

MINUTES
CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS
Regular Meeting, Tuesday, 20 February 2024

1. CALL ORDER: Mayor John Williams 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 John Williams
Councilmember Ashton Bulman
Councilmember Christina Fitzpatrick
Councilmember Paul Najarian
Councilmember Phil Vaughan

Staff Present:

Kim Turner, City Manager
Megan Santee, City Attorney
Michael Cassata, Development Services Director
Randy Luensmann, Public Works Director
Maribel Garcia, Deputy City Clerk

Absent:

Mayor Pro Tem Bear Goolsby
Councilmember Steven Buck

Mayor Williams noted a quorum was present.

Mayor Williams noted a quorum was present and explained that Councilmember Buck was on a military duty trip and Mayor Pro Tem Goolsby was ill.

Councilmember Najarian moved to excuse the absences. Councilmember Fitzpatrick seconded the motion.

Vote: Yeas: Najarian, Fitzpatrick, Bulman, Vaughan
Nays: None

Motion to approve carried.

3. INVOCATION and PLEDGE OF ALLEGIANCE:

Councilmember Vaughan gave the invocation. Mayor Williams led the Pledge of Allegiance to the United States and Texas flags.

4. STAFF REPORTS AND OTHER DISCUSSION ITEMS:

a. CITY MANAGER'S REPORT: None.

b. STAFF REPORT:

1. ORR Report. Ms. Garcia reported FY 2023 and the first quarter (Q1) of FY 2024 Open Records Requests (ORRs). She announced that FY 2023 resulted in a 94% increase in ORRs since FY 2022 and a 512% increase since FY 2018. While the amount of ORRs and amount of time fulfilling them had increased since FY 2022, the average amount of time spent per request decreased. Regarding Q1, Ms. Garcia reported a total of 261 requests made with approximately 96 hours spent fulfilling requests.

5. CITIZENS TO BE HEARD:

- Bernie Rubal, 635 Balboa, expressed concern regarding the exemption to competitive bidding included in the Purchase Policy on the Consent Agenda. He felt the need for more stringent requirements including providing a Statement of Work prior to authorization of the exemption. He advocated for ethical consideration when exempting large sole source contracts from bidding only because they are sole source. He added Council should request ample time to consider contracts prior to their renewal. He used the current Waste Management contract as an example for all points.
- Michael Voeller, 210 E. Aviation Blvd., co-owner of Gather Brewing Co. (Gather), shared his business's need for more public parking. He said small businesses are the foundation of growth in small cities and emphasized their appreciation for being in Universal City. He also shared that Gather employed many Universal City residents.
- Rachel Voeller, 210 E. Aviation Blvd., co-owner of Gather, listed Gather's community contributions including jobs, donations, and taxes. She reported Gather's high attendance from all over and emphasized parking needs for larger events and day-to-day operations. She discussed the negative impacts of lacking parking. She echoed comments made by Mr. Voeller and asked Council to consider a crosswalk from the lot to Gather considering increased traffic along Aviation Blvd.
- Ginny Comstock, 210 E. Aviation Blvd., employee and events coordinator at Gather, reiterated the two speakers before her. She noted Gather rented a business's lot nearby, but that the option is not always available. She elaborated on alternatives guests are forced to use to park. She reiterated notes on the business's growth and echoed the request for a crosswalk.
- Linda Sefton, 205 Trudy, expressed concern regarding Dr. Chichi Junda Woo appointment as Universal City's official health authority. She noted requirements for a public health authority, and discussed Dr. Woo's polarizing reputation. She commented on Dr. Woo's ideology, political history, inexperience in the field of public health, and failure to act as a State officer to enforce laws. She stated these factors lead to distrust by City residents and noted the City's voting history. She emphasized the need for trust in public health officials and asked Council to vote against Dr. Woo.
- John Heberling, 8434 Ulysses, commended UCPD for positive results on their racial profiling report. He expressed distaste for ad hominem attacks on social media against Councilmembers and asked those with membership in the cited Facebook group to defend colleagues from personal attacks.
- Laura Bennet, 487 Emelia, seconded Ms. Sefton's concerns. She shared her negative experience during mask mandates she could not medically follow; she attributed her experience to Dr. Woo. She emphasized her want to trust government again and the importance of 1st and 4th amendment autonomy rights and rights of expression. She indicated her distrust for Dr. Woo.

6. ANNOUNCEMENTS:

a. CITY MANAGER'S ANNOUNCEMENTS:

Mrs. Turner announced that Snowfest 2024 was a success despite the weather and thanked Staff, volunteers, and specifically thanked Mr. Luensmann and Regina Carmona for their and their Staff's work on the event.

b. MAYOR'S ANNOUNCEMENTS:

Mayor Williams announced Council participation in the Month of the Military Child (April). He thanked and commended Public Works-Utilities Billing for contacting him when they noticed a leak through the smart meter. He complimented CPS for sealing tree trimming cuts as an oak wilt prevention measure when working. He recommended an article in the Gateway regarding oak wilt prevention. He announced the redesignation of the Air Education and Training Command as Airman Development Command (ADC). He complimented Staff for Snowfest and thanked volunteers and sponsors. He mentioned Walmart had a Universal City themed monopoly game and explained golf course rerouting due to drainage project construction.

c. COUNCILMEMBERS' ANNOUNCEMENTS:

Councilmember Vaughan received consensus to discuss financial transparency based on Texas Comptroller recommendations for what cities should publish on their website.

Councilmember Fitzpatrick thanked volunteers who participated in Snowfest despite the cold weather. She also reported Flashlight Night at the golf course was a success.

Councilmember Najarian echoed parking necessities at Gather. He thanked Mr. Heberling for his comments and stated he was not on the Facebook page he discussed. He noted Mary Eddy's (Parks Commissioner) recruitment of Air Force volunteers for Snowfest, and thanked coordinators of the event. He asked Council and residents to attend the Judson ISD bond meeting Friday, February 23rd. He announced the Citizen's Police Academy course starting March 21st and encouraged sign-ups.

Councilmember Bulman responded to Gather's support of the parking lot stating while she loves and supports Gather, she would vote in line with her fiscal conservatism. To Mr. Heberling, she stated she does not respond to comments on Facebook as personal practice considering the Public Information Act. She commended Snowfest and Flashlight Night.

7. CONSENT AGENDA:

Councilmember Najarian moved to approve the following Consent Agenda items:

- a) Consider the minutes of the Tuesday, 06 February 2024 Regular Meeting.
- b) Ordinance 544-A-2024: An ordinance approving, adopting, and renewing the Purchase Policy of the City of Universal City.

Councilmember Fitzpatrick seconded the motion.

Vote: Yeas: Najarian, Fitzpatrick, Bulman, Vaughan
Nays: None
Motion to approve carried.

8. ACTION ITEMS:

- B. Resolution 902-2024: A resolution of the City Council of Universal City, Texas to appoint Dr. Chichi Junda Woo as the official Health Authority for the City of Universal City; and setting an effective date.**

Mrs. Turner explained that the City assigns a Health Authority in accordance with State law. Many surrounding cities use the San Antonio Metropolitan Health District (SAMHD) as their Health Authority. She emphasized the limited scenarios in which Dr. Woo or the SAMHD would be given authority and emphasized this action provides a safety net to be able to use SAMHD for

guidance and resources in the case of a health emergency.

Councilmember Vaughan confirmed Council could not choose someone other than Dr. Woo if they wished to stay with SAMHD as the City's health district. It was explained that Dr. Woo is an employee of SAMHD and cities who chose the organization as their health district did not have a choice in hiring their Local Health Authority.

Councilmember Vaughan moved to table the item for further consideration after exploring alternatives. He explained he held similar concerns as those stated by citizens. Councilmember Bulman later seconded the motion.

Ms. Santee noted that, given the contract with SAMHD and that State law requires cities have a Health Authority, both would need to undergo several steps including legal review before options could be presented.

The Council discussed Dr. Woo's credentials and reputation. They voiced their wish to explore other options.

Councilmember Bulman confirmed that, in the case that the Resolution failed on a vote at this meeting, the City would be in violation of State law and in possible breach of contract with SAMHD. The City would need to supply an alternative that meets statutory requirements.

Mayor Williams reiterated Councilmember Vaughan's motion to table the item pending the presentation of alternatives, with Councilmember Bulman seconding the motion.

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

Motion to approve carried.

- C. Resolution 969-2024-3: A resolution of the City Council of the City of Universal City approving a project of the Universal City Economic Development Corporation as authorized by Section 505.158 of the Texas Local Government Code, authorizing certain financial assistance to be used for targeted infrastructure located within the City of Universal City, Texas; and providing for an effective date.**

Mrs. Turner gave background on the item including EDC proceedings for contract services and a bid for construction of the parking lot. The EDC unanimously approved to issue a low bid of \$102,197.10 to CemenTech Concrete Services at their last meeting.

Councilmember Bulman asked how temporary the parking lot would be.

Mrs. Turner explained the change from temporary to permanent all-weather surfacing. She clarified that initial temporary surfacing did not mean the parking lot would be temporary. She elaborated on the future of parking in the area and emphasized the disuse of this lot, the use of an unpaved lot as parking, and the benefit to several local businesses and nearby residents.

Councilmember Bulman confirmed that the City is planning for a striped crosswalk.

Councilmember Vaughan explained he would vote against the item due to his belief in the

prioritization of other projects.

Councilmember Najarian supported the item due to his observation of the negative effect on business that a lack of parking created. He wanted the City to show commitment to the Aviation District by investing in necessary infrastructure.

Councilmember Fitzpatrick clarified Aviation District stages of development. She echoed prior comments stating this project showed commitment to supporting businesses and the Aviation District Plan.

Councilmember Najarian moved to approve Resolution 969-2024-3. Councilmember Fitzpatrick seconded the motion.

Vote: Yeas: Najarian, Fitzpatrick

Nays: Bulman, Vaughan

Mayor Williams broke the tie by voting Yea. He felt that there was necessity for parking and that it would be important for the City's future.

Motion to approve carried.

N. T. 1. Executive Session:

- a) a) Pursuant to Texas Gov't Code Sec. 551.071(2) regarding consultation with attorneys in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with discussion in Open Session; consultation with City Attorney.
- b) Reconvene in Open Session and take action, if needed, on any item pertaining to or listed in the Executive Session section of this Agenda.

Mayor Williams began the Closed Session at 8:01 P.M.

Mayor Williams convened into Closed Session with present City Council Members, City Manager Kim Turner, and City Attorney Megan Santee.

Mayor Williams and the City Council reconvened into Open Session at 8:05 P.M. No action was taken during the Closed Session.

9. ADJOURNMENT: Mayor Williams adjourned the meeting at 8:06 P.M.

APPROVED:

John Williams, Mayor

ATTEST:

Maribel Garcia, Deputy City Clerk