

**MINUTES OF A COUNCIL MEETING**  
**JULY 16, 2013**

The Hollywood Park City Council met in a regular session on July 16, 2013 at 7:00 p.m. in Town Hall. Notice was posted in accordance with the Texas Open Meeting Laws.

Mayor David Ortega called the meeting to order with the following Council Members present: Sudie Sartor, Chris Fails, Matt Amerman and Holly McBayer. Also present: Finance Director- Adelina Mardegain, Police Chief-Steve Kwiecien, Deputy Police Chief-Joe Quintero, Lieutenant Tim Zelenak, City Attorney- Michael Brenan and City Secretary-Janice Alamia. Absent: Councilmember-Steve Phillips, Fire Chief-John Butrico.

**PRESENTATIONS:** None

**ANNOUNCEMENTS/ MAYOR AND CITY EMPLOYEES:**

1. Fire Report: None
2. Police Report: Chief Kwiecien stated they have assigned two officers to handle code compliance. The Chief announced his retirement as the last day of August 2013 and recommended Joe Quintero as his successor.
3. Financial report: None
4. City Secretary report: Janice Alamia announced court packet available for children during "court month" and announced Town Hall Meeting from Senator Donna Campbell.
5. City Attorney report: City Attorney, Michael Brenan spoke about quorums, etc. He stated that a gathering of 3 city council members without notice, agenda and minutes taken, is a violation of the open meetings act. He suggested that council members not show up at events in quorum numbers where city business is being discussed. A delegate should be sent to the meeting of interest so everyone does not attend. These violations can be reported to the Attorney General's Office.

**CONSENT AGENDA:**

1. Approve the Minutes of the Regular Council Meeting 6/18/13.
2. Approve the Minutes of a Budget Workshop Meeting 7/2/13.
3. Approve the Minutes of a Budget Workshop Meeting 7/9/13.
4. Accept the Financial Statements as of 6/30/13.

CM Amerman made a motion to approve the Consent Agenda in its entirety. CM Fails seconded the motion. The motion passed unanimously.

**OLD BUSINESS:**

1. Discuss/Take Possible Action on entering into a contract with HNTB and implementation of a Street Study.
  - a. Citizen Comments: None
  - b. Discussion: Mr. German stated he met with Mayor Ortega, Councilmember Amerman, and City Engineer David Givler and submitted a revised budget and proposal for Council approval. HNTB will be doing traffic data collection on all entrances and exits from the city. CM Sartor asked why we will be spending more money than the original projected price. Mr. German said he did not realize the full scope of the project originally. The majority of the project will be finished by Sept 30<sup>th</sup>. CM McBrayer asked if phase A has been completed yet. Mr. German said it is not finished and would depend on Council approval. CM Fails asked what we gain by using AACOG. Mr. German said we would gain time. CM Sartor stated we needed to move forward with this. CM Fails stated he wanted to know what we are entering into before we take a vote. CM Sartor made the motion to accept the proposal from HNTB and to authorize the Mayor to negotiate and enter into a contract that accepts that proposal. CM Amerman seconded the motion. The motion passed unanimously.
  
2. Discuss/Take Possible Action on sinkhole repair and expenditures proposed by Givler Engineering and Wagner Materials and Construction.
  - a. Citizen Comments: None
  - b. Discussion: David Johnson from Givler Engineering spoke to the Council concerning the repairs and the work that has already been done thus far. They have also involved TCEQ and received their approval. He stated they would basically be building a bridge over the water. Mayor Ortega wanted to thank the residents in this area for their patience and diligence. CM Fails made the motion to approve Mayor Ortega to move forward with the sink hole repair and expenditures proposed by Givler Engineering and Wagner Materials. CM Sartor seconded the motion. The motion passed unanimously.
  
3. Discuss/Update on 281/1604 toll roads.
  - a. Citizen Comments:
    - Bob Sartor/34 Ashford Glen- These officials are not doing us a favor.
    - Brent Lane/613 El Portal- We do not want diminished revenues from an economic stand point.
  - b. Discussion: CM Sartor spoke about this issue [see attached]. CM Sartor has been involved in this issue since 2005 with the San Antonio Toll Party and Texans United for Reform and Freedom. She is opposed to converting any of our current roadways into toll roads. I encourage citizens to attend the meeting we will be having on July 24<sup>th</sup> concerning this issue with many of the parties involved in this process.

4. Discuss/Take Possible Action on (1) on amending the license agreement with Clear Channel Outdoor, Inc. to clarify the location of the three digital sign structures authorized in the license agreement and authorizing the Mayor to negotiate and execute an amendment to said license agreement for such purpose, and (2) to authorize the Mayor to negotiate and execute a contract with the owner of property adjacent to the Donella/US 281 intersection to acquire property for installation of the new Donella/US 281 digital sign structure with the funding for such acquisition to be paid by Clear Channel.
- a. Citizen Comments:
    - Tom Hackleman/326 Sterling Browning Business-I am concerned about the visibility issues at Sterling Browning and if the sign would block by business sign, DJL Ventures. It is a trophy shop.
    - Tom Lanford/Clear Channel-We took this business sign into consideration and there will be no blockage of your business sign or your business.
  - b. Discussion: The Mayor spoke to the residents concerning the possible change from placing signs on islands in the middle of the street with the poles coming out. The Mayor stated he was opposed to this. He showed on a map that the Donella sign will be purchased from the dentist that now owns the sign so HP can enjoy this revenue. On Sterling Browning, the Mayor negotiated that the signs be on our right of way instead of on an island. On Oak Creek, there will not be an island but on the right of way also. He stated we needed to amend the license agreement with Clear Channel to allow all of these locations to move and to allow the Mayor to negotiate with the dentist to purchase the plot of property in which her sign exists. CM Sartor made the motion to approve the Mayor to amend the license agreement with Clear Channel to clarify the locations of the 3 digital signs and authorizing the Mayor to negotiate and execute an amendment to said license agreement for such purpose, and to authorize the Mayor to negotiate and execute a contract with the owner of property adjacent to the Donella/US 281 intersection to acquire property for installation of the new Donella/US 281 digital sign structure with the funding for such acquisition to be paid by Clear Channel. CM Amerman seconded the motion. The motion passed unanimously.

### NEW BUSINESS:

1. Presentation/Discussion regarding the city towing contractor.
  - a. Citizen Comments: None
  - b. Discussion: Joe Anthony Guerrero, representing Creswell Towing spoke to the Council stating they have done the towing for Hollywood Park for two decades. They look forward to continuing doing business with Hollywood Park. CM Sartor wanted to clarify that on the contract it does not state we receive 20% of revenue for vehicle storage and sold vehicles so she would want that on the contract. The Mayor asked how we ensure we get our money paid on time. Mr. Guerrero stated they have had some accounting issues in the past but they have hired an accountant to keep track of these things. Jason Banis, representing Banis Towing spoke to the Council concerning his business. He is an official instructor for tow truck operators. They have been serving municipalities ever since his

father started Banis Towing. They have a new computer system being built to coordinate with the city on response time which will be in place August 1st. We are located in Leon Valley. CM McBrayer asked how many tow companies were contacted. Adelina sent out a notice to several cities to find out who the majority used. Deputy Chief Quintero recommended Creswell towing. Mayor Ortega stated today the objective was to hear from these two companies and there isn't anything we discussed that we have to take action on today.

2. Discuss/Take Possible Action on structure at 104 Sunway.

a. Citizen Comments:

- Bob Sartor/43 Ashford Glen- That property is zoned residential so please keep this in mind. We have lost the ability to have it moved for free so leave in place until we demolish and then re-zone.
- Brent Lane/613 El Portal- We are having discussions concerning this property for a possible Assisted Living or Starbucks.
- Janice Curtrier/201 Garrapatta – Have you tried to sell the house?

- b. Discussion: CM Amerman stated this house was a liability to the city and we need to demolish or move the structure. He stated he spoke to the city attorney and we would be able to use the Hotel Fund to pay for the demolition. CM Sartor stated one of these bids does not address the protection of the trees that are already there. One bid talks about the replacement of the fence and the other does not. CM Fails would like to see a public notice so perhaps we could lower our demolition costs. CM McBrayer stated there are many details that are missing so maybe we did not specify with each bidder what we wanted or was needed in the break down. The Mayor stated perhaps we should go forward but hammer out the specifications later. CM Amerman made a motion to declare the intent of the Council to remove the property at 104 Sunway and to instruct the staff to come back with more detailed bids in order to address at the next Council meeting. CM Sartor seconded the motion. The motion passed unanimously.

3. Discuss/Take Possible Action on addition of proposed Chapter 72 Ordinance # 929 entitled Trees and Public Tree Care as an amendment to Chapter 72 of the Code of Ordinances.

a. Citizen Comments:

- Brent Lane/EDC President- This Ordinance would be to establish the Tree City USA designation so it can be incorporated into the EDC's branding strategy. He also thanked Phil Wilberg for his hard work.

- b. Discussion: Bob Sartor, Chairman of the Code Committee was brought in after the EDC desired to get a Tree City USA designation for the Town of Hollywood Park. As a result changes needed to be made to the city code of ordinances and that is when Mr. Sartor became involved. There is a proposal in the Council packets that reflects this desire. CM Amerman thanked Mr. Lane and Mr. Sartor for their diligent work. CM Fails made the motion to approve Ordinance #929 entitled Trees and Public Tree Care as an amendment to Chapter 72 of the Code of Ordinances. CM Sartor seconded the motion. The motion passed unanimously.

**CITIZEN PARTICIPATION:**

- o Kevin Wilcox/301 Fleetwood – Mr. Wilcox has a trailer parked in his driveway and he lives on a corner lot and the Ordinance says he cannot park his trailer there unless he builds a fence around it. He is currently remodeling the inside. How do I approach changing this Ordinance since I live on a corner lot? He stated building a fence would be more of an obstruction.

**ADJOURNMENT:** There being no other business, Mayor Ortega adjourned the Regular Meeting at 9:29pm

MINUTES OF THIS MEETING APPROVED AS SUBMITTED (✓)  
CORRECTED ( ) THIS 20<sup>th</sup> DAY OF AUGUST, 2013.

  
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 Mayor, David L. Ortega

ATTEST:

  
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 City Secretary, Janice Alamia

