

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, April 20, 2021  
Meeting Duration: 6:00 p.m. to 9:16 p.m.

### **CALL TO ORDER**

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

### **INVOCATION:**

Councilmember Mayor Oscar Villarreal

### **ROLL CALL**

Members of the City Council present: Mayor Oscar Villarreal, Michael Howe; Debbie Trueman; Delaine Hall; Paul Homburg

Hollywood Park Staff present: City Attorney Ryan Henry; Police Chief Shad Prichard; Fire Chief John Butrico; Public Work Director Kelly Cowan; City Secretary Jeannette Huggins

### **PRESENTATIONS**

Presentation by Police Chief, Shad Prichard – HPPD 2020 Annual Report

- Officer Brian Flores was presented a Commendation Award by Chief Prichard.
- Officer Jorge Castillo was presented the "Officer of the Year" award by Chief Prichard.

Chief Prichard presented the 2020 HPPD Annual Report

Presentation by Police Chief, Shad Prichard - Police Department and Town Office Restructuring  
*Chief Prichard explained this presentation is regarding the reconfiguration of office space to allow for a common breakroom for all Town employees. Chief Prichard presented bids received from vendors for the work to be done, which includes moving servers, adding police evidence lockers, new gym building for FD and PD staff, and an evidence processing room for the PD. Chief Prichard advised that police seizure funds could pay \$43,000.00 of the cost, which would leave a balance for the Town in the amount of \$51,646.75.*

*Councilmember Hall inquired of the City Attorney if the EDC might be able to cover some of the cost for this project.*

*Councilmember Trueman reminded the Council that former City Treasurer Jeff Hinson had previously mentioned some of the expenses could be covered from capital funds.*

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

1. **Fire Chief John Butrico** reported: 41 calls for service for the month of April. Calls consisted of 12 EMS calls, 26 fire alarms, 1 structure fire (occurred in Bexar County), gas spill on roadway, and 1 brush fire. Acadian Ambulance Service responded to 12 calls with an average response time of 09m54s. Chief Butrico contacted SAFD and San Antonio Metro Health to add Hollywood Park in their efforts to get COVID-19 vaccines to homebound seniors. To date six (6) Hollywood Park residence responded and all have received one of the two vaccines from San Antonio Metro Health. This is an ongoing project.
2. **Police Chief Shad Prichard** reported: 472 calls for service for the month of April that included 10 offenses and arrests. Citation numbers increased from 151 to 178. Chief Prichard reiterated to everyone not to leave valuables in their vehicles, as vehicle burglaries continue to be a problem. The

Police Department has resumed golf cart registrations. The DEA Drug Take Back event will take place Saturday, April 24th at Town Hall from 10:00 p.m. to 2:00 p.m.

3. **Public Works Director Kelly Cowan** reported: The road project is almost complete. Hopefully contractors will be done and out of Hollywood Park within the next two weeks. Voigt Center rentals there were 6 residential rentals and 2 community events. April has been busy and from now till the end of July there is only one free weekend open at the Voigt Center. In the month of March code violations were up again. Swimming Pool passes will be going on sale soon. The swimming pool is projected to open May 1st.

*Councilmember Homburg requested a breakdown of cases that are made against contractors and cases made against property owners.*

4. **Finance monthly report:** Mayor Oscar Villarreal advised the finance report was not available as the City Treasurer, Jeff Hinson, resigned his position yesterday. Mayor Villarreal advised interviews are currently being scheduled for a new City Treasurer. Mayor Villarreal added that all funds the Town had with Frost Bank have been transferred to Plains Capital Bank. Plains Capital Bank is currently setting up a system that will best service the Town of Hollywood Park.

5. **Administration Department - City Secretary Jeannette Huggins** reported: the April 7th court date was handled telephonically/virtual as has been. For the month of June, the Hollywood Park Municipal Court will hold two court dates to handle a back log of cases pending since the start of the COVID-19 pandemic began. Judge Dullnig is looking to resume in-person court proceedings. Jeannette also discussed the next community shred day. The company previously used for this event has an opening only in September and the Town has been placed on their schedule in September.

*City Attorney Ryan Henry added that he is working on and will be bringing an ordinance recommendation that Judge Dullnig requested to help get defendants into court.*

6. **City Attorney Ryan Henry** provided clarification of the upcoming election where Place 3 is concerned. Ryan Henry explained:

-When Mayor Villarreal was appointed and assumed the role of Mayor, Council Place 3 became vacant

-The time of Mayor Murphy's resignation did not allow for the removal/replacement of Oscar Villarreal on the ballot

-Oscar Villarreal can still receive votes as can Mr. Voorhies

-If Mr. Voorhies receives a majority of the votes for Place 3 then he is entitled to take Place 3.

-If, now Mayor Villarreal, were to win the majority of the votes for the Place 3 election he can resume Place 3 by vacating the Mayor position. The City Council would then have to appoint a Mayor.

-Mayor Villarreal can remain as Mayor for the remainder of the term and decline the Place 3 position, at which time the City Council would have to make a choice as to who they will appoint to fill Place 3.

-Mr. Voorhies is not entitled to the Place 3 position unless he wins the election.

7. **Mayor Oscar Villarreal** gave a brief explanation of his vision, "All the decisions we make on the Council are made with the Town and residents best interest. We don't sit up here with a personal agenda and I don't expect everyone to agree with us. You too can have a turn someday, if you wish. Together with the EDC we will continue to promote our commercial businesses and vacancies."

Mayor Villarreal explained that the appointment of the Mayor Pro Tem was removed from this agenda, so the newly elected Councilmembers could have input on that position.

Mayor Villarreal thanked everyone for their support.

## **CONSENT AGENDA**

1. Approve the Regular Meeting Minutes for the 03/16/2021 City Council Meeting.
2. Accept the Financial Statements as of 03/31/2021.

Councilmember Trueman made a motion to approve the Regular Meeting Minutes of the March 16, 2021 Council Meeting.

Councilmember Hall seconded the motion, which passed unanimously.

No action taken on the Financial Statements as of 03/31/2021.



## **CITIZEN PARTICIPATION**

None

## **PUBLIC HEARING**

Mayor Villarreal opened the Public Hearing at 6:55 p.m.

Public Hearing to receive comments on the each of the following:

1. A proposed ordinance amending the definition of “Accessory Building or Use” in Section 78-1 of Chapter 78 – Zoning to allow for bathroom facilities and other amenities, to prohibit rental use of accessory buildings, and to remove the terms “servant” and “servant’s quarters” from all definitions in Section 78-1.

### Citizen Comments:

The City Secretary read an email received from Sudie Sartor of 505 El Portal who asked that the City Council wait to act on the issue until new councilmembers are elected. She supports the change to Zoning to allow accessory building to have bathroom facilities and other amenities.

Mayor Villarreal commented that the Ordinance does read that one lot cannot have two dwellings on it. If these items are approved that would create a second dwelling.

2. A proposed ordinance amending Sections 78-135, 78-159, and 78-230 of Chapter 78 – Zoning to promote the use of building materials that are fire-resistant or that are less prone to exacerbating the spread of fires.

### Citizen Comments:

Kevin Gallivan of 201 Sagecrest Dr. commented with his 30 years of construction experience he's surprised that what we are doing is not already included and fire-resistant materials aren't already included. Mr. Gallivan said this amendment would be beneficial.

Mayor Villarreal closed the Public Hearing at 7:02 p.m.

## **NEW BUSINESS**

1. Discuss/take possible action on a proposed ordinance amending the definition of “Accessory Building or Use” in Section 78-1 of Chapter 78 – Zoning to allow for bathroom facilities and other amenities, to prohibit rental use of accessory buildings, and to remove the terms “servant” and “servant’s quarters” from all definitions in Section 78-1

### a) Discussion:

*Councilmember Howe asked if the term rental was in the ordinance before this. He asked to know what changed about non-rental/rental.*

*City Attorney Ryan Henry explained the rental aspect isn't built into this particular section, but you can't rent it if there's not certificate of occupancy. The Town is not creating a dwelling unit with the proposed changes.*

*Councilmember Howe asked to know how the new changes to the ordinance will be enforced.*

*Councilmember Trueman commented that removing the word "servant" and "servants quarters" is being considered only to be politically correct and the Council should back off of this, leave the verbiage as is, because it's having unintended consequences.*

b) Citizen Comment

*Shannon Sims of 108 Cueva commented if the accessory building was tied to the house, it could have a kitchen in it? What's the difference in having it separated and having it attached to the house?*

*Mayor Villarreal explained if it's tied to the house, it's still part of a single dwelling.*

*Councilmember Trueman moved to allow the amendment as it relates to allowing the plumbing and bathroom changes.*

*Councilmember Hall seconded the motion, which passed unanimously.*

*No action taken on the term "servant" and "servant's quarters" in the Ordinance.*

*Councilmembers agreed to refer the matter of allowing kitchens in an accessory building back to the Zoning Commission.*

2. Discuss/take possible action A proposed ordinance amending Sections 78-135, 78-159, and 78-230 of Chapter 78 – Zoning to promote the use of building materials that are fire-resistant or that are less prone to exacerbating the spread of fires.

a) Discussion

*Councilmember Hall expressed her concern regarding this change taking so long and seeing some new houses being built in Hollywood Park with quite a bit of wood material.*

*City Attorney Ryan Henry explained that in 2019 the State Legislature said the City cannot regulate building materials. There are some exceptions and there is a section that states we can't pass an ordinance to circumvent what the legislature's ban does. It does not prevent us from ordinances that are for health, safety and fire reasons. That is the only mechanism within the law that allows us to try to do something. Currently there is nothing regulating building materials. This ordinance amendment is not for aesthetics it's for the enforcement of fire-resistant barrier created by using brick, masonry, etc. on the exterior.*

*Councilmember Trueman commented this amendment is better than nothing, which is what we have now, and the Council should approve it.*

b) Citizen Comment

*None*

*Councilmember Homburg made a motion to approve a proposed ordinance amending Sections 78-135, 78-159, and 78-230 of Chapter 78 – Zoning to promote the use of building materials that are fire-resistant or that are less prone to exacerbating the spread of fires.*

*Councilmember Trueman seconded the motion, which passed unanimously.*

3. Discuss/take possible action on update from Kevin Gallivan regarding the current agreement between the Town of Hollywood Park and Alamo Area Aquatics and moving forward with same.

a) Discussion:

*Kevin Gallivan spoke about the swim team program that just ended. When the program began in August 2020 there were 130 members. Membership grew to 150 members in September 2020. Afterwards the membership numbers began to decline. Total revenue \$75,195.00. Total expenses \$70,456.00. Gross revenue \$4,739.00. Hollywood Park made \$8,000.00.*

b) Citizen Comment:

*None.*

*Councilmember Homburg made a motion to authorize the Mayor to execute a renewal agreement for two years with Alamo Area Aquatics with the caveat of \$9,000.00 for the first year and to be renegotiated after 12 months.*



Councilmember Howe seconded the motion, which passed unanimously.

4. Discuss/take possible action to approve the Signature Resolution for Bank Transactions for Plains Capital Bank, the official depository for all funds of the Town of Hollywood Park.
  - a) Discussion:  
*City Attorney Ryan Henry explained the Resolution is the resolution required by the bank when the power for signature is transferred to Mayor Villarreal.*
  - b) Citizen Comment:  
*None*

Councilmember Hall made a motion to approve the Signature Resolution.  
Councilmember Trueman seconded the motion, which passed unanimously.

5. Discuss/take possible action on an Ordinance amending Ch. 72 of the Town of Hollywood Park Code of Ordinances, Trees and Public Tree Care, which would authorize reimbursement for citizens who remove diseased red oak trees. [P. Homburg]
  - a) Discussion:  
*Councilmember Homburg stated he collaborated with Mark Duff in response to a situation where the Town advertises the Town will reimburse residents for removal of diseased Red Oak trees, however the reimbursement was never authorized by the City Council. This Ordinance would take care of that. This program would be supervised by the Public Works Department as well as the members of the Tree Advisory Board. The Ordinance allows that up to 80% of the income from tree trimming permits can be used to make the reimbursement up to \$1,500.00 per property. The Ordinance allows for termination of the reimbursement program at any time. The reimbursement amount is subject to adjustment with this Ordinance.*
  - b) Citizen Comment  
*Mark Duff of 112 Grand Oak and Chairperson of Tree Advisory Board also a Forrester and Arborist commented he's worked with Texas A&M Forrest Service for 27 years. He explained that when a Red Oak is thought to be diseased with Oak Wilt he would respond to verify the tree is a Red Oak and that it is infected with Oak Wilt.*  
*Email: The City Secretary read an email from Sudie Sartor of 505 El Portal indicating she would like some of the tree permit funds used to help residents replace the Oak Trees that have died from Oak Wilt.*  
*Email: The City Secretary read an email from Glenna Pearce of 301 Mustang Circle inquiring who determines if a tree has Oak Wilt to validate reimbursement. Does the evaluation of infected trees help to slow the spread of Oak Wilt?*

Councilmember Trueman made a motion to approve the Ordinance as presented.  
Councilmember Hall seconded the motion, which passed unanimously.

6. Discuss/take possible action on the reinstatement and/or appointment of members for the HP Board of Adjustment for a term of two (2) years.
  - a) Discussion:  
*City Attorney Ryan Henry explained that the Board of Adjustment is the determining body that makes calls to grant/deny variances or special exceptions for items mostly in Zoning Ordinances such as setback requirements.*  
*City Secretary Jeannette Huggins commented that currently the Board of Adjustment members are Chairperson Mary Bayer, Dr. James Potyka, Sean Martinez, and alternate member Norma Copeland and all are interested in remaining on the Board. All terms are currently expired and in hold over positions per the City Attorney.*
  - b) Citizen Comment:

None

Councilmember Trueman made a motion to reappoint Mark Bayer, James Potyka, Sean Martinez and Norma Copeland to the Board of Adjustment. To appoint Jess Cogley as a member of the Board. To appoint Ben Jordan, Jim Rodriguez, and Daniel Dawson as alternate members to the Board of Adjustment.

Councilmember Hall seconded the motion, which passed unanimously.

7. Discuss/take possible action on an ordinance amending the Town of Hollywood Park Code of Ordinances Ch. 14, Art. I, Sec. 14-4, updating the requirements for clearly displaying residential and commercial building addresses outdoors for the purpose of expedient building identification by first responders. [Chief Butrico]

a) Discussion:

*Fire Chief John Butrico explained the amendment is to assist first responders to locate address on homes. Currently there is no designation on where addresses are posted. The amendment now indicates the Code Enforcement Officer will look into an issue. If the homeowner believes their address posting works, but doesn't follow the Code of Ordinance, the Code Enforcement Officer or Public Works Director can grant a variance.*

*Councilmember Trueman expressed that she is not in favor of residents having to pay a \$25.00 application fee for a variance for their address posting.*

*Councilmember Homburg agrees with Councilmember Trueman.*

*The City Secretary read Sec. 50-06, B. Property Address Identification Required from Ordinance No. 1014 – "Each property owner must mark their property using numerals that identify the address of the property so that the public safety departments can easily identify the address from the public street. Identification numbers are required to be on the mailbox of houses which have an individual mailbox, or on the curb or principal building on the property in areas with cluster mailboxes. No permit or fee is required, regardless of whether the property owner is in a commercial or residential zone."*

*There was discussion between Councilmembers and the Mayor regarding possible solutions.*

*City Attorney Ryan Henry will make changes to the amendment and reference the current sign ordinance to bring to the City Council in May.*

b) Citizen Comment

None

No action taken on this item. This item will be brought back to the City Council in May 2021.

8. Discuss/take possible action regarding the Police Department and Town office restructure to accommodate State and Federal security requirements to provide break room space for all Town employees. [Chief Prichard]

a) Discussion:

*Police Chief Prichard explained he is seeking approval for the balance of \$51,646.75 to get the remainder of the project finished.*

*City Attorney Ryan Henry advised the Council that Capital Funds can be used for this project. The EDC may be able to cover a portion of the project with a vote.*

b) Citizen Comment

*Email: The City Secretary read an email from Glenna Pearce of 301 Mustang Circle asking the City to give details on why this project is needed and has the City hired an architect or received any bids for the project? If so, specifically what will it cost the City and from which line item will it come from? Tom Sims of 106 Cueva and President of EDC expressed that he is not allowed to make a \$50,000.00 commitment, as a single member of a board, at this point. If this is something that needs to be done right away the City should figure out funding and later go to the EDC to allow the Board to decide whether or not the project can be funded.*



*Tonya Cummings of 129 Grand Oak commented concern about the bid only allowing for the building to be pre-plumbed only which would mean there wouldn't be any bathroom facilities included.*

*Councilmember Trueman made motion to take up to \$49,000.00 from capital funds account and approve the project.*

*Councilmember Homburg seconded the motion, which passed unanimously.*

9. Discuss/take possible action on a resolution to designate a day for a Town of Hollywood Flag Day within the Town limits.

a) **Discussion:**

*Tom Sims, Hollywood Park EDC President, spoke of the Shriner's approaching Mayor Villarreal about holding a parade in Hollywood Park. Mr. Sims explained this is a wonderful opportunity and exposure for Hollywood Park. The Hollywood Park EDC has a board member canvassing local restaurants for promotions they can offer to allow the EDC to cover any expenditures the Town may have in order to hold this parade.*

*Link T. Elmendorf of the Alzafar Shriners explained the thirteen (13) Shrine Centers in the State of Texas gather once a year to compete. This year the Shriner competition is taking place in San Antonio. Rather than hold a parade around the Alzafar Shrine Center he reached out to Mayor Villarreal to ask if the Shriners could parade in Hollywood Park.*

*Mayor Villarreal confirmed the date for the parade will be June 5, 2021 and the time is not confirmed. He also confirmed that currently the Town is not incurring any expenses but will be adding to the parade.*

*City Attorney Ryan Henry commented that the Town does not have a parade ordinance. City resources cannot be provided to a private parade that goes through the City. The City can declare a City parade and coordinate with a particular group that agrees to administratively operate the parade. In order to use City personnel or vehicles, which would include blocking off roads the parade would need to be a City parade. The use of City resources in private parades is discouraged. This allowed if the parade is a City designated parade. The Council designates when a parade is a City parade.*

*Mayor Villarreal commented that the way they've discussed the parade working was to have the Shriners lead the parade then have all Hollywood Park Staff and Council participate in the parade following the Shriners. Councilmember Hall has volunteered to help coordinate the parade with the Shriners parade coordinator.*

*Councilmember Howe commented he thinks this is a great idea and is in favor of this parade.*

*Councilmember Trueman commented she thinks it's a cool idea too.*

*Councilmember Homburg commented this sound like a great idea.*

b) **Citizen Comment:**

*None*

*Councilmember Trueman made a motion to approve the Resolution to designate a day for a Town of Hollywood Flag Day within the Town limits on Saturday June 5th with a parade.*

*Councilmember Hall seconded the motion, which passed unanimously.*

10. Discuss/take possible action to execute a contract between the Town of Hollywood Park and Aquatica Pool Management, Inc. for a three (3) year term (2021-2024). [K. Cowan]

a) **Discussion:**

*Public Works Director Kelly Cowan explained this pertains to the terms agreed upon at the last City Council meeting.*

*City Attorney Ryan Henry explained the motion made was to approve the contract for a three-year term with the discount, which is the contract before the Council today.*

b) **Citizen Comment**

*Email: The City Secretary read an email from Glenna Pearce of 301 Mustang Circle explaining from what she understands signing a 3-year agreement allows the Town of Hollywood Park to receive a discount from Aquatica Pool Management. Glenna Pearce asked if the contract include a specific*

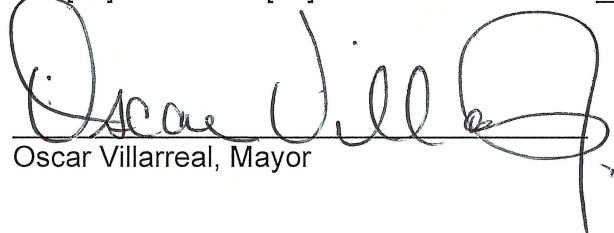
predetermined lifeguard schedule for Hollywood Park swim season causing the Town to be "stuck" on the option to open the pool for a longer season in the future? Glenna Pearce also inquired how much is the annual dollar amount discount for making this a 3-year contract. Also, if Aquatica is not able to adjust the personnel requirements in the future, she would recommend keeping a 1-year contract until details are decided for next year's pool schedule.

Councilmember Trueman made a motion to approve a contract between the Town of Hollywood Park and Aquatica Pool Management, Inc. for a three (3) year term (2021-2024).  
Councilmember Homburg seconded the motion, which passed unanimously.

## **ADJOURNMENT**

There being no further discussion, the Mayor Villarreal adjourned the meeting at 9:16 p.m.

The minutes of this meeting are approved as submitted [ ☒ ] submitted [ ☐ ] corrected on this the 11<sup>th</sup> day of May, 2021.

  
Oscar Villarreal, Mayor

ATTEST:

  
Jeannette Hugghins, City Secretary