

**MINUTES OF A COUNCIL MEETING**  
**AUGUST 19, 2014**

The Hollywood Park City Council met in a regular session on August 19, 2014 at 7:00 p.m. in Town Hall. Notice was posted in accordance with the Texas Open Meeting Laws.

Mayor Chris Fails called the meeting to order with the following Council Members present: Steve Phillips, Sudie Sartor, Chris Murphy and Holly McBrayer. Also present: Finance Director-Adelina Mardegain, Police Chief-Shad Prichard, Fire Chief- John Butrico, City Attorney- Michael Brenan and City Secretary-Janice Alamia. Absent: Council Member David Neugebauer.

**CLOSE THE REGULAR MEETING:** The regular meeting was closed by Mayor Fails at 7:07pm for the Council to convene into Executive Session.

**EXECUTIVE SESSION:**

In accordance to the provision of the Open Meetings Law, Government Code, Vernon's Texas Codes Annotated in accordance with the authority contained in: Chapter 551 Sub-section 551.071 Consultation with Attorney (1) (A) Pending Litigation on the following matters: Esmeralda Montez v Town of Hollywood Park

**OPEN THE REGULAR MEETING:** The regular meeting was opened by Mayor Fails at 7:41pm

**PRESENTATIONS:** City Engineer, David Givler spoke to the Council about the Donella Drive Street Project. The scope of the project is from US 281 to Mustang Circle. He stated the last time he spoke to the Council, he presented a feasibility study with basic information based upon assumptions he made. Unfortunately some of the assumptions were incorrect so there is significant increase in the expense of the project per foot than originally anticipated. With the amount that was approved originally by Council he will be able to do the Base Bid which is from 281 to approximately 215 Donella. The reason that the costs are now higher are primarily due to two factors; the first being drainage issues that were not fully understood at the time of the feasibility study; but then they applied more detail and did hydrology calculations realizing there is a lot of water running to that area and secondly the street is flat and doesn't drain. They were also anticipating using recycling methods to cut down on pavement costs but with the cutting that is required there that makes it less efficient. Also the pavement thickness is not consistent. So what we are focusing on is the Base Bid on the budget we were provided. We need to add capacity to carry water because there are some significant flows. We not only want to convey water but also to have the ability for parking also as much as possible. To do the Base Bid [281 to 215 Donella] would be approximately \$842,587.13 to \$1,011,104.56. To extend work to the culverts would be an additional \$264,274.05 to \$317,128.86. To go from to culverts to Mustang Circle would be an addition \$210,876.31 to \$253,051.57. To correct the entrance re-alignment on Great Wood would be an additional \$28,997.02 to \$33,801.65. With everything included this would total approximately \$1,346,734.51 to \$1,615,086.64. If the Council were to accept the preliminary design today and direct Mr. Givler to continue with the detailed design he stated he

could have that back to the Council in November 2014. At which time he would expect utility relocations to begin with the utility companies and completed by February of 2015. We would then begin construction in March of 2015 with completion in approximately July 2015. The Mayor stated he and the City Secretary would be in communication with the City Engineer in order to come to a point where he would need to return to Council once we are closer to receiving bids so the amount of approval can be discussed and approved.

**ANNOUNCEMENTS/ MAYOR AND CITY EMPLOYEES:**

1. Fire Report: CM Phillips asked about assisting the EMS crew stated on the Fire report. Chief Butrico stated since they are first responders they assist the EMS crew at times.
2. Police Report: Chief Prichard presented his report to Council. CM Phillips asked why there were not many Code Violation citations. Chief stated residents comply after the first warning so there has been no need to write violations.
3. Financial report: Adelina Mardegain reminded all about the public hearings on the tax rate on September 4<sup>th</sup> at 6pm and September 11<sup>th</sup> at 5pm.
4. City Secretary report: Janice Alamia told the Council there was a new report from Maria Hernandez on permits and pool passes.
5. Mayor report: None

**CONSENT AGENDA:**

1. Approve the Minutes of the Regular Council Meeting on 7/15/14 .
2. Accept the Financial Statements as of 7/31/14.

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

**OLD BUSINESS:**

1. Discuss/Take Possible Action to approve Ordinance #947 of the Town of Hollywood Park, Texas, amending Chapter 72 Trees and Public Tree Care by repealing section 72-14 (2) a. and b. regarding the discovery and remediation of Oak Wilt and adopting a new Section 72-14 (2) applicable to the discovery and remediation of Oak Wilt.
  - a. Citizen Comments: None
  - b. Discussion: CM Sartor stated that from the draft to the final Ordinance a word was changed from “should” to “shall” which totally changed the meaning and the City Attorney consolidated some other items on this Ordinance. CM Sartor made the motion to approve an Ordinance of the Town of Hollywood Park, Texas, amending Chapter 72 Trees and Public Tree Care by repealing section 72-14 (2) a. and b. regarding the discovery and remediation of Oak Wilt and adopting a new Section 72-14 (2) applicable to the discovery and remediation of Oak Wilt. CM Phillips seconded the motion. The motion passed unanimously.

## **NEW BUSINESS:**

1. **Discuss /Take Possible Action to approve the date change of the September City Council meeting from September 16<sup>th</sup> to September 23<sup>rd</sup> to allow for all necessary public meetings.**
  - a. Citizen Comments: None
  - b. Discussion: Adelina Mardegain explained to the Council that in order to have the required Public Hearings we needed to move the City Council meeting to the following week which would be September 23<sup>rd</sup>. CM Phillips made the motion to approve the date change of the September City Council meeting from September 16<sup>th</sup> to September 23<sup>rd</sup>. CM Sartor seconded the motion. The motion passed unanimously.
  
2. **Discuss /Take Possible Action on proposed Holiday Inn marketing plan.**
  - a. Citizen Comments: None
  - b. Discussion: The City Attorney, Mike Brenan stated the agreement that was made concerning the Hotel/Motel money included a provision stating that 1/7 of the funds received shall be expended by town for marketing and promotion of hotel activity in the city specifically in cooperation with the marketing plan submitted by hotel to town. At the time the agreement was made there was and still is only 1 hotel in town. Mr. Brenan went on to say the proposed use of funds for these monies was submitted by the owner of the sole hotel in Hollywood Park. This is being brought to the Council for review and discussion. The Finance Director, Adelina Mardegain stated the funds available at the time of the agreement was approximately \$144,000. The Hotel owner has presented an itemized list included in the Council packets stating how he would like to use these funds. CM McBrayer asked if the EDC banners that are being installed could be paid for through these funds which will advertise the hotel. The City Attorney said yes this could be done. The Council tasked CM McBrayer to meet with the hotel owner to come up with a plan to use the funds.
  
3. **Discuss /Take Possible Action to approve towing contract for one year.**
  - a. Citizen Comments: None
  - b. Discussion: Chief Prichard spoke to the Council concerning the fact that we do not have a current signed contract from towing company we are currently using. Chief has a number of issues with the current towing vendor such as never having seen a monthly report breaking down the towing fees, storage, monies collected for the city etc. He received a proposal from Richards Towing and was impressed with their experience with law enforcement. The fees we would be collecting from Richards Towing would be at or better than the current vendor we use. He is proposing a one year contract. Brittney Campos with Richards Towing stated their lot is located at approximately 410 and Bandera. Mr. Brenan said the contract needs to be cleaned up grammatically. CM McBrayer made the motion to approve the towing contract for one year after the city attorney makes necessary corrections. CM Murphy seconded. The motion passed unanimously.

4. Discuss /Take Possible Action to approve Ordinance #948 amending the Code of Ordinances by repealing Articles I and II of Chapter 10, Animals, and adopting new Articles I-VI of Chapter 10, and renumbering Article III to Article VII.
- a. Citizen Comments:
- Tonya Cummings/129 Grand Oak: Ms. Cummings is the President of the Humane Society. She thanked Karen Waugh, CM Sartor and Officer Clint Bass for all their help with this Ordinance.
- b. Discussion: Mayor Fails said this was a culmination of many hours of hard work by the Code Committee and Humane Society. CM Sartor stated Mayor Fails helped and people have been working on this for approximately two years. CM Phillips made a motion to approve the Ordinance as written with amendments by the City Attorney to sections 10-103 and 10-53. CM Sartor seconded. The motion passed unanimously.

**CITIZEN PARTICIPATION:**

- Janice Cutrer/201 Garrapata: She saw in the Sparks where the Deer Committee did not want to remove more than 50 deer for the upcoming trapping season. She stated she walks daily for approximately 30 minutes and on Tuesday morning she saw 21 fawns. On Thursday on her walk she saw 50 deer. Ms. Cutrer stated we need to remove more than 50 deer.
- Art Villareal/224 Fleetwood: He spoke about the process on the Donella Street Project. He would like to see the process and paperwork throughout this project without having to put in an Open Records request.
- Linda Phillips/7 Ashford Glen: Ms. Phillips stated in regards to their entrance it is very difficult to come in the gate. She stated a few weeks ago there were two policemen at their gate for approximately 45 minutes trying to direct a truck into the gate. She is asking the city to fix this because in the plat the design was correct but someone from the city signed off on a different design that was not shown on the plans.

**ADJOURNMENT:** There being no other business, Mayor Fails adjourned the meeting at 9:21 pm.

MINUTES OF THIS MEETING APPROVED AS SUBMITTED (✓)  
CORRECTED ( ) THIS 23 DAY OF September, 2014.

  
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Mayor, Chris Fails

ATTEST:

  
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City Secretary, Janice Alamia