

MINUTES OF REGULAR  
CITY COUNCIL MEETING HELD  
AUGUST 20, 2015

The City Council of Olmos Park, Texas held a regular meeting on August 20, 2015 commencing at 6:00 p.m. in the Council Chambers at City Hall. Mayor Kenneth Farrimond presided and Council members present were Casey Fry, Kenyon McDonald, Deb Prost, Ronald Hornberger and Juliana Dusek. Staff present was City Manager, Celia M DeLeon; City Secretary, Diane Gonzales; Fire Chief, John Surber; Police Chief, Rene Valenciano; and Public Works Director, Gilbert DeLeon. Also present were City Attorney, Frank Garza; Sharon Plant, 131 E. Mandalay; Pat Meier, 140 Stanford; Vincent Sullivan, 244 Stanford and Dennis Martinez, 100 W. El Prado #301.

Mayor Farrimond called the meeting to order at 6:00 p.m. and determined a quorum was present.

Citizens to be heard: This time is provided for citizens to address the Council on issues and concerns. No action can or will be taken on issues raised under this portion of the meeting. Please state your name and address for the record and limit your remarks to a period not to exceed three minutes.

Vincent Sullivan of 244 Stanford stated several weeks ago I sent letters to each councilmember regarding the violation on my property. First, I was issued a citation for violation of the sign ordinance because of my little "for sale" sign was too close to the street. If you notice in the picture from the letter I sent to you there are two giant containers that the owners placed in the front yard at the house next to me and have been there since before last Christmas and technically they are in violation of the sign ordinance. In addition, the contractor has his sign in the yard which is also a violation of the sign ordinance and he did not receive a citation. I spoke to Jim Raby and he said as long as they have a building permit the containers can be out there and I think this is something that needs to be addressed.

Sharon Plant of 131 E. Mandalay stated hello Council, I would like each of you to reconsider changing the TMRS Retirement Program from 25 to 20 years. There are four of you guys that have been on Council and know all the history and I know everyone has received former Councilman Pellegrino's email and though I know some of it was probably "off pudding" and a little emotional but the facts are accurate. I would hope you would look into that a little bit more. Secondly, I was informed last night by a former Mayor Gerald Dubinski and he has asked me to come up and speak as he is having dinner for his daughter in laws birthday tonight. On August 10, 2015 Councilwoman Prost approached him and asked him if he would help her raise a million dollars for the McCullough Corridor Project and she stated the City would be willing to do a bond issue for the remaining funds, Councilwoman Prost has also met with Harriet Oppenheimer and Ronald Tefeller and I don't know if it's regarding the same thing. The McCullough Corridor Project as we all know has not been approved; the plan is a concept that this point, the EDC has not brought it forward to City Council so trying to sell this plan is irresponsible and non-representative of what we are doing here. In addition on August 17<sup>th</sup> Ms. Prost sent out an email blast to I am assuming several property owners and I only heard from Mark Lewis who was upset and most of you are aware of this because he was concerned about the middle turn lane, so at this point I would urge the Mayor with Council's support to have a letter sent out and I don't have an email listing for all the businesses, Ms. Prost probably does so maybe she can turn that over to you guys to give some clarification on where the Council is on this project at this point as well as maybe the Mayor can do something on the email blast to

the residents on this issue as well and I reserve my comments for the item #6 until after Mr. Hornberger speaks.

Clarify terms of appointment for the newly appointed Economic Development Corporation members Andres Andujar and Sharon Plant; take possible action

Mayor Farrimond stated we appointed these members at our last City Council meeting and did not include their terms which they are replacing two members of the EDC one this December and one next December of 2016. I have talked with Andres Andujar and he would like to be appointed until this December 2015.

Councilman Hornberger moved to appoint Andres Andujar for the term through December 2015 and appoint Sharon Plant for the term through December 2016.

Councilman Fry seconded the motion.

The vote in favor of the motion was unanimous.

Review Investment Policy; take possible action

City Manager, DeLeon stated there are no changes to the policy and I had Christopher Allen our Financial Advisor review it and he said there were no changes needed and he recommends adoption which is an annual requirement.

Councilman Hornberger moved to keep the investment policy the same.

Councilman McDonald seconded the motion.

The vote in favor of the motion was unanimous.

Discuss amendments to the EDC Articles of Incorporation and Bylaws; take possible action

Mayor Farrimond stated these are the changes that Council asked the EDC to make and EDC has made the corrections and sent them back to us.

Dennis Martinez of 100 W. El Prado #301 stated the only comment I wanted to make was there was some confusion about the language whether we referenced the right set of bylaws. I will meet with Celia and we are going to make sure we have the right set of bylaws and will be distributing them to the EDC.

Councilman Hornberger stated we also want to be sure the right set is also on our website.

Mayor Farrimond stated I believe there was also a small wording change in the Articles of Incorporation.

Dennis Martinez stated one of our EDC members brought this to our attention about the language change, so I will run that through with the EDC Attorney.

Councilman Hornberger stated on page two of the resolution in the underlined section and ends with the word members – I think that should read member.

Sharon Plant stated I have the minutes of the meeting when Deb was made President of EDC and all the changes so I have matched it all up to everything but there is one section in there with the President, you guys never took action on that section and basically it was changed to the President is a voting member whereas the original document that Langley & Banack prepared said the President was not a voting member. I don't know where that came from so that is the part that the Mayor was talking about.

Councilman Hornberger moved to approve the amendments as presented by EDC with one correction.

Councilman McDonald seconded the motion.

The vote in favor of the motion was unanimous.

Discuss consolidation of the EDC records and projects; take possible action

Mayor Farrimond stated this item is getting all the EDC records in order to be stored at City Hall.

Frank Garza stated that is a standard requirement, your larger EDC's usually have their own administrative office and their own Executive Director handling the EDC documents. The smaller EDC's that do not have their own separate building or Executive Director are required to store and maintain and keep the records in order to be in compliance with the records retention laws, therefore it is not a law but best practice to keep those records with the governmental agency that created the EDC so if there are requirements that need to be complied with then they are there and be in a separate file cabinet.

City Manager DeLeon stated there are a lot of plans that I am missing hard copies of and I contacted Carl Bain and requested a listing of all the hard copies that have been turned into the EDC. I have obtained that listing and double checked it from the plans that I had and I also had a second set of eyes come and also check and I have a lot of documents that I am missing and have not received. It appears that Mr. Martinez may have some of the plans we are looking for.

Mayor Farrimond stated EDC has its own email account and is hosted by the same company that hosts Olmos Park so we will need copies of those emails that were sent from that email for our files.

City Manager DeLeon asked Councilwoman Prost who would have those emails prior to me taking over the account?

Councilwoman Prost stated the emails that came through that account were only from Lori Hernandez at the State Controller's Office which you were copied and a few other non-consequential ones.

City Manager DeLeon stated I looked through the sent folder and the trash folder and there is nothing in there.

Dennis Martinez stated I have taken possession of the documents and as I have shared with the City Manager this morning I am putting them in proper order and organizing them and the documents that I did receive from Deb are all in pristine order and I will turn those documents over to store at City Hall.

Sharon Plant stated I did file a request for public information as we all know and all of these documents are organized and I will give them to Celia to put in the file cabinet and we will just have to cross reference to what Dennis has. What I can tell you about the emails, I know I am missing a ton of stuff, I mean this is just four months of emails here and are all basically City related and I have already taken out all the duplicates and there are hidden text in the emails so that it doesn't make sense and there is not one email in here to any business owner so this just kind of goes with what Celia was asking and I know you have stuff from business owners. When Dennis or any of us go out and talk to property owners I would like to know what has been communicated to them as I am sure he would too, just so we know where we stand.

Councilwoman Prost stated Dennis has all the emails and the email blasts that went out.

Dennis Martinez stated I have some copies of the letters that went out and we will begin this task as we get closer to accomplishing some of the things such as sidewalk ordinances and other issues and we will have to go out and have a discussion with the property owners and EDC will take the lead.

Sharon Plant stated I know there was some information that was not provided and I just wanted that on record.

Councilwoman Prost stated it appears that the City Manager does not know what documents she may have, and that all the emails I have, have already been given and that all the items you show are missing should have checkmarks next to them as they may be contained within other documents.

#### Amend FY2015 Budget

City Manager DeLeon stated these are the amendments that we discussed at the budget meeting and we have included an ordinance to approve them and move forward.

Councilman Hornberger moved to adopt Ordinance 2015-07 as written with the four increases in reserves and establish Admin Reserve and five increases and make additional transfers into reserves.

Councilman McDonald seconded the motion.

The vote in favor of the motion was unanimous.

#### Consent Items:

- a. Approve Cash Disbursements for July 2015
- b. Approve City Council minutes for July 30, 2015
- c. Approve date change for San Antonio Bar Foundation to hold Fun Run through Olmos Park from November 21, 2015 to November 14, 2015

Councilman McDonald moved to accept the consent items as submitted.

Councilman Fry seconded the motion.

The vote in favor of the motion was unanimous.

Departmental Reports: (Written reports submitted to City Council, no further discussion required, unless requested by City Council.)

- a) Police:  
(1.) Incidents, arrests and activity during the prior and current months.
- b) Fire:  
(1.) Fire and other service calls, activity and training activities during the prior and current months.
- c) Streets and Sanitation:  
(1.) Monthly Report
- d) Administration:  
(1.) Financial reports for July 2015;

- (2.) Monthly overtime, CT, vacation, sick leave report
- (3.) Building Department Report
- (4.) Municipal Court Report

e) Manager's report:

- (1.) Discussion of written reports (if needed).

Councilman McDonald moved to accept the departmental reports as submitted.  
Councilman Hornberger seconded the motion.  
The vote in favor of the motion was unanimous.

There was no further business and the meeting was adjourned at 6:38 p.m.

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Kenneth Farrimond  
Mayor

ATTEST:

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Diane Gonzales  
City Secretary