

These minutes have been prepared to satisfy the requirements of Section 551.021 of the Texas Government Code.

Town of Hollywood Park  
Regular City Council Meeting  
Tuesday, June 16, 2020  
Meeting Duration: 6:00 p.m. to 9:22 p.m.

**CALL TO ORDER:**

Mayor Chris Murphy called the meeting to order at 6:00 p.m.

**INVOCATION:**

Councilmember Debbie Trueman

**ROLL CALL:**

**Members of City Council:** Mayor Chris Murphy, Scott Bailey, Delaine Hall, Oscar Villarreal, Debbie Trueman, and Michael Howe

**Hollywood Park Staff Present:** City Attorney Ryan Henry, Police Chief Shad Prichard, City Treasurer Jeff Hinson, Public Works Director Kelly Cowan, and City Secretary Janice Alamia

**PRESENTATIONS:**

None

**ANNOUNCEMENTS/REPORTS FROM MAYOR AND CITY EMPLOYEES**

- 1. Fire Department:** Fire Chief Butrico reported 44 calls for service for the month of May 2020. Calls for service included EMS calls, fire alarm calls, hazardous condition (natural gas leak) and motor vehicle crash. Fire Chief Butrico stated that the Hollywood Park Fire Department participated in a high school and college graduation parade as well as a birthday drive-by at Brookdale Nursing Home.
- 2. Police Department:** Police Chief Prichard reported 347 activities for the month of May 2020. These activities included an aggravated robbery, indecency with a child case, credit card fraud over \$33,000.00 and burglary of a house under construction. He indicated that calls for service are increasing with the opening of businesses. Due to the Covid19 shutdowns the Police Department patrol by requests have decreased. He also reported that the Police Department is seeing an increase in mental health cases.
- 3. Public Works:** Public Works Direct Kelly Cowan reported that the Voigt Center rentals are beginning to increase again. Currently the allowed Voigt Center occupancy is at 50%, which is a 90-person capacity. He stated that currently the Voigt Center is reserved for every Sunday through the end of August 2020. He also reported 128 code compliance cases for the month of May 2020. In part, the increase is due to the bulky item pick up. Kelly reported the hiring of the new Code Enforcement employee, Angela Perez. Kelly stated that the Town of Hollywood Park now has high water detectors in place. This project was started two years ago by Bexar County. This system was at no cost to the citizens of Hollywood Park. He advised that the swimming pool has opened. Kelly updated Council on the road work in Hollywood Park. Phase I, which is the Meadow Brook phase, has been completed. They should be bringing in equipment next Friday to begin working on Phase II of the gas line the following Monday.  
*Mayor Murphy mentioned that there was a resident on Donella that had a concern. There was spray paint along his concrete pad that he installed in front of his home indicting there was a gas line. He was certain that the gas line was on the other side of the street because of the home construction that took place there. Mayor Murphy inquired as to who this citizen should reach out to for clarification. Kelly Cowan advised this resident could reach out to him. Unfortunately, if the lines are underneath his concrete pad in a utility easement, that's the reason for the easement. Mayor Murphy explained that they are saying it was painted in error.*

4. **Financial Report:** City Treasurer Jeff Hinson reported the Revenue is at \$4,022,876.00 and we are 89% of the budget, which is good and mostly due to property tax. He advised sales tax came in this month with a 26% below last year. It was \$122,000.00 last year and was \$90,000.00 this year. Jeff stated he checked June, which was going to be a big question, and even though it's down he thinks we are on the good side. It was at \$108,000.00 last year and it's \$77,000.00 this year, which is only a drop of 29%. Jeff reported that expenses are \$2,902,386.00, which is 64% of the budget. Jeff stated Parks and Recreation indicates it's \$136 over. He explained when we budget it, the money will be moved out to either the Voigt or the Venue fund. Jeff is in contact with the auditors about this. Jeff also said that a Debt Service Fund needs to be set up since bonds are backed by property tax.

*Councilmember Hall asked for explanation as to why the financial records are not posted on the website.*

*Jeff advised that financials are posted through 06/2019. At that point in time is when we started to budget items. It's a complicated process. Jeff stated he has an open records request, which he will take care of.*

*Mayor Murphy interjected to mention that March 6, 2019 hackers hacked into our system and took 85% of the money we had showing in our accounts on our website. The US Secret Service, Hollywood Park Police Department and our legal help at that time and now all agreed that we should not post our bank balances on the internet for anyone to see. Mayor Murphy indicated that while he is Mayor, he will not put the amount of money the City has in the bank on the website. If people want to know, and they have a right to know, we will provide it for them. Mr. Hinson explained with the information contained in the financial reports unknown persons have been able to email mirrored vendor invoices, in an attempt to hack the system.*

*Councilmember Hall also asked if money has been moved to the new bank.*

*Mr. Hinson explained he is waiting for the ok from the attorney's office and the Mayor to move money.*

5. **Administration:** City Secretary Janice Alamia reported there were 58 permits issued for the month of May 2020 totaling \$23,430.00. She stated the sale pool passes last month. For the month of May \$19,140.00 worth of pool passes were sold. We are expecting June sales to be higher. Janice reminded everyone that Saturday is the Mayor's Movie Night at Memorial Park.
6. **City Attorney:** City Attorney Ryan Henry reported to Council that after discussions with the court personnel, Police Chief and the Judge the City will be resume court proceedings in August.
- 7.
8. **Mayor:** Mayor Chris Murphy expressed his appreciation for our billboard providers in assisting our local restaurants. He indicated they continue to provide assistance to them on the digital billboards for curbside pickup and now dine-in. Mayor Murphy reported that Hollywood Park was able to open the swimming pool. He stated that Hollywood Park was the first municipality to have their swimming pool open.

## **CONSENT AGENDA**

1. Approve the Minutes of the Regular Council Meeting on 05/19/2020.
2. Accept the Financial Statements as of 05/31/2020.

- Councilmember Trueman made a motion to make some corrections to the Minutes from the 05/19/2020 Regular Council Meeting as follows:
  - She would like the record to reflect that the Finance Director reported that the Town was in good shape and that even if we didn't get any revenue for the next year, we would be ok.
  - The record needs to reflect that Councilman Villarreal inquired as to why he was seated in the back corner of the room. This could be documented under Mayors comments.
  - Councilmember Trueman continued: Under #4 to discuss/take action on Clear Channel's request to reduce payments to Hollywood Park on the billboard contract - the minutes need to include that Councilmember Howe was also very vocal on the matter as well.

*Councilmember Howe stated that it should reflect that he questioned that they were an insurance policy for us as a town to make sure we had the revenue in particular bad times like this. And he said he would not agree with any type of discount. If we give Clear Channel a discount, we have to give Burkett Media a discount, so he did not want any discount.*

Councilmember Hall seconded the motion, which passed unanimously.

- Councilmember Trueman made a motion to approve the Consent Agenda, with those changes, in its entirety. Councilmember Howe seconded the motion, which passed unanimously.

### **CITIZEN PARTICIPATION**

- Delaine Kelley of 210 Donella Dr.: Spoke about swimming pool hours and swim team situation coming to a compromise for all interested parties.
- Mark Perry of 513 El Portal Dr.: Spoke regarding the agenda item #6 pertaining the City Secretary's position. Mr. Perry spoke of his experience working with Janice.
- Chris Fails: Commented regarding the financial revenue and expense reports, which have not been posted since 06/2019. Mr. Fails explained these reports do not include the bank balances.
- Stacy Knudson: City Secretary read an email from Stacy Knudson regarding her history with the Hammerhead Swim Team and her request for the Town of Hollywood Park's continued support.
- Rebecca Danet: City Secretary read an email from Rebecca Danet regarding her support for the swim team and her request for City Council fine a way to balance the needs of the swim team with the needs of the community at large.
- Laci Wiede: City Secretary read an email from Lacy Wiede regarding her support for the Hammerheads Swim Team and her want to encourage a compromise that benefits both the Hammerheads, and those in our community that don't participate in the team.
- Barbara Schmitz of 109 Meadowbrook: City Secretary read an email from Barbara Schmitz regarding her appreciation for the of the opening of the swimming pool and a possible solution for sharing swim lanes.
- Aaron Caldwell: City Secretary read an email from Aaron Caldwell regarding the change to pool hours made at the last Council Meeting.
- Morgan Moeller: City Secretary read an email from Morgan Moeller the Hollywood Park Hammerheads Swim Team and the benefits of a summer swim league.

### **EXECUTIVE SESSION**

Pursuant to Section 551.071 of the Texas Government Code, Council convened in a closed executive session at 7:03 p.m. to discuss the following items with the City's attorney:

- A. **Update on litigation resulting from fraudulent wire transfer.**
- B. **Update on lawsuit filed by Eugena L. Phelan.**

At 7:49 p.m. the City Council reconvened from executive session and took no action on these items.

### **OLD BUSINESS**

None

### **NEW BUSINESS**

1. **Discuss/take possible action on an Ordinance amending parking regulations in residential zones** {D. Trueman]:
  - a) **Citizen Comments:**
    - *Sudie Sartor of 505 El Portal Dr. stated she is in favor of this ordinance.*
  - b) **Discussion:** Councilmember Trueman advised we are looking to adding a provision to the parking ordinance that would keep people from parking in the middle of their yard. Councilmember Trueman indicated a paragraph would be added to state "no person shall

stand or park a vehicle in any manner upon the grass or unimproved area in the front yard of any residential lot unless expressly authorized by this chapter". In the section that discusses uncurbed area the amendment would indicate "if parking on the pavement is prohibited under this section a person may park a vehicle in the grass or unimproved area in the front yard of a residential lot, but only within 20 feet of the pavement. All parts and portions of the vehicle must be within the 20 feet allowed area to utilize it for parking. This would allow cars to park parallel to the street or head-in".

Councilmember Hall moved to pass the Ordinance. Councilmember Trueman seconded the motion, which was passed by following votes: AYES – Trueman, Hall, Villarreal  
ABSTAIN – Howe, Bailey.

**2. Discuss/take possible action on an interlocal agreement with Bexar County in order to use the Corona Virus relief fund. [Mayor Murphy]**

a) **Citizen Comments:**

- None

b) **Discussion:** Mayor Murphy explained this is a fund that's been established between the Town of Hollywood Park and County Judge Wolfe on a per capita basis to help recover costs incurred from Covid-19. This fund will be helpful through October of this year and will help with costs such as the \$600.00 week we spend to sanitize the offices at City Hall, Police Department and Fire Department. It will help with personal protective equipment. It does not appear that it will recover revenue lost from cancelled Voigt Center reservations or from lost year-to-year revenue from sales tax. We are still exploring this. We would need to approve the interlocal agreement to be able to access the funds.

Councilmember Trueman moved to accept the interlocal agreement with Bexar County in order to use the Corona Virus relief fund. Councilmember Hall seconded the motion, which passed unanimously.

**3. Discuss/take possible action on an Ordinance authorizing a city official or department head to certify unmarked police department vehicles in order to obtain exempt license plates. [J. Hinson]**

a) **Citizen Comments:**

- None

b) **Discussion:** Jeff Hinson, City Treasurer, explained that this ordinance would allow the Mayor and his designee to authorize the City to get tax exempt license plates for unmarked vehicles. Councilmember Hall asked if the vehicle could still be used for things like ticketing (traffic stops) or anything else. Jeff Hinson explained unmarked cars can't be really be used for ticketing, but they are used for police work. He added that if an officer takes a marked vehicle home it's qualified as tax exempt. An unmarked car can also be tax exempt but requires the governing body to approve the tax-exempt status. Councilmember Hall mentioned the new police vehicle purchased last year doesn't have markings on it and asked if it was being used for ticketing and everything for a Policeman to use. Police Chief Prichard explained that typically a Police Chief or a Detective will drive an unmarked vehicle. If the vehicle has emergency lights and is being operated by a policeman, they can absolutely make traffic stops and issue citations. Mayor Murphy asked if the vehicle was equipped with a stealth lightbar. Police Chief Prichard stated that the vehicle was fully equipped with everything except the markings. He explained that typically a detective driving an unmarked vehicle is trying to get from point A to point B. If the vehicle is marked there are requirements to stop for certain situations like being flagged down by a citizen or if there is an accident. He explained that the new patrol vehicle is being used by him as an Admin vehicle and the marked F150 pick up he had been driving was passed down to the position that was added last year without adding a vehicle for it. City Attorney Ryan Henry added that the provision doesn't only apply to police vehicles.it applies to other official city vehicles Councilmember Hall added that when the City is purchasing vehicles, she didn't picture the vehicle being used by Detectives where they're not being used on the road all the

time, as cars cost a lot of money. She thought the new vehicle was going to be used on the road every day by the Police Officers and not a take home car for a detective. Chief Prichard advised that the vehicles are being used every day. Detectives get called out about every two to three days. The Department only has one vehicle for two detectives. The lead detective takes the vehicle home. The vehicle is unmarked and a seven year old decommissioned patrol vehicle. The police department fleet only has two unmarked vehicles. He stated that he assigned the new vehicle to himself and explained it's an unmarked vehicle with no equipment in it because the police department needed another police vehicle marked with lights and a computer. He explained that it costs about \$20,000.00 to equip a vehicle, which is why he passed his fully equipped and marked F150 to the patrol division.

Councilmember Trueman moved to adopt an Ordinance authorizing a city office or department head to certify unmarked police department vehicles in order to obtain exempt license plates. Councilmember Howe seconded the motion, which passed unanimously.

**4. Discuss/take possible action on personnel policy change for "standby pay policy" to compensate Police employees at the rate of 2 hours pay when placed on emergency standby by the Police Chief. [J. Hinson]**

**a) Citizen Comments:**

- None

**b) Discussion:** Mayor Murphy explained that this matter recently came to light with the implications of protests planned for our community by public groups. Chief Prichard explained that this "standby" time is to have a certain number of officers available for situations like a riot or protest. Chief spoke of receiving credible intelligence that Hollywood Park could be subject to a riot and a protest. Chief Prichard notified all officers they would be on a 30-minute recall, which means they have to be ready to respond to the office at a moments notice and be at the office within 30 minutes. While on standby the Officers are not able to do anything else and their time should be compensated. Councilmember Howe wanted to be sure everyone knew that the Town of Hollywood Park was under surveillance by not good people. Councilmember Bailey confirmed with Chief Prichard that this "stand by" pay is only for an as needed basis. Councilmember Trueman asked Chief Prichard if it's his intentions to make this retroactive to compensate those officers who from the incident he described. Chief Prichard explained he would like to be able to make this retroactive to cover the two weeks prior. Councilmember Howe stated he would like this added to the budget for next year.

Councilmember Howe moved to approve the standby pay police and retroactive.

Councilmember Trueman seconded the motion, which passed unanimously.

**5. Discuss/take possible action on a presentation from Kevin Gallivan for use of the Voigt Pool in the Fall.**

**a) Citizen Comments:**

- Bruce Graham of 134 Canyon Oaks Dr. - Explained his interpretation of the maintenance expenses from last months meeting. Mr. Graham said the offer from Mr. Gallivan would be good for the community and he thinks Council should give Mr. Gallivan the opportunity to bring something that would be good for the area kids.
- MAJ (Ret) Michael R. Voorhies of 613 El Portal Dr. - City Secretary read an email from Mr. Voorhies expressing that it seems unreasonable to consider renting the community pool to others while excluding residents. He asked if Mr. Gallivan is vying to rent our community pool and run his personal business through it at the expense of our swimming venue.

**b) Discussion:** Kevin Gallivan of 201 Sage Crest Dr. presented his proposal for the Hollywood Park swimming pool rental. He mentioned that currently Hollywood Park does not offer a year-round swim program. He explained he is in a position to create a

program for the community. A program that will provide value to the community and dedicated services that will only increase the financial and operational performance of Hollywood Park. The objectives would be for an overall program to create a community program for ages 7-18 and provide value to residence and people of Hollywood Park. Mr. Gallivan explained this is a new venture for him. He is taking an opportunity and a chance to try to do something. He wants to be as transparent as he needs to be with everyone. In the budget he prepared he budgeted for 20 kids for the first group, but states he's taking a risk as he could only have a few kids. Right now, this is a start-up business.

There was discussion amongst Councilmembers, Mr. Gallivan, Kelly Cowan and Jeff Hinson regarding the proposed figures and current pool maintenance costs. There was discussion regarding additional cost for heating the pool and additional scheduled pool maintenance involved with approving this program. Mr. Gallivan discussed the expenses he would have in this program. Scheduling for this program was also discussed.

Councilmember Hall moved to take action on giving Kevin Gallivan a try.

Councilmember Howe seconded the motion, which passed unanimously.

**6. Discuss/take possible action regarding evaluation and consideration of the City Secretary, which may include positive or negative action. [O. Villarreal]**

**a) Citizen Comments:**

Ryan Henry, City Attorney, read emails received regarding this agenda item.

- Eighteen emails were received
  - Fifteen emails read and in favor of keeping Janice Alamia, City Secretary
  - One email in support of whatever action Council takes on this matter
  - One anonymous email was not read
  - One email would be read by the citizen who sent it
  - Eight citizens spoke regarding this agenda item.
  - One citizen spoke in support of whatever action Council takes on this matter
  - Seven citizens spoke in support of keeping Janice Alamia, City Secretary
- b) Discussion:** Councilmember Villarreal explained he asked for this matter to be placed on the agenda because he was made aware of numerous issues regarding the way Admin. was run. He stated he thinks Council should consider whether the current City Secretary has the confidence of the Council to continue running the Admin. Councilmember Villarreal said, "As for me, I do not have confidence she can do the job the way this Council wants the Admin. to be run. As a result, I move to terminate the City Secretary based on a vote of no confidence." Councilmember Hall seconded the motion.

Mayor Chris Murphy added that Janice Alamia has been critical in his ability to make decisions on behalf of the Town. Mayor Murphy said that the three words that sum up his workings with Janice are that she is straightforward, reliable, and trustworthy. He explained that Janice has been very valuable to him. He stated that he is frustrated that this is the third time in twenty-five months that this issue has come up and he would like to feel comfortable that it will not come up again if they are able to finish and move on in a productive manner.

Councilmember Trueman stated that she knows a lot of the citizens have a good rapport with Janice, but this matter has nothing to do with her relationship with the public. It's about the unhealthy environment she has fostered at City Hall and its effects on other department heads. It's critical to the efficient operation of the town that we have cohesiveness among departments. When functioning properly an administrative department should act as a connecting link between departments. Without an effective administration an organization does not run professionally and efficiently. When the leader of an administration department takes on an adversarial relationship with other departments you have an insurmountable problem. For this reason and others, I have lost confidence in continuing the City Secretary's employment.

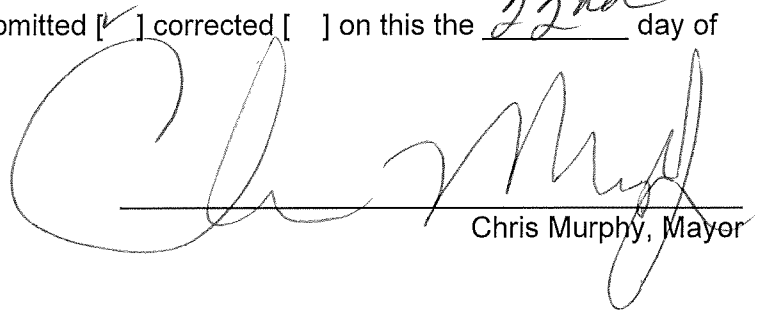
Councilmember Oscar Villarreal called for a vote to terminate the City Secretary based on a vote of no confidence.

The motion was passed by following votes: AYES – Trueman, Hall, Villarreal, Howe.  
NAYES - Bailey.

**ADJOURNMENT**

There being no further business to come before the City Council, Mayor Murphy adjourned the meeting at 9:22 p.m.

Minutes of this meeting are approved as submitted [] corrected [] on this the 22<sup>nd</sup> day of July, 2020.

  
Chris Murphy, Mayor

ATTEST

  
Jeannette Huggins, Interim City Secretary

