

**OLMOS PARK ECONOMIC DEVELOPMENT CORPORATION  
MINUTES OF REGULAR MEETING OF BOARD OF DIRECTORS  
HELD ON MARCH 12, 2019**

The Board of Directors of the Olmos Park Economic Development Corporation met in regular session on Tuesday, March 12, 2019 at 6:00 p.m. in the City Council Chambers of the City of Olmos Park at 120 West El Prado Drive, Olmos Park, Texas. Members of the Board of Directors present were Mayor Hornberger, Councilwoman Sharon Plant, Fedra Chapa, Donna McElroy, Pat Meier, Barry Sturrock and Richard Wolf. Also present was City Attorney, Ruben Barrera and City Manager, Celia DeLeon.

Call to order and determination of quorum.

The meeting was called to order at 6:00 p.m. by President, Barry Sturrock; roll call was taken, and a quorum was announced.

Citizens to be heard. ("This is the time provided for citizens to address the Board on issues and concerns. No action can or will be taken on issues raised under this portion of the meeting. Please limit remarks to a period not to exceed three minutes). After these 3 minutes have ended, please note that no other comments or questions will be entertained unless an individual is granted permission to speak on the request of the EDC President or other presiding officer. Please state your name and address for the record").

There were no citizens to be heard.

Review and discuss minutes of January 8, 2019 and February 12, 2019 Board Meeting; take possible action.

The Board discussed edits and revisions to the January 8, 2019 and the February 12, 2019 minutes.

A discussion centered on to what extent should revisions and/or edits to the minutes be allowed. There was concern that extensive rewrites or revisions would create additional work for Diane Gonzales, City Secretary.

President Sturrock recommended that in going forward that the Board should give preference to the person who made the statement to create the proper narrative.

City Manager DeLeon stated once the City Secretary has typed the minutes she can send them out to the Board and then each member can respond to the City Secretary only if they have changes.

The Board agreed to have the City Secretary send the minutes to the Board once they are complete and then each member can respond individually to her if they have a correction. She will then listen to the recoding to verify the changes.

After reviewing the minutes Councilwoman Plant moved to accept the January 8, 2019 and February 12, 2019 Board meeting minutes as revised. Mayor Hornberger seconded the motion. The motion was approved unanimously.

Review and discuss Financial Reports, including EDC expenditures and allocations and monthly treasurer report; take possible action.

Treasurer Wolf stated at the end of February the balance was \$501,884.73 and the sales tax revenue collected for February was \$12,241.47. He stated after paying the invoices the balance is \$511,388.46.

Mayor Hornberger moved to accept February 2019 Financial Reports, EDC expenditures, allocations

and monthly treasurer report as presented. Donna McElroy seconded the motion. The motion was approved unanimously.

Discussion on the McCullough Corridor Sidewalks and Landscaping Demonstration Project (referred to as the "McCullough Corridor Project" including Task 1 which involves engaging professional (civil & electrical engineering design, surveying and landscaping design) services as well as Phases A – G of Task 1 (that include attending meetings, preparing preliminary and final construction documents and surveys, preparing bidding package, construction administration and preparing plans of record) by Bain Medina Bain, Inc. and Bender Wells Clark Design for sidewalk and landscaping improvements to undertake the McCullough Corridor Project in an amount not to exceed \$65,000.00 ("Task 1 project") as this Task 1 project will promote new or expanded business/economic development and commercial activity in the City and specifically along the McCullough Business Corridor; possible action involving the McCullough Corridor Project including the Task 1 project and Phases A-G of the Task 1 project. President Sturrock stated we have spoken about this previously.

City Manager DeLeon stated if you have driven by the "Yard" recently they have torn down that wall that was a divider between the sidewalk and the parking area. The property owners, not the City, took this initiative, promoted by many of the tenants were complaining that the wall was unsightly.

Discussion and possible action on a professional services agreement between the Olmos Park Economic Development Corporation ("EDC") and Bain Medina Bain, Inc. in connection with the Task 1 project of the McCullough Corridor Sidewalks and Landscaping Demonstration Project; and if the agreement is approved, authorizing and directing the President of the EDC Board of Directors to negotiate, finalize and sign the professional services agreement between the EDC and Bain Medina Bain, Inc. and to carry out all of the EDC's obligations under the professional services agreement. President Sturrock stated the City Attorney has spent the last few days working with Bain Medina Bain negotiating an agreement that his partners had developed that is applicable to this project and future projects and it is a comprehensive type format that we can utilize on other projects. Ruben Barrera has reviewed the agreement and has no questions. The City Council has already approved that the EDC move forward with both projects.

Mayor Hornberger asked how are you going to be sure under this contract the EDC will not be paying for something that they have already paid for in the past?

President Sturrock stated one of the things he wanted to do to help the EDC is to provide expertise and he reviewed the work that had been done to date by Bain Medina Bain and Bender Wells. He reviewed the proposal and they did not get what they asked for originally and we negotiated with them to minimize their fees as much as possible to make sure we are not paying twice for something that we have already paid for previously. Planning & Zoning worked hard to come up with these ordinances for the City to set a standard and it is his idea that this project flushes that out. If you want to have construction and a business in Olmos Park along the corridor then you have to follow our ordinances. He stated once we receive all the drawings we can then look at everything carefully to be sure that the fees are justified.

Councilwoman Plant questioned a document back from October 17, 2018 of a "Plan Cost Detail" by Bender Wells Design. She said the last time they were involved is when the EDC was applying for the TXDOT reimbursement grant. Bender Wells and Bain Medina Bain understand that the EDC is not applying for any grants with TXDOT for the projects.

President Sturrock stated we are not applying for any grants.

Pat Meier asked does TXDOT offer the standard specifications that we have to follow?

Councilwoman Plant stated TXDOT specifications will be more rigid on what we have to do and TXDOT does not own the street.

President Sturrock stated a lot of times TXDOT has listed a road base so the common term for that is TXDOT A 2 Base because they have a detailed specification and it is universally expected and this project does not involve any funding from TXDOT.

Councilwoman Plant asked what will be exhibit A?

President Sturrock stated Exhibit 1 is Bain Medina Bain proposal to us, Exhibit 2 is the fee schedule and Bain's proposal includes Bender Wells Clark and HM3 Engineering and Exhibit 3 is a timeline for completion duties which is subject modification once we get started working on the project.

Mayor Hornberger moved that the Professional Services Agreement between Olmos Park Economic Development Corporation (EDC) and Bain Medina Bain, Inc. in connection with the Task 1 Project of the McCullough Corridor Sidewalks and Landscaping Demonstration Project be approved and the President of the EDC Board of Directors is authorized to directly negotiate, finalize and sign, the Professional Service Agreement between the EDC and Bain Medina Bain, Inc. and to carry out all of the EDC's obligations under the Professional Services Agreement. Donna McElroy seconded the motion.

The motion was approved unanimously.

Discussion on the McCullough Corridor Sidewalks and Landscaping Demonstration Project (referred to as the "McCullough Corridor Project" including Task 2 which involves constructing sidewalk and landscaping improvements to undertake the McCullough Corridor Project in an amount not to exceed \$360,000.00 ("Task 2 project") as this Task 2 project will promote new or expanded business/economic development and commercial activity in the City and specifically along the McCullough Business Corridor; possible action involving the McCullough Corridor Project including the Task 2 project.

President Sturrock stated the Board discussed this item pertinent to the contract.

Executive Session item:

Consultation with attorneys pursuant to Section 551.071(2) of the Texas Government Code for advice on legal issues involving (i) the McCullough Corridor Sidewalks and Landscaping Demonstration Project including the Task 1 project and Task 2 project that comprise the McCullough Corridor Project; and (ii) a professional services agreement between the Olmos Park Economic Development Corporation and Bain Medina Bain, Inc. The Olmos Park Economic Development Corporation's ("EDC") Board of Directors will consult with its attorney in a closed session, as authorized by Texas Government Code Section 551.071(2), to discuss and seek advice upon one or more matter(s) in which the duty of the attorney to the EDC under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with Chapter 551, Texas Government Code.

President Sturrock stated at this time there is no need to go into executive session.

Discuss liaison issues with businesses and Olmos Park Living Magazine.

Pat Meier stated she would like to volunteer since she has a connection with the magazine and a connection to the businesses through the Welcome Committee and various things we have done in the past through Planning & Zoning. She will report back to this Board. As a main organizer of the Sip and Shop, Ginger Diaz with Feliz Modern, will come to EDC with her written request for the amount of funds needed for the Holiday Sip and Shop event. Pat Meier stated she will help to get the cost of a trolley, and a street sign across McCullough. She will do the footwork to get everything in place. She will work with the Olmos Park Magazine to make sure the updates and advertising the event come out in September and October issues. In reference to forming a business association or group, not all of the

retail businesses are involved in the idea of forming a design group. There is a separation of designers and shop owners working this idea. Their focus differs in that they have buyers and designers coming in to look at products. They are being encouraged to participate in the Sip and Shop on the first Thursday of December with the other retail shops. Pat Meier is also working with Nicole Greenberg, sponsor of the Olmos Park Youth Commission to plan somethings that the students would like to do on that night. Pat Meier will present a summary to the Board and Ginger Diaz will present the EDC a request form with the final cost at a later time.

Councilwoman Plant stated Pat Meier has all the knowledge and experience to be the liaison for the Sip and Shop and stated if someone hears anything regarding this event please have them send an email to the City Manager and Barry Sturrock.

Pat Meier asked if the EDC will have another budget for Christmas decorations this year? She stated she will come up with a cost and bring to the EDC based on last year's spending.

Discuss administrative items and future agenda items.

Discussion on the McCullough Corridor Sidewalks and Landscaping Demonstration Projects

Discuss liaison issues with businesses and Olmos Park Living Magazine

Discussion on Holiday decorations and budget

Adjourn meeting.

The meeting adjourned at 6:40 p.m.

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Barry Sturrock, President

ATTEST:

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Diane Gonzales  
City Secretary