

AGENDA
CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS
2150 Universal City Blvd, Universal City, TX 78148
Regular Meeting, Tuesday, June 04, 2024 @ 6:30 P.M.

1. CALL TO ORDER: Mayor Tom Maxwell at 6:30 p.m.
2. QUORUM CHECK and VOTE TO CONSIDER THE EXCUSE OF ABSENT MEMBERS (if applicable):
3. INVOCATION and PLEDGE OF ALLEGIANCE:
4. STAFF REPORTS AND OTHER DISCUSSION ITEMS: Items in this section are not expected to require action by City Council and are generally for information only. However, any item listed in this section may become an action item without further notice with the consent of the Mayor at the request of any Councilmember.
 - a. CITY MANAGER'S REPORT:
 - i. [Budget Calendar](#)
 - b. STAFF REPORT:
 - i. [ARPA Update](#)
5. CITIZENS TO BE HEARD: At this time, the public is invited to address the City Council and speak on any matter not specifically listed for public hearing elsewhere in this agenda. *PLEASE NOTE NO CITY COUNCIL DISCUSSION, RESPONSE, DELIBERATION, OR ACTION WILL BE TAKEN ON THIS TOPICS AT THIS TIME.* Please limit your comments to three minutes.
6. ANNOUNCEMENTS: With respect to items not listed elsewhere on this agenda, members may report on items of community interest e.g., community or employee awards, proclama, events, and recognitions. Members may also request specific information or a recitation of existing policy from Staff, or request placement of items on the agenda for discussion or action at a following meeting.
 - a. CITY MANAGER'S ANNOUNCEMENTS
 - b. MAYOR'S ANNOUNCEMENTS
 - c. COUNCILMEMBERS' ANNOUNCEMENTS
7. CONSENT AGENDA:

TAB A: All matters listed under this item are considered to be routine by City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

 - 1) [Consider the minutes of the Tuesday, 14 May 2024 Special Meeting.](#)
 - 2) [Consider the minutes of the Tuesday, 21 May 2024 Regular Meeting.](#)
8. ACTION ITEMS:

[TAB B](#): Approve the construction work for the Olympia Hills Greens and Collars Replacement.

[TAB C](#): City Council Code of Conduct Policy.

[TAB D](#): City Council Rules of Procedure.
9. ADJOURNMENT:

In accordance with the requirements of Texas Government Code section 551.127, a member of the governing body may participate in this meeting from a remote location. A quorum of the governing body as well as the presiding officer shall be physically present at the above posted location, which shall be open to the public. The video and audio feed of those participating remotely shall be visible and audible to the public for all open portions of the meeting. A member of a governmental body who participates in a meeting remotely as provided by law, shall be counted as present at the meeting for all purposes.

All items on the agenda are eligible for possible discussion and action. The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices,) and 551.086 (Economic Development).

This facility is wheelchair accessible & accessible parking spaces are available. Requests for accommodation or interpretive services must be made 72 hours prior to this meeting. Please contact the city clerk's office at (210) 619-0701 if these services are needed.

CITY OF UNIVERSAL CITY

DATE: April 16, 2024
TO: Members of City Council
FROM: Kim Turner, City Manager
COPIES TO: Department Heads
SUBJECT: 2025 BUDGET PREPARATION SCHEDULE

To comply with requirements set by the State, City Charter, Bexar & Guadalupe Counties, the following tentative schedule has been prepared. A special meeting has been scheduled for July 9. There is a 2nd special meeting tentatively scheduled for July 23. Please make every effort to schedule your activities around these dates. A quorum is essential. Work sessions will begin at 4:30 p.m.

- A. Guidance to Departments..... 16 April 2024
- B. Departments Budget Submission to Finance.....20 May 2024
- C. Budget information (During City Manager comments) –04 June 2024
- D. *Council Budget Work Session – (4:30 pm – 9:30 pm).....09 July 2024
- E. *Council Budget Work Session if needed – (4:30 pm – 9:30 pm) 23 July 2024
- F. Certified Roll/No New Revenue Rate Received25 July 2024
- G. File Proposed Budget with City Clerk.....31 July 2024
- H. Email Draft Budget to City Council.....31 July 2024
- I. Tax Rates presented to Council..... 06 Aug 2024
- J. Notice of Hearing on proposed budget & budget published with
 City Clerk, the San Antonio Express News, & Seguin Gazette 07 Aug 2024
- K. Notice of Public Hearing on Tax Rate published & posted at City Hall..... 07 Aug 2024
- L. Budget Hearing & record vote on Tax Rate..... 20 Aug 2024
- M. Notice of Public Hearing on Tax Rate published in Herald w/ record vote..... 24 Aug 2024
- N. Council Meeting to Adopt FY 2025 Budget, Public Hearing and
 Adoption of 2024 Tax Rate 03 Sep 2024
- O. Forward Ordinance to Bexar & Guadalupe County Tax Assessors Establishing
 Tax Rate for Tax Year 2025 18 Sep 2024

*Denotes special meeting day, not in conjunction with a council meeting

CITY OF UNIVERSAL CITY

Date: 06/04/2024

TO: City Council
FROM: Christine Green, Finance Director
SUBJECT: ARPA Update

Historical Background

The City has received a total of \$5,181,363 in ARPA funding. To date the funding has been applied to the following categories with City Council’s authorization.

Public Emergency Response	\$2,519,733
Water/Sewer Infrastructure	\$400,945
Cyber Security Infrastructure	\$759,047
Mental Health Officers	\$700,000

Due to the recent award of Bexar County ARPA funds for Universal City’s sewer pipe bursting project, there is \$801,637 balance of CITY ARPA funds that remains to be obligated. The funds must be obligated by December 2024 and spent by December 2026.

Action Requested

Obligate the remaining \$801,637 with a transfer to the General Fund Capital Replacement Fund for payment toward the Fire Ladder Truck ordered in July 2023.

Procurement Methodology

City Council approved a contract with Siddon Martin Emergency Group in July 2023. The ladder truck cost is \$1,974,070.96 with an estimated delivery date of January 2027 through April 2027. It is estimated that a deposit on the truck will be required around November or December of 2026.

Source of Funding

ARPA Budget transfer to General Fund Capital Replacement Fund/Fire Trucks.

Staff Recommendation

Staff recommends that Council authorize staff to transfer the remaining \$801,637 to the General Fund Capital Replacement Fund to be used for payment toward the Fire Ladder truck.

	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Public Emergency Response	\$ 713,747	\$ 340,679	\$ 1,465,307	\$ -	\$ -
Water/Sewer Infrastructure	\$ 285,973	\$ 84,873	\$ 30,100	\$ -	\$ -
Cyber Security Infrastructure	\$ 341,645	\$ 298,327	\$ 119,075	\$ -	\$ -
Mental Health Officers	\$ 140,000	\$ 140,000	\$ 140,000	\$ 140,000	\$ 140,000
	<u>\$ 1,481,365</u>	<u>\$ 863,879</u>	<u>\$ 1,754,482</u>	<u>\$ 140,000</u>	<u>\$ 140,000</u>
Received/Available	\$ 5,181,363.00	\$ 3,699,998.43	\$ 2,836,119.65	\$ 1,081,637.62	\$ 941,637.62
Expensed by Year	\$ 1,481,365	\$ 863,879	\$ 1,754,482	\$ 140,000	\$ 140,000
Balance	\$ 3,699,998.43	\$ 2,836,119.65	\$ 1,081,637.62	\$ 941,637.62	\$ 801,637.62

*UC allocated \$5,181,363 in two tranches. \$801,6637.32 is remaining balance of funds unobligated funds.

** All ARPA funds must be obligated by 31 December 2024 and expensed by 31 December 2026.

MINUTES
CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS
 Special Meeting – Election Canvassing, Tuesday, 14 May 2024

1. CALL ORDER: Mayor John Williams at 6:31 P.M.

2. QUORUM CHECK and VOTE TO CONSIDER THE EXCUSE OF ABSENT MEMBERS (if applicable):

Maribel Garcia, Deputy City Clerk

Present:

Mayor John Williams
 Mayor Pro Tem Goolsby
 Councilmember Steven Buck
 Councilmember Ashton Bulman
 Councilmember Christina Fitzpatrick
 Councilmember Paul Najarian
 Councilmember Phil Vaughan

Staff Present:

Kim Turner, City Manager
 Michael Cassata, Development Services Director
 Maribel Garcia, Deputy City Clerk

After taking their Oath of Office:

Mayor Tom Maxwell
 Councilmember Lori Putt
 Councilmember Bernard Rubal

Mayor Williams noted a quorum was present.

3. INVOCATION and PLEDGE OF ALLEGIANCE:

Mr. Richard Neville gave the invocation, Veterans Memorial High School Choir sang the National Anthem, and Mayor Williams led pledges of allegiance to both the United States and Texas flags.

4. CITIZENS TO BE HEARD:

- Kim Igleheart, 736 Garden Meadow, said she spoke on behalf of Janet Hughes who could not make the meeting. She thanked all candidates who ran in this year’s election and the two Councilmembers moving on from Council. She thanked Mayor Williams specifically for his leadership. She congratulated the newly elected members of Council and welcomed Councilmember Vaughan back. Finally, she thanked Kevin Hadas for his Local Politics Podcast and Jared Whitner with Community Impact Newspaper. She expressed her hope that the new Council would be good.

5. PURPOSE OF SPECIAL MEETING:

A. Resolution 973-2024: A Resolution canvassing the vote for the 04 May 2024 General Election, declaring the candidates elected, requiring the Oath of Office, and providing an effective date.

Mayor Williams noted the following election results provided by a combination of Bexar County and Guadalupe County:

For Mayor (Two-Year Term)
 **Tom Maxwell 826 votes

For City Councilmember (Two-Year Term)
**Bernard Rubal 532 votes
**Lori Putt 557 votes
Paul Najarian 452 votes
Richard Edwards 390 votes
**Phil Vaughan 612 votes
Nick Ferguson 385 votes

**These candidates won their races.

Councilmember Najarian moved to approve Resolution 973-2024 to canvass the election of May 2024. Councilmember Buck seconded the motion.

**Vote: Yeas: Najarian, Buck, Goolsby, Bulman, Fitzpatrick, Vaughan
Nays: None**

Motion to approve carried.

N.T. 1. Presentation of Awards to Mayor Williams, Councilmember Buck, and Councilmember Najarian.

Mayor Williams presented awards to Councilmember Najarian and Councilmember Buck for their service on City Council. Councilmember Najarian was awarded a UC branded decanter and Councilmember Buck was awarded an American flag flown over City Hall on his last day of service to the City. Both Councilmembers Najarian and Buck thanked the City for their time on Council and said a few words regarding their time serving the community. They also presented their wives with flowers.

Mayor Pro Tem Goolsby presented Mayor Williams with the gavel retired by the City for his tenure in office. The gavel had been used for Council, boards and commissions meetings preceding and during the Mayor's terms of service. Mayor Williams expressed gratitude for his time on Council and in service to Universal City. He also presented flowers to his wife.

N.T. 2. Administration of the Oath of Office to Elected Candidates.

Judge Stubblefield, the City's Municipal Court Judge, administered the Oath of Office to Mayor Tom Maxwell, Councilmember Lori Putt, Councilmember Bernard Rubal, and Councilmember Phil Vaughan.

N.T. 3. Election of Mayor Pro Tem to serve a period of one year.

Councilmember Bulman nominated Mayor Pro Tem Bear Goolsby to serve another year as Mayor Pro Tem.

Mayor Pro Tem Goolsby refused the nomination.

Mayor Pro Tem Goolsby nominated Councilmember Christina Fitzpatrick for the role of Mayor Pro Tem for the term of one year. Councilmember Putt seconded the motion.

Vote: Yeas: Goolsby, Putt, Bulman, Fitzpatrick, Rubal, Vaughan

Nays: None

Motion to approve carried.

6. ADJOURNMENT: Mayor Maxwell adjourned the meeting at 7:14 P.M.

APPROVED:

Tom Maxwell, Mayor

ATTEST:

Maribel Garcia, Deputy City Clerk

MINUTES
CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS
 Regular Meeting, Tuesday, 21 May 2024

1. **CALL ORDER:** Mayor Tom Maxwell at 6:30 P.M.

2. **QUORUM CHECK and VOTE TO CONSIDER THE EXCUSE OF ABSENT MEMBERS (if applicable):**
 Maribel Garcia, Deputy City Clerk

Present:

Mayor Tom Maxwell
 Mayor Pro Tem Christina Fitzpatrick
 Councilmember Ashton Bulman
 Councilmember Bear Goolsby
 Councilmember Lori Putt
 Councilmember Bernard Rubal
 Councilmember Phil Vaughan

Staff Present:

Kim Turner, City Manager
 Lloyd Newton, City Attorney
 Michael Cassata, Development Services Director
 Randy Luensmann, Public Works Director
 Athena Ford, Utilities Coordinator
 Cpl. A. Stevens # 1796, PD Mental Health Officer
 Sgt. L. Yee # 1758, PD Mental Health Officer
 Amy Anderson, LP, MIH Paramedic
 Ed Todd, MH/Fire Prevention Officer
 Maribel Garcia, Deputy City Clerk

Mayor Maxwell noted a quorum was present.

3. **INVOCATION and PLEDGE OF ALLEGIANCE:**

Michael Seanz gave the invocation and led the Pledge of Allegiance to the United States and Texas flags.

4. **STAFF REPORTS AND OTHER DISCUSSION ITEMS:**

a. **CITY MANAGER'S REPORT:**

b. **STAFF REPORT:**

i. **Safe Streets Award:** Given by Mr. Toro Martinez of US Representative Henry Cuellar's office. He awarded UC Public Works with \$160,000 on a Safe Street Grant program.

ii. **Mental Health Officer Presentation:** Given by Sgt. Yee, Cpl. Stevens, Ms. Anderson, and Mr. Todd. They gave an overview of how the Fire Department and Police Department administer their mental health initiatives. They indicated differences in the programs and gave examples of help administered throughout the City through the program. They mentioned that they have done homeless outreach, especially with homeless veterans.

Mrs. Turner noted that mental health programs in both departments had been funded by Covid ARPA funds and would need to be reevaluated for the 2026-2027 budget when the five-year ARPA funding is over.

iii. **City Water Presentation:** Given by Ms. Ford, she presented an overview of water rights history in Texas, different sources of water such as groundwater, surface water, and diffused surface water, and reviewed Groundwater Conservation Districts such as the Edwards Aquifer Authority. She went over factors influencing and strategies for acquisition of water rights, and drought restrictions. She analyzed the City's current and future state of water rights acquisition, explaining that the City will always be budgeting for more acquisition to meet needs created by water restrictions out of the City's control.

5. **CITIZENS TO BE HEARD:**

- Oly Schaefer, 106 Granada Drive, distributed the City Council Code of Conduct to the City Council as she felt it was not being adhered to. She felt that the dynamic of Council did not serve the best interest of residents. She was concerned that the dynamic deterred local business growth and non-profit involvement with the City. She emphasized that behaviors she witnessed by Council were against the Code of Conduct, and she did not have confidence in Council. She asked the Mayor to address the Code of Conduct.

7. ANNOUNCEMENTS:

a. CITY MANAGER'S ANNOUNCEMENTS:

Mrs. Turner reminded Council of the Library Summer Adventure Experience and calendars that were left for them for June and July.

b. MAYORS' ANNOUNCEMENTS: National Poppy Day Proclamation

The Mayor had Councilmember Putt read the National Poppy Day 2024 Proclamation. He presented the proclamation to Ms. Bille Castleman of the 667th American Legion Post.

Mayor Maxwell asked that Council let him know if they were interested in taking a tour of Randolph Air Force Base. He also asked Ms. Garcia to arrange one-on-one meetings between him and other Councilmembers to get to know each other. He said he felt honored to serve on Council after Mayor Williams.

Mayor Maxwell received consensus to place the Code of Conduct and Council Rules of Procedures on the next agenda.

c. COUNCILMEMBERS' ANNOUNCEMENTS:

Councilmember Rubal addressed the "great divide" mentioned by Ms. Schaefer. He said the night was historic with three women on Council.

Mayor Pro Tem Fitzpatrick reminded everyone that Heros Camp would be the first week of June. She felt it was an amazing opportunity for 12 to 14-year-olds to interact and learn from police, EMS, and firefighters.

Councilmember Putt felt honored to serve the City and hoped all of Council would work together for the betterment of the City.

7. CONSENT AGENDA:

Councilmember Goolsby moved to approve the following Consent Agenda items:

- 1) Consider the minutes of the Tuesday, 07 May 2024 Regular Meeting.

Mayor Pro Tem Fitzpatrick seconded the motion.

**Vote: Yeas: Goolsby, Fitzpatrick, Bulman, Putt, Rubal, Vaughan
Nays: None**

Motion to approve carried.

8. ACTION ITEMS:

B. Approval of Pay Application #3 invoice for the Ivy Lane Street Improvements – Construction.

Mrs. Turner explained that the resolution allowed the City to receive reimbursement for the Ivy Lane project through the Community Development Block Grant.

Councilmember Vaughan moved to approve the Pay Application. Councilmember Bulman seconded the motion.

**Vote: Yeas: Vaughan, Bulman, Fitzpatrick, Goolsby, Putt, Rubal
Nays: None**

Motion to approve carried.

9. ADJOURNMENT: Mayor Maxwell adjourned the meeting at 7:25 P.M.

APPROVED:

Tom Maxwell, Mayor

ATTEST:

Maribel Garcia, Deputy City Clerk

CITY OF UNIVERSAL CITY

Date: 06/04/2024

TO: City Council

FROM: Kim M. Turner, City Manager

SUBJECT: Approve the construction work for the Olympia Hills Greens and Collars Replacement

Historical Background

There are many variables that influence the art and science of turf and turf disease. At Olympia Hills, the age of the current turf and winter injury have caused the grass on the greens to die out at the root with no hope of regrowth. A turf diagnostic was conducted for the greens and the collars (transition area from the fairway to the green). The conclusion was that the greens and collars needed to be tilled, floated, and replanted with a new grass variety. An agronomist and golf staff will be at the Council meeting and make a presentation and answer questions.

Action Requested

Approve the project with greens & collar construction and grass sprigs from Caney Creek Turf in the amount of \$266,802.00.

Procurement Methodology

This is a sole source purchase. Caney Creek Turf is the only supplier and installer of Platinum TE Seashore Paspalum sprigs in Texas. The Purchase Policy allows for sole source purchases when items are available from only one source because of patents, copyrights, secret processes, or natural monopolies as provided in the Local Government Code. The Local Government Code also provides for sole sources where there is unforeseen damage to public property.

Source and Amount of Funding

2024 Budget. Golf Course Revenue: Venue Tax--\$550,000. These funds were provided for the Floor/Restroom project and the expansion of the parking lot. The Floor/Restroom renovations are near completion with an estimated cost of \$285,000. For the Parking Lot, only the survey work has been completed to date. Staff is recommending that the Parking Lot expansion be moved to the FY 25 budget and that the remaining funds be utilized for greens and collar replacement.

Staff Recommendation

Staff recommend approval of the golf course work with Caney Creek Turf.



Estimate

Date	Estimate #
5/30/2024	35

PO Box 425
 Boling, TX 77420
 979-243-6104
 sales@caneycreekturf.com

City of Universal City ATTN: A/P 12900 Mount Olympus Universal City, TX 78148			<i>Grass Sprigs</i> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">Project</td> </tr> <tr> <td style="height: 20px;"> </td> </tr> </table>	Project	
Project					
Description	Qty	Rate	Total		
Platinum TE Paspalum + Freight	5,500	13.10	72,050.00T		
Box Fee	110	35.00	3,850.00T		
Sprig Installation		15,000.00	15,000.00T		
Four Refrigerated Vans Needed 110,000 SQ FT (Approx 2.5 acres) at 50 BU/1,000 SQFT for greens Installation includes installing sprigs on existing greens that were tilled and floated out before hand Tax Exempt		0.00%	0.00		
Total			<i>Grass Sprigs</i> \$90,900.00		

All estimates are good for 30 days.

Nursery/Floral Certificate: 0927979



Estimate

Date	Estimate #
5/30/2024	37

PO Box 425
 Boling, TX 77420
 979-243-6104
 sales@caneycreekturf.com

City of Universal City ATTN: A/P 12900 Mount Olympus Universal City, TX 78148			<i>Greens</i>
			Project
Description	Qty	Rate	Total
Till, Refloat Greens	1	121,555.00	121,555.00T
Quote is for the tilling of existing greens surfaces and floating it back out using materials that are already on the course. Tax Exempt		0.00%	0.00
Total			<i>Greens</i> \$121,555.00

All estimates are good for 30 days.

Nursery/Floral Certificate: 0927979

Estimate

Date	Estimate #
5/30/2024	36



PO Box 425
 Boling, TX 77420
 979-243-6104
 sales@caneycreekturf.com

City of Universal City ATTN: A/P 12900 Mount Olympus Universal City, TX 78148			<i>Collars⁺</i> Project
Description	Qty	Rate	Total
Platinum TE Paspalum + Freight Strip Old Collars and Install New Sod Collars	24,000	0.78 35,627.00	18,720.00T 35,627.00T
3 Flat Bed Trucks needed for Blocked Sod Installation includes Stripping of old sod, installing new sod collars via blocked sod Tax Exempt		0.00%	0.00
Total			\$54,347.00 <i>Collars + Collar Sod</i>

All estimates are good for 30 days.

Nursery/Floral Certificate: 0927979

CODE OF CONDUCT OF ELECTED AND APPOINTED OFFICIALS

POLICY PURPOSE

This Code of Conduct is to assure public confidence in the integrity of local government and its effective and fair operation.

POLICY STATEMENT

Preamble

The citizens and businesses of Universal City are entitled to have fair, ethical and accountable local government, which has earned the public's full confidence. In keeping with the City of Universal City's commitment to public trust, the effective functioning of democratic government therefore requires that:

- Public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Public officials be independent, impartial and fair in their judgment and actions;
- Public office be used for the public good, not for personal gain; and
- Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, as its members¹ are stewards of the public trust, the Universal City Council has adopted a Code of Conduct for members of the City Council and the members of City Council-appointed boards and commissions to enhance public confidence in city government.

¹ **For ease of reference in the Code of Conduct, the term "member" refers to any member of the Universal City Council or any member of City Council-appointed boards and commissions.**

ARTICLES

1. Act in the Public Interest. Recognizing that stewardship of the public interest must be their primary concern, members will work for the greater common good of the people of Universal City and not for any private or personal interest. Additionally, they will assure fair and equal treatment of all persons, claims and transactions coming before the Universal City Council, boards and commissions., and will commit to representing all voices rather than just a select few.

2. Comply with the Law. Members shall comply with the laws of the nation, the State of Texas and the City of Universal City in the performance of their public duties. These laws include but are not limited to: the United States and Texas constitutions; the Universal City Charter; laws pertaining to conflicts of interest, election campaigns, financial disclosures, open processes of government; and City ordinances and policies.

3. Conduct of Members. The professional and personal conduct of members must be above reproach and avoid acts of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, boards and commissions, City staff and citizens, both publicly and in private. Members should dedicate themselves to the highest ideals of honor and integrity in all relationships.

4. Respect for Process. Members shall communicate to staff through the City Manager or appropriate designee unless directed otherwise by City Manager. Members shall also perform their duties in accordance with the processes and rules of order established by the City Council and boards and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff, even when the member has voted in the minority.

5. Use of Electronic Devices. Members will not use electronic devices other than what is necessary for conducting business during a public meeting. Members will not text, email, make phone calls, use social media, or play games during the course of a meeting. Members shall not communicate or participate in a discussion with a quorum of the City Council relative to City business via electronic mail, text or other social media platforms and tools.

6. Conduct Business in Open. Members shall refrain from discussing City business matters with other members outside of an open meeting, even if it is in numbers of less than a quorum, unless Members have agreed with each other to follow the Open Meetings Act. Members shall conduct business in open and publicized meetings in order to be transparent to the citizens of Universal City. It is recognized that certain exceptions are made by the State for closed sessions and any action as a result of that type of meeting will be addressed in the open session as noted on the agenda. Communications made during a public meeting, public hearing or closed session are subject to the Texas Public Information Act. Members will not use “electronic communication devices” to communicate either internally or externally during meetings.

7. Decisions Based on Merit. Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

8. Communication. Members shall publicly share substantive information that is relevant to a matter under consideration by the Council or boards and commissions, which they may have received from sources outside of the public decision-making process. Members will not withhold information that is pertinent to the public decision-making process.

9. Smoking or Use of Tobacco Products. Members will not smoke or use tobacco products, electronic cigarettes and/or smokeless tobacco during the course of a public meeting.

10. Use of Alcohol. Members shall not be impaired due to the use of alcohol or recreational drugs prior to or while conducting City business in a meeting. Members shall exhibit professional behavior at all times when representing the City, to include social settings. Members shall not be impaired due to the use of alcohol or recreational drugs while representing the City in any capacity.

11. Conduct of Public Meetings. Members should prepare themselves for public issues, arrive to meetings on time, listen courteously and attentively to all public discussions before the body, and focus on the business at hand. Members shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, having side conversations, or otherwise interfering with the orderly conduct of meetings. Except in the case of an emergency, members shall not exit or walk around on the dais during the meeting. Standing is permitted. If a break is required, the member shall request a recess from the mayor or presiding officer. If it is necessary for a member to recuse himself or herself from the discussion and action on an item due to a conflict of interest, the member shall announce that he/she is stepping away due to a conflict of interest and shall state the nature and extent of the conflict of interest for the public record and file a Conflict-of-Interest Affidavit with the City Clerk prior to the item being addressed.

12. Conflict of Interest. In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship which may give the appearance of a conflict of interest. Members shall avoid conflicts of interest in their personal relationships with vendors, developers and City partners by refraining from discussing City business. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts, and they shall abstain from participating in deliberations and decision-making where conflicts exist according to State law. In the event of a conflict of interest, a member of the Council or board or commission shall, prior to the vote or decision on the matter, file a Conflict-of-Interest Affidavit with the City Clerk stating the nature and extent of the conflict of interest and shall abstain from participation in discussions and voting on the matter.

13. Gifts and Favors. Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office that are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised. Councilmembers should not receive gifts valued over \$50.00 Individually and shall maintain compliance and reporting as required by current State law.

14. Confidential Information. “Confidential Information” shall mean any disclosure, distribution, or discussion of documents, presentations or deliberations that were conducted or received under the exceptions to the Texas Open Meetings Act for closed meetings, or any information or documentation provided by City Staff to a Councilmember and the Councilmember was notified verbally or in writing that the information should be kept confidential. Members shall respect the confidentiality of information concerning the property, personnel, or affairs of the City. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their personal, financial, or other private interests. A member shall not intentionally or knowingly disclose any confidential information gained by reason of said official position concerning the property, operations, policies, or affairs of the City. Members shall not post or release proprietary or confidential information on social media platforms or websites.

15. Use of Public Resources. Members shall not use public resources not available to the public in general, such as City staff time, equipment, supplies, or facilities, for private gain or personal purposes. Members shall not use City employees or borrow equipment, supplies, or facilities for personal use.

16. Representation of Private Interests. In keeping with their role as stewards of the public interest, members of Council shall not appear or speak specifically on behalf of the private interests, including both private and nonprofit entities, of third parties before the Council or any board, commission or proceeding of the City, nor shall members of boards or commissions appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

17. Advocacy. Members shall represent the official policies or positions of the City Council, board or commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions verbally in person, in writing, or online in any format, members shall explicitly state that they do not represent their body or the City of Universal City.

18. Policy Role of Members. Members shall respect and adhere to the Council-Manager structure of City government as outlined by the Universal City Charter. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards and commissions, and City staff. Except as provided by the City Charter, members therefore shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of staff to implement Council policy decisions. Requests for information, projects or other actions of City staff shall be directed to the City Manager. During police incidents, members shall not knowingly interfere or make themselves present in the area. All inquiries should be directed to the City Manager.

19. Independence of Boards and Commissions. Because of the value of the independent advice of boards and commissions to the public decision-making process, members of Council shall refrain from using their position to unduly influence the deliberations or outcomes of board and commission proceedings. When a member of Council serves on a board or commission, the member may provide input as a board member, but shall not represent the Council as a whole unless the matter has been voted upon at a Council meeting.

20. Positive Workplace Environment. Members shall support the maintenance of a positive and constructive workplace environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealings with City employees to in no way create the perception of inappropriate direction or comments to staff.

21. Personal Political Advocacy. When endorsing or opposing a City of Universal City ballot initiative or a City of Universal City candidate, members will neither use their titles nor a City meeting or City event as a forum to endorse or oppose a City of Universal City ballot initiative, or a City of Universal City candidate, except for oneself.

22. Social Media – With maintenance and use of personal web pages, blogs and social networking platforms and sites, member status as an elected/appointed official requires that content of any postings on these sites not be in violation of existing City by-laws, policies, directives, rules or regulations. If communicating and recognizing yourself as a public official on a personal social media account, then assume that it is a public record and may be subject to Open Meetings Act and Public Information Act Laws. Officials should be mindful when posting content on City- related matters that could inadvertently result in violation of Open Meetings Act Law if other public officials engage in the post. If a quorum occurs, the City Manager should be notified immediately.

23. News media inquiries – Typically, news media inquiries should be directed to the Mayor or City Manager. In the event that the news media inquiry is related to an official Police matter or investigation, the inquiry should be directed to the City Manager who will in turn direct the inquiry to the Public Information Officer of the Police Department. When contacted by or speaking with a news media outlet, members shall only speak for themselves, clearly stating that it is only their opinion when speaking to the media and shall notify the City Manager.

24. Implementation. As an expression of the standards of conduct for members expected by the City, the Universal City Code of Conduct is intended to be self-enforcing. It therefore is most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, code of conduct standards shall be included in the regular orientations for candidates for City Council, applicants to boards and commissions, and newly elected and appointed officials. Members entering the office shall sign a statement affirming they read and understood the City of Universal City Code of Conduct. The City Council shall consider recommendations from boards and commissions and Council Members and update it as necessary.

25. Compliance and Enforcement. The Universal City Code of Conduct expresses standards of ethical conduct expected for members of the Universal City Council, boards and commissions. Members themselves have the primary responsibility to ensure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The chairs of boards and commissions and the Mayor have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Conduct are brought to their attention. The second in line, when the Mayor's or chair's actions come into question, would assume the duty of intervening. The City Council may impose sanctions on members whose conduct does not comply with the City's Code of Conduct, such as reprimand, formal censure, or loss of committee assignment.

PASSED AND APPROVED on the 21st day of November 2023.

CITY COUNCIL MEETING RULES OF PROCEDURE

General Provisions

Rule 1. Scope of Rules. These rules shall govern the conduct of the Council and shall be interpreted to ensure fair and open deliberations and decision making. In general, these rules shall be interpreted to allow the majority to prevail but preserve the right of the minority to be heard.

Rule 2. Rulings; Matters Not Covered. The Presiding Officer, as defined by Rule 15, shall rule, initially, on all questions of procedure. The latest edition of *Robert's Rules of Order*, shall to the extent feasible, govern the proceedings of meetings. The City Attorney or authorized representative shall act as Parliamentarian for Council Meetings.

Rule 3. Interpretation. These rules are intended to supplement and shall be interpreted to conform with the statutes of the State of Texas and the ordinances of the City of Universal City.

Time and Place of Meetings

Rule 4. Regular Meetings. The City Council shall meet in regular session on the first Tuesday and third Tuesday in each calendar month beginning at 6:30 PM in the Universal City Council Chambers or other appropriately posted location. The City Council, by a majority vote, may reschedule or cancel any regular meetings in a manner consistent with Open Meetings or other established requirements. Should there be insufficient items for consideration by the City Council on a regularly scheduled meeting date, the Mayor may cancel the meeting and shall advise Council of such cancellation. The City may broadcast the regular meetings online and such method will be posted with the regular meeting notice for the public.

Rule 5. Special Meetings. A special meeting is any meeting, other than a regular meeting, where a quorum of Council Members is present to deliberate public business that the City Council has supervision or control over the topic being deliberated.

- A. Special meetings shall be called at the request of the Mayor or City Manager or at the written request with consent of four Council Members to the City Clerk's office. Said meetings will be held at the time and place as posted on the meeting agenda. The City may broadcast special meetings online and such a method will be posted with the special meeting notice for the public.
- B. Each member of the Council, the City Manager, the City Clerk, and the City Attorney shall be notified of the special meeting.

Rule 6. Executive Sessions. The City Council may meet in executive session in compliance with the Texas Open Meetings Act. The Council will invite any necessary individuals needed for the executive session. A vote, if needed, on a matter discussed in an executive session will be made in an Open Meeting, and not in executive session.

Rule 7. Absence of a Quorum. A regular or specially called meeting cannot be called to order or continued in the absence of a quorum.

City Council Agenda and Agenda Packet

Rule 8. Agenda. The Meeting Notice (“Agenda”). The agenda includes the meeting notice. The agenda is approved by the Mayor working in conjunction with the City Manager and City Clerk.

- A. At a meeting of City Council, any member of City Council, during the “Council Member Announcements,” may request items to be placed on a future agenda provided at least three Council Members approve. No discussion shall occur at the meeting regarding the placement of the item on a future agenda. An item proposed by a Council Member that receives the required approval by Council may not be refused or postponed without the Council Member’s consent.
- B. An item which pertains to a single citizen problem may be placed on the agenda for the next meeting by a Councilmember without majority concurrence.
- C. The City Manager may place any item on any City Council agenda that pertains to normal City business.
- D. The Council Member who initiated the request for an agenda item shall be permitted to open discussion after the official reading of said item.

Rule 9. Agenda Packet. The agenda packet includes the meeting notice ("Agenda") and any supporting documentation for agenda items. The City Manager shall supervise the preparation and approval of the agenda packets for all meetings of the City Council. Upon approval, agenda packets will be sent electronically, by the City Clerk's Office, to Council Members and the City Attorney and, hardcopies can be picked up at City Hall during normal business hours. Council Members may provide supplement documents to any agenda items that they own to the City Clerk’s office in accordance with the packet preparation schedule.

Rule 10. Consent Agenda. The City Manager, may separately designate items as consent items which shall be placed under the Consent Agenda on the agenda and be acted upon by the Council under Rule 28. At the City Council meeting, an item may be pulled from the Consent Agenda and placed in the appropriate location of the agenda at the request of any member of the City Council.

Conduct of Meetings

Rule 11. Roll Call. Before proceeding with the business of the Council, the City Clerk determines the presence of a quorum as required by law and these rules by calling the roll of Members present and entering those named in the minutes.

Rule 12. Presiding Officer. The Mayor, or in the Mayor's absence or inability to perform, the Mayor Pro Tem, shall be the Presiding Officer at all Council meetings. If both the Mayor and Mayor Pro Tem are absent or unable to perform, the most senior Council Member present shall preside. In the event two or more Members equally possess the greatest seniority, then the eldest person among them shall preside. For this purpose, seniority is measured by current, continuous service on the City Council. The Mayor Pro Tem shall be a Council Member elected by the City

Council at the first regular City Council meeting following each regular City election.

Rule 13. Call to Order. The Presiding Officer shall call the meeting to order.

Rule 14. Control of Discussion. The Presiding Officer shall moderate discussion of the Council on each agenda item to assure full participation in accordance with these rules and Robert's Rules of Order. The Presiding Officer will preserve order and decorum, preventing the impugning of any member's motives or other personal comment not relevant to the orderly conduct of business. All persons present in the meeting room should refrain from abusive, rude, or inappropriate conduct.

Rule 15. Agenda Items. Each item will be considered in the numerical order listed on the meeting notice unless otherwise approved by Council as defined in Rule 30. Each agenda item shall be introduced by the Presiding Officer. The standard procedure is as follows for addressing agenda items:

- A. Agenda items likely to garner significant public interest shall be moved toward the beginning of the meeting.
- B. Reading of the ordinances or resolutions by captions by the Presiding Officer.
- C. The Presiding Officer will call upon the owner of the item (the Council Member who placed the item on the agenda) to speak, and then the City Manager or City's Manager's designee to present the item.
- D. Upon acknowledgement by the Presiding Officer, a Council Member may request and receive information, explanations or the opinions of the presenter or City Manager.
- E. If the agenda item requires a Public Hearing, the Presiding Officer shall call for and direct citizen comments. Comments shall be no more than three minutes per citizen and/or may be terminated at the discretion of the Presiding Officer. Citizens' questions or comments of the presenter or the presentation may be addressed by the Mayor or any Council Member during Council deliberation.
- F. If applicable, the Presiding Officer shall ask for a motion; if made, ask if there is a second. If seconded, proceed to the next step. If no motion or second is made, the item dies due to lack of motion.
- G. Discussion held amongst Council Members on item motion. The Presiding Officer will offer the opportunity for each Council Member to speak once on a motion before allowing a Council Member to speak a second time. The Council Member who made the motion will be afforded the opportunity to speak first in favor of their motion.
- H. Council voting shall proceed through a Roll Call (Rule #25).

Rule 16. Limit on Remarks. Each Council Member shall limit their relevant remarks to a reasonable length. Time limits for Council Member comments may be set for specific agenda items, or any single meeting, by a majority vote of the Council Members present. If limits are set for a specific agenda item, it must be voted on prior to the agenda item motion.

Rule 17. Presiding Officer's Right to Speak Last. The Presiding Officer has the right to speak last on any item.

Rule 18. Closing Motion Discussion. Discussion shall be closed on any item by the Presiding Officer with the concurrence of a majority of the Council present, or by calling the question by any Council Member so long as all Council Members have been afforded the opportunity to speak at least once.

Rule 19. Council Member Announcements. At every Regular Council Meeting, Council Members are given the opportunity to provide announcements, call for future agenda items, or make reports under the appropriate agenda items.

Rule 20. Comments Out of Order. Council Members shall not sign up to speak during Citizens to be Heard. Council Members will refrain from speaking unless recognized by the Presiding Officer.

Council Action

Rule 22. Council Actions. All meetings shall be conducted in accordance with Robert's Rules of Order.

Rule 23. Motion Required. All actions requiring a vote shall be moved by a Council Member. A Council Member may make a motion to amend a motion. The amendment must receive a second before it may be discussed and must be voted on prior to voting on the main motion. A motion may be withdrawn or modified by its mover without asking permission. It is considered a motion if a Council Member formally states, "I move to" or "I so move". Any other comments made by a Council Member regarding a potential motion or consideration of an amendment will not be considered a motion until formally stated.

Rule 24. Recording Names of Moving Members. The City Clerk shall record the name of the Council Member making each motion and seconding each motion.

Rule 25. Call for Vote. At the conclusion of the discussion or if a Council Member calls the question and is seconded, the Presiding Officer shall call for a vote by roll call and the "ayes" and "nays" shall be recorded in the journal. The Presiding Officer shall announce the results of the vote.

Roll call votes are called in order of Council Member making the motion, Council Member seconding the motion, Mayor Pro Tem if not one of the previously listed persons, then Council Members by alphabetical order. Every Council Member present shall cast a vote on every proposition presented. If a Member does not wish to vote, they answer abstain. The Mayor shall vote only when necessary to break a tie.

Rule 26. Abstentions. When abstaining, the member shall state they are abstaining and, if they choose, provide reason as to the abstention. The abstention votes will be recorded in accordance with Robert's Rules. Per the City Charter, an abstention is considered a "no" vote.

Rule 27. Recusals. If a member has a conflict of interest as defined by the Texas Local Government Code, Chapter 176, the member shall file a Conflict of Disclosure affidavit stating the

nature and extent of the interest, with the City Clerk, in advance of the meeting.

Rule 28. Separate Consideration. Except as otherwise required by these rules, each agenda item shall be voted upon separately with the vote recorded by the City Clerk. Motions and votes within an agenda item may be split, as desired by City Council. City Council, by approval of a motion, reserves the right to group agenda items for consideration.

Rule 29. Action on Consent Agenda. The Consent Agenda shall be considered as a group, without separate discussion on each item. If any Consent Agenda items are removed, the Presiding Officer shall ask for a motion on the remaining Consent Agenda items.

Rule 30. Consideration Out of Agenda Order. The Presiding Officer may, with the consent of the Council, consider an agenda item out of order. And, at the request of a Council Member to the Presiding Officer, with the consent of the Council, any agenda item may be considered out of Agenda order.

Rule 31. Council Action to Withdraw or Defer. A Council Member wishing to withdraw or defer an item may make a motion to that effect.

Citizen Participation

Rule 32. Public Participation during Council Meetings. Comments and suggestions by the public are highly valued and encouraged during those parts of a meeting designated for public participation. Speakers shall register to speak in advance. If a topic is on the agenda, then public comments may be heard during the agenda item. If the topic is not on the agenda, then public comments will be heard during Citizens to be Heard.

When called forth, the speaker wishing to comment shall step to the microphone, and state their name, city of residence, or county of residence if they do not reside in a city. The Presiding Officer shall encourage speakers to keep comments civil and refrain from including abusive, rude, or inappropriate language as well as other rules of decorum as outlined in Ordinance 657, Rules of Decorum

Rule 33. Citizens to be Heard. Citizens to be Heard will be placed on the agenda before the Consent Agenda and Consideration Items.

In accordance with the Open Meetings Act, the Council may not discuss or take action on any item which has not been posted on the agenda. The Presiding Officer may refer a matter raised during Citizens to be Heard to the City Manager. Speakers should limit their comments to three minutes each, or as provided in Ordinance 657, and direct all remarks to Council. The Presiding Officer has the responsibility of limiting all discussion under Citizens to be Heard to 30 minutes but may adjust the time as provided under Ordinance 657 Section 1-1-13 (a)(1).

PASSED AND APPROVED on the 21st day of November 2023.

