

MINUTES
CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS
Regular Meeting, Tuesday, 03 September 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
Christine Green, Finance Director
Maribel Garcia, Deputy City Clerk

Ms. Garcia confirmed a quorum was present.

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

Councilmember Rubal 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:** Mrs. Turner noted the change to the minutes under the consent agenda and the list of September events provided by Ms. Garcia to each Councilmember.

b. **STAFF REPORT:** None.

5. **CITIZENS TO BE HEARD:**

- Kim Igleheart, 736 Garden Meadow, commented on the previous meeting regarding individuals not signed up to speak during public hearings. She opined the Chair of a meeting should know the rules under which they operate and should apply those rules consistently and fairly. She cited Section 1-1-13(b) of the Code of Ordinances pertaining to public hearings. It stated that individuals not signed in to speak shall be invited to speak after others. She noted it was the fourth anniversary of her first appearance before Council. She thanked those who joined her to bring accountability and transparency to Universal City.

6. **PUBLIC HEARINGS:**

Mrs. Turner explained tax rate and budget proceedings for this meeting, including two public hearings which would be the second public hearing held for the budget and tax rate, then two resolutions and one ordinance to pass the budget and tax rate.

a. **FY 2024-2025 Budget (2nd Hearing).**

Mayor Maxwell opened the Public Hearing at 6:35 p.m.

Ms. Green gave an overview of changes made to the proposed budget in accordance with the tax rate revenue change proposed in the last meeting. General Services would postpone a Mobile Equipment purchase which would decrease that budget by \$40,000 and Parks and Recreation would postpone a Vehicle purchase, decreasing that budget by \$60,000. She gave the following summaries of funds and included changes where necessary:

- General Fund Revenues and Expenditures were each \$19,828,122 for a balanced budget.
- Stormwater Fund was updated to include Capital Improvements Projects, with total revenues and expenditures of the fund equaling \$1,543,718. She noted a change to the Persia Storm Drainage Project, which accounted for the remaining carry over from this FY.
- Golf Course Fund had an increase in expenditures to match revenues, with each now being \$4,418,000. \$72,000 was added to expenditures to fund the development of a business plan.

There being no one signed up to speak during the public hearing, **Mayor Maxwell closed the Public Hearing at 6:40 p.m.**

b. 2024 Tax Rate to support the FY 2024-2025 Budget (2nd Hearing).

Mayor Maxwell opened the Public Hearing at 6:40:10 p.m.

For the ad valorem tax rate, Ms. Green reminded Council that the Maintenance & Operations (M&O) tax rate would be \$0.436882, the Debt Service (I&S) tax rate would be \$0.077500 for a total ad valorem tax rate of \$0.514382.

There being no one signed up to speak during the public hearing, **Mayor Maxwell closed the Public Hearing at 6:40 p.m.**

Prompted by Ms. Igleheart, procedures for speaking during a public hearing were clarified by Ms. Trevino who stated Mayor Maxwell had discretion to allow or disallow citizens to speak.

7. ANNOUNCEMENTS:

a. CITY MANAGER'S ANNOUNCEMENTS:

Mrs. Turner reiterated her notification to Council regarding the list of September events and asked that they notify her or Ms. Garcia of their intention to attend.

c. COUNCILMEMBERS' ANNOUNCEMENTS:

Councilmember Rubal asked for clarification on park reservation systems and policies following a resident complaint. He thanked Mrs. Turner and Mr. Luensmann for giving him a tour of the City in the context of Public Works. He presented photos he took of alleyways with common issues seen around the City. He explained some contexts he gained through his ride-along with Mr. Luensmann and Mrs. Turner, while also showing alleyways scheduled for maintenance or otherwise could be addressed by the City. He opined that there should be cost sharing between the City and EDC regarding alleyways to be improved in the Aviation District. He also presented an example of potential cost savings through purchasing cheaper vehicles to meet City needs. He reminded everyone that the Comprehensive Plan would begin community input meetings/events soon. He encouraged residents to participate in the Comprehensive Plan when the time came.

Councilmember Goolsby presented more on bugs. He showed the difference between healthy grub

worms, and ones that have been afflicted with a nematode parasite. Nematodes can be beneficial for getting rid of grub worms, which can be bad for gardens. He explained the difference between good nematodes and bad ones. Nematodes cannot infect vertebrates (humans, dogs, cats, etc.), and are tolerant to most insecticides. He explained how to introduce them to your soil.

Councilmember Putt encouraged everyone to attend upcoming ribbon cuttings, including one on September 6th for Daniels & Daniels Real Estate and Farmers Insurance.

Mayor Pro Tem Fitzpatrick thanked Councilmember Goolsby for continuing her science education. She was excited about the new Chick-fil-a on Kitty Hawk. She reported she had attended Judson ISD meetings and made Council aware of the potential closure of Coronado Elementary School.

b. MAYORS' ANNOUNCEMENTS:

Mayor Maxwell reminded Council of the Collaboration Workshop on September 6th which would be open to the public. He emphasized that no votes or policy decisions would be made at this meeting. He reported on his work with Representative John Lujan and Meals on Wheels. He stated that Meals on Wheels would present before Council at the second meeting in October regarding their work in the City and volunteer opportunities. Mayor Maxwell noted his experiences walking in Universal City parks. He said Universal City parks are pull factors for new residents, which was evidenced in his talks with park attendees. He also felt parks helped bring sales revenue into Universal City.

8. CONSENT AGENDA:

Councilmember Vaughan moved to approve the following Consent Agenda items, with the minutes as amended:

- 1) Consider the minutes of the Tuesday, 06 August 2024 Regular Meeting.
- 2) Ordinance 406-J-2024: An ordinance of the City Council of the City of Universal City, Texas, amending Ordinance 406-I-2013 (The Drought Response Plan) and Ordinance 406-I-1-2013 (Amendment to Stage II Response – Aquifer Watch – Stage II Water Use Limitations); establishing legislative findings, amending the Universal City Code of Ordinances accordingly; providing repeal and replacement; providing severability; and establishing an effective date.
- 3) Ordinance 525-X-2024: An ordinance of the City Council of the City of Universal City, Texas, revising 525-U-2021, Schedule A (Base Rates) as provided in Section 2-3-9 Modification of Rates, Exhibit “A”; providing for severability; and providing for an effective date.
- 4) Ordinance 149-M-31-09-2024 (Water Rates): An ordinance of the City of Universal City, Texas, amending Ordinance 149 Fee Schedules; amending Ordinance 149-M-31-9-2023 and repealing all ordinances or parts of ordinances in conflict; and amending the Universal City Code of Ordinances accordingly.
- 5) Ordinance 149-M-32-09-2024 (Sewer Rates): An ordinance of the City of Universal City, Texas, amending Ordinance 149 Fee Schedules; amending Ordinance 149-M-32-09-2023; repealing all or parts of ordinances in conflict; and amending the Universal City Code of Ordinances accordingly.
- 6) Ordinance 570-D-2024 (Stormwater Rates): An ordinance of the City of Universal City, Texas, renewing Ordinance 570-D-2023 establishing Municipal Storm Water Utility Fees.

Councilmember Goolsby seconded the motion.

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

Motion to approve carried.

9. ACTION ITEMS:

N. T. 1: Executive Session:

- a) Pursuant to Texas Gov't Code Sec. 551.071, Consultation with Attorney, to discuss and deliberate pending litigation titled Cause No. 2024CV06511: CAMINO NUEVO, LLC, a Texas Limited Liability Company vs. BOARD OF ADJUSTMENT OF THE CITY OF UNIVERSAL CITY and THE CITY OF UNIVERSAL CITY., in the Bexar County Clerk Court at Law 10; regarding property located at 205 W Byrd Blvd.
- 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 Maxwell convened into Closed Session at 7:04 p.m.

Mayor Maxwell convened into Closed Session with present City Council Members, both virtually and in person, City Manager Kim Turner, City Attorney Cynthia Trevino, and Development Services & Economic Development Director Michael Cassata.

Mayor Maxwell and the City Council reconvened into Open Session at 7:37 p.m.

Mayor Pro Tem Fitzpatrick moved to allow attorneys to proceed as discussed in the Executive Session. Councilmember Putt seconded the motion.

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

Motion to approve carried.

Proposed Budget and Tax Rate

- B. Resolution 909-E-2024 (FY 2025 Budget Adoption): A resolution by the City Council of the City of Universal City, Texas adopting the Fiscal Year 2024-2025 Budget; providing authorization to execute the budget; and providing for an effective date.**

Councilmember Vaughan noted the budgeting for a golf course business plan consultant. He confirmed that Council would be involved in the RFP process and would receive progress reports. He stated that this was a more amenable use of the Venue Tax to move toward the golf course not using the Venue Tax as a necessary revenue stream.

Councilmember Putt moved to approve Resolution 909-E-2024 to adopt the FY 2025 Budget. Mayor Pro Tem Fitzpatrick seconded the motion.

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

Motion to approve carried.

- C. Resolution 909-D-2024: A resolution by the City Council of the City of Universal City, Texas ratifying the property tax increase reflected in the Adopted Budget for Fiscal Year 2024-2025.**

Councilmember Goolsby moved to approve Resolution 909-D-2024. Councilmember Putt seconded the motion.

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

Motion to approve carried.

D. Ordinance 656-E-2024: An ordinance setting the Ad Valorem Tax Rate for 2024 at \$0.514382 per \$100 of Appraised Value; and appointing a Tax Assessor/Collector (1st Reading).

Councilmember Goolsby moved to approve Ordinance 646-E-2024 and to approve a 2024 Maintenance & Operations tax rate of 0.436882 and a Debt Service or I&S tax rate of \$0.077500 for a total 2024 Ad Valorem “Goolsby/Vaughan” Tax Rate of \$0.514382 per \$100 of appraised property value. Councilmember Vaughan seconded the motion.

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

Motion to approve carried.

9. ADJOURNMENT: Mayor Maxwell adjourned the meeting at 7:44 P.M.

APPROVED:

Tom Maxwell, Mayor

ATTEST:

Maribel Garcia, Deputy City Clerk