

MINUTES
CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS
Regular Meeting, Tuesday, 16 July 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 (Virtually)
Councilmember Bear Goolsby
Councilmember Lori Putt
Councilmember Bernard Rubal
Councilmember Phil Vaughan

Staff Present:

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

Ms. Garcia confirmed a quorum was present.

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

Councilmember Vaughan gave the invocation. Mayor Maxwell 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:** None.

5. **CITIZENS TO BE HEARD:**

- Janet Tennis, 8407 Hera, expressed her disappointment in the Council's behavior during the budget work session. She thanked Staff and members of the community who volunteer for their professionalism. She understood that working through budgets is never easy but asked Council to commit to the process and rely on Staff for guidance and data. She asked Council to seek training if needed and help from Mrs. Turner if they do not understand the budget. She thanked Council for their willingness to serve their community.
- Richard Edwards, 209 Trudy Lane, asked for Council's attention to apportioned trailers on residential streets, especially those going at high speeds. He felt it was a safety concern.
- Linda Sefton, 205 Trudy Lane, felt honored to serve on the Comprehensive Plan Proposal Evaluation Committee. She noted that the committee was diverse, and all reviewed the proposals thoroughly. She noted the length of the proposals and time dedicated by members of the committee to review, cooperation, and deliberation. She noted the amount of expertise that goes into creating a Comprehensive Plan and felt confident in the committee's recommendation to Council.

7. **ANNOUNCEMENTS:**

- a. **CITY MANAGER'S ANNOUNCEMENTS:** None.

b. MAYORS' ANNOUNCEMENTS:

Mayor Maxwell noted the success of both the July 4th river parade and the Schertz parade. He discussed the marketing opportunity and positive feedback that came with the river parade though it is hosted in San Antonio. He mentioned the 19th and 12th Wing Air Force changes of command that he attended. Regarding the budget process, he empathized with all Councilmembers and their concerns for prioritization of the budget. He stated that a prioritized list of items would sometimes be given to Council to add to the budget if there was more revenue and felt it could be helpful.

c. COUNCILMEMBERS' ANNOUNCEMENTS:

Councilmember Goolsby presented and identified the lifecycle of a hover fly. He noted the benefits they bring to gardens and local plants.

Councilmember Vaughan thanked Regina Carmona, Community Relations Specialist, and all others who worked on the 4th of July float. He noted positive comments from other attendees to the parade.

Councilmember Rubal moved to have City Staff prioritize the FY 2025 budget in 4 tiers. Tier 1- Essential services and personnel; Tier 2 – All basic resident services without amenities and non-essential enterprise operations; Tier 3 – Expenses and personnel costs for amenities and non-essential enterprise operations; Tier 4 – Expenses for external Staff training and significant needs foreseen within the next 5 years. He clarified for Councilmember Vaughan that the budget had not been prioritized and Council did not know what expenses were critical compared to what is for amenities.

Councilmember Vaughan felt this topic would be better addressed individually by Staff.

Council agreed to table the item after no second was given to the motion.

Mayor Pro Tem Fitzpatrick was honored to represent the City in various parades and luncheons.

Councilmember Putt felt positively about the July 4th River Parade and felt luncheons had been educational. Addressing comments and concerns received by her from the public regarding the budget work session, she asserted that City Staff and Directors were highly qualified. She opined they were thorough in preparing their budgets and that the budgets were scrutinized with the help of the Finance Department and the City Manager and amended according to functional needs. The budget presented at the work session only included items essential to City functions. She asserted that Council's job is to review the budget individually with Staff and decide how to move forward as a City Council; if Council wished to lower the budget, they should give an amount to allow departments to decide what can be cut based on needs. From there, Council decides on a tax rate to support City services for the residents while balancing residents needs. She asked fellow Councilmembers to respect the process and Staff. She reported that residents were confused at the mention of percentages in the last meeting. She thanked all members for their service and extended thanks to the boards and commissions appointees in the audience.

7. CONSENT AGENDA:

Councilmember Goolsby moved to approve the following Consent Agenda items:

- 1) Consider the minutes of the Tuesday, 18 June 2024 Regular Meeting as amended.
- 2) Ordinance 370-P-2024: An ordinance amending Ordinance 370-P-2022, Section 4-6-2 related to International Building Code Exceptions and Amendments, and Section 4-6-9 related to International Residential Code Exceptions and Amendments, codified under the City’s Code of Ordinances, Part IV, Chapter 4-6, Articles I; establishing penalties thereto; providing for severability and open meetings; and providing an effective date.
- 3) Ordinance 581-X-PUD-2023-101-A: An ordinance of the City Council of City of Universal City, Texas approving an extension of Ordinance No. 581-X-PUD-2023-101, amending the Zoning Map of the City of Universal City, Texas for an approximately 13.968-acre property, located at 2902 Pat Booker Road, Universal City, Texas; rezoning said property from C3-Commercial Services District to PUD 2023-101 District, generally for multi-family residential and related uses; adopting the PUD Final Plan related to PUD 2023-101; providing for severability; providing for the publication of the caption of this ordinance; and establishing an effective date.

Councilmember Rubal seconded the motion.

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

Motion to approve carried.

8. ACTION ITEMS:

B. Ordinance 625-A-2024: New Non-Retroactive Repeating COLA Option.

Kenneth Oliver, the City’s Texas Municipal Retirement System (TMRS) consultant, reviewed HB 2464 adopted by the 88th Texas State Legislature which introduced a new type of Cost of Living Adjustment (COLA) for retirees. The City had a retroactive COLA, which used a cumulative Consumer Price Index (CPI) calculation based on the original year of retirement. The non-retroactive COLA would be based on calculating the change in CPI for only the last year to adjust the retirement benefit. This allows for more standardized adjustments across all retiree accounts whereas the retroactive COLA produced widely varied results. The non-retroactive COLA proposed would save the City money while making it more understandable for retirees.

Councilmember Vaughan received clarification that the new COLA would only affect the Universal City portion of TMRS checks. He received an explanation regarding San Antonio’s TMRS COLA system – they use an ad hoc method meaning the COLAs go before City Council annual. Universal City used a repeating COLA which happens automatically on a schedule. The ad hoc method is only cheaper in the short term and the City cannot pre-fund an ad hoc COLA.

Councilmember Vaughan moved to approve the new non-retroactive repeating COLA. Councilmember Goolsby seconded the motion.

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

Motion to approve carried.

G. PUBLIC MEETING REQUIREMENT: Comprehensive Plan Update – Contract Award.

Mrs. Turner reminded Council of prior discussions regarding the Comprehensive Plan. She noted

that in past budget years, the prior Comprehensive Plan was referred to as a way to address the goals set forth in the Plan. The purpose of a Comprehensive Plan is to create a vision for the future of the City in terms of projects, goals, and spending.

Mr. Cassata reviewed the evaluation process for proposals submitted: 11 responses to a request for proposals were received, which were narrowed down to five after evaluation by the committee. Those five companies were interviewed by the evaluation committee which was comprised of City Staff, a Councilmember, and members of boards and commissions. After interviews, the evaluation committee deliberated and chose to recommend Matrix Design Group to be awarded the contract to create the Comprehensive Plan.

Celeste Warner with Matrix Design Group thanked Council for the opportunity to present their approach in developing a Comprehensive Plan. She noted the vast experience of Matrix Design Group, including their experience working as a team with cities and communities. She noted their experience in the surrounding area and in the creation of over 100 comprehensive plans as well as plans requiring other expertise. Ms. Warner emphasized the importance of community engagement in the creation of the plan. She stated that Matrix uses three objectives: inclusivity, informative approach, and validation. She reviewed their methodology for community engagement. She explained that the City's brand identity would be incorporated throughout the process with the assistance of the Communications Director. The components of the Comprehensive Plan were reviewed: Economic Development Plan, Land Use/Zoning/Character Plan, Transportation/Mobility Plan, Cost of Development Plan, Community Facilities/Infrastructure Plan and an Implementation Plan. She elaborated on how the components would work and how existing plans would be utilized. The Plan would create easy-to-use and understandable data as well as an actionable playbook for implementing goals.

Councilmember Putt expressed her excitement and support for the Plan.

Councilmember Goolsby shared his experience on the Evaluation Committee. It was clear to him that, of all the candidates evaluated, they were the best choice for the City.

Councilmember Vaughan did not feel sure that a Plan was a good use of taxpayer resources. He reiterated his prior opinion that the Plan should be done in smaller parts to put more money towards fire trucks and streets maintenance. He expressed frustration that Council had not been presented with a proposal or introduction to Matrix Design Group prior to the meeting.

Councilmember Goolsby disagreed that it would be waste of taxpayer resources. He felt that Council was divided, and this Plan could unify them under the wants and goals of the citizens.

Councilmember Rubal was given examples by Ms. Warner of the participation numbers in other cities where they created comprehensive plans. Ms. Warner also explained their methodology for determining build-out potential in a city while keeping the vision of the community in mind. Councilmember Rubal confirmed that the EDC would share \$50,000 of the cost of the Plan with the City budgeting \$200,000.

Mayor Pro Tem Fitzpatrick felt all Councilmembers had the best interests of the community in mind. She felt that the Comprehensive Plan would be a great tool for all of them to use to help guide them in decision-making for the community. It would help them to be forward thinking.

Councilmember Goolsby, based on the outcome of the Evaluation Committee's review process,

moved to approve the execution of a contract with Matrix Design Group for the creation of a Universal City Comprehensive Plan. Councilmember Putt seconded the motion.

Vote: Yeas: Goolsby, Putt, Fitzpatrick, Maxwell
Nays: Bulman, Rubal, Vaughan
Mayor Maxwell broke the tie by voting Yea.

Motion to approve carried.

Mayor Maxwell opined the Plan would keep the City updated in goals and development.

C. Approval of Pay Application #4 invoice for the Ivy Lane Street Improvements – Construction.

Mrs. Turner reminded Council that the application for reimbursement through the CDBG program needed to be approved by Council. The application would go to Bexar County.

Councilmember Vaughan moved to approve the pay application. Councilmember Goolsby seconded the motion.

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

Motion to approve carried.

D. Board and Commission Re/Appointments for the 2024-2026 term – BOA, LAC, PARC, and P&Z.

Mayor Maxwell explained that each applicant that was available for an interview was interviewed over a nine-day period. Only three applicants were not recommended for appointment due to lack of positions on the boards and commissions. These applicants were asked to be backups.

Councilmember Vaughan was assured that all applicants were accommodated with flexible times for interviews. He expressed some concern with overrepresentation of the Olympia subdivision on the Planning & Zoning Commission but supported the appointments.

Councilmember Rubal appreciated the willingness of volunteers to serve on the boards and commissions.

Councilmember Putt thanked appointees for their service and highly recommended that they attend any training provided by the City.

Councilmember Putt moved to approve the appointments as recommended by Mayor Maxwell. Councilmember Goolsby seconded the motion.

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

Motion to approve carried.

E. Re/Appointments of the Universal City Economic Development Corporation.

Mrs. Turner explained that all Directors of the UCEDC Board had applied for reappointment.

Councilmember Vaughan expressed his support for more separation between the EDC and the City Council. He asked to appoint former-mayor John Williams to the EDC in the place of one of the councilmembers currently serving on the EDC.

Mayor Maxwell suggested that the reappointments proceed as there may be an opening on the EDC during the term. Former-mayor Williams would be a backup and had indicated he would not like to be considered if all Directors reapplied.

Councilmember Goolsby moved to approve the reappointments to the UCEDC as recommended. Councilmember Putt seconded the motion.

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

Motion to approve carried.

F. FY 2024-2025 UCEDC Budget.

Mr. Cassata stated the proposed budget's revenues and expenditures would be \$11,143,150. He noted differences to last year's budget. He reviewed Revenues including Sales Tax, Interest, and bonds. He reviewed Expenditures including Allowances, Debt Service, Communications, Support Services, Contract Services, Supplies-Materials, and Real Property-Equipment.

Councilmember Vaughan was assured that new projects over \$10,000 would be considered by Council.

Councilmember Rubal received clarification regarding employees included in the EDC payroll. It was also explained that the EDC budget underwent changes in line items to consolidate or add categories to create better understanding and transparency. Councilmember Rubal asked how the Comprehensive Plan that was just passed would affect the EDC budget.

Mr. Cassata explained that the Comprehensive Plan provides the policy and framework for achieving the goals of the City. This includes better direction for future budgets.

Councilmember Rubal expressed concern that the Comprehensive Plan could change the budget priorities in the middle of the FY.

Mayor Pro Tem Fitzpatrick and Mrs. Turner noted that 50% of the budget is attributable to the Reunion Project.

Mayor Maxwell confirmed that Council approved the EDC bonds that fund the Reunion Project.

The Reunion Project was discussed in relation to the Comprehensive Plan. It was noted that the Plan would most likely benefit the Reunion developers by identifying the best uses for those developments before they begin looking for tenants. It is highly unlikely that Matrix would disagree with the progression of the Reunion plan.

Councilmember Goolsby moved to approve the FY 2024-2025 UCEDC Budget. Mayor Pro Tem Fitzpatrick seconded the motion.

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

Motion to approve carried.

9. ADJOURNMENT: Mayor Maxwell adjourned the meeting at 8:15 P.M.

APPROVED:

Tom Maxwell, Mayor

ATTEST:

Maribel Garcia, Deputy City Clerk