



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

**July 28, 2020**

On July 28, 2020, a regular meeting of the Odessa City Council was held at 6:00 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; 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.

**ECISD school year update** – Dr. Scott Muri, ECISD Superintendent, reviewed the plan for the school year but would be flexible with the COVID-19 environment. The mission was to prepare the students for the future of Ector County. He reviewed the guiding principles. Due to COVID-19, the students were different socially and emotionally. Since the school closure in March, there was a learning loss in math and reading. ECISD would open on August 12 as the first school day. The families have a choice on how their children would attend school. ECISD was prepared with all the PPE that was needed. There would be an online format for teaching. Dr. Muri reviewed the typical school schedules at the different levels. The parents would choose the type of learning for their children. Broadband access was an issue. He reported that 39% of the student had little to no internet, which was a priority for ECISD. There was poor infrastructure for broadband access. Models were being developed to provide services for internet access. There was an opportunity for potential funding. Council member Willis thanked Dr. Muri for his leadership with flexibility, realistic approach, and calmness. Council member Dean stated that the mobile units at hot spots were not possible. Dr. Muri confirmed it was not possible due to lack of infrastructure in areas. The students without internet access would be allowed to attend school five days a week. Council member Shelton stated that AT&T installed fiber in South Odessa. He commended Dr. Muri. Council member Bryant thanked Dr. Muri as the challenges were the community's challenges and together it made a difference. Mayor Turner thanked Dr. Muri for the leadership.

**August 31 Memorial Update** – Randy Ham, Executive Odessa Arts Director, provided an update in the process of commissioning an art piece for the August 31, 2019 tragedy. There were 140 artists that applied for the commission and the was narrowed to three finalists. The budget was \$300,000. The art piece would be at Memorial Gardens as it was a gathering place for many events and used by many people. Due to the design of the park, research was being made to redesign the park to highlight the art piece. The final proposals were due August 7 and the selection committee would announce the selection on the one-

year anniversary. Local artists were encouraged to apply. He reviewed the criteria. Mayor Turner stated that the families of the victims were invited to be involved in the selection process.

### CONSENT AGENDA ITEMS

- A. City Council minutes, July 14, 2020;
- B. City Council minutes work session, July 21, 2020;
- C. **Ordinance 2020-23 - 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 intersection of N. Grandview and Oakwood Dr.);**
- D. **Ordinance No. 2020-24 – 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.);**
- E. **Ordinance No. 2020-25 - 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 intersection of S. Hwy. 385 and Mercer Rd.)**
- F. Purchase 50 Dell laptops to improve telework capabilities for the City of Odessa employees to work remotely due to the Coronavirus pandemic for \$62,242;
- G. Contact award for a pandemic marketing consultant for \$155,000 to Red Pixel Marketing;
- H. Contract award for crack sealing compound material to Right Pointe, LLC for \$61,776.

Motion was made by Council member Bryant and seconded by Council member Willis to approve the 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 and contract to Fab Tech Wastewater Solutions LLC for half bridge clarifier construction at the Bob Derrington Water Reclamation Plant for \$319,000.** Tom Kerr, Director of Public Works/Utilities, stated that the bid was for the Derrington Plant for the fourth clarifier. Fab Tech replaced the three previous clarifiers. The cost was for \$319,000. Motion was made by Council member White and seconded by Council member Shelton 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

**Contract award to Fehrs for the Odessa Police Department Phase III interior finish-out.** Mike Gerke, Police Chief, stated that the bid award was to finish the training facility with the funds from the Certificates of Obligation. The award was to Fehrs for \$2,386,240 with the completion of 245 calendar days. There was \$3.5 million allocated to the entire project.

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

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

### ORDINANCE

**Call the 2020 General Municipal Election for November 3, 2020.** Mrs. Grimaldo stated that calling the 2020 Municipal Election was required by the Texas Election Code. The election would be for Mayor, Council members Districts 1, 2, and At Large. The vote centers were included in the ordinance with the extension of early voting due to Governor Abbott's proclamation.

Motion was made by Council member Willis 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

**Amend Article 3-12 – Flood Damage Prevention in the City Code of Ordinances.**

Yervand Hmayakyan, City Engineer, stated that on January 1, 2020 there would be a new prerequisite for achieving a Class 8 rating for the National Flood Insurance Program. There would be an enforcement of a one-foot freeboard standards for equipment and mechanical items. He provided a detailed summary of the requirement which was for citizens that live in the flood plain. He stated it was for new construction and major renovations.

Motion was made by Council member Bryant 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

### RESOLUTION

**Resolution No. 2020R-46 – Allocate \$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.** Mr. Marrero stated that \$500,000 from the CARES funding was for a program to help small businesses impacted by COVID-19. He recognized the members that designed the program. The program would help small business that did not qualify for other programs. The amounts of funding ranged from \$2,500 to \$10,000 for business with 20 employees or less. Any small businesses that suffered on or after March 18 would be eligible for the funds. The funds could be used for fixed assets, services, or marketing. He reviewed the requirements. The funds received would be based on annual gross revenues. An application with required documents was needed to be considered. Council member Willis thanked the committee in making the process simple. She expressed concern for marketing. There needed to be equal opportunity for all diverse groups to apply. The conflict of interest was discussed and clarified. Mr. Marrero stated it was one grant for one business. Council member Bryant stated it was important to reach out to all the community. Council member Dean stated that there would be a few small groups that would

review the applications. The process would be done quickly to get the funds to the businesses. Mr. Marrero stated that the marketing plan was being developed with a start date. Council member Dean stated the group of volunteers were going to be composed of people with business and financial experience. The process was discussed. Council member Sprawls stated that the applicants should adhere to the rules of the program.

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

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

### **MISCELLANEOUS**

**Appointment of Boards: Animal Shelter Advisory Committee, Citizens Golf Advisory Committee; Historic Preservation Commission, Traffic Advisory Committee, Zoning Board of Adjustment, Midland Odessa Urban Transit District and Capital Improvement Advisory Committee.** Council considered names on serving on the Capital Improvement Advisory Committee.

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

**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**

Motion was made by Council member Dean and seconded by Council member White to go into executive session under 551.071 and 551.074. The motion was approved by the following vote:

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

Motion was made by Council member Dean and seconded by Council member Sprawls to return from executive session. The motion was approved by the following vote:

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

No action was taken.

There was no other business, the meeting adjourned at 8:41 p.m.

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ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC  
City Secretary

David R. Turner  
Mayor