship	6000 W. Wadley

**Section 8.** That the notice of this election shall be given by publishing a copy of this ordinance in The Odessa American. Said notice shall be published not more than thirty (30) days nor less than ten (10) days prior to the date of the election. A copy shall also be filed with the City Secretary and another copy posted on the bulletin board used for posting notices of the meetings of the City Council of the City of Odessa.

**Section 9.** That this ordinance shall become effective upon its adoption on second and final approval.

The foregoing ordinance was first approved on the 28th day of July, A.D., 2020, by the following vote:

Michael 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 11th day of August, 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 11th day of August, A.D., 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Natasha L. Brooks, City Attorney

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	07/28/2020	Item Type:
Contact:	Yervand Hmayakyan	Regular Ordinance
Department:	Public Works/Engineering	

Finance Committee Review? Yes

**CAPTION**

Consider amending Article 3-12 – Flood damage Prevention in the City Code of Ordinance (Ordinance – 1st approval).

**SUMMARY OF ITEM**

Currently the City of Odessa meets National Flood Insurance Program’s (NFIP) Community Rating System’s (CRS) requirements for Class 8 and implements a one (1) foot freeboard requirement for any building or structure.

Starting January 1st, 2021 the NFIP’s Community Rating System, will begin implementing a new prerequisite for achieving Class 8: enforcement of a one (1) foot freeboard standards for equipment and mechanical items.

In order to retain CRS Class 8 rating, the City of Odessa needs to amend the Article 3-12 – Flood Damage Prevention in the City Code of Ordinance by adding Subsection 7 to Specific Standards – Section 3-12-72.

Subsection 7 shall read:

*Equipment and Mechanical Items:* All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities a minimum of one (1) foot above the base flood elevation as such elevation is determined by the city engineer.

The staff recommends that Council adopt the proposed Ordinance to amend Article 3-12 – Flood Damage Prevention in the City Code of Ordinance.

FISCAL IMPACT? No

Comments:

Supporting Documents:	Other Departments, Boards, Commissions or Agencies:
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 Class 8 FRB Letter to Communities.pdf   Class 8 Freeboard_FAQ_FINAL_05-06-2020.pdf [at   ORDINANCE_ Flood Damage Prevention Revision 7.15.2020.pdf	
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# INSURANCE SERVICES OFFICE, INC.

1000 Bishops Gate Blvd, Suite 300, P.O. Box 5404, Mt. Laurel, New Jersey 08054  
Phone: (856) 787-0412 or (800) 444-4554 FAX 1-800-777-3929

May 29, 2020

Dear CRS Community:

This letter is to inform you that on January 1, 2021, the National Flood Insurance Program's (NFIP) Community Rating System (CRS) will begin implementing a new prerequisite for achieving Class 8: enforcement of a freeboard standard for residential buildings. Specifically, Section 211 of the 2017 *CRS Coordinator's Manual* will be revised to say,

In order to be a Class 8 or better...

- (1) The community must meet all the Class 9 prerequisites; and
- (2) The community must adopt and enforce at least a 1-foot freeboard requirement (including equipment or mechanical items) for all residential buildings, including manufactured homes, constructed, substantially improved, and/or reconstructed due to substantial damage, throughout its Special Flood Hazard Area (SFHA) where base flood elevations have been determined on the Flood Insurance Rate Map (FIRM) or in the Flood Insurance Study (FIS), except those areas that receive open space credit under Activity 420 (Open Space Preservation).

This language for the new Class 8 prerequisite will be included in the 2021 Addendum to the 2017 *CRS Coordinator's Manual*. If your community does not require freeboard for residential buildings, you will need to adopt freeboard requirements, and begin enforcing those requirements, before your first CRS verification cycle visit that occurs after January 2021. About 80 percent of CRS communities already meet the forthcoming Class 8 prerequisite, but we are asking all communities to review their community's floodplain regulations and/or building codes to ensure that freeboard for residential building is in place, and to confirm that freeboard requirements are being enforced. Note that freeboard may be required through your State- or community-adopted building code. At your community's first verification cycle visit after January 1, 2021, the Insurance Services Office, Inc. (ISO) CRS Specialist will review your ordinance and Elevation Certificates to verify that freeboard is being applied. Communities that do not implement freeboard will be limited to a CRS Class 9 rating.

We recommend that you share this information with your community CRS coordinator, your community floodplain administrator, and your building department. If you need a model ordinance or sample regulatory language for freeboard, please contact your State NFIP Coordinator, Federal Emergency Management Agency (FEMA) Regional CRS Coordinator, or ISO/CRS Specialist. Remember, your ISO/CRS Specialist is also available to do a courtesy review of your community requirements for freeboard at any time before your next verification cycle visit.

All communities that verify they implement a freeboard requirement will receive CRS credit under Activity 430 (Higher Regulatory Standards). This new CRS prerequisite also provides an opportunity for communities to consider whether a 2-foot or even 3-foot freeboard standard would be appropriate for them.

For more information, please see the February/March issue of the *NFIP/CRS Update* newsletter and visit [CRSresources.org](http://CRSresources.org). Attached are some answers to frequently asked questions for the Class 8 freeboard prerequisite. Please remember that your ISO/CRS Specialist and your FEMA Regional CRS Coordinator are always available to answer any questions.

Sincerely,

Sherry Harper  
Director, Flood Mitigation

Attachment

cc: Community CRS Coordinator  
FEMA Regional CRS Coordinator  
NFIP State Coordinator and/or State CRS Coordinator

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# NFIP's Community Rating System (CRS) Class 8 Freeboard Prerequisite

## Frequently Asked Questions

May 2020

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The CRS is a voluntary program that provides flood insurance premium discounts to communities that implement programs and measures that exceed the minimum floodplain management requirements of the National Flood Insurance Program (NFIP). The CRS determines discounts based on credit points provided for floodplain management activities. To achieve certain CRS class ratings, communities must meet certain program prerequisites in addition to the credit points. In January 2021, the Community Rating System (CRS) will implement a new Class 8 prerequisite for freeboard for all participating and new CRS communities. Below are some frequently asked questions about the CRS Class 8 freeboard prerequisite.

### **What is the new CRS Class 8 freeboard prerequisite?**

Section 211 of the 2017 *CRS Coordinator's Manual* will be changed to read, "In order to be a Class 8 or better . . .

- (1) The community must meet all the Class 9 prerequisites.
- (2) The community must adopt and enforce at least a 1-foot freeboard requirement (including equipment or mechanical items) for all residential buildings constructed, substantially improved, and/or reconstructed due to substantial damage, throughout its Special Flood Hazard Area (SFHA) where base flood elevations have been determined on the Flood Insurance Rate Map (FIRM) or in the Flood Insurance Study (FIS), except those areas that receive open space credit under Activity 420 (Open Space Preservation)."

### **Why is FEMA making freeboard a Class 8 prerequisite in the CRS?**

The goal is to further the flood resiliency in our Nation. FEMA is working to ensure that homes are built to better withstand natural disasters, including floods. The CRS credits community efforts that exceed the minimum floodplain management requirements of the NFIP. Freeboard—a margin of safety added to the level of the base flood—definitively exceeds those minimum standards. Research shows that higher regulatory standards reduce future flood damage, and the importance is recognized by over 80% of CRS communities who already require freeboard. With freeboard in place, homes are not only better protected from flood damage, but also flood insurance costs less. The expense of elevating a new home an additional foot often can be recaptured in lower flood insurance premiums over 5 years or less.

### **How will the change in the 2017 *CRS Coordinator's Manual* be made?**

FEMA will issue an addendum to the 2017 *CRS Coordinator's Manual* that will be effective on January 1, 2021. CRS communities and the Insurance Services Office, Inc. (ISO) will continue to use the 2017 *Coordinator's Manual* along with the 2021 Addendum, until such time that FEMA issues a new *Coordinator's Manual*, likely not before 2023.

### **Which CRS communities does the Class 8 freeboard prerequisite affect?**

The Class 8 freeboard prerequisite affects Class 5 through Class 8 communities. The prerequisite will not affect Class 9 communities. Communities in Classes 1 through 4 already meet the new freeboard prerequisite.

### **When will the Class 8 freeboard prerequisite be applied to participating CRS communities?**

The Class 8 freeboard prerequisite will be required of CRS communities at their first CRS cycle verification visit after January 1, 2021. Ordinance, regulatory, or building code language that meets the Class 8 prerequisite must be adopted, and provisions must be enforced, no later than the first cycle visit after January 1, 2021. However, an earlier date for community enforcement of the Class 8 freeboard prerequisite may be required in a new (2023 or later) *CRS Coordinator's Manual*. This means that communities that are not due for a cycle visit until 2023 or later should not wait to adopt the freeboard requirement.

### **Can a community still join or participate in the CRS without a freeboard requirement?**

Yes. Any community that meets the CRS Class 9 prerequisites can apply to join the CRS and become a Class 9 community. Any already-participating CRS community that cannot meet the Class 8 freeboard prerequisite at its first cycle visit after 2021 will change to a Class 9 community (see previous question).

### **Where must a community require at least 1 foot of freeboard?**

Communities must enforce the freeboard requirement for all residential buildings that are new, substantially improved, and/or reconstructed due to substantial damage throughout the SFHA where base flood elevations have been determined on the FIRM or in the FIS. This means all “numbered zones” in the SFHA. The CRS will not require freeboard in unnumbered zones within the SFHA.

### **The prerequisite includes all residential buildings. Does this include manufactured homes?**

Yes. At least 1 foot of freeboard is required for manufactured homes, including equipment and mechanical items.

### **If a community adopts the International Code Council codes, will they meet the requirements for the Class 8 freeboard prerequisite?**

Yes, provided that the adopted building code includes freeboard for residential buildings and the community is enforcing the freeboard provisions. This includes adopted state building codes that are enforced in the community. The CRS credits other higher standards included in building codes. For example, coastal CRS communities that have adopted and enforce recent building codes and have newer FIRMs often can qualify for Coastal A Zones credit under Activity 430 (Higher Regulatory Standards).

### **Should a community require more than one foot of freeboard?**

All communities are encouraged to consider adopting additional freeboard. This may mean freeboard in all flood zones. It may mean more than 1 foot of freeboard. It may mean applying the freeboard standard to all building types. Remember, CRS credit is available for the enforcement of freeboard under CRS Activity 430 (Higher Regulatory Standards).

### **Will communities receive CRS credit for the enforcement of freeboard for residential buildings?**

Yes. Communities will continue to receive freeboard credit (FRB) under Activity 430 (Higher Regulatory Standards) for enforcing freeboard for residential buildings. Communities that already receive FRB credit will continue to receive FRB credit. The basic FRB credit in the CRS is 100 points. FRB credit is higher when more freeboard is required or when elevation on fill is not allowed. An impact adjustment is applied to FRB credit.

### **What should CRS communities do in light of the Class 8 prerequisite?**

Communities that currently enforce freeboard should check their floodplain ordinances and/or building codes to be sure that equipment and mechanical items are included, that substantially improved buildings are included, and that the provisions are being enforced.

Communities that do not currently enforce at least 1 foot of freeboard for all new or substantially improved residential buildings, including equipment and mechanical items, within numbered zones of the SFHA will need to make changes to their floodplain ordinance and/or building code. Adoption and enforcement of the freeboard must occur before the community's first CRS cycle visit after January 1, 2021.

### **What if a community has questions about the Class 8 prerequisite or the CRS?**

A community should contact its ISO/CRS Specialist with questions about the prerequisite and the CRS. A list of ISO/CRS Specialists can be found on the [CRS Resources website](http://CRSResources.org) (CRSresources.org). State NFIP Coordinators or FEMA Regional CRS Coordinators can assist with model ordinance or sample regulatory language for freeboard, and other higher regulatory standards. Contact information for FEMA is available at the [FEMA website](http://www.fema.gov) (www.fema.gov).

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ODESSA, TEXAS, AMENDING THE ODESSA CITY CODE CHAPTER 3 "BUILDING REGULATIONS" ARTICLE 3-12 "FLOOD DAMAGE PREVENTION" SECTION 3-12-72 "SPECIFIC STANDARDS"; PROVIDING A PENALTY CLAUSE AND OTHER APPROPRIATE CLAUSES.

**WHEREAS**, currently, the City of Odessa meets National Flood Insurance Program's ("NFIP") Community Rating System's ("CRS") requirements for Class 8 and implements a one (1) foot freeboard requirement for any building or structure; and

**WHEREAS**, beginning January 1, 2021, the NFIP's CRS will begin implementing a new prerequisite for achieving Class 8: enforcement of a one (1) foot freeboard standards for equipment and mechanical items; and

**WHEREAS**, in order to retain CRS Class 8 rating, the City of Odessa needs to amend City Code Article 3-12 "Flood Damage Prevention" Section 3-12-72 "Specific Standards" by adding Subsection 7 "Equipment and Mechanical Items";

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

**Section 1.** That the Odessa City Code Chapter 3 "Building Regulations" Article 3-12 "Flood Damage Prevention" Section 3-12-72 "Specific Standards" is hereby amended by adding the following:

**Section 3-12-72 Specific Standards**

(7) Equipment and Mechanical Items. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities a minimum of one (1) foot above the base flood elevation as such elevation is determined by the City Engineer.

**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 \$2,000.00 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 28<sup>th</sup> day of July, 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 11<sup>th</sup> day of August, 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 11<sup>th</sup> day of August, A.D., 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Natasha L. Brooks, City Attorney

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	07/28/2020	Item Type:
Contact:	Michael Marrero	Regular
Department:	City Manager's Office	Resolution

Finance Committee Review? Yes

**CAPTION**

Consider the allocation of \$500,000 of CARES Coronavirus Relief Funds (CRF) and establish the City of Odessa's Business Assistance Program to assist small businesses for loss of revenues due to business interruptions caused by required closures as a result of COVID-19. (RESOLUTION)

**SUMMARY OF ITEM**

Approval of this item will establish and allocate \$500,000 in CRF Funds for the City of Odessa's Business Assistance Program (COBAP). The program was created in an effort to assist small local businesses who were directly impacted by COVID-19. This grant program is available for businesses who suffered any interruptions occurring on or after March 18, 2020 due to COVID-19 which resulted in required closures, voluntary closures to promote social distancing, or decreased customer demand.

Grant awards will range from \$2,500-\$10,000 and will be made available to eligible businesses who submit application and all necessary documentation.

**FISCAL IMPACT? Yes**

Fiscal Year:	2019-20	Available Funds	Budget	Est / Actual Cost	Difference
Fund:	COVID 84010840 57000	Total Project/Account:	\$500,000	\$500,000	\$0
		Less Other Items:	\$0	\$0	\$0
		This Agenda Item:	\$500,000	\$500,000	\$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:

  
 4r-021 CARES Odessa Business Assistance Program (CRF).pdf

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ODESSA, TEXAS, ALLOCATING \$500,000.00 OF THE CARES ACT CORONAVIRUS RELIEF FUNDS (CRF) AND ESTABLISH THE CITY OF ODESSA'S BUSINESS ASSISTANCE PROGRAM (COBAP) TO ASSIST SMALL BUSINESSES FOR LOSS OF REVENUE DUE TO BUSINESS INTERRUPTIONS CAUSED BY REQUIRED CLOSURES AS A RESULT OF COVID-19; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY DOCUMENTS NECESSARY TO IMPLEMENT THIS RESOLUTION; AND DECLARING AN EFFECTIVE DATE.

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

**Section 1.** That allocation of \$500,000.00 (CRF) Funds for the City of Odessa's Business Assistance Program (COBAP) is an effort to assist small local businesses who were directly impacted by COVID-19.

**Section 2.** That the City Manager is authorized to execute any documents necessary to implement this resolution.

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

The foregoing resolution was approved and adopted on the 28 day of July, 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 of July, A.D., 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Natasha L. Brooks, City Attorney

**CITY OF ODESSA  
CITY COUNCIL AGENDA ITEM**

Meeting Date:	07/28/2020	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		
CITIZENS GOLF 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:	