

**AGENDA**  
**CITY COUNCIL MEETING OF THE CITY OF UNIVERSAL CITY, TEXAS**  
**WILL BE HELD IN UNIVERSAL CITY VIA VIDEOCONFERENCE**  
**2150 Universal City Blvd, Universal City, Texas 78148**  
**Special Meeting, ~~Tuesday~~ Monday, March 30, 2020 at 6:00 P.M.**

*In accordance with order of the Office of the Governor issued March 16, 2020, the City Council of the City of Universal Council will conduct a telephonic and videoconference meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19).*

*The meeting will be held on ~~Tuesday~~ Monday, March 30, 2020 at 6:00 P.M..*

*The public may participate in this meeting by dialing US Toll-free to 888-788-0099 (Meeting ID: 779 805 189) or by joining the Zoom meeting at <https://zoom.us/j/779805189>.*

*The public will be permitted to offer public comments telephonically or via videostream as provided by the agenda and as permitted by the presiding officer during the meeting. Written questions or comments may be submitted up two hours before the meeting to Kristin Mueller, City Clerk at [kmueller@uctx.gov](mailto:kmueller@uctx.gov).*

*A recording of the telephonic and video meeting will be made and will be available to the public in accordance with the Texas Public Information Act upon written request.*

1. CALL TO ORDER: Mayor Williams at 6:00 PM
2. QUORUM CHECK:
3. CITIZENS TO BE HEARD:
3. PURPOSE OF SPECIAL MEETING:
  - TAB A: Discuss & Consider Resolution 894-A-2020: A Resolution of the City Council of the City of Universal City, Texas, authorizing the City Manager to enter into a Finance Agreement with Frost Bank for a five-year loan on 2020 International 4300 Tymco Model 600 Street Sweeper for a total amount of \$263,870.00; and establishing an effective date.
  - TAB B: Discuss & Consider Resolution 898: A Resolution of the City Council of the City of Universal City, Texas, declaring unopposed candidates in the May 2, 2020, General City Election, elected to office; canceling the election; providing a severability clause; and providing an effective date.
  - TAB C: Discuss & Consider Resolution 899: A Resolution of the City Council of the City of Universal City, Texas, ordering the Special Election for the City of Universal City be moved from May 2, 2020 to November 3, 2020.
4. ADJOURNMENT:

This facility is wheelchair accessible & accessible parking spaces are available. Request for accommodations or interpretive services must be made 72 hours prior to this meeting. Please contact the city clerk’s office at (210) 659-0333 if these services are needed.

**RESOLUTION NO. 894-A-2020**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A FINANCE AGREEMENT WITH FROST BANK FOR A FIVE-YEAR LOAN ON 2020 INTERNATIONAL 4300 TYMCO MODEL 600 STREET SWEEPER FOR A TOTAL AMOUNT OF \$263,870.00; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Universal City has recently been awarded a Texas Volkswagen Environmental Mitigation (TxVEMP) grant for the partial reimbursement for a 2020 International 4300 TYMCO Model 600 Street Sweeper.

**WHEREAS**, the City of Universal City is proposing to finance the full amount of the 2020 International 4300 TYMCO Model 600 Street Sweeper with Frost Bank at a fixed interest rate of 2.64% over five years and to use the \$112,462.00 TxVEMP grant funds to pay down the loan balance.

**WHEREAS**, City staff budgets annually for street sweeper payments; and

**WHEREAS**, the City Council hereby finds that the finance of the 2020 International 4300 TYMCO Model 600 Street Sweeper for five years serves the best interest of the City of Universal City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS:**

**I. PURCHASE OF EQUIPMENT**

Section 1. That the Agreement with Frost Bank for a Five-Year Loan on a 2020 International 4300 TYMCO Model 600 Street Sweeper for a total amount of \$263,870.00, is hereby approved; and the City Manager is hereby authorized to execute a loan agreement in substantial form as **Exhibit “A”**, attached hereto, and to take such further action as reasonably necessary to facilitate the purpose of this Resolution.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

**PASSED AND APPROVED this 30th day of March 2020.**

City of Universal City, Texas

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Mayor, John Williams

ATTEST:

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Kristin Mueller, City Clerk

**ORDER CONFIRMATION**



**H-GAC Cooperative Purchasing Program**

**ORDER CONFIRMATION NUMBER: CC20-00720**

<u>ENTITY ISSUING PURCHASE ORDER</u>		<u>H-GAC CONTRACTOR RECEIVING PURCHASE ORDER</u>	
Name of End User:	City of Universal City, (TX)	Name of H-GAC Contractor:	Tymco, Inc.
End User's ILC No.:	- 5671 , Legacy ID: 91-189	Contractor's I.D. No.:	299
Purchase Order No.:	45586	Mailing Address:	P.O. Box 2368
Delivery Contact:	RANDY LUENSMANN, PUBLIC WORKS DIRECTOR	City, State, ZIP Code:	Waco, Texas , 76703
Email:	PWDIRECTOR@UCTX.GOV	Sales Contact:	KAYE MORGAN
Voice:	210 658 5364	Email:	KAYE.MORGAN@TYMCO.COM
FAX:		Voice:	254 799 5546
Delivery Address:	TO BE ARRANGED WITH VENDOR	FAX:	
Delivery Date:	06/29/2020	Finance Vendor Number:	0054

**INSTRUCTIONS:** This order confirmation issued by the H-GAC Cooperative Purchasing Program indicates the End User and the Contractor listed above have valid contracts with H-GAC for the specified procurement and product numbers stated herein. Upon receipt of this document, the Contractor is authorized to proceed with the End User's purchase and delivery in accordance with any requirements contained in the purchase order and/or attached documents. Any subsequent changes to the End User's purchase order will also require submission of change order documents to H-GAC and to the Contractor.

Contract No.	Product No.	Product Description	U/M	QTY	UNIT PRICE	Purchase Amount
SW04-18	B53	TYMCO MODEL 600 REGENERATIVE AIR SWEEPER	Each	1.00	\$262,070.00	\$262,070.00
<b>Adjustments:</b>						<b>\$1,800.00</b>

Date Processed:  
03/19/2020

Shantra Wilson  
AUTHORIZED H-GAC SIGNATURE

GRAND TOTAL:

\$263,870.00
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TYMCO, Inc.  
 P. O. BOX 2368  
 WACO, TEXAS 76703-2368  
 254/799-5546  
 FAX 254/799-2722

Please pay from this invoice. Statements sent only upon request. Any claims made on merchandise covered by this invoice must be made within 10 days after receipt of goods. All accounts due and payable at Waco, McLennan County, Texas. 1.5 % per month carrying charge on past due balance. Annual rate 18% Minimum charge \$50.00.

INVOICE NO. PAGE  
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City of Universal City, TX  
 2150 Universal City Blvd  
 Universal City, TX 78148

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City of Universal City, TX  
 2150 Universal City Blvd.  
 Universal City, TX 78148

DATE	3/20/2020
DUE ON	3/20/2020

EXPORT	CURRENCY
N	US
TERMS	
NET 30 Days	
SELLER TAX I.D.	
74-1693738	

CUSTOMER	ORDER	SLS. REP.	PURCHASE ORDER NUMBER	P.O. REV.
521000			45586	
SHIP NO.	SHIP VIA	SHIP DATE	SHIP WEIGHT	

ITEM NUMBER / DESCRIPTION	U/M	QUANTITY/PRICE	NET SALES AMOUNT
TYMCO MODEL 600 REGENERATIVE AIR SWEEPER Mounted on 2020 International 4300 Truck, VIN #3HAMMMMN6LL390558 purchased through the Houston-Galveston Area Council (HGAC) buying cooperative			\$263,870.00

NET SALES	TRADE DISCOUNT	
MISC. CHARGES	TERMS DISCOUNT	
FREIGHT		
TAXES		
	AMOUNT DUE	\$263,870.00

RESOLUTION 898

A RESOLUTION OF THE CITY OF UNIVERSAL CITY, TEXAS, DECLARING UNOPPOSED CANDIDATES IN THE MAY 2, 2020, GENERAL CITY ELECTION, ELECTED TO OFFICE; CANCELING THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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*WHEREAS*, the city general city election was called for May 2, 2020, for the purpose of electing a mayor and three members to the city council; and

*WHEREAS*, the city clerk has certified in writing that there is no proposition on the ballot, that no person has made a declaration of write-in candidacy, and that each candidate on the ballot is unopposed for election to office; and

*WHEREAS*, Under these circumstances, Subchapter C, Chapter 2, Election Code, authorizes the city council to declare the candidates elected to office and cancel the election.

*NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS, THAT*

**Section 1.** The following candidates, who are unopposed in the May 2, 2020, city general election, are declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed:

For Mayor:  
John H. Williams

For City Council:  
Thomas T. Maxwell  
Paul Najarian  
Beverly J. Volle

**Section 2.** The May 2, 2020, city general election is canceled, and the city clerk is directed to cause a copy of this resolution to be posted on Election Day at each polling places that would have been used in the election.

**Section 3.** It is declared to be the intent of the city council that the phrases, clauses, sentences, paragraphs, and sections of this resolution are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance is declared invalid by the judgment of decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the city council would have enacted them without the invalid portion.

**Section 4.** This resolution shall take effect upon its final passage.

PASSED AND ADOPTED the 30<sup>th</sup> day of March 2020.

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John Williams, Mayor

Attest:

Approved for legal sufficiency:

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Kristin Mueller, City Clerk

**CERTIFICATE OF UNOPPOSED CANDIDATES**  
**FOR THE MAY 2, 2020 GENERAL ELECTION OF CITY OFFICERS**  
**FOR THE 2020-2022 TERM OF OFFICE**  
**IN THE CITY OF UNIVERSAL CITY, TEXAS**

This is to certify that

I, Kristin Mueller, am the city clerk of the City of Universal City, Texas, and the authority responsible for preparing the ballot for the May 2, 2020, General Election to fill a mayoral and three city council positions.

I further certify that no proposition is to appear on the ballot at the election, no person has made a declaration of write-in candidacy and all of the following candidates are unopposed, to wit:

**For Mayor:**

John H. Williams  
13526 Mount Olympus  
Universal City, TX

**For City Council:**

Thomas T. Maxwell  
1251 Cibolo Trail  
Universal City, TX

Paul Najarian  
8628 Park Olympia  
Universal City, TX

Beverly J. Volle  
109 Shadowyck  
Universal City, TX

*Executed this the 17<sup>th</sup> day of March, 2020.*

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Kristin Mueller, City Clerk

## **RESOLUTION 899**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS ORDERING THE SPECIAL ELECTION FOR THE CITY OF UNIVERSAL CITY BE MOVED FROM MAY 2, 2020 TO NOVEMBER 3, 2020**

**Whereas**, on March 18, 2020, Governor Greg Abbott issued a Proclamation authorizing local political subdivisions to move their general and special elections from May 2, 2020 to November 3, 2020, citing his disaster declaration of March 13, 2020 in relation to the novel coronavirus (COVID- 19); and

**Whereas**, the City Council of the City of Universal City, Texas, through this order is exercising that authority.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS:**

**Section 1.** That the City Council of the City of Universal City hereby ORDERS the Special Election currently set for May 2, 2020 be moved to November 3, 2020.

**Section 2.** That the City Council of the City of Universal City hereby confirms that the candidate filings for the election will remain valid for the election held on the November date and that the filing period will not be re-opened for the November election date.

**Section 3.** That the City Council of the City of Universal City hereby confirms that all Applications for Ballot by Mail (“ABBM”) for voters that are voting by mail due to being over the age of 65 or due to disability will still be valid for the postponed election, and that ABBMs for voters who submitted ABBMs based on expected absence from the county would not be valid for the postponed election.

**Section 4.** That the City Council of the City of Universal City hereby confirms the major relevant dates for the November election shall include October 5, 2020 as the voter registration deadline; October 23, 2020 as the deadline to submit an ABBM; and the dates for early voting shall be October 19, 2020 – October 30, 2020.

**Section 5.** That the City Council of the City of Universal City shall make any necessary revisions to the City’s current order of election by August 17, 2020, which may include:

1. The change to the date of the election;
2. Any change in location of the main early voting location;
3. Any changes to early voting dates and hours, including weekend early voting;
4. Any changes to the identity of the early voting clerk and their contact information; or

5. Any changes to branch early voting locations.

**Section 6.** That the City of Universal City hereby agrees to take such other official action as may be reasonably necessary to carry out the objectives of this Resolution.

Passed this the 30<sup>th</sup> day of March 2020.

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John Williams, Mayor

City of Universal City, Texas

Attest

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Kristen Mueller, City Clerk

City of Universal City, Texas

(Seal)