

**MINUTES**  
**CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS**  
Regular Meeting, Tuesday, March 17, 2020

1. CALL TO ORDER: Mayor John Williams at 6:30 p.m.
2. QUORUM CHECK: Kristin Mueller, City Clerk

**Present:**

Mayor John Williams  
Mayor Pro Tem Richard Neville  
Councilmember Bear Goolsby  
Councilmember Tom Maxwell  
Councilmember Paul Najarian  
Councilmember William Shelby  
Councilmember Beverly Volle

**Present:**

Kim Turner, City Manager  
Michael Cassata, Development Services Director  
Pat Collins, Finance Director  
Matthew Longoria, City Attorney  
Kristin Mueller, City Clerk

Mayor Williams noted a quorum was present.

3. INVOCATION:

Councilmember Goolsby gave the invocation.

4. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS FLAG: Led by Mayor Williams.

5. VOTE TO CONSIDER THE EXCUSE OF ABSENT MAYOR/COUNCILMEMBERS:

No action was necessary; all members were present.

6. AWARDS/PROCLAMATION/INTRODUCTION OF GUESTS:

Utilities Superintendent Blake Partridge announced that the City of Universal City won the *2019 Best Tasting Water in Texas* award and presented City Council with the award.

7. Consent Agenda:

Mayor Williams announced that the following item will be pulled from the consent agenda as the event has been cancelled:

- b.) Consider a request from the Universal City Professional Firefighters Association Local 4073 to waive the \$100 Parade Permit Fee for the 5k Run/Walk on March 21, 2020, benefiting Lt. Edui Tijerina Family.

Councilmember Maxwell moved to approve the following consent agenda items:

- a.) Consider City Council Minutes for the Tuesday, March 3, 2020 City Council Regular Meeting;
- c.) Consider a petition for Final Acceptance of Public Improvements of the KB Kitty Hawk Subdivision Phase 3.

- d). Consider a petition for Final Acceptance of Public Improvements of the KB Kitty Hawk Subdivision Phase 4.
- e.) Consider Ordinance 660: An ordinance authorizing the issuance of City Of Universal City, Texas Waterworks And Sewer System Revenue Refunding Bonds, Series 2020; approving and authorizing an Official Statement; authorizing the execution of a Purchase Contract; an Escrow Agreement, And A Paying Agent/Registrar Agreement; Delegating Authority To Certain City Officials To Select Outstanding Bonds To Be Refunded And Approve All Final Terms Of The Bonds; And Approving And Authorizing Other Instruments And Procedures Related Thereto. (2<sup>nd</sup> Reading).

Mayor Pro Tem Neville seconded the motion.

**Vote: Yeas: Maxwell, Neville, Goolsby, Najarian, Shelby, Volle  
Nays: None**

**Motion to approve carried.**

8. CITIZENS TO BE HEARD: None.

9. BUSINESS:

**A. Consider the Financial Audit Report for Fiscal Year 2019.**

Janet Pitman, C.P.A with ABIP, gave the Financial Audit Report for Fiscal Year 2019 and answered questions accordingly. The City received an “Unmodified” opinion, which is the best opinion possible. Additionally, Mrs. Pitman stated that the City saved \$428,000 by refinancing bonds.

Mayor Williams thanked Mrs. Pitman for her report and gave kudos to the Finance Department and City staff for being fiscally responsible.

Councilmember Shelby moved to approve the Financial Audit Report for Fiscal Year 2019.  
Councilmember Goolsby seconded the motion.

**Vote: Yeas: Shelby, Goolsby, Neville, Maxwell, Najarian, Volle  
Nays: None**

**Motion to approve carried.**

**B. PUBLIC HEARING: Conduct a Public Hearing to receive testimony and comment regarding P.C. 527 and Zone Change 212 -- the request for text amendments to the various portions of the Code of Ordinances related to Specific Use Permits and Events Centers.**

Development Services Director Michael Cassata stated that because this zone change has the potential to affect every property in Universal City, every Universal City resident received a notice of the zone change request. Out of the 6,025 notices sent out, Universal City received 102 responses; 26 opposed to the changes and 76 not opposed. Additionally, approximately 15 people came into City Hall asking questions about the proposed changes and 105 people called in with questions.

Mr. Cassata explained that the Specific Use Permit would replace the Conditional Use Permit that is currently in the zoning ordinance. A Conditional Use Permit (CUP) allows a business to

request to locate in an area that is not a perfect fit for that business. For example, a physical therapy office in a retail shopping center. If the CUP is authorized, then it remains with the land and is transferable from business to business and property owner to property owner. A Specific Use Permit (SUP) is non-transferable, thereby eliminating any grandfathering claims and requiring each new business or property owner to reapply for a SUP and demonstrate the proposed use is a good fit for that area.

The other change this amendment is making is to add a definition for “Events Center” into the zoning code. Mr. Cassata said that by using the same definition across the board, it will eliminate confusion. The new definition includes several proposed potential uses for an Events Center and requires applicants to identify at least two Events Center uses. Because all Event Centers require a SUP, the Planning & Zoning Commission would have to consider all requests.

Mayor Williams opened the Public Hearing at 7:01 P.M.

Byron Nichols, 102 Parkview, stated that this appears to be a case of too much government. He would like there to be a list of approved uses for an Events Center and not require the approval of the Planning and Zoning Commission. He also voiced that he was only attending to be sure that the zoning code changes would not affect his personal residence.

There being no other comments, Mayor Williams closed the Public Hearing at 7:04 P.M.

**C. Discuss & Consider Ordinance 581-P-2020: An Ordinance amending certain sections of Ordinance 581, Chapter 4-5 Zoning, related to the Use Table, Specific Uses and Events Centers, and amending a certain section of Ordinance 361, Chapter 1-4 Finance, related to certain fees of the Code of Ordinances, revising certain sections and paragraphs accordingly, providing severability, and setting an effective date. (1<sup>st</sup> Reading).**

Councilmember Goolsby voiced that this amendment no longer permits-by-right a church to establish in a commercially zoned area and he did not approve of that change.

Councilmember Shelby asked about the formatting of the use table. Because they were provided a black and white copy, it was difficult for them to understand the changes made.

Councilmember Shelby moved to approve Ordinance 581-P-2020. Mayor Pro Tem Neville seconded the motion.

**Vote: Yeas: Shelby, Neville, Maxwell, Najarian, Volle  
Nays: Goolsby**

**Motion to approve carried.**

**D. Consider Resolution 812-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 TexStar National Bank for a three-year loan on seventy-five golf cars and one beverage cart for a total amount of \$329,099.60; and establishing an effective date.**

City Manager Kim Turner explained that the City has four loans with PNC Finance, LLC that finances 75 golf cars and one beverage cart. The PNC Finance loan is at 8.0% for five years, plus they charge the City for insurance on the cars even though the City already has them insured. The attached Resolution is to refinance the PNC Finance loans with TexStar Bank, which will be at 4.25% for three years and there will be no additional insurance charge by the bank. The City can pre-pay the TexStar Bank loan without penalty. She said that moving forward, staff will

recommend that all golf car leases be financed through conventional financing rather than the finance company that has a fiduciary relationship with the golf car vendor.

Councilmember Shelby moved to approve Resolution 812-A-2020. Councilmember Goolsby seconded the motion.

**Vote: Yeas: Shelby, Goolsby, Neville, Maxwell, Najarian, Volle  
Nays: None**

**Motion to approve carried.**

- E. Consider Resolution 895: A Resolution ratifying the personnel policy for the City of Universal City passed by the City Council of the City of Universal City; establishing legislative findings; providing amendments; and setting an effective date.**

Mrs. Turner stated that this Resolution ratifies the personnel policy for the City of Universal City as well as makes four changes to the policy: 1.) adds details about certification pay; 2.) changes the sick leave policy to include the donation pool; 3.) makes changes to the FMLA section as required by federal law; and 4.) gives the definition of "light duty".

Councilmember Maxwell moved to approve Resolution 895. Councilmember Najarian seconded the motion.

**Vote: Yeas: Maxwell, Najarian, Neville, Goolsby, Shelby, Volle  
Nays: None**

**Motion to approve carried.**

- F. Consider the Financial Report for FY2020 First Quarter (Oct 1 – Dec 31, 2019).**

Finance Director Pat Collins gave the Financial Report for First Quarter of Fiscal Year 2020 and answered questions accordingly.

Mayor Pro Tem Neville moved to approve the FY2020 First Quarter Financial Report. Councilmember Goolsby seconded the motion.

**Vote: Yeas: Neville, Goolsby, Maxwell, Najarian, Shelby, Volle  
Nays: None**

**Motion to approve carried.**

- G. Consider Resolution 896: A resolution of the City of Universal City, Texas, authorizing the filing of a grant application with the Bexar County Community Development Block Grant; authorizing Kim Turner, City Manager of said City to act on behalf of the City of Universal City, Texas, in all matters related to the application and pledging that if a grant is received, the City of Universal City will comply with the grant requirements of the Community Development Block Grant.**

Mrs. Turner stated that the City must adopt a resolution authorizing the City Manager to submit the application and granting signatory authorization for the City of Universal City to be considered for Bexar County Community Development Block Grant funding for program year 2020.

Councilmember Goolsby moved to approve Resolution 896. Councilmember Maxwell seconded the motion.

**Vote: Yeas: Goolsby, Maxwell, Neville, Najarian, Shelby, Volle**  
**Nays: None**

**Motion to approve carried.**

#### **H. Presentation: Warrant Update**

Mrs. Turner gave an update on warrant collections in 2020. Since contracting with Perdue, Brandon, Fielder, Collins & Mott, LLP, the rate of collection has increased. In the last 45 days, there have been 11,155 notices mailed, 1,372 phone contacts made, 6,041 addresses updated, 4,714 phone numbers updated, and 165 cases removed because the account owner was deceased. Additionally, there has been approximately \$70,000 more collected this year than at this time last year.

#### **10. CITY MANAGER COMMENTS:**

Mrs. Turner:

1. Invited everyone to participate in the Head for the Hills Golf Tournament at Olympia Hills at the end of the month. Cost is \$60 per player;
2. Reminded that the Census starts April 1<sup>st</sup> and encouraged residents to complete their survey;
3. Announced that the General Election will be cancelled because the incumbents ran unopposed but that the Special Election will still be held in May; and
4. Shared that Olympia Hills has recently remodeled inside and that the remodel has already paid for itself because they had a facility showing for four brides and all of them booked on site.

#### **11. COUNCILMEMBER COMMENTS:**

Councilmember Goolsby thanked Mrs. Collins and staff for doing a great job.

Councilmember Najarian thanked City staff for pushing out current COVID-19 information and agreed that the Olympia Hills Golf Course remodel looks great.

Councilmember Shelby made no comments.

Councilmember Volle thanked Mrs. Collins for a great Financial Report.

Councilmember Maxwell recommended that City Council write a letter to businesses for being proactive and self-policing and abiding by the Center for Disease Control recommendations on their own.

Mayor Pro Tem Neville thanked Mrs. Collins for good financial practices and the City Staff for spending their budgets wisely. He also stated that due to the current circumstances, it is likely that local Sales Tax revenue will take a hit.

#### **12. MAYORAL COMMENTS:**

Mayor Williams thanked City staff for providing COVID-19 updates and said that after this pandemic is over, it is likely that we will all have better hygiene and change some common

practices. Also, he said that he recently completed his Census 2020 survey and that it only took him two minutes to do so. He asked everyone to be sure to complete their survey as it helps provide critical funding to the county.

13. **ADJOURNMENT:** Mayor Williams adjourned the meeting at 8:07 p.m.

ATTEST:

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John Williams, Mayor

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Kristin Mueller, City Clerk