

AGENDA
CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS
2150 Universal City Blvd, Universal City, TX 78148
Regular Meeting, Tuesday, April 02, 2024 @ 6:30 P.M.
"PURPLE UP! FOR MILITARY KIDS DAY"

1. CALL TO ORDER: Mayor John Williams at 6:30 p.m.
2. QUORUM CHECK and VOTE TO CONSIDER THE EXCUSE OF ABSENT MEMBERS (if applicable):
3. INVOCATION and PLEDGE OF ALLEGIANCE:
4. STAFF REPORTS AND OTHER DISCUSSION ITEMS: Items in this section are not expected to require action by City Council and are generally for information only. However, any item listed in this section may become an action item without further notice with the consent of the Mayor at the request of any Councilmember.
 - a. CITY MANAGER'S REPORT:
 - b. STAFF REPORT:
 - i. [Comprehensive Plan Update – Content Considerations](#)
5. CITIZENS TO BE HEARD: At this time, the public is invited to address the City Council and speak on any matter not specifically listed for public hearing elsewhere in this agenda. *PLEASE NOTE NO CITY COUNCIL DISCUSSION, RESPONSE, DELIBERATION, OR ACTION WILL BE TAKEN ON THIS TOPICS AT THIS TIME.* Please limit your comments to three minutes.
6. ANNOUNCEMENTS: With respect to items not listed elsewhere on this agenda, members may report on items of community interest e.g., community or employee awards, proclama, events, and recognitions. Members may also request specific information or a recitation of existing policy from Staff, or request placement of items on the agenda for discussion or action at a following meeting.
 - a. CITY MANAGER'S ANNOUNCEMENTS
 - b. MAYOR'S ANNOUNCEMENTS
 - i. [PROCLAMATION: Month of the Military Child](#)
 - c. COUNCILMEMBERS' ANNOUNCEMENTS
7. CONSENT AGENDA:

TAB A: All matters listed under this item are considered to be routine by City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

 - 11) [Consider the minutes of the Tuesday, 19 March 2024 Regular Meeting.](#)
[2117 PAT BOOKER ROAD SUPs](#)
 - 22) [Ordinance No. 655-M-2024 \(PC 597 SU 018\)](#): An ordinance approving a Specific Use Permit to Daniels & Daniels Real Estate for an Administrative and Business Offices use in a C3-Commercial Services District on property located at 2117 Pat Booker Road, Universal City, Texas (CB 5047F BLK 1 LOT 39); providing for non-severability; and establishing an effective date.
 - 33) [Ordinance No. 655-N-2024 \(PC 599 SU 020\)](#): An ordinance approving a Specific Use Permit to Acorn Legacy, Inc. for an Administrative and Business Offices use in a C3-Commercial Services District on property located at 2117 Pat Booker Road, Universal City, Texas (CB 5047F BLK 1 LOT 39); providing for non-severability; and establishing an effective date.
 - 44) [Ordinance No. 655-O-2024 \(PC 600 SU 021\)](#): An ordinance approving a Specific Use Permit to Farmers Insurance for an Administrative and Business Offices use in a C3-Commercial Services District on property located at 2117 Pat Booker Road, Universal City, Texas (CB 5047F BLK 1 LOT 39); providing for non-severability; and establishing an effective date.

Other SUPs

 - 55) [Ordinance No. 655-P-2024 \(PC 598 SU 019\)](#): An ordinance approving a Specific Use Permit to KMS Delivery, Inc. for a Commercial Off-Street Parking use in a C2-Retail District on property located at 890 Coronado Boulevard, Universal City, Texas (CB 5047P BLK 1 LOT 7 CORONADO VILLAGE UT-8A); providing for non-severability; and establishing an effective date.
 - 66) [Ordinance No. 655-Q-2024 \(PC 601 SU 022\)](#): An ordinance approving a Specific Use Permit to Millenium Engineers Group, Inc. for a Professional Office Use in a C2-Retail District on property located at 1202 Pat Booker Road, Universal City, Texas (CB 5053 P-24A & 6 INCH STRIP OFF NW SIDE OF P-25 ABS 745); providing for non-severability; and establishing an effective date.

8. ACTION ITEMS:

TAB B: Ordinance No. 307-B-2024: An ordinance amending the requirements for Vehicle Wrecker/Tow Services; superseding Ordinance 307-A-1989; amending Chapter 3-3, Article XI: Vehicle Wrecker Services in its entirety; providing for severability; setting an effective date; and amending the Universal City Code of Ordinances accordingly.

TAB C: Approval of Pay Application #1 invoice for the Ivy Lane Street Improvements-Construction.

TAB D: Resolution 902-2024: A resolution of the City Council of Universal City, Texas to appoint [either Dr. Chichi Junda Woo of the San Antonio Metropolitan Health District or Dr. Lillian Ringsdorf of Region 8 Department of State Health Services] as the Official Health Authority for the City of Universal City and setting an effective date.

TAB E: City Council Message Board Service Agreement and Contract with XenForo.

NO TAB 1: Executive Session:

- aa) Pursuant to Texas Gov't Code Sec. 551.072 regarding the purchase and value of real property if deliberation in open session would have a detrimental effect on the position of the corporation in negotiations with a third party; and for attorney consultation pursuant to Sec. 551.071(2); regarding the 43 acres of vacant, undeveloped property owned by the City of Universal City (33.3 acres) and the Economic Development Corporation (9.994 acres) located at Loop 1604 and Byrd Boulevard.
- bb) Reconvene in Open Session and take action, if needed, on any item pertaining to or listed in the Executive Session section of this Agenda.

9. ADJOURNMENT:

TAB Z

In accordance with the requirements of Texas Government Code section 551.127, a member of the governing body may participate in this meeting from a remote location. A quorum of the governing body as well as the presiding officer shall be physically present at the above posted location, which shall be open to the public. The video and audio feed of those participating remotely shall be visible and audible to the public for all open portions of the meeting. A member of a governmental body who participates in a meeting remotely as provided by law, shall be counted as present at the meeting for all purposes.

All items on the agenda are eligible for possible discussion and action. The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices,) and 551.086 (Economic Development).

This facility is wheelchair accessible & accessible parking spaces are available. Requests for accommodation or interpretive services must be made 72 hours prior to this meeting. Please contact the city clerk's office at (210) 619-0701 if these services are needed.

CITY OF UNIVERSAL CITY

Date: 3/26/2024

TO: City Council

FROM: Kim M. Turner, City Manager

SUBJECT: Public Meeting: Comprehensive Plan Update – Content Considerations

Historical Background

The Universal City Comprehensive Plan is a long-range vision document that provides an integrated approach to addressing community-driven challenges, as well as goals and objectives for the City in general. Specifically, it serves as the City's primary policy and planning document. An update to the City's 2018-2022 Comprehensive Plan is slated for this year.

On March 14, 2024, the EDC Board of Directors reviewed the proposed update to the Comprehensive Plan. The EDC agreed with Staff's recommended content areas and suggested that the City consider including the Image, Identity & Community Character Plan in the overall update.

On April 1, 2024, the P&Z Commission reviewed the proposed update to the Comprehensive Plan. Staff will provide an update on their input at the City Council meeting.

Action Requested

Staff is requesting direction from City Council on what specific areas to focus on as we engage in the overall process.

Procurement Methodology

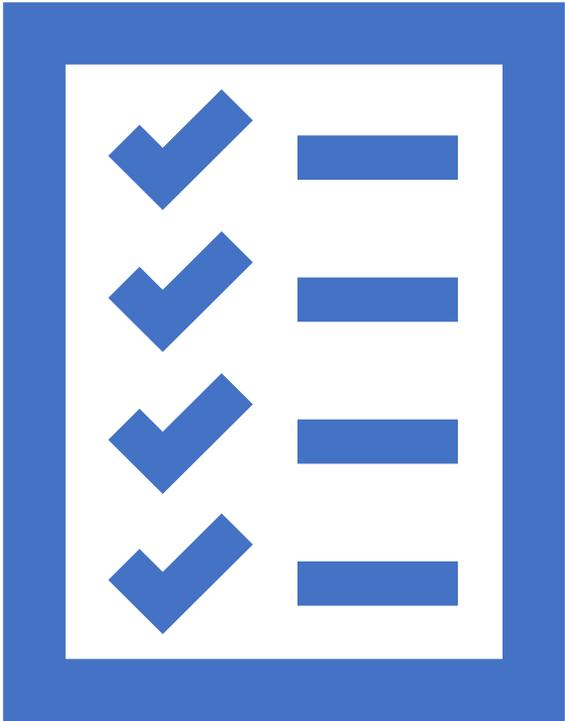
No procurement by the City is requested at this time.

Source and Amount of Funding

Comprehensive Plan update funding has already been approved by City Council in the Fiscal 2023-2024 budget.

Staff Recommendation

Staff has provided recommended areas to include in the Comprehensive Plan update, including additional options for consideration.



UNIVERSAL CITY, TX

COMPREHENSIVE PLAN

WHAT IS A COMPREHENSIVE PLAN?

- Officially establishes goals, policies & guidelines
- Sets pathway for current and future growth & development
- Provides direction for zoning regulations

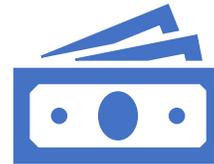
COMPREHESIVE PLAN SOURCE AUTHORITY

- Texas Local Government Code
 - Section 213.002 – City may adopt a comp plan
 - Section 211.004 – Zoning regulations must comport with comp plan
- City Municipal Code
 - Section 1-3-42 – P&Z Commission provides recommendations to Council
 - Section 4-2-23 – Adopted policies for growth, development & aesthetics

WHO GENERATES & HOW MUCH?

- Technical Professionals

- Planners
- Transportation Planners & Engineers
- Civil Engineers
- Economists
- Architects & Landscape Architects
- Economic Development Professionals
- Attorneys



Cost Range = \$200k
– \$325k



Document Size =
100 – 600 pages

OTHER COMMUNITIES COMPARISON

CITY	POPULATION	COST	CONSULTANT
Addison, TX	17,000	\$325,000	n/a
Manor, TX	18,000	\$318,000	Freese & Nichols & TXP
Waxahachie, TX	43,000	\$250,000	Verdunity, TBG & Mobility + Group
Canton, TX	4,300	\$150,000	Halff Associates
Muskogee, OK	37,000	\$200,000	n/a

WHAT'S IN A COMPREHENSIVE PLAN?

RECOMMENDED

- Stated Purpose & Intent
- Community Profile
 - Demographic & Market Analysis
- Community Outreach & Process
 - Stakeholder Interviews
 - Community Workshop(s)
 - Project Website
 - Online Questionnaire
- Vision, Goals & Objectives
- Land Use & Development Plan
 - Future Land Use Plan (FLUP)
 - Land Use Policies (Residential, Commercial, Industrial, etc.)
 - Aesthetics Policy (Architecture, Urban Design & Landscaping)
 - Growth & Annexation – Infill & ETJ
- Transportation & Mobility Plan (efficient movement of people)
 - Roadway Network
 - Bicycle & Pedestrian Mobility

RECOMMENDED

- Community Facilities & Infrastructure Plan
 - Maintenance & Improvement Plan for City Hall, Public Works, Fire, Police, Library, Animal Control, Golf Course
 - Maintenance & Improvement Plan for Infrastructure
 - Technology Plan – GIS, EMS, PEG Channel, etc.
- Economic Development Plan
 - Economic & Fiscal Analysis
 - Growth Assistance Policy
- Implementation Plans/Strategic Plan
 - Key Implementation Steps Identified
 - Funding & Incentives
- Backup Data and Maps

WHAT'S IN A COMPREHENSIVE PLAN?

OTHER OPTIONS

- Transportation & Mobility Plan
 - Public Transit Consideration
- Housing Policy
- Image, Identity & Community Character Plan
- Hazard Mitigation Plan
 - Major Disaster Policy (Winter Freeze, Flooding, etc.)
 - Stormwater Management Policy
 - Mitigation Strategies
- Land Use & Development Plan
 - Commerce & Employment Policies
- Parks, Open Space & Environmental Features Plan (revisit?)
 - Maintenance & Improvement Plan for Existing Parks
 - New Parks Plan Policy

City of Universal City

Proclamation

April 2024 is “Month of the Military Child” & April 2, 2024 is “Purple Up! For Military Kids Day”

WHEREAS, The City of Universal City will observe “*Month of the Military Child*” during the month of **April 2024**, and on **April 2, 2024** “*Purple Up! For Military Kids Day*” to honor military families and their children for the sacrifices they make and their unconditional support of our armed forces; and

WHEREAS, More than 1.6 million children under the age of 18 have at least one parent serving in the armed forces; and an estimated 900,000 children have had one or both parents deployed multiple times; and

WHEREAS, The City of Universal City, along with the Texas Education Agency, are committed to ensuring military connected students are supported in our schools and various programs, as our men and women in uniform focus on the challenges and missions they face in the line of duty; and

WHEREAS, In the month of April, citizens can show their support for military children and appreciation for their strength and sacrifices by wearing purple – which represents the blending of the colors of the *Five Branches of the Armed Forces*.

NOW, THEREFORE, I, John Williams, Mayor of the City of Universal City, call upon all citizens of the City of Universal City and upon all patriotic, civic and educational organizations to observe the month of **April 2024** to be the “*Month of the Military Child*” and **April 2, 2024** as “*Purple Up! For Military Kids Day*”.

IN WITNESS THEREOF, I have hereunto set my hand this 2nd Day of April 2024 and caused the Seal of the City of Universal City to be affixed.

John Williams, Mayor

MINUTES
CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS
 Regular Meeting, Wednesday, 19 March 2024

1. CALL ORDER: Mayor John Williams at 6:33 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
 Mayor Pro Tem Goolsby
 Councilmember Steven Buck
 Councilmember Ashton Bulman
 Councilmember Paul Najarian

Staff Present:

Kim Turner, City Manager
 Megan Santee, City Attorney
 Michael Cassata, Development Services Director
 Christine Green, Finance Director
 Randy Luensmann, Public Works Director
 Janet Pitman, CPA (Auditor)
 Maribel Garcia, Deputy City Clerk

Absent:

Councilmember Christina Fitzpatrick
 Councilmember Phil Vaughan

Mayor Williams noted a quorum was present. He explained that Councilmember Fitzpatrick was absent due to illness and Councilmember Vaughan was absent due to giving the Financial Audit Report for another city.

Mayor Pro Tem Goolsby moved to excuse the absences of Councilmembers Fitzpatrick and Vaughan. Councilmember Najarian seconded the motion.

Vote: Yeas: Goolsby, Najarian, Buck, Bulman
Nays: None

Motion to approve carried.

3. INVOCATION and PLEDGE OF ALLEGIANCE:

Mayor Pro Tem Goolsby 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:** Mrs. Turner reported that the EDC met with their financial advisor to approve bond sale. The Council meeting of May 21st, 2024 would be a joint meeting with the EDC for items regarding the Kitty Hawk roundabout project.
- b. **STAFF REPORT:** None.

5. CITIZENS TO BE HEARD:

- Bernie Rubal, 635 Balboa, clarified his comments summarized in the minutes of February 20th, 2024 regular meeting and asked that they be corrected to reflect his statements. Mr. Rubal noted the difficulty in auditing the City's finances due to Finance Director turnover. He expressed interest in

tracking the “Promotions” \$100,000 Snowfest contingency, and wanted this fund balanced forward to save resident tax dollars. He referenced an article in Community Impact magazine regarding the Aviation District. He stated the City was spending approximately \$585,000 per acre owned to revitalize the district. He noted the disparity of concept and execution.

- Tammy Banks, 529 Dukeway, asked that doggy bag stations be installed at Meadowland Park to encourage dog walkers to pick up after themselves and solve the problem of abandoned messes.
- Lori Putt, 114 Foxglove and on behalf of Parks Partners, awarded a check of \$40,000 to Mr. Luensmann. She conveyed the success of fundraisers hosted throughout the year with the help of Oly Schaeffer, Christina Fitzpatrick, and Cheryl Maxwell. Silas Schaeffer, son of Oly Schaeffer and fellow volunteer and coordinator, presented the check. Ms. Putt shared her belief that Mr. Luensmann would be able to fund more things with grant matches and Parks Partners money.

Mr. Luensmann thanked Ms. Putt and the rest of the Parks Partners, including those not present, on behalf of Public Works.

6. PUBLIC HEARINGS:

a. Public Hearings – 2117 Pat Booker Road

- i. **P.C. 597 (SU 018)— A request for a Specific Use Permit at 2117 Pat Booker Road, Suite A (CB 5047F BLK 1 LOT 39) to allow an Administrative and Business Offices use (real estate office) in the C3-Commercial Services District, per zoning ordinance 581.**
- ii. **P.C. 599 (SU 020)— A request for a Specific Use Permit at 2117 Pat Booker Road, Suite B (CB 5047F BLK 1 LOT 39) to allow an Administrative and Business Offices use (telecom service recovery) in the C3-Commercial Services District, per zoning ordinance 581.**
- iii. **P.C. 600 (SU 021)— A request for a Specific Use Permit at 2117 Pat Booker Road, Suite B (CB 5047F BLK 1 LOT 39) to allow an Administrative and Business Offices use (insurance office) in the C3-Commercial Services District, per zoning ordinance 581.**

Mr. Cassata gave an overview of all SUP requests at 2117 Pat Booker Road and clarified the location. The Planning and Zoning Commission had unanimously approved a recommendation to approve the SUPs and Staff had sent out 13 legal notices per code requirements with no responses.

Mayor Williams opened the Public Hearing at 6:45 PM.

Roy Daniels with Daniels & Daniels Real Estate said the business had outgrown several spaces at 433 Kitty Hawk. They wished to stay in Universal City. He noted their involvement in City events as either sponsor or participants. He felt the company had become part of the community.

Kelly Furrow, also with Daniels & Daniels, shared their experience being welcomed in Universal City as a new business in 2017. She said they became part of the Universal City family and have had fun participating in many events including Snowfest and the Easter Egg Hunt. The application for the SUP was their solution to staying in Universal City given the needed zoning change. Other locations they explored were also zoned retail.

Virginia Ulrich, property owner of 2117 Pat Booker Road, shared how the property was passed down to her from her father who used the building as a law office. She gave a brief overview of the square

footage and updates done to the building. She noted the expense incurred to get the building up to code and added that all proposed uses were professional uses.

Jennifer Hickman with Farmers Insurance said they were also an existing Universal City business. They outgrew their location next to ModWash on Pat Booker and Universal City Boulevard. They purchased the business from an existing broker with existing clients. In moving to 2117 Pat Booker to expand and meet their needs, they wished to keep their local clientele.

John Briones with Acorn Legacy, the telecom recovery agency, explained the services provided to Spectrum as a 3rd party. They would use the space for invoicing, auditing, and payroll on Tuesdays and Thursdays only. While they would hire some staff locally, most work at the office would be done by visiting staff. He emphasized there would be no need for advertising or signage since they are private and do not intend to gain clients; there would be little foot traffic.

There being no further comment, **Mayor Williams closed the Public Hearing at 6:56 PM.**

- b. Public Hearing: P.C. 598 (SU 019)— A request for a Specific Use Permit at 890 Coronado Boulevard (CB 5047P BLK 1 LOT 7 CORONADO VILLAGE UT-8A) to allow a Commercial Off- Street Parking use for electric vehicle charging in the C2-Retail District, per zoning ordinance 581.**

Mr. Cassata noted the number of electric vehicle (EV) charging stations. He shared the charger's height and that there would be zero noise impact. Their facility would be fenced-in with an access gate. The Planning and Zoning Commission passed recommendation for approval unanimously with some feedback: that the CPS color coded energy conservation chart be followed, and that the facility install security lights. He also noted that EVs accessing the chargers would not negatively impact road maintenance due to roads being rated for commercial vehicles.

Mayor Williams opened the Public Hearing at 7:00 PM.

Applicant Michael Lundquist gave a brief overview of charging practices and services proposed.

There being no further comment, **Mayor Williams closed the Public Hearing at 7:02 PM.**

- c. Public Hearing: P.C. 601 (SU 022)— A request for a Specific Use Permit at 1202 Pat Booker Road (CB 5053 P-24A & 6 INCH STRIP OFF NW SIDE OF P-25 ABS 745) to allow a Professional Office use (engineering office) in the C2-Retail District, per zoning ordinance 581.**

Mr. Cassata clarified the location and stated the SUP would be for an engineering office. He gave a brief overview of the company's history with purchasing the property and the current use of part of the property as a liquor store.

Mayor Williams opened the Public Hearing at 7:03 PM.

Roy Zamora of Millenium Engineering Group stated he chose Universal City because he is retired military and wanted to return to the city. He stated they would hire two people locally and would potentially grow to 20 people on staff at the building. He shared the company's want to hire locally. The company bought the whole building on the property and will renovate it for their use.

There being no further comment, **Mayor Williams closed the Public Hearing at 7:05 PM.**

7. ANNOUNCEMENTS:

a. CITY MANAGER'S ANNOUNCEMENTS:

Mrs. Turner gave a brief overview of upcoming events including the April 2nd Easter Egg Hunt and the May 4th Pancake Breakfast hosted by the Fire Department.

b. MAYOR'S ANNOUNCEMENTS:

Mayor Williams recommended the Community Impact article regarding the Aviation District. He shared that Council would be moving to Spring attire for subsequent meetings and asked that Council wear purple in support of the Month of the Military Child at the April 2nd meeting. He stated that Councilmember Najarian would attend the Judson ISD bond oversight committee meeting the following day to represent Universal City. He noted current Judson ISD bond projects. He also commented in a recent Northeast Partnership meeting with guest speaker Judge Peter Sakai; Judge Sakai was supportive and open with the northeast region and understood the growth in the area. He said leaders like Judge Sakai and Bexar County Commissioner Calvert are great for the region.

c. COUNCILMEMBERS' ANNOUNCEMENTS:

Mayor Pro Tem Goolsby reminded everyone that brush pickup was March 25th and confirmed it started at 7am, though pickup may last a few days.

Councilmember Buck thanked Parks Partners, especially Silas Schaeffer for his volunteerism.

Councilmember Bulman thanked Daniels & Daniels for attending in such large numbers and participating in many Universal City events. He thanked everyone who came to the meeting.

Councilmember Najarian reiterated his attendance at the Judson ISD bond oversight meeting and commented that the fencing project mentioned as an ongoing project helps with school safety; it is ahead of schedule and within budget. He shared that the Northeast Partnership meeting reaffirmed that the region's governments were stronger together. He reported positively on the golf course flooring project. He was excited for the parking lot to be done and opined that money was being used wisely. He noted that Parks Partners dollars would go far. He informed the public that the Citizens' Police Academy class starting Thursday, March 21st was at maximum capacity.

Mayor Williams alerted the public that there would be a disruption on Pat Booker Road and Aviation Boulevard due to rail work. The disruption should only last Saturday.

7. CONSENT AGENDA:

With Councilmember Najarian requesting a separate vote on item 2 of the Consent Agenda, Mayor Pro Tem Goolsby moved to approve the following Consent Agenda items:

- 1) Consider the minutes of the Tuesday, 20 February 2024 Regular Meeting.

Councilmember Fitzpatrick seconded the motion.

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

Motion to approve carried.

Mayor Pro Tem Goolsby moved to approve the following Consent Agenda items:

- 2) 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. (2nd Reading)

Councilmember Fitzpatrick seconded the motion.

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

Motion to approve carried.

8. ACTION ITEMS:

B. FY 2023 Audit Report

Mrs. Turner lauded Ms. Green for her work as Finance Director. She listed goals accomplished during her first year with the City. The Finance Department had: switched banks for better interest rates, completed the Incode (billing system) cloud conversion, automated purchase orders, moved to pooled cash, fixed prior years' financials, created a new, more informative budget book, completed successful, on-time audits, and updated the Purchase Policy under Ms. Green's direction.

Ms. Pitman also commended Ms. Green for her financial report and work since starting in the department. She noted this audit was completed on time by March while it used to be completed in August. She presented her audit report, stating methodology and management principles used. The audit was reported as an independent and unmodified opinion, which is the best given for independent audits. She gave a brief overview of financial highlights, including Assets exceeding Liabilities and the City's Net Position increasing by \$9.6 million from FY 2022. Fund balances, revenues, expenditures, and proprietary funds were reviewed. There were no findings or material weaknesses according to Government Auditing Standards or Uniform Guidance – Compliance Examination. She clarified a few points for Councilmembers.

Councilmember Bulman noted the \$2 million in revenue surplus. She asked Council to consider this when deciding on budgetary differences of \$200,000.

Both Ms. Green and Ms. Pitman reminded Council of the Fund Balance Policy and the increase in restricted funds to explain the \$2 million revenue surplus and why it cannot be used for ad valorem tax offsetting.

Councilmember Buck moved to approve the Financial Audit Report for FY 2023. Mayor Pro Tem Goolsby seconded the motion.

**Vote: Yeas: Buck, Goolsby, Bulman, Najarian
Nays: None**

Motion to approve carried.

C. Resolution No. 896-D-2024: A resolution of the City of Universal City, Texas, authorizing the

filing of a grant application with the Bexar County Community Development Block Grant (CDBG) Program Year 2024 for an infrastructure construction grant; authorizing Kim Turner, City Manager of said city to act on behalf of the City of Universal City, Texas in all matter related to the application; and pledging that if a grant is received, the City of Universal City will comply with the grant requirements

Mrs. Turner explained that this was a routine application submitted every year to apply for grant funding. She noted past approved grants and projects for which they were used.

Mayor Pro Tem Goolsby moved to approve Resolution No. 896-D-2024. Councilmember Bulman seconded the motion.

**Vote: Yeas: Goolsby, Bulman, Buck, Najarian
Nays: None**

Motion to approve carried.

2117 Pat Booker Road SUPs – TABS D-F

Council discussed and took action on the three items listed for 2117 Pat Booker Road.

- D. Ordinance No. 655-M-2024 (PC 597 SU 018): An ordinance approving a Specific Use Permit to Daniels & Daniels Real Estate for an Administrative and Business Offices use in a C3-Commercial Services District on property located at 2117 Pat Booker Road, Universal City, Texas (CB 5047F BLK 1 LOT 39); providing for non-severability; and establishing an effective date.**
- E. Ordinance No. 655-N-2024 (PC 599 SU 020): An ordinance approving a Specific Use Permit to Acorn Legacy, Inc. for an Administrative and Business Offices use in a C3-Commercial Services District on property located at 2117 Pat Booker Road, Universal City, Texas (CB 5047F BLK 1 LOT 39); providing for non-severability; and establishing an effective date.**
- F. Ordinance No. 655-O-2024 (PC 600 SU 021): An ordinance approving a Specific Use Permit to Farmers Insurance for an Administrative and Business Offices use in a C3-Commercial Services District on property located at 2117 Pat Booker Road, Universal City, Texas (CB 5047F BLK 1 LOT 39); providing for non-severability; and establishing an effective date.**

Councilmember Najarian opined the SUP would be the perfect zoning.

Councilmember Buck addressed Ms. Ulrich stating his happiness that the building would be open again and used for existing Universal City businesses as well as bringing in one business. He thanked each business individually for staying in or coming to Universal City.

Items D-F were voted on in one motion given that all three SUPs requested the same use and regarded the same property.

Councilmember Bulman stated that, after conducting public hearings on the requests for a Specific Use Permit for the property at 2117 Pat Booker Road and receiving the Planning and Zoning Commission's recommendations, the City Council had considered the requests and she moved to approve PCs 597, 599, & 600 (SU 018, 020, & 021) and to grant a specific use permit to

allow an Administrative and Business Offices use to:

1. Daniels and Daniels Real Estate for a real estate office at 2117 Pat Booker Road, Suite A, Rooms 13-24 (PC 597, SU 018)
2. Acorn Legacy, Inc. for a telecom service recovery office at 2117 Pat Booker Road, Suite B, Rooms 10 & 11 (PC 599, SU 020)
3. Farmers Insurance for an insurance office at 2117 Pat Booker Road, Suite B, Rooms 1-7 (PC 600, SU 021).

Councilmember Najarian seconded the motion.

**Vote: Yeas: Bulman, Najarian, Goolsby, Buck
Nays: None**

Motion to approve carried.

- G. Ordinance No. 655-P-2024 (PC 598 SU 019): An ordinance approving a Specific Use Permit to KMS Delivery, Inc. for a Commercial Off-Street Parking use in a C2-Retail District on property located at 890 Coronado Boulevard, Universal City, Texas (CB 5047P BLK 1 LOT 7 CORONADO VILLAGE UT-8A); providing for non-severability; and establishing an effective date.**

Councilmember Bulman expressed EV safety concerns though she did not oppose the SUP. She was told the Fire Department was aware of EV fire concerns but was prepared for it and looking into new technology for vehicle fires in general.

Councilmember Buck discussed power needs regarding CPS and transformer installation. The direct power connection to the power grid was clarified.

Councilmember Najarian discussed specifics of daily operations including charging time, size of trucks, and the workflow of finishing routes prior to dropping off vehicles. The company's location was chosen for proximity to Schertz headquarters. He was also told an EV truck's longevity was approximately 8-9 years with options to replace batteries similar to replacing engines.

Councilmember Buck stated that, after conducting a public hearing on the request for a Specific Use Permit for the property at 890 Coronado Boulevard and receiving the Planning and Zoning Commission's recommendation, City Council had considered the request and he moved to approve PC 598 and SU 019 and to grant a specific use permit to KMS Delivery, Inc. to allow a Commercial Off-Street Parking use for EV charging in a C2-Retail District at 890 Coronado Boulevard with the following conditions:

1. Adherence to the CPS Color-Coded Energy Conservation System with regard to charging of EVs during Yellow, Orange, and Red alerts; and
2. Use of downward or shielded lighting to reduce the light pollution impact on nearby residential neighbors.

Mayor Pro Tem Goolsby seconded the motion.

**Vote: Yeas: Buck, Goolsby, Bulman
Nays: Najarian**

Motion to approve carried.

- H. Ordinance No. 655-Q-2024 (PC 601 SU 022): An ordinance approving a Specific Use Permit to**

Millenium Engineers Group, Inc. for a Professional Office Use in a C2-Retail District on property located at 1202 Pat Booker Road, Universal City, Texas (CB 5053 P-24A & 6 INCH STRIP OFF NW SIDE OF P-25 ABS 745); providing for non-severability; and establishing an effective date.

Mayor Pro Tem Goolsby expressed concern of needing a good mix of retail and other uses when approving SUPs in retail zones. He was assured Staff would notify Council when that mix was met.

Mrs. Turner noted that the building used to be an office before it was retail. Additionally, the building's setback was not conducive to retail.

Councilmember Bulman stated that after conducting a public hearing on the request for a Specific Use Permit for the property at 1202 Pat Booker Road and receiving the Planning and Zoning Commission's recommendation, City Council had considered the request and she moved to approve PC 601 and SU 022 and to grant a specific use permit to Millenium Engineering Group, Inc. to allow a Professional Office use in the form of an engineering office at 1202 Pat Booker Road. Councilmember Buck seconded the motion.

**Vote: Yeas: Bulman, Buck, Goolsby, Najarian
Nays: None**

Motion to approve carried.

9. ADJOURNMENT: Mayor Williams adjourned the meeting at 7:53 P.M.

APPROVED:

John Williams, Mayor

ATTEST:

Maribel Garcia, Deputy City Clerk

CITY OF UNIVERSAL CITY

Date: 3/11/2024

TO: City Council**FROM:** Kim M. Turner, City Manager**SUBJECT: Public Hearing:** P.C. 597, 599 & 600 (SU 018, 020 & 021)— Requests for **Specific Use Permits** at 2117 Pat Booker Road, Suites A & B to allow three Administrative and Business Offices uses in a C3— Commercial Services District, per zoning ordinance 581.**SUBJECT: Ordinance Nos. 655-M-2024, 655-N-2024 & 655-O-2024**— Requests for **Specific Use Permits** at 2117 Pat Booker Road, Suites A & B to allow three Administrative and Business Offices uses in a C3— Commercial Services District, per zoning ordinance 581.**Historical Background**

The multi-tenant commercial building on the property is approximately 5,900 square feet, formerly comprised of various law offices. Currently, three separate businesses – real estate, telecom service recovery, and insurance – are proposing to lease various spaces within the building. The Zoning Code allows Administrative and Business Offices uses in the C3-Commercial Services District as a Specific Use. The Council is reminded that the SUPs would apply only to the suites at 2117 Pat Booker Road and would only be applicable to each of the prospective tenants.

Sixteen (16) notices were sent out to surrounding property owners; none were returned. No one other than the prospective tenants and the property owner spoke “for” or “against” the proposed SUP at the Planning & Zoning Public Hearings. The members of the Planning & Zoning Commission unanimously approved the SUPs and forwarded the SUP requests to City Council for its final determination.

Action Requested

City Council will need to conduct three **Public Hearings** on the SUPs and then make a final consideration on each of the **SUP Ordinances:** Ord 655-M-2024, Ord 655-N-2024 & Ord 655-O-2024, attached. Per the City Charter, each Ordinance will require two readings.

Procurement Methodology

This is a zoning procedure only and requires no procurement by the City.

Source and Amount of Funding

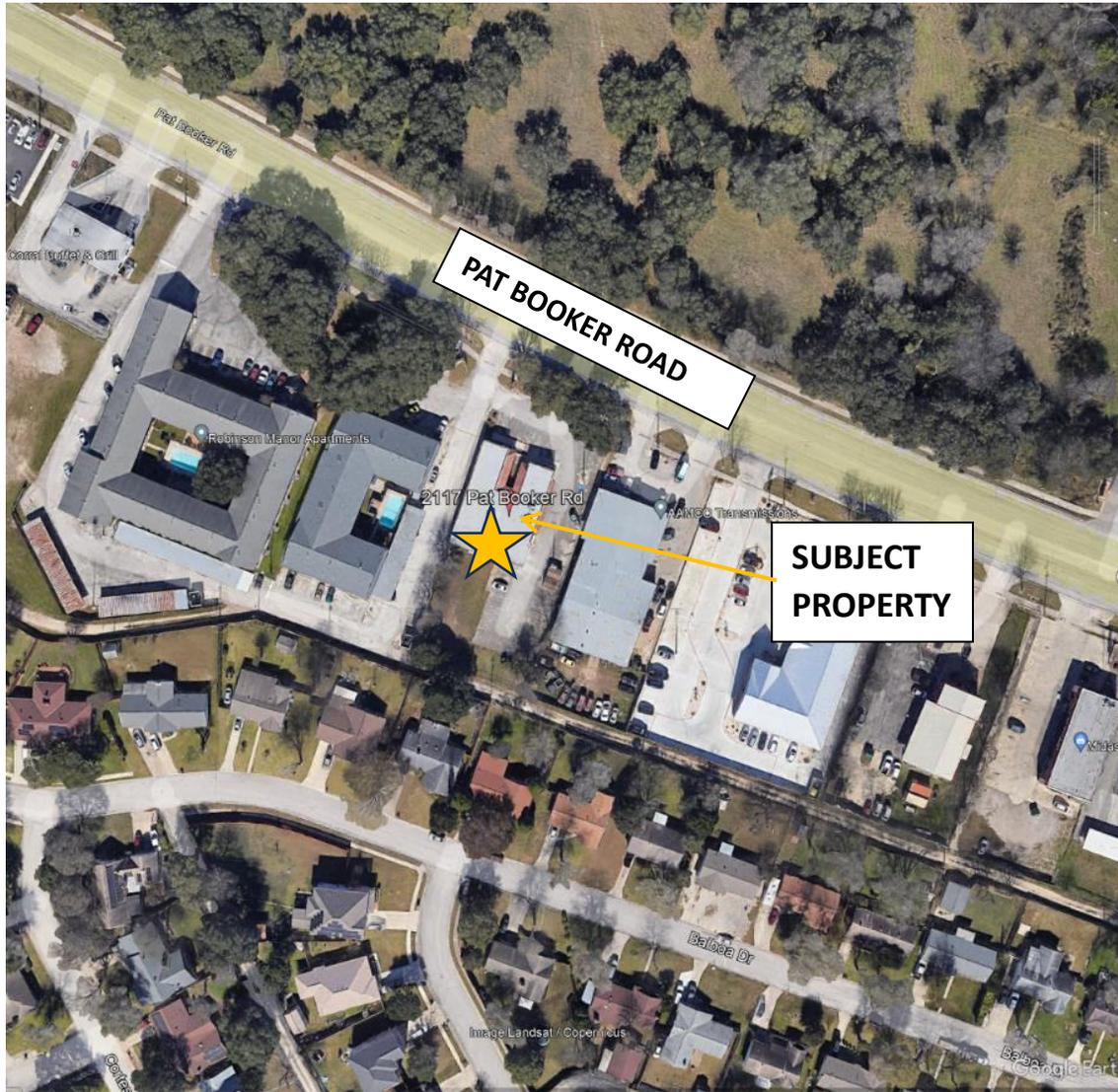
This is a zoning procedure only and requires no funding by the City.

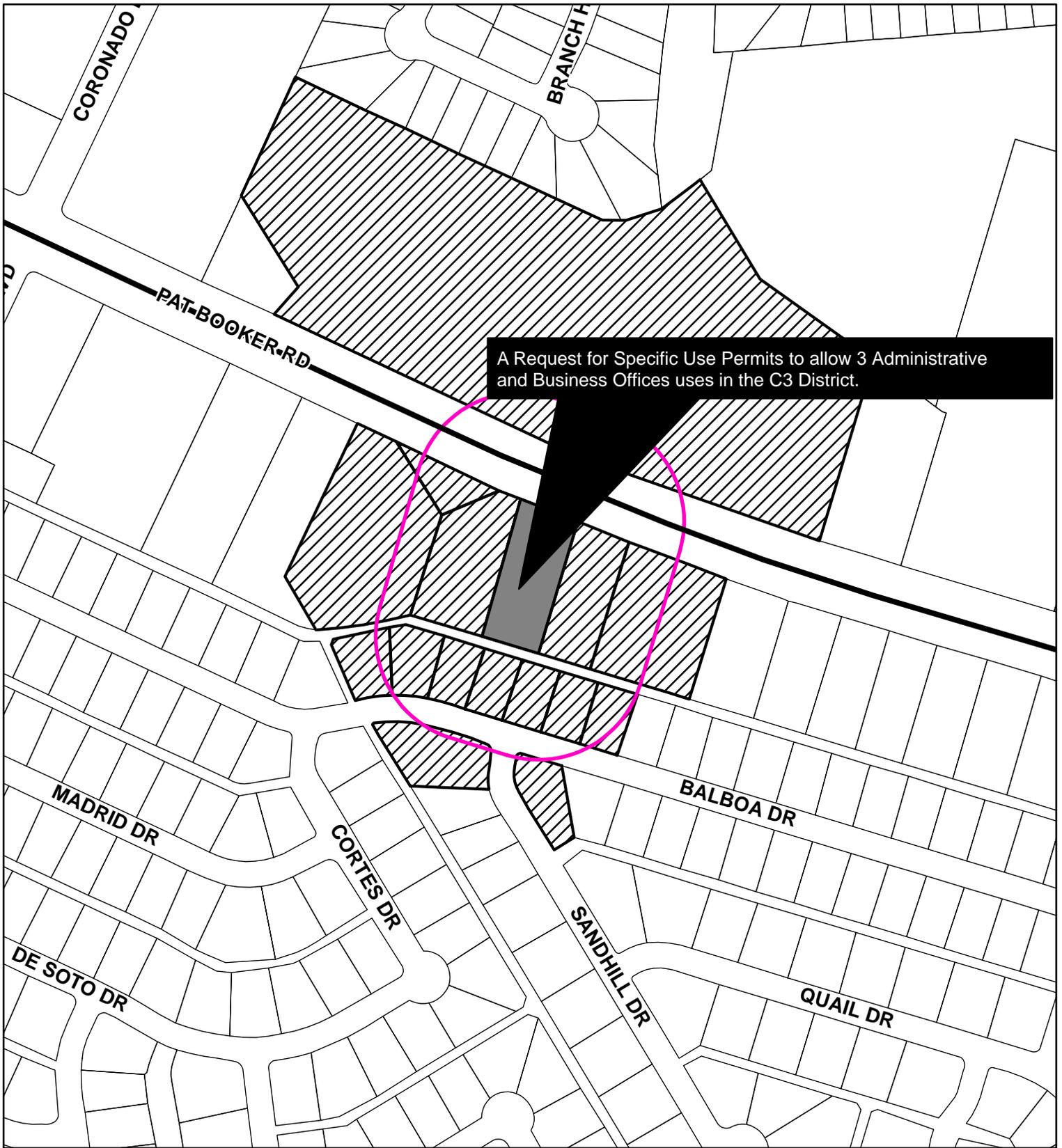
Staff Recommendation

Staff recommends approval of the three SUPs for Administrative and Business Offices at 2117 Pat Booker Road, Suites A & B. The suites have specific layouts, all required utilities, shared restrooms, as well as kitchen spaces designed for administrative offices and would be difficult and costly to convert to another type of use.

2117 Pat Booker Road

Aerial Map

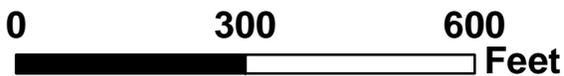




A Request for Specific Use Permits to allow 3 Administrative and Business Offices uses in the C3 District.

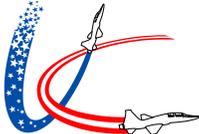
PC 597, 599, 600 / SU 018, 020, 021
2117 PAT BOOKER RD, SUITES A & B

Date Prepared: Tuesday, Jan. 23, 2024



Legend

-  200 Ft Buffer
-  Affected Parcels

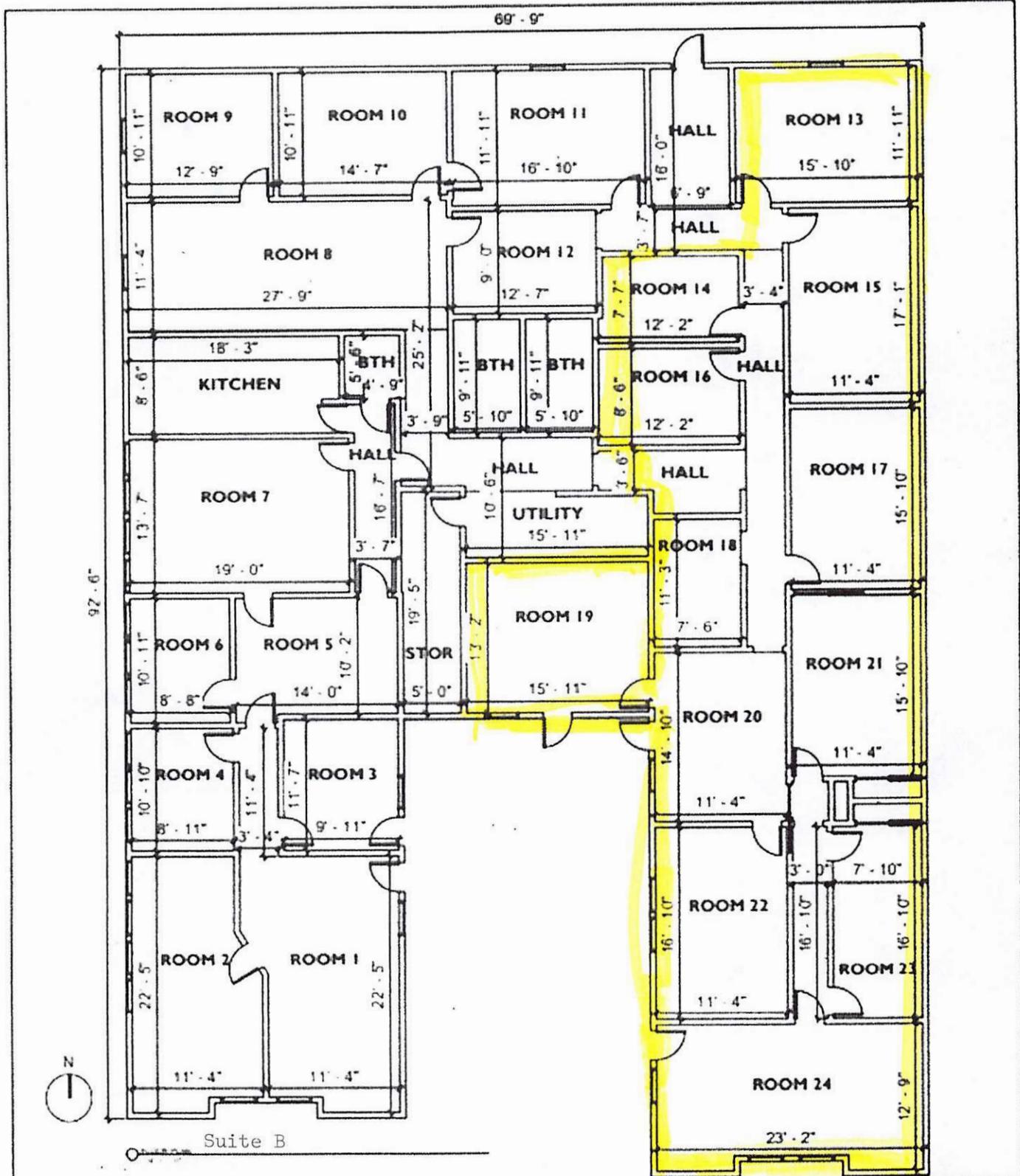
UNIVERSAL CITY
Gateway to Randolph AFB EST. 1967

The City of Universal City
 Texas
 2150 Universal City Blvd
 Universal City, TX 78148

Use	C1	C2	C3	C4	C5
Administrative and business offices.	P	S	S	P	P
Offices or private firms or organizations which are primarily used for the provision of executive, management or administrative services. Typical uses include administrative offices, and services including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, photocopy and reproduction, and business offices or public utilities, organizations and associations, or other use classifications when the service rendered is that customarily associated with administrative office services.					
Agricultural sales and services.	-	-	-	S	-
Establishments or places of business engaged in sale (from the premises) of feed, grain, fertilizers, pesticides and similar goods or in the provision of agricultural related services with incidental storage on lots other than where the service is rendered. Typical uses include nurseries, hay, feed and grain stores and tree service firms.					
Automotive washing.	S	-	P	P	-
Washing and cleaning of automobiles and related light equipment. Typical uses include auto laundries or car washes, not collocated with a gas station.					
Gas station.	S	-	P	S	P
An establishment for retail sale of petroleum products collocated with a local convenient store. Local convenient store collocation is required. May also be collocated with automotive washing with automotive washing as a secondary or ancillary use.					
Commercial off-street parking.	S	S	S	S	-
Parking of motor vehicles on a temporary basis within a private-owned off-street parking facility, other than accessory to a principal use. Typical uses include commercial parking lots or parking garages.					
Automotive rentals.	-	-	S	S	S
Rental of automobiles, noncommercial trucks, trailers and recreational vehicles, including incidental parking and servicing of vehicles available for rent or lease. Typical uses include auto rental agencies, trailer rental agencies and taxi-cab parking and dispatching.					
Automotive sales.	-	-	S	S	S

DANIELS & DANIELS REAL ESTATE

2117 Pat Booker Road, Universal City, TX 78148



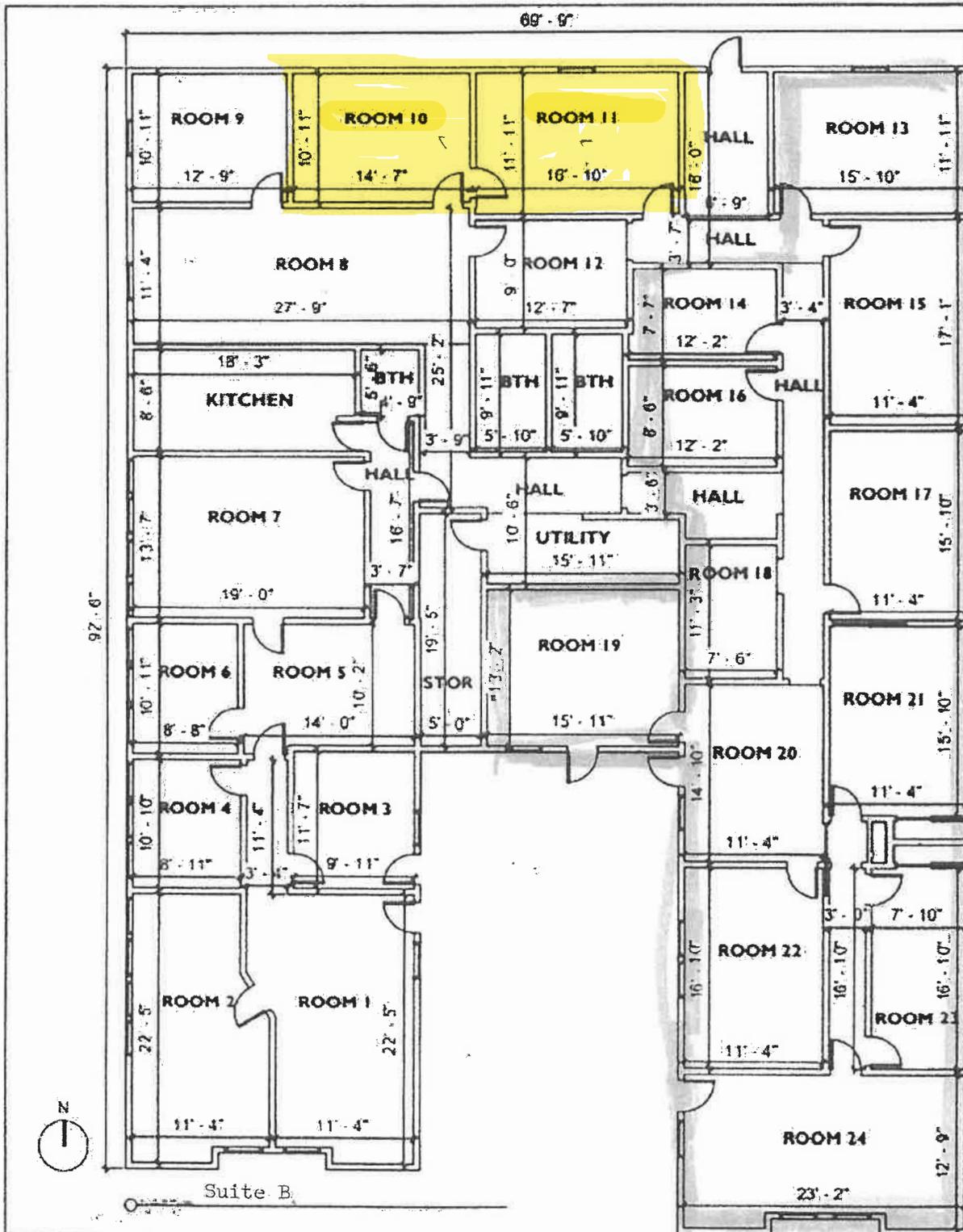
4
DESIGN
4 DESIGN
125 FURLONG DR
UNIVERSAL CITY
TX
78148
210-658-5800

Suite A
2117 PAT BOOKER RD
UNIVERSAL CITY, TX. 78148

Project No. Project Number 1
Date 02/21/23
Drawn By JENNIFER SALYER
Checked By _____
A.1
Scale 1/4" = 1'-0"

ACORN LEGACY, INC.

2117 Pat Booker Road, Universal City, TX 78148



4 DESIGN

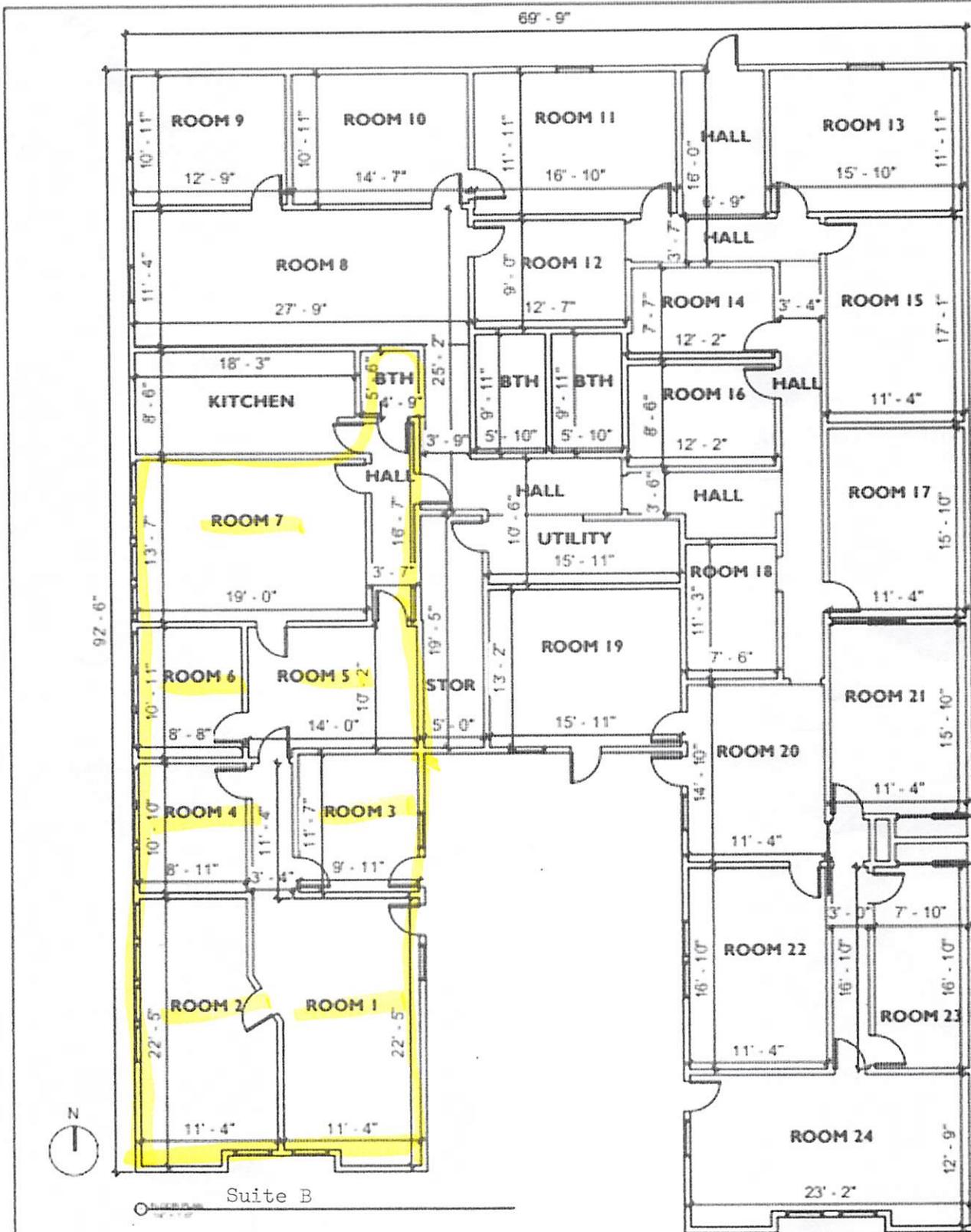
4 DESIGN
 125 FURLONG DR
 UNIVERSAL CITY
 TX
 78148
 210-658-5800

2117 PAT BOOKER RD
 UNIVERSAL CITY, TX. 78148

Suite A

Project No	Project Number 1
Date	08/21/2023
Drawn By	JENNIFER SALVER
Checked By	Director
A.1	
Scale	1/4" = 1'-0"

FARMERS INSURANCE



4
DESIGN

4 DESIGN
125 FURLONG DR
UNIVERSAL CITY
TX
78148
210-658-5800

Suite A Side
2117 PAT BOOKER RD
UNIVERSAL CITY, TX. 78148

Project No.	Project Number 1
Date	02/21/2023
Drawn By	JENNIFER SALYER
Checked By	Checker
A.1	
Scale	1/4" = 1'-0"

Motion to Approve:

PCs 597, 599 & 600 (SU 018, 020 & 021)

After conducting public hearings on the requests for a Specific Use Permit for the property at 2117 Pat Booker Road and receiving the Planning and Zoning Commission's recommendations, City Council has considered the requests and moves to approve PCs 597, 599 & 600 (SU 018, 020 & 021) and to grant a specific use permit to allow an Administrative and Business Offices use to:

1. Daniels and Daniels Real Estate for a real estate office at 2117 Pat Booker Road, Suite A, Rooms 13 – 24 (PC 597, SU 018)
2. Acorn Legacy, Inc. for a telecom service recovery office at 2117 Pat Booker Road, Suite B, Rooms 10 & 11 (PC 599, SU 020)
3. Farmers Insurance for an insurance office at 2117 Pat Booker Road, Suite B, Rooms 1 – 7 (PC 600, SU 021)

ORDINANCE NO. 655-M-2024 (PC 597 SU 018)
 (2117 Pat Booker Road, Suite A, Rooms 13-24)

AN ORDINANCE APPROVING A SPECIFIC USE PERMIT TO DANIELS & DANIELS REAL ESTATE FOR AN ADMINISTRATIVE AND BUSINESS OFFICES USE IN A C3- COMMERCIAL SERVICES DISTRICT ON PROPERTY LOCATED AT 2117 PAT BOOKER ROAD, UNIVERSAL CITY, TEXAS (CB 5047F BLK 1 LOT 39); PROVIDING FOR NON-SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 4-5-54 of the Code of Ordinances, City Council may approve an application for a Specific Use Permit to provide some flexibility to traditional zoning by offering a mechanism to balance specific site constraints and development plans with the larger interest of the community and the integrity of the Zoning Ordinance; and

WHEREAS, as described in Section One of this Ordinance, an application has been made for a Specific Use Permit; and

WHEREAS, the Zoning Table of Uses authorizes City Council to issue the Specific Use Permit; and

WHEREAS, after proper delivery of notice, the Planning and Zoning Commission conducted a public hearing on the application for the Specific Use Permit on March 4, 2024; and

WHEREAS, at the conclusion of the public hearing, the Planning and Zoning Commission made a recommendation in favor of the application for the Specific Use Permit and made the findings required by Section 4-5-54 of the Code of Ordinances as follows:

- The proposed use is in accord with the objectives of these regulations and the purposes of the district in which the site is located.
- That the proposed use will comply with each of the applicable provisions of these regulations.
- That the proposed use and site development, together with any modifications applicable thereto, will be completely compatible with existing or permitted uses in the vicinity.
- That the conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and ensure compatibility with existing or permitted uses in the same district and the surrounding area, and that the prescribed zoning standards do not provide enough mitigation of the impacts identified, thus warranting stricter standards, if so recommended.
- The Commission has given due consideration to all technical information supplied by the applicant.
- That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and

WHEREAS, after proper publication of notice and receipt of the Planning and Zoning Commission's recommendation, City Council conducted a public hearing on the application for the Specific Use Permit on March 19, 2024; and

WHEREAS, after conducting a public hearing on the matter wherein the testimony and comments of members of the public were received, City Council made the findings required by Section 4-5-54 of the City Code as set out infra.

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

SECTION 1. The recitals set out above are adopted herein for all purposes.

SECTION 2. The application for a Specific Use Permit by Daniels & Daniels Real Estate for an Administrative and Business Offices use in a C3-Commercial Services District on property located at 2117 Pat Booker Road, Suite A, Rooms 13-24, Universal City, Texas (CB 5047F BLK 1 LOT 39), is hereby approved, subject to the conditions set out in Section 3.

SECTION 3. Pursuant to Section 4-5-54 (entitled “Specific Use Regulations”) of Code of Ordinances, the following conditions are imposed:

No conditions are imposed.

SECTION 4. All provisions of the Code of Ordinances of the City of Universal City not herein amended or repealed shall remain in full force and effect.

SECTION 5. All other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 6. This ordinance is not severable.

SECTION 7. This ordinance will take effect upon its passage, approval and publication as provided by law.

PASSED, on first reading by the City Council of the City of Universal City on this the 19TH day of MARCH 2024.

PASSED AND APPROVED, on second reading by the City Council of the City of Universal City on this the 2ND day of APRIL 2024.

CITY OF UNIVERSAL CITY, TEXAS

APPROVED:

John Williams, Mayor

ATTEST:

APPROVED AS TO FORM:

Maribel Garcia, Deputy City Clerk

Megan R. Santee, City Attorney
Denton Navarro Rodriguez Bernal Santee & Zech, P.C.

ORDINANCE NO. 655-N-2024 (PC 599 SU 020)
(2117 Pat Booker Road, Suite B, Rooms 10-11)

AN ORDINANCE APPROVING A SPECIFIC USE PERMIT TO ACORN LEGACY, INC. FOR AN ADMINISTRATIVE AND BUSINESS OFFICES USE IN A C3-COMMERCIAL SERVICES DISTRICT ON PROPERTY LOCATED AT 2117 PAT BOOKER ROAD, UNIVERSAL CITY, TEXAS (CB 5047F BLK 1 LOT 39); PROVIDING FOR NON- SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 4-5-54 of the Code of Ordinances, City Council may approve an application for a Specific Use Permit to provide some flexibility to traditional zoning by offering a mechanism to balance specific site constraints and development plans with the larger interest of the community and the integrity of the Zoning Ordinance; and

WHEREAS, as described in Section One of this Ordinance, an application has been made for a Specific Use Permit; and

WHEREAS, the Zoning Table of Uses authorizes City Council to issue the Specific Use Permit; and

WHEREAS, after proper delivery of notice, the Planning and Zoning Commission conducted a public hearing on the application for the Specific Use Permit on March 4, 2024; and

WHEREAS, at the conclusion of the public hearing, the Planning and Zoning Commission made a recommendation in favor of the application for the Specific Use Permit and made the findings required by Section 4-5-54 of the Code of Ordinances as follows:

- The proposed use is in accord with the objectives of these regulations and the purposes of the district in which the site is located.
- That the proposed use will comply with each of the applicable provisions of these regulations.
- That the proposed use and site development, together with any modifications applicable thereto, will be completely compatible with existing or permitted uses in the vicinity.
- That the conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and ensure compatibility with existing or permitted uses in the same district and the surrounding area, and that the prescribed zoning standards do not provide enough mitigation of the impacts identified, thus warranting stricter standards, if so recommended.
- The Commission has given due consideration to all technical information supplied by the applicant.
- That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and

WHEREAS, after proper publication of notice and receipt of the Planning and Zoning Commission's recommendation, City Council conducted a public hearing on the application for the Specific Use Permit on March 19, 2024; and

WHEREAS, after conducting a public hearing on the matter wherein the testimony and comments of members of the public were received, City Council made the findings required by Section 4-5-54 of the City Code as set out infra.

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

SECTION 1. The recitals set out above are adopted herein for all purposes.

SECTION 2. The application for a Specific Use Permit by Acorn Legacy, Inc. for an Administrative and Business Offices use in a C3-Commercial Services District on property located at 2117 Pat Booker Road, Suite B, Rooms 10-11, Universal City, Texas (CB 5047F

BLK 1 LOT 39), is hereby approved, subject to the conditions set out in Section 3.

SECTION 3. Pursuant to Section 4-5-54 (entitled “Specific Use Regulations”) of Code of Ordinances, the following conditions are imposed:

No conditions are imposed.

SECTION 4. All provisions of the Code of Ordinances of the City of Universal City not herein amended or repealed shall remain in full force and effect.

SECTION 5. All other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 6. This ordinance is not severable.

SECTION 7. This ordinance will take effect upon its passage, approval and publication as provided by law.

PASSED, on first reading by the City Council of the City of Universal City on this the 19TH day of MARCH 2024.

PASSED AND APPROVED, on second reading by the City Council of the City of Universal City on this the 2ND day of APRIL 2024.

CITY OF UNIVERSAL CITY, TEXAS

APPROVED:

John Williams, Mayor

ATTEST:

APPROVED AS TO FORM:

Maribel Garcia, Deputy City Clerk

Megan R. Santee, City Attorney
Denton Navarro Rodriguez Bernal Santee & Zech, P.C.

ORDINANCE NO. 655-O-2024 (PC 600 SU 021)
 (2117 Pat Booker Road, Suite B, Rooms 1-7)

AN ORDINANCE APPROVING A SPECIFIC USE PERMIT TO FARMERS INSURANCE FOR AN ADMINISTRATIVE AND BUSINESS OFFICES USE IN A C3-COMMERCIAL SERVICES DISTRICT ON PROPERTY LOCATED AT 2117 PAT BOOKER ROAD, UNIVERSAL CITY, TEXAS (CB 5047F BLK 1 LOT 39); PROVIDING FOR NON- SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 4-5-54 of the Code of Ordinances, City Council may approve an application for a Specific Use Permit to provide some flexibility to traditional zoning by offering a mechanism to balance specific site constraints and development plans with the larger interest of the community and the integrity of the Zoning Ordinance; and

WHEREAS, as described in Section One of this Ordinance, an application has been made for a Specific Use Permit; and

WHEREAS, the Zoning Table of Uses authorizes City Council to issue the Specific Use Permit; and

WHEREAS, after proper delivery of notice, the Planning and Zoning Commission conducted a public hearing on the application for the Specific Use Permit on March 4, 2024; and

WHEREAS, at the conclusion of the public hearing, the Planning and Zoning Commission made a recommendation in favor of the application for the Specific Use Permit and made the findings required by Section 4-5-54 of the Code of Ordinances as follows:

- The proposed use is in accord with the objectives of these regulations and the purposes of the district in which the site is located.
- That the proposed use will comply with each of the applicable provisions of these regulations.
- That the proposed use and site development, together with any modifications applicable thereto, will be completely compatible with existing or permitted uses in the vicinity.
- That the conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and ensure compatibility with existing or permitted uses in the same district and the surrounding area, and that the prescribed zoning standards do not provide enough mitigation of the impacts identified, thus warranting stricter standards, if so recommended.
- The Commission has given due consideration to all technical information supplied by the applicant.
- That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and

WHEREAS, after proper publication of notice and receipt of the Planning and Zoning Commission's recommendation, City Council conducted a public hearing on the application for the Specific Use Permit on March 19, 2024; and

WHEREAS, after conducting a public hearing on the matter wherein the testimony and comments of members of the public were received, City Council made the findings required by Section 4-5-54 of the City Code as set out infra.

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

SECTION 1. The recitals set out above are adopted herein for all purposes.

SECTION 2. The application for a Specific Use Permit by Farmers Insurance for an Administrative and Business Offices use in a C3-Commercial Services District on property located at 2117 Pat Booker Road, Suite B, Rooms 1-7, Universal City, Texas (CB 5047F BLK 1 LOT 39), is hereby approved, subject to the conditions set out in Section 3.

SECTION 3. Pursuant to Section 4-5-54 (entitled “Specific Use Regulations”) of Code of Ordinances, the following conditions are imposed:

No conditions are imposed.

SECTION 4. All provisions of the Code of Ordinances of the City of Universal City not herein amended or repealed shall remain in full force and effect.

SECTION 5. All other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 6. This ordinance is not severable.

SECTION 7. This ordinance will take effect upon its passage, approval and publication as provided by law.

PASSED, on first reading by the City Council of the City of Universal City on this the 19TH day of MARCH 2024.

PASSED AND APPROVED, on second reading by the City Council of the City of Universal City on this the 2ND day of APRIL 2024.

CITY OF UNIVERSAL CITY, TEXAS

APPROVED:

John Williams, Mayor

ATTEST:

APPROVED AS TO FORM:

Maribel Garcia, Deputy City Clerk

Megan R. Santee, City Attorney
Denton Navarro Rodriguez Bernal Santee & Zech, P.C.

CITY OF UNIVERSAL CITY

Date: 3/11/2024

TO: City Council**FROM:** Kim M. Turner, City Manager**SUBJECT: Public Hearing: P.C. 598 (SU 019)**— A request for a **Specific Use Permit** at 890 Coronado Boulevard (CB 5047P BLK 1 LOT 7 CORONADO VILLAGE UT-8A) to allow a Commercial Off-Street Parking use for electric vehicle charging in the C2-Retail District, per zoning ordinance 581.**SUBJECT: Ordinance No. 655-P-2024**— A **Specific Use Permit** at 890 Coronado Boulevard (CB 5047P BLK 1 LOT 7 CORONADO VILLAGE UT-8A) to allow a Commercial Off-Street Parking use for electric vehicle charging in the C2-Retail District, per zoning ordinance 581.**Historical Background**

The applicant is proposing to install an electric vehicle charging lot on the vacant 0.3673-acre property. The Zoning Code allows a Commercial Off-Street Parking use in the C2-Retail District as a Specific Use. As such, KMS Delivery, Inc. is requesting a **Specific Use Permit**. The Council is reminded that the SUP would apply only to the user at 890 Coronado Boulevard.

Project Details

- The EV lot will be for private fleet use only, not the general public
- A total of 12 chargers will be installed – 4 in the first phase followed by 8 in phase two
- Vehicles will only be present on-site while being charged
- Charging time takes between 4 and 7 hours
- Each charging station will range from 3-feet to 6-feet in height
- Chargers do not make noise during the charging process
- The entrance gate will be 6-feet in height and 16-20-feet in width
- The perimeter fence will be 6-feet in height – note existing 6-foot fences on two sides will remain

Sixteen (16) notices were sent out to surrounding property owners; none were returned. No one other than the prospective owner/operator spoke “for” or “against” the proposed SUP at the Planning & Zoning Public Hearings. The members of the Planning & Zoning Commission unanimously approved the SUP with one condition and forwarded the SUP request to City Council for its final determination.

Action Requested

City Council will need to conduct a **Public Hearing** on the SUP and then make a final consideration on the **SUP Ordinance: Ord 655-P-2024**, attached. Per the City Charter, an Ordinance will require two readings.

Procurement Methodology

This is a zoning procedure only and requires no procurement by the City.

Source and Amount of Funding

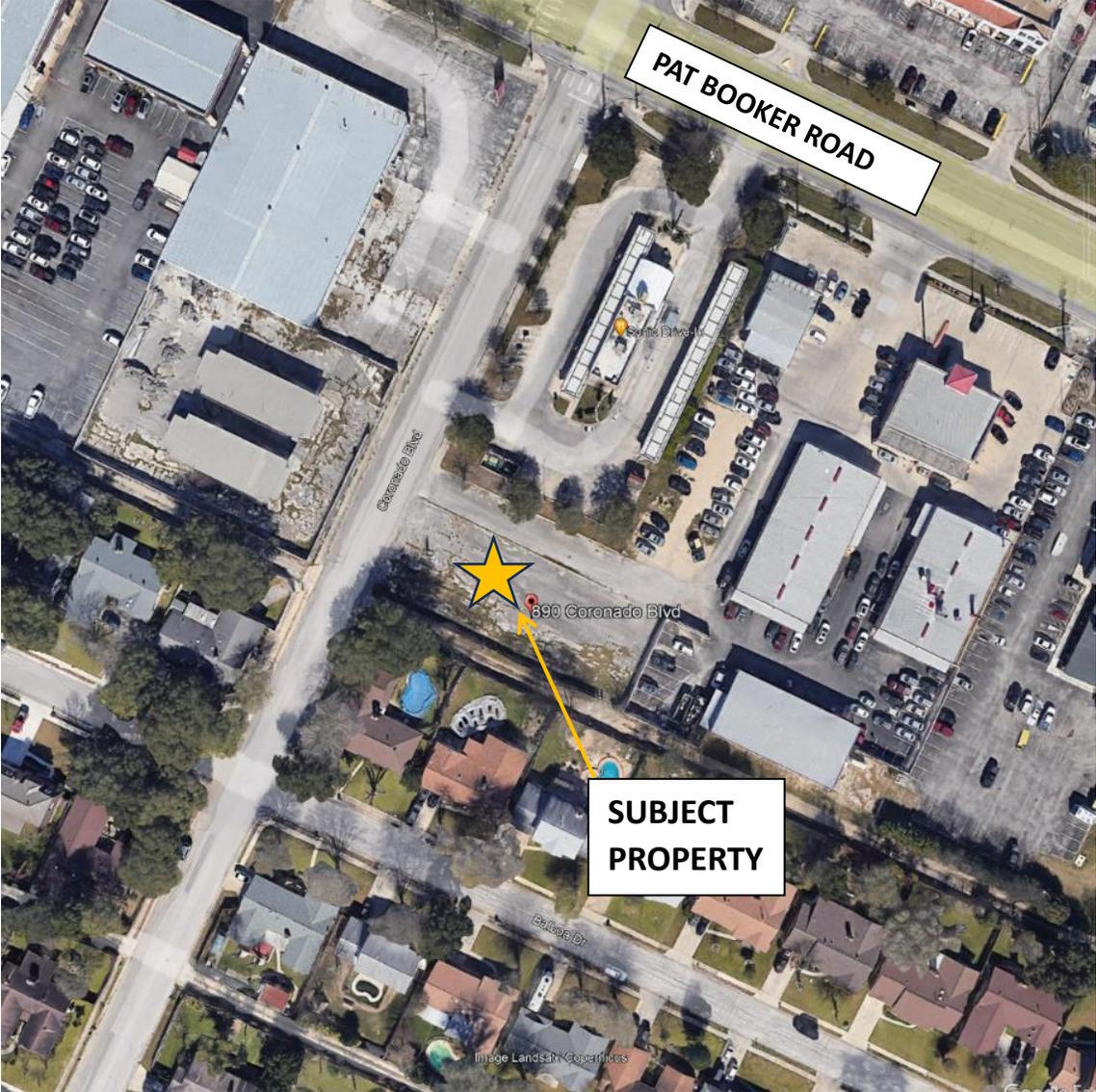
This is a zoning procedure only and requires no funding by the City.

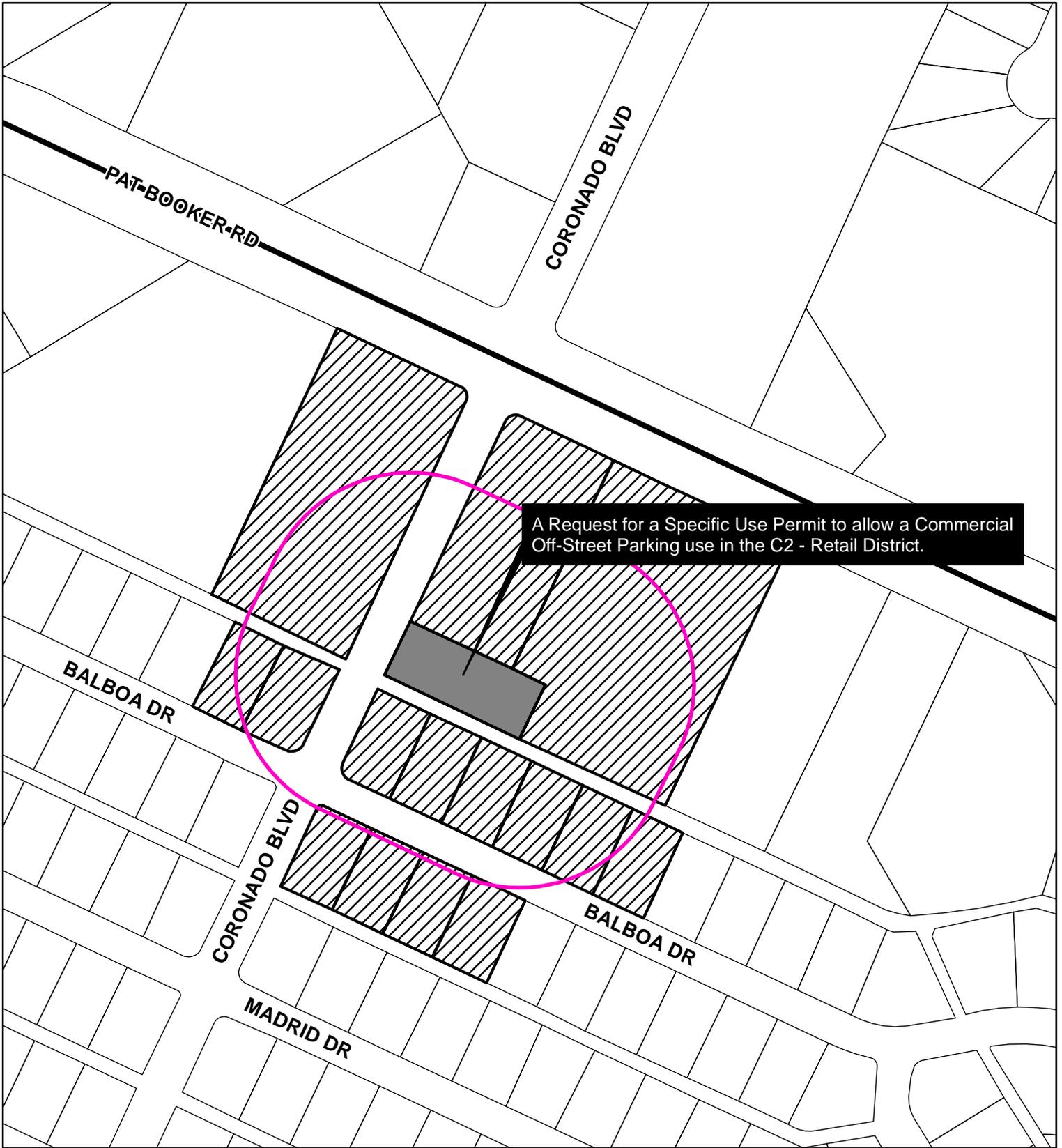
Staff Recommendation

Staff recommends approval of the SUP for a Commercial Off-Street Parking use at 890 Coronado Boulevard. The vacant lot is tucked behind Sonic Drive-In with limited visibility from the main corridor on Pat Booker Road. As such, the property owner will be hard-pressed to find a pure retail use for the vacant lot. Additionally, Staff recommends an additional condition be placed on the SUP approval requiring the use of downward or shielded lot lighting to reduce the light pollution impact on nearby residential neighbors.

890 Coronado Boulevard

Aerial Map





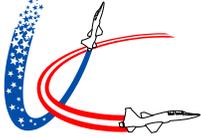
PC 598 SU 019
890 CORONADO BLVD

Date Prepared: Tuesday, Jan. 23, 2024



Legend

-  200 Ft Buffer
-  Affected Parcels

UNIVERSAL CITY
Gateway to Randolph AFB EST. 1947

The City of Universal City
 Texas
 2150 Universal City Blvd
 Universal City, TX 78148

Existing concrete base footing 6" x 12" x 6" using 1/2" rebar.

Entrance 16' (future electronic gate) to be included in electrical permitting

GENERAL NOTES:
Note that fencing site plan includes electrical proposal which will be separately permitted at a later date by licensed electrical contractors.

6"x12"x6" concrete base footing using 1/2 inch rebar, 2 3/8 inch metal pole brackets mounted into concrete using 3/8" x 6" stainless steel bolts on 6' spacing. Weather treated pine 6' pickets mounted onto 2 3/8" pole brackets using 2x6" framing.

DISCLAIMER
THESE DRAWINGS WERE PRODUCED WITHOUT THE BENEFIT OF A CURRENT LAND SURVEY. ALL PROPERTY LINES, EASEMENTS, AND SETBACKS SHALL BE VERIFIED PRIOR TO START OF CONSTRUCTION. 3V3I DOES NOT GUARANTEE THE ACCURACY OF SAID PROPERTY LINES, EASEMENTS, ROADS AND SETBACKS.



50A L2 EV CHARGERS

PROPOSED SWITCHGEAR

POSSIBLE LOCATION FOR NEW UTILITY TRANSFORMER

Existing wooden 6' pine board privacy fence.

NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 24" x 36". SCALE RATIO IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES

EV CHARGING STATIONS – EXAMPLES



EV CHARGING STATIONS – EXAMPLES



Use	C1	C2	C3	C4	C5
Administrative and business offices.	P	S	S	P	P
Offices or private firms or organizations which are primarily used for the provision of executive, management or administrative services. Typical uses include administrative offices, and services including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, photocopy and reproduction, and business offices or public utilities, organizations and associations, or other use classifications when the service rendered is that customarily associated with administrative office services.					
Agricultural sales and services.	-	-	-	S	-
Establishments or places of business engaged in sale (from the premises) of feed, grain, fertilizers, pesticides and similar goods or in the provision of agricultural related services with incidental storage on lots other than where the service is rendered. Typical uses include nurseries, hay, feed and grain stores and tree service firms.					
Automotive washing.	S	-	P	P	-
Washing and cleaning of automobiles and related light equipment. Typical uses include auto laundries or car washes, not collocated with a gas station.					
Gas station.	S	-	P	S	P
An establishment for retail sale of petroleum products collocated with a local convenient store. Local convenient store collocation is required. May also be collocated with automotive washing with automotive washing as a secondary or ancillary use.					
Commercial off-street parking.	S	S	S	S	-
Parking of motor vehicles on a temporary basis within a private-owned off-street parking facility, other than accessory to a principal use. Typical uses include commercial parking lots or parking garages.					
Automotive rentals.	-	-	S	S	S
Rental of automobiles, noncommercial trucks, trailers and recreational vehicles, including incidental parking and servicing of vehicles available for rent or lease. Typical uses include auto rental agencies, trailer rental agencies and taxi-cab parking and dispatching.					
Automotive sales.	-	-	S	S	S



ENERGY CONSERVATION

**BEAT
THE
HEAT**



GREEN DAY Everyday Conservation

- ▶ Set thermostat to 78° in summer, 68° in winter
- ▶ Use fans to feel 4-6 degrees cooler
- ▶ Run ceiling fans in occupied rooms, counterclockwise in summer & clockwise in winter
- ▶ Close shades & blinds; turn off unnecessary lights
- ▶ Unplug electronics when not in use
- ▶ Cook on a grill & line-dry clothes when possible



YELLOW DAY Peak Energy Demand

- ▶ Continue everyday conservation measures
- ▶ Check cpsenergy.com & our social media for times of day when more conservation is needed
- ▶ Charge Electric Vehicles (EV) at night, after 10 PM
- ▶ Adjust thermostats further to minimize HVAC use, if health permits
- ▶ Avoid using large appliances like your oven, washer, dryer, & dishwasher



ORANGE ALERT Energy Grid Reliability Risk

- ▶ Limit power usage
- ▶ Prepare for possible loss of power
- ▶ Prepare to implement your household plan for power emergencies
- ▶ Be ready to initiate your plan for alternative operation of medical devices, if needed
- ▶ Turn off pool pumps
- ▶ Avoid charging EV, or charge overnight



RED ALERT Controlled Outages in Progress

- ▶ Implement emergency preparedness measures, including plans for alternative operation of medical devices
- ▶ Turn off and unplug appliances, turn off HVAC and all lights but one
- ▶ Leave one light on to know when power is restored, then power equipment on one device at a time
- ▶ Keep refrigerator doors closed to extend the life of perishable food
- ▶ Monitor news sources for updates

Motion to Approve:

PC 598 (SU 019)

After conducting a public hearing on the request for a Specific Use Permit for the property at 890 Coronado Boulevard and receiving the Planning and Zoning Commission's recommendation, City Council has considered the request and moves to approve PC 598 and SU 019 and to grant a specific use permit to KMS Delivery, Inc. to allow a Commercial Off-Street Parking use for electric vehicle charging in a C2-Retail District at 890 Coronado Boulevard with the following conditions:

1. Adherence to the CPS Color-Coded Energy Conservation System with regard to charging of electric vehicles during Yellow, Orange, and Red alerts; and
2. Use of downward or shielded lot lighting to reduce the light pollution impact on nearby residential neighbors.

ORDINANCE NO. 655-P-2024 (PC 598 SU 019)
(890 Coronado Boulevard)

AN ORDINANCE APPROVING A SPECIFIC USE PERMIT TO KMS DELIVERY, INC. FOR A COMMERCIAL OFF-STREET PARKING USE IN A C2-RETAIL DISTRICT ON PROPERTY LOCATED AT 890 CORONADO BOULEVARD, UNIVERSAL CITY, TEXAS (CB 5047P BLK 1 LOT 7 CORONADO VILLAGE UT-8A); PROVIDING FOR NON- SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 4-5-54 of the Code of Ordinances, City Council may approve an application for a Specific Use Permit to provide some flexibility to traditional zoning by offering a mechanism to balance specific site constraints and development plans with the larger interest of the community and the integrity of the Zoning Ordinance; and

WHEREAS, as described in Section One of this Ordinance, an application has been made for a Specific Use Permit; and

WHEREAS, the Zoning Table of Uses authorizes City Council to issue the Specific Use Permit; and

WHEREAS, after proper delivery of notice, the Planning and Zoning Commission conducted a public hearing on the application for the Specific Use Permit on March 4, 2024; and

WHEREAS, at the conclusion of the public hearing, the Planning and Zoning Commission made a recommendation in favor of the application for the Specific Use Permit and made the findings required by Section 4-5-54 of the Code of Ordinances as follows:

- The proposed use is in accord with the objectives of these regulations and the purposes of the district in which the site is located.
- That the proposed use will comply with each of the applicable provisions of these regulations.
- That the proposed use and site development, together with any modifications applicable thereto, will be completely compatible with existing or permitted uses in the vicinity.
- That the conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and ensure compatibility with existing or permitted uses in the same district and the surrounding area, and that the prescribed zoning standards do not provide enough mitigation of the impacts identified, thus warranting stricter standards, if so recommended.
- The Commission has given due consideration to all technical information supplied by the applicant.
- That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and

WHEREAS, after proper publication of notice and receipt of the Planning and Zoning Commission's recommendation, City Council conducted a public hearing on the application for the Specific Use Permit on March 19, 2024; and

WHEREAS, after conducting a public hearing on the matter wherein the testimony and comments of members of the public were received, City Council made the findings required by Section 4-5-54 of the City Code as set out infra.

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

SECTION 1. The recitals set out above are adopted herein for all purposes.

SECTION 2. The application for a Specific Use Permit by KMS Delivery, Inc. for a Commercial Off-Street Parking use in a C2-Retail District on property located at 890 Coronado Boulevard, Universal City, Texas (CB 5047P BLK 1 LOT 7 CORONADO VILLAGE UT-8A), is hereby approved, subject to the conditions set out in Section 3.

SECTION 3. Pursuant to Section 4-5-54 (entitled “Specific Use Regulations”) of Code of Ordinances, the following conditions are imposed:

1. Adherence to the CPS Color-Coded Energy Conservation System with regard to charging of electric vehicles during Yellow, Orange, and Red alerts; and
2. Use of downward or shielded lot lighting to reduce the light pollution impact on nearby residential neighbors.

SECTION 4. All provisions of the Code of Ordinances of the City of Universal City not herein amended or repealed shall remain in full force and effect.

SECTION 5. All other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 6. This ordinance is not severable.

SECTION 7. This ordinance will take effect upon its passage, approval and publication as provided by law.

PASSED, on first reading by the City Council of the City of Universal City on this the 19TH day of MARCH 2024.

PASSED AND APPROVED, on second reading by the City Council of the City of Universal City on this the 2ND day of APRIL 2024.

CITY OF UNIVERSAL CITY, TEXAS

APPROVED:

John Williams, Mayor

ATTEST:

APPROVED AS TO FORM:

Maribel Garcia, Deputy City Clerk

Megan R. Santee, City Attorney
Denton Navarro Rodriguez Bernal Santee & Zech, P.C.

CITY OF UNIVERSAL CITY

Date: 3/11/2024

TO: City Council**FROM:** Kim M. Turner, City Manager**SUBJECT: Public Hearing:** P.C. 601 (SU 022)— A request for a **Specific Use Permit** at 1202 Pat Booker Road (CB 5053 P-24A & 6 INCH STRIP OFF NW SIDE OF P-25 ABS 745) to allow a Professional Office use (engineering office) in the C2-Retail District, per zoning ordinance 581.**SUBJECT: Ordinance No. 655-Q-2024**— A **Specific Use Permit** at 1202 Pat Booker Road (CB 5053 P-24A & 6 INCH STRIP OFF NW SIDE OF P-25 ABS 745) to allow a Professional Office use (engineering office) in the C2-Retail District, per zoning ordinance 581.**Historical Background**

The multi-tenant commercial building on the property is approximately 1,624 square feet. Millennium Engineers Group, Inc. (MEG), the applicant, is proposing to locate their administrative offices in the entire building. The Zoning Code allows Professional Office uses in the C2-Retail District as a Specific Use. The Council is reminded that the SUP would apply only to the user at 1202 Pat Booker Road.

Seventeen (17) notices were sent out to surrounding property owners; none were returned. No one other than the prospective tenant spoke “for” or “against” the proposed SUP at the Planning & Zoning Public Hearings. The members of the Planning & Zoning Commission unanimously approved the SUP and forwarded the SUP request to City Council for its final determination.

Action Requested

City Council will need to conduct a **Public Hearing** on the SUP and then make a final consideration on the **SUP Ordinance: Ord 655-Q-2024**, attached. Per the City Charter, an Ordinance will require two readings.

Procurement Methodology

This is a zoning procedure only and requires no procurement by the City.

Source and Amount of Funding

This is a zoning procedure only and requires no funding by the City.

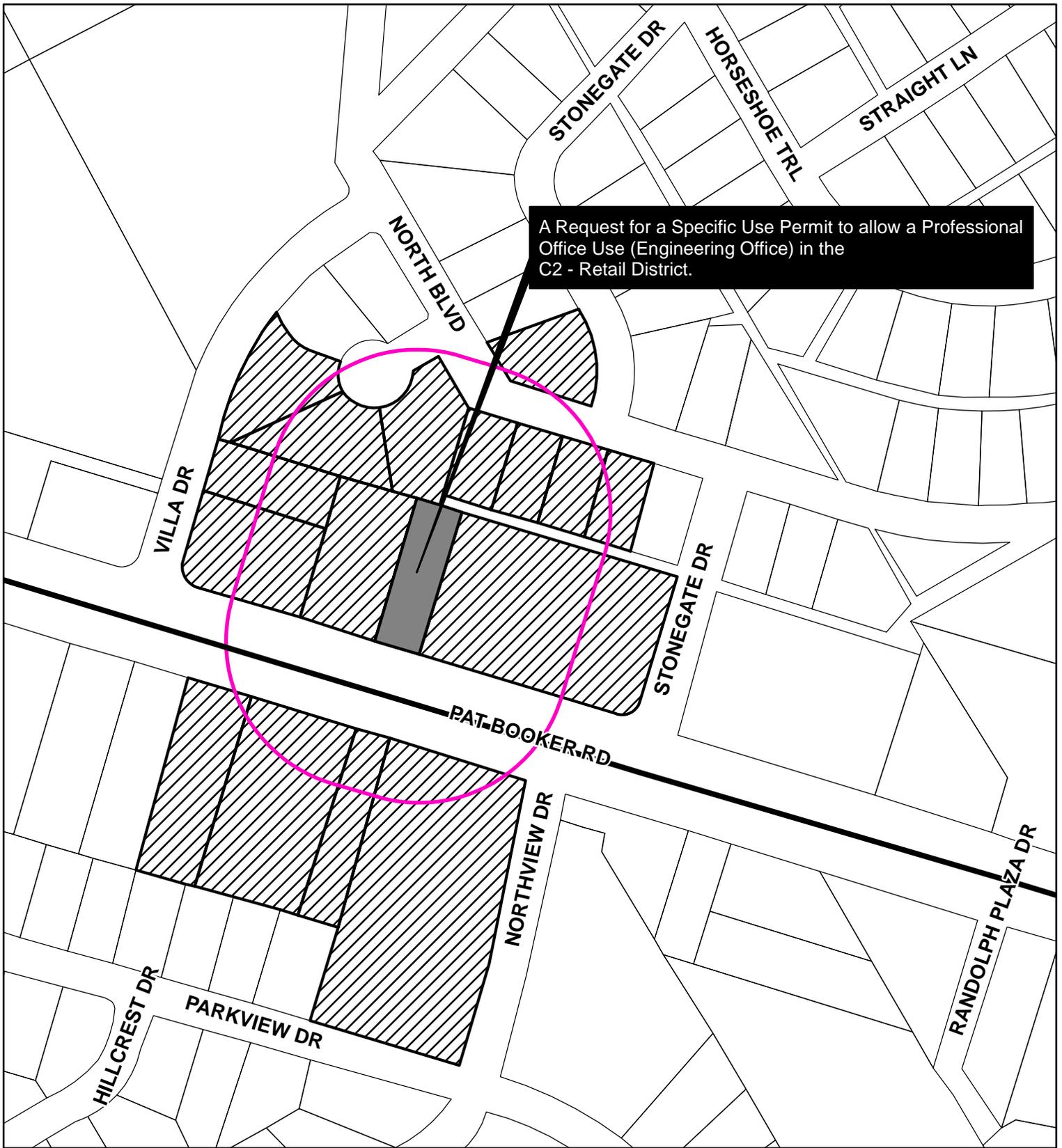
Staff Recommendation

Staff recommends approval of the SUP for a Professional Office at 1202 Pat Booker Road. The older building will be hard-pressed to find a pure retail user in today’s changing market. An engineering office for a growing firm would be a welcome addition to the community.

1202 Pat Booker Road

Aerial Map

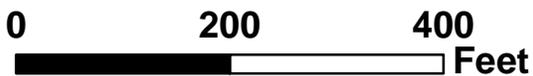




A Request for a Specific Use Permit to allow a Professional Office Use (Engineering Office) in the C2 - Retail District.

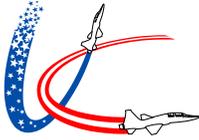
PC 601 SU 022
1202 PAT BOOKER RD

Date Prepared: Friday, Feb. 16, 2024



Legend

-  200 Ft Buffer
-  Affected Parcels

UNIVERSAL CITY
Gateway to Randolph AFB EST. 1967

The City of Universal City
 Texas
 2150 Universal City Blvd
 Universal City, TX 78148



ALLIANCE
LAND SURVEYOR
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6500
1221 N. UNIVERSITY BLVD., SUITE 100
DALLAS, TEXAS 75201
(214) 343-1111

BUYER/OWNER: GARDINA PALMA
ADDRESS: 1202 PAV BOOKER ROAD
CITY, STATE, ZIP: UNIVERSAL CITY, TEXAS 78148
TITLE COMPANY: ALAMO TITLE INSURANCE COMPANY
OF NUMBER: SR-13-4000132200423L

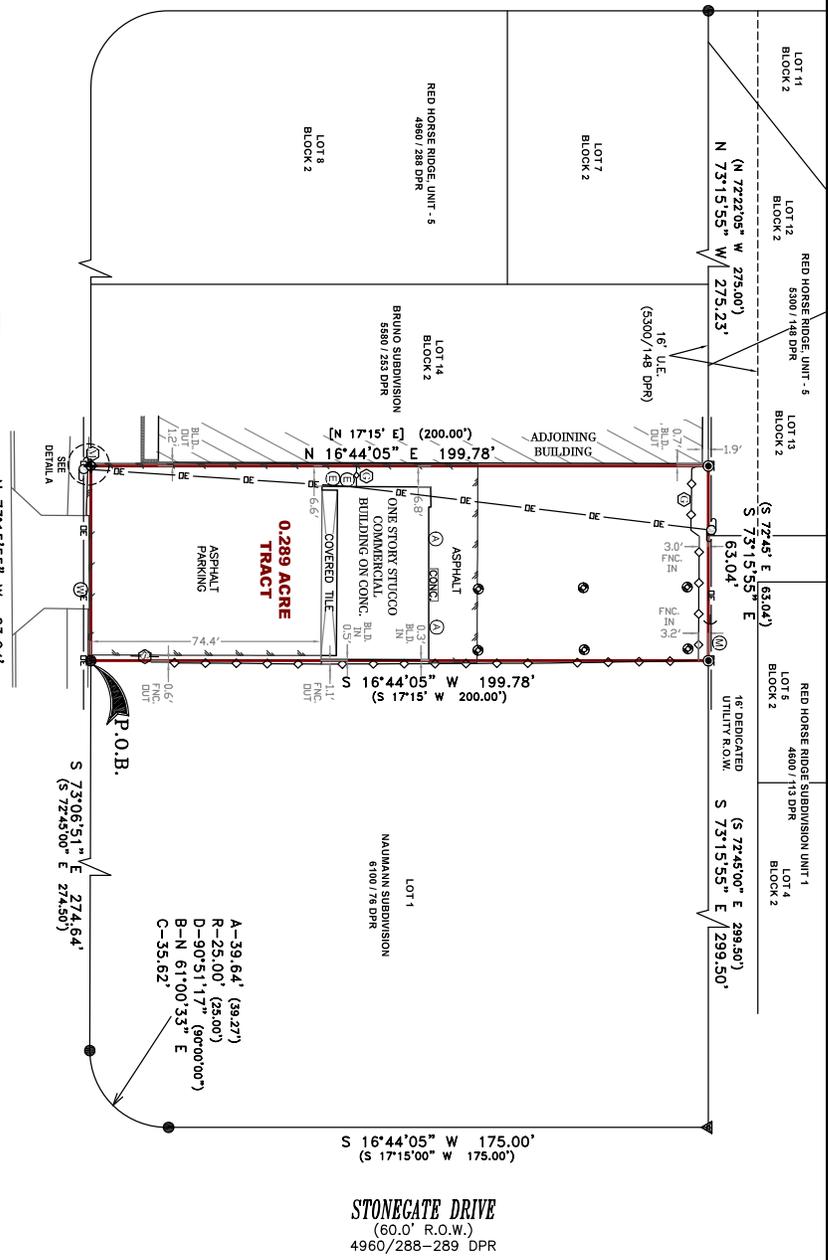
LAND TITLE SURVEY
BEING A 0.289 ACRE TRACT LYING IN THE MARIA LUCA TORRES SURVEY NUMBER 4890/113 DPR, BEING 1.7723 ACRES IN THE WILBERT WEDD WITH VENDOR'S LIES TO THANH NHAI DONG AND TRANG T. LAU OF RECORD IN VOLUME 15390, PAGE 1403 OF THE OFFICIAL PUBLIC RECORDS OF BEKAR COUNTY, TEXAS.



NOTES

1. BEARINGS AND DISTANCES SHOWN FOR THIS SURVEY WERE OBTAINED FROM THE DEED RECORDS OF BEKAR COUNTY, TEXAS SOUTH CENTRAL ZONE 4204, GRID.
2. PER SCHEDULE B OF THE TITLE COMMITMENT REFERENCED ABOVE, THE FOLLOWING TERMS MAY AFFECT THIS TRACT:
ITEM {} WAS DELETED BY ALAMO TITLE INSURANCE COMPANY.
- {104} ERECTION EASEMENT TO THE TEXAS PIPE LINE COMPANY OF RECORD IN VOLUME 104 PAGE 45 OF THE DEED RECORDS OF BEKAR COUNTY, TEXAS. (DOES NOT AFFECT SUBJECT TRACT)
- {105} ELECTRIC TRANSMISSION AND DISTRIBUTION LINE EASEMENT TO THE CITY OF THE UNIVERSITY OF TEXAS SYSTEM OF RECORD IN VOLUME 28375 PAGE 25 OF THE DEED RECORDS OF BEKAR COUNTY, TEXAS. (BLANKET IN NATURE)
- {106} ELECTRIC TRANSMISSION AND DISTRIBUTION LINE EASEMENT TO THE CITY OF THE UNIVERSITY OF TEXAS SYSTEM OF RECORD IN VOLUME 28375 PAGE 25 OF THE DEED RECORDS OF BEKAR COUNTY, TEXAS. (BLANKET IN NATURE)
- {107} ELECTRIC TRANSMISSION AND DISTRIBUTION LINE EASEMENT TO THE CITY OF THE UNIVERSITY OF TEXAS SYSTEM OF RECORD IN VOLUME 28375 PAGE 25 OF THE DEED RECORDS OF BEKAR COUNTY, TEXAS. (BLANKET IN NATURE)
- {108} ELECTRIC TRANSMISSION AND DISTRIBUTION LINE EASEMENT TO THE CITY OF THE UNIVERSITY OF TEXAS SYSTEM OF RECORD IN VOLUME 28375 PAGE 25 OF THE DEED RECORDS OF BEKAR COUNTY, TEXAS. (BLANKET IN NATURE)
- {109} ELECTRIC TRANSMISSION AND DISTRIBUTION LINE EASEMENT TO THE CITY OF THE UNIVERSITY OF TEXAS SYSTEM OF RECORD IN VOLUME 28375 PAGE 25 OF THE DEED RECORDS OF BEKAR COUNTY, TEXAS. (BLANKET IN NATURE)
- {104} ELECTRIC TRANSMISSION AND DISTRIBUTION LINE EASEMENT TO THE CITY OF THE UNIVERSITY OF TEXAS SYSTEM OF RECORD IN VOLUME 104 PAGE 45 OF THE DEED RECORDS OF BEKAR COUNTY, TEXAS. (BENEFITS SUBJECT TRACT, NOT LOCABLE)

VILLA DRIVE
(60' R.O.W.)
4960/289 DPR



- LEGEND**
- BOUNDARY
 - SETBACK LINE
 - EASEMENTS
 - CHAIN-LINK FENCE
 - OVERHEAD ELECTRIC
 - EDGE OF ASPHALT
 - FOUND 1/2" IRON ROD (UNLESS NOTED)
 - SET 1/2" IRON ROD W/CAP "PLS 6500"
 - CALCULATED POINT FOUND "X" ON CONC.
 - SET MAG NAIL
 - RECORD INFORMATION
 - SCHEDULE B REFERENCE CALCULATED FROM RECORD
 - A/C PAD
 - ELECTRIC METER
 - WATER METER
 - SANITARY SEWER MANHOLE
 - 3" METAL POST
 - POWER POLE
 - OUT WIRE ANCHOR
 - WIRE BOX
 - BUSINESS SIGN
 - P.O.B. POINT OF BEGINNING
 - UTILITY EASEMENT
 - R.O.W. RIGHT-OF-WAY
 - CONC. CONCRETE
 - DEED AND PLAT RECORDS OF BEKAR COUNTY, TEXAS

SCALE
1" = 40'



JOB NO. 221213730
CREW: J.S.L.
DATE: 12/21/2022
DRAWN: JTD
REVIEW: A.L.M./C.B.S.
REVISION DATE: ...
DATE: 12/28/2022

ACCORDING TO FEMA MAP NO. 48232C0395E WITH AN EFFECTIVE DATE OF 09/29/2010, THE PROPERTY IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA. THIS INFORMATION IS SUBJECT TO CHANGE AS A RESULT OF FUTURE MAP REVISIONS BY FEMA.



CORY BLAKE SILVA
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6500
STATE OF TEXAS
REGISTRATION NO. 6500

I, Cory Blake Silva, Registered Professional Land Surveyor, No. 6500, do hereby certify that this survey was made on the ground, under my supervision, on the date as shown, of the property herein described, and I do declare there are no conflicts known to me between the information.

Use	C1	C2	C3	C4	C5
Establishments primarily engaged in the provision of informational, instructional, personal improvement and similar services of a nonprofessional nature. Typical uses include photography studios, driving schools, health or physical fitness studios, reducing salons, dance studios, handicraft and hobby instruction.					
Personal services.	P	P	P	-	P
Establishments or places of business primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barber shops, seamstress, tailor, shoe repair shops and self-service laundry or self-service apparel cleaning services.					
Professional office.	P	S	P	P	P
A use providing professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions.					
Restaurant—Convenience.	P	P	P	-	P
A use engaged in the preparation and retail sale of food and beverages (excluding alcoholic beverages), for on-premises consumption only. Typical uses include soda fountains, ice cream parlors, sandwich shops and coffee shops.					
Restaurant—General.	S	P	P	-	P
A use engaged in the preparation and retail sale of food and beverages, including sale of alcoholic beverages when conducted as an accessory or secondary feature and producing less than fifty (50) percent of the gross income. A general restaurant may include live entertainment. Typical uses include restaurants, both full service and fast food, coffee shops, dinner houses and similar establishments with incidental alcoholic beverage service.					
Veterinary services.	S	-	P	P	-
Veterinary service for all animals. Typical uses include animal clinics and hospitals. Veterinary services shall not include the boarding of large animals.					
Hotel-motel.	-	S	P	-	P
Lodging services involving the provision of room and/or board. Typical uses include hotels and motels.					
Local convenience store.	S	P	P	S	P

Motion to Approve:

PC 601 (SU 022)

After conducting a public hearing on the request for a Specific Use Permit for the property at 1202 Pat Booker Road and receiving the Planning and Zoning Commission's recommendation, City Council has considered the request and moves to approve PC 601 and SU 022 and to grant a specific use permit to Millenium Engineers Group, Inc. to allow a Professional Office use in the form of an engineering office at 1202 Pat Booker Road.

ORDINANCE NO. 655-Q-2024 (PC 601 SU 022)
(1202 Pat Booker Road)

AN ORDINANCE APPROVING A SPECIFIC USE PERMIT TO MILLENIUM ENGINEERS GROUP, INC. FOR A PROFESSIONAL OFFICE USE IN A C2-RETAIL DISTRICT ON PROPERTY LOCATED AT 1202 PAT BOOKER ROAD, UNIVERSAL CITY, TEXAS (CB 5053 P-24A & 6 INCH STRIP OFF NW SIDE OF P-25 ABS 745); PROVIDING FOR NON-SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 4-5-54 of the Code of Ordinances, City Council may approve an application for a Specific Use Permit to provide some flexibility to traditional zoning by offering a mechanism to balance specific site constraints and development plans with the larger interest of the community and the integrity of the Zoning Ordinance; and

WHEREAS, as described in Section One of this Ordinance, an application has been made for a Specific Use Permit; and

WHEREAS, the Zoning Table of Uses authorizes City Council to issue the Specific Use Permit; and

WHEREAS, after proper delivery of notice, the Planning and Zoning Commission conducted a public hearing on the application for the Specific Use Permit on March 4, 2024; and

WHEREAS, at the conclusion of the public hearing, the Planning and Zoning Commission made a recommendation in favor of the application for the Specific Use Permit and made the findings required by Section 4-5-54 of the Code of Ordinances as follows:

- The proposed use is in accord with the objectives of these regulations and the purposes of the district in which the site is located.
- That the proposed use will comply with each of the applicable provisions of these regulations.
- That the proposed use and site development, together with any modifications applicable thereto, will be completely compatible with existing or permitted uses in the vicinity.
- That the conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and ensure compatibility with existing or permitted uses in the same district and the surrounding area, and that the prescribed zoning standards do not provide enough mitigation of the impacts identified, thus warranting stricter standards, if so recommended.
- The Commission has given due consideration to all technical information supplied by the applicant.
- That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and

WHEREAS, after proper publication of notice and receipt of the Planning and Zoning Commission’s recommendation, City Council conducted a public hearing on the application for the Specific Use Permit on March 19, 2024; and

WHEREAS, after conducting a public hearing on the matter wherein the testimony and comments of members of the public were received, City Council made the findings required by Section 4-5-54 of the City Code as set out infra.

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

SECTION 1. The recitals set out above are adopted herein for all purposes.

SECTION 2. The application for a Specific Use Permit by Millenium Engineers Group, Inc. for a Professional Office use in a C2-Retail District on property located at 1202 Pat Booker Road, Universal City, Texas (CB 5053 P-24A & 6 INCH STRIP OFF NW SIDE OF P-25 ABS 745), is hereby approved, subject to the conditions set out in Section 3.

SECTION 3. Pursuant to Section 4-5-54 (entitled “Specific Use Regulations”) of

Code of Ordinances, the following conditions are imposed:

No conditions are imposed.

SECTION 4. All provisions of the Code of Ordinances of the City of Universal City not herein amended or repealed shall remain in full force and effect.

SECTION 5. All other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 6. This ordinance is not severable.

SECTION 7. This ordinance will take effect upon its passage, approval and publication as provided by law.

PASSED, on first reading by the City Council of the City of Universal City on this the 19TH day of MARCH 2024.

PASSED AND APPROVED, on second reading by the City Council of the City of Universal City on this the 2ND day of APRIL 2024.

CITY OF UNIVERSAL CITY, TEXAS

APPROVED:

John Williams, Mayor

ATTEST:

APPROVED AS TO FORM:

Maribel Garcia, Deputy City Clerk

Megan R. Santee, City Attorney
Denton Navarro Rodriguez Bernal Santee & Zech, P.C.

CITY OF UNIVERSAL CITY

Date: 04/02/2024

TO: City Council
FROM: Kim M. Turner, City Manager
SUBJECT: Ord. 307-B-2024--Vehicle Wrecker/Tow Services

Historical Background

In 1978 the City adopted provisions related to vehicle wrecker services within and for the City of Universal City. Those provisions were updated in 1989. As the City prepares to issue an RFP for vehicle wrecker/tow services in 2024, staff thought it would be prudent to update the City's wrecker service ordinance to ensure it complies with State law and incorporate prevailing vehicle types, technical requirements, and storage facilities.

Action Requested

Approve Ordinance 307-B-2024—Vehicle Wrecker/Tow Services

Procurement Methodology

This is an Ordinance update only and requires no procurement by the City.

Source and Amount of Funding

This is an Ordinance update only and requires no funding by the City.

Staff Recommendation

Staff recommends approval of Ordinance 307-B-2024

Attachments: Ordinance 307-B-2024
Exhibit A: Clean Copy
Exhibit B: Redline Copy
Exhibit C: Old Ordinance

ORDINANCE NO. 307-B-2024

AN ORDINANCE AMENDING THE REQUIREMENTS FOR VEHICLE WRECKER/TOW SERVICES; SUPERSEDING ORDINANCE 307-A-1989; AMENDING CHAPTER 3-3, ARTICLE XI: VEHICLE WRECKER SERVICES IN ITS ENTIRETY, PROVIDING FOR SEVERABILITY; SETTING AN EFFECTIVE DATE; AND AMENDING OF THE UNIVERSAL CITY CODE OF ORDINANCES ACCORDINGLY.

WHEREAS, the City Council has determined that any person or entity engaged in operating a vehicle storage facility, as that term is defined in Texas Occupations Code § 2303.002(8), within the city limits shall comply with the provisions of state law, including Texas Occupations Code Ch. 2303 and any rules or regulations with regard to the same adopted by the Texas Department of Licensing or Regulation.; and,

WHEREAS, the City Council has determined that any person or entity engaged in operating a tow truck, as that term is defined in Texas Occupations Code § 2308.002(11), within the city limits shall comply with the provisions of state law, including Texas Occupations Code Ch. 2308 and any rules or regulations with regard to the same adopted by the Texas Department of Licensing and Regulation; and,

WHEREAS, the City of Universal City has an obligation to provide for the protection of the general public by the removal of disabled or wrecked motor vehicles.

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

SECTION 1: That the Vehicle Wrecker/Tow Service regulations as full attached hereto and all actions taken by City Council of the City of Universal City in accordance with the Code of Ordinances to repeal, adopt, and amend such ordinances are hereby adopted as outlined in “Exhibit A”.

SECTION 2: Severability. It is declared to be the intention of the City Council that if any of the sections, paragraphs, sentences, clauses and phrases of this Ordinance shall be declared unconstitutional or otherwise illegal by the valid judgment or decree of any court of competent jurisdiction, such event shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional or illegal phrase, clause, sentence, paragraph or section.

SECTION 3: This Ordinance shall be construed shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 4: It is officially found, determined, and declared that the meeting at which this Ordinance 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 Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 5: Effective Date. This ordinance will take effect upon its passage, approval and publication as provided by law.

SECTION 6: This ordinance hereby supersedes Ordinance 307-A-1989.

SECTION 7: The Universal City Code of Ordinances, Chapter 3-3, Article XI: Vehicle Wrecker Services shall be amended accordingly.

PASSED on first reading by the City Council of the City of Universal City on this the 2ND day of APRIL 2024.

PASSED AND APPROVED in substantial form, on second reading by the City Council of the City of Universal City on this the 16TH of APRIL 2024.

CITY OF UNIVERSAL CITY, TEXAS

APPROVED:

John Williams, Mayor

ATTEST:

APPROVED FOR LEGAL SUFFICIENCY:

Maribel Garcia, Deputy City Clerk

Megan R. Santee, City Attorney
Denton Navarro Rodriguez Bernal Santee & Zech, P.C.

Attachments:

Exhibit A: CLEAN COPY Article XI. Vehicle Wrecker/Tow Service (5 pgs)

Exhibit B: REDLINE COPY Article XI. Vehicle Wrecker/Tow Service (6 pgs)

Exhibit C: Old Ordinance Article XI. Vehicle Wrecker/Tow Service (3 pgs)

ARTICLE XI. VEHICLE WRECKER/TOW SERVICE¹

CLEAN COPY

Sec. 3-3-161. Compliance with state law.

- (a) Any person or entity engaged in operating a vehicle storage facility, as that term is defined in Texas Occupations Code § 2303.002(8), within the city limits shall comply with the provisions of state law, including Texas Occupations Code ch. 2303 and any rules or regulations with regard to the same adopted by the Texas Department of Licensing or Regulation.
- (b) Any person or entity engaged in operating a wrecker/tow truck, as that term is defined in Texas Occupations Code § 2308.002(11), within the city limits shall comply with the provisions of state law, including Texas Occupations Code ch. 2308 and any rules or regulations with regard to the same adopted by the Texas Department of Licensing and Regulation.

Sec. 3-3-162. Definitions.

As used in this article, the following terms shall have the respective meanings ascribed to them:

Abandoned vehicle means the condition of being abandoned as defined in V.T.C.A., Transportation Code ch. 683 as amended.

City means the City of Universal City, Texas.

Department means the Texas Department of Labor and Standards.

Disabled vehicle means a vehicle which has been rendered unsafe to be driven as the result of some occurrence other than a wreck, including but not limited to mechanical failures or breakdowns, fire, vandalism, or a vehicle which is in a safe driving condition, but the owner is not present or permitted to drive so as to reasonably necessitate that the vehicle be removed by a wrecker.

Incident management tow means the towing or other transportation of a vehicle by a tow truck which is the result of a police officer exercising his/her authority to effect the removal of said vehicle pursuant to state law and/or this article.

Motor vehicle means every vehicle that is self-propelled.

Nonconsent tow means any tow conducted without the permission of, or not at the direction of, the towed vehicle's legal or registered owner, or such owner's authorized representative. Regardless of this definition, certified law enforcement officials may control the scene of an accident in the manner they deem appropriate.

Owner means any person who holds the legal title of a motor vehicle, or who has the legal right of possession thereof, or the legal right of control of such vehicle.

Person means an individual person, firm or corporation and shall include representatives, servants, employees or agents.

Street means any street, alley, boulevard, avenue, highway, public place or square within the corporate limits of the City.

¹Editor's note(s)—Ord. No. 307-A, §§ 1—13, adopted February 21, 1989, has been treated as superseding the provisions of former §§ 3-3-161—3-3-170 in their entirety. Former §§ 3-3-161—3-3-170 were concerned with similar provisions and derived from Ord. No. 307, §§ 1—10, adopted October 3, 1978.

Vehicle Storage Facility means a garage, parking lot, or other facility that is owned by a person other than a governmental entity and used to store or park at least 10 vehicles each year.

Wrecker/tow truck means a motor vehicle or mechanical device adapted or used to tow, winch, or otherwise move disabled motor vehicles.

Wrecker/tow truck driver means a person engaged, contracted, or employed by a wrecker/towing business or company using a tow truck to tow, winch, or otherwise move a motor vehicle.

Wrecker/tow truck owner means a person engaged in the business of using a tow truck to tow, winch, or otherwise move a motor vehicle.

Wrecker/towing business means the business of towing or removing disabled or wrecked vehicles.

Wrecker/towing company means any person engaged in the wrecker business.

Sec. 3-3-163. Registration requirements.

A person may not operate a wrecker/tow truck for compensation within the City prior to obtaining a State Certificate of Registration. A City permit is required for all tow trucks performing nonconsent tows within the boundaries of the City without regard to the location of the place of business of the tow truck owner.

Sec. 3-3-164. Identification requirement.

Every wrecker/tow truck shall have painted on the doors of such vehicle, the name of the wrecker/tow truck owner or the name under which the owner operates, together with the owner's address and telephone number. The name of the owner and the telephone number of the owner shall also be painted on the rear of such vehicles. The lettering shall be not less than two-and-a-half inches in height and not less than one-quarter inch wide.

Sec. 3-3-165. Following emergency vehicles prohibited.

No person in a wrecker/tow truck shall follow any ambulance or police car which is traveling on a public street in response to report of an automobile collision or accident.

Sec. 3-3-166. No wrecker/tow truck allowed at scene of accident unless called by police; certain exceptions.

No person shall drive a wrecker/tow truck to or near the scene or site of an accident or collision on the streets of the City of Universal City unless such person has been called to the scene by the Police Department of the City of Universal City. Provided that when it is necessary to prevent death or bodily injury to any person involved in an accident or collision, this section shall not apply.

Sec. 3-3-167. Wrecker/tow truck solicitations prohibited.

No person shall solicit in any manner, directly or indirectly, the business of towing, removing, repairing, wrecking, storing, trading, or purchasing any vehicle which is wrecked or disabled on a public street of the City of Universal City. Proof of the presence of any person engaged in the wrecker/towing business or the presence of any wrecker/tow truck or motor vehicle owned or operated by any person engaged in the wrecker/towing business, either as owner, operator, employee or agent, on any public street in the City, at or near the location of a wreck, accident, or collision within one (1) hour after the happening of a wreck, accident, or collision shall be prima facie evidence of a solicitation in violation of this section.

Sec. 3-3-168. Contract wrecker/tow truck service.

The City Manager is authorized to contract with a single wrecker/towing business or company that will be designated as the authorized contractor that will remove vehicles from the scene of an accident or collision on a public street when the vehicle is unable to proceed safely under its own power, or when the owner thereof is physically unable to drive such vehicle, or when removal is otherwise directed by the Police Department. The contract will establish fees for towing and storage, specification of a storage area, and procedures for release of vehicles and collection of fees for services provided.

Sec. 3-3-169. Contract wrecker/tow truck not available.

If the wrecker/tow truck authorized contractor cannot arrive at the scene of an accident or collision within twenty (20) minutes, and the Police Officer investigating the incident determines that to delay would increase the hazard, he will request the service of another wrecker/tow truck business or company.

Sec. 3-3-170. Use of flashing lights.

A wrecker/tow truck must utilize flashing lights with a vehicle in tow. The lights must be amber in color and must be clearly visible to approaching and following traffic.

Sec. 3-3-171. Speed limits.

No wrecker/tow truck may exceed the posted speed limit at any time.

Sec. 3-3-172. Removing wrecked or abandoned vehicles without permission of the police.

It shall be unlawful for any person in the operation of an wrecker/tow truck on the public streets and ways of the City and not having been directed to do so by the Chief of Police or his authorized representative, knowingly to move, tow, haul or otherwise transport in, on or over the public streets and ways of the City any vehicle which has been abandoned within the City limits of Universal City or which has been involved in a collision within the City limits of the City of Universal City.

Sec. 3-3-173. Incident management and non-consent tows - Authority

A police officer of the city is hereby authorized to order removal of a vehicle, require the driver or other person in charge of a vehicle to move the same or have the vehicle removed by the wrecker/towing authorized contractor or other wrecker/towing business or company to the nearest place of safety or to the premises of the wrecker/towing business or company that meets the criteria in this article, or as otherwise directed by the city police department, under the following circumstances:

- (1) When any vehicle is left unattended upon any bridge, viaduct or causeway, or in any tunnel where such vehicle constitutes an obstruction to traffic;
- (2) When a vehicle upon a street is so wrecked or disabled and because of the wreck or disability its normal operation is impossible or impractical; or
- (3) The person or persons in charge of the vehicle are incapacitated by reason of physical injury or other reason to such extent as to be unable to provide for its removal or custody or are not in the immediate vicinity of the wrecked or disabled vehicle;
- (4) When any such police officer arrests any person driving or in control of a vehicle for an alleged offense and such officer is by this Code or other law required to take the person arrested immediately before a

magistrate and it is unsafe to leave the vehicle unattended at the scene, or the vehicle is being seized as evidence;

- (5) When, in the opinion of a police officer, said vehicle constitutes a hazard or interferes with a normal function of a governmental agency;
- (6) When, in the opinion of a police officer, the safety of said vehicle is imperiled by reason of any catastrophe, emergency or unusual circumstance;
- (7) When any vehicle is found to be a junked vehicle;
- (8) Where otherwise authorized by law.

Sec. 3-3-174. Technical requirements.

Each wrecker/tow truck must display a wrecker/tow truck license plate issued by the Department of Motor Vehicles and have in possession the permit issued by the City and comply with the Tow Truck Rules attached as part of this article. The wrecker/tow truck business or company agrees that all vehicles and/or other equipment used by its employees, agents or contractors, will meet the state minimum safety requirements.

Sec. 3-3-175. Driver responsibilities.

- (a) Wrecker/tow truck drivers shall not have or permit any prohibited weapon or alcoholic beverages in or around a wrecker/tow truck when in operation. This provision does not prohibit a peace officer certified by the Texas Commission on Law Enforcement Officer Standards and Education from carrying a firearm while operating or riding in a wrecker/tow truck.
- (b) Wrecker/tow truck drivers must have a valid Texas driver's license for type of vehicle being driven, current identification and proof of a valid incident management towing permit. Drivers shall wear a company uniform, be neatly groomed and be prompt and courteous in order to provide services.
- (c) Wrecker/tow truck drivers shall ensure that while lifting a vehicle in preparation for towing that no one but the driver and/or designated helper shall be within a safe distance of the truck and vehicle to be towed. A safe distance is at least twice the distance between the end of the boom and the point of hook-up on the vehicle being winched or twice the distance the car is being lifted, whichever is greater. If a hydraulic lift is being used, a safe distance is twice the distance to which the lift arm is extended.
- (d) Wrecker/tow truck drivers shall ensure that if at any time during the process of connecting or winching, the tow truck or vehicle to be towed is in line of traffic, the flow of traffic must be diverted. If the tow truck cable is across lane/lanes of traffic, the traffic must be stopped or diverted by a law enforcement officer to permit safe winching or lifting of the vehicle to be towed.
- (e) Wrecker/tow truck drivers shall make all efforts to sweep and clean, remove debris, and use absorbent material at the accident scene as necessary for public safety.
- (f) Wrecker/tow truck drivers shall conduct themselves in a professional manner at all times.
- (g) Wrecker/tow truck drivers shall obey all lawful or direct orders from any and all police officers managing a scene or call where a wrecker is requested.

Sec. 3-3-176 Vehicle Storage Facility.

- (a) *City limits.* The vehicle storage facility must be located within 10 miles of the corporate limits of the city and in compliance with the provisions of state law, Texas Occupations Code ch. 2303, any rules or regulations with regard to the same adopted by the Texas Department of Licensing or Regulation and city ordinances. If operator desires to change the location of its storage facility, the operator must obtain prior written approval from the Chief of Police of the new location and facility.

-
- (b) *Vehicle Storage Facility requirements.* The vehicle storage facility must be secure, completely enclosed by at least a six-foot high fence, well lit, have an all-weather surface parking lot. The vehicle storage facility shall be equipped with security cameras that record the parking lot and the data shall be accessible to the police department for review. The vehicle storage facility must be of sufficient capacity to handle all vehicles requiring storage pursuant to this article and exclusive of other vehicles stored not pursuant to this article at any given time. There shall be enough room to store semi-trucks and trailers if necessary. A separate, on site, storage area for electric vehicles is required due to fire hazards they pose. At no time will cars be stored on a road or thoroughfare. All police department initiated non-consent towed vehicles will be towed to the storage facility or a secure location as determined by the Police Department of the City of Universal City.

Sec. 3-3-177. Penalty.

Any person found in violation of the provisions of this article shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine not exceeding two hundred dollars (\$200.00).

Sec. 3-3-178. Indemnification.

- (a) The wrecker/tow truck driver, employee, owner, agent, business or company shall and does hereby agree to indemnify and hold harmless the city and its officials, officers, employees, agents and representatives from any and all loss, liability, obligation, penalties, judgments, claims, deficiency, expense or damages of any kind whatsoever by reason of any claim arising from a third person occasioned by any act, error or omission in the performance under this article.
- (b) The wrecker/tow truck owner, agent, business or company will, at its sole cost and expense, defend and protect the city against any and all claims and demands set out in subsection (a) above.

Sec. 3-3-179. Contractual rights.

This article does not create any contractual rights for a wrecker/tow truck owner, employee, agent, business or company or any third party.

Secs. 3-3-180. Reserved.

Ordinance 307-B-2024

EXHIBIT A

ARTICLE XI. VEHICLE WRECKER/TOW SERVICE¹

Sec. 3-3-161. Compliance with state law.

- (a) Any person or entity engaged in operating a vehicle storage facility, as that term is defined in Texas Occupations Code § 2303.002(8), within the city limits shall comply with the provisions of state law, including Texas Occupations Code ch. 2303 and any rules or regulations with regard to the same adopted by the Texas Department of Licensing or Regulation.
- (b) Any person or entity engaged in operating a wrecker/tow truck, as that term is defined in Texas Occupations Code § 2308.002(11), within the city limits shall comply with the provisions of state law, including Texas Occupations Code ch. 2308 and any rules or regulations with regard to the same adopted by the Texas Department of Licensing and Regulation.

Sec. 3-3-162. Definitions.

As used in this article, the following terms shall have the respective meanings ascribed to them:

Abandoned vehicle means the condition of being abandoned as defined in V.T.C.A., Transportation Code ch. 683 as amended.

City means the City of Universal City, Texas.

Department means the Texas Department of Labor and Standards.

Disabled vehicle means a vehicle which has been rendered unsafe to be driven as the result of some occurrence other than a wreck, including but not limited to mechanical failures or breakdowns, fire, vandalism or a vehicle which is in a safe driving condition, but the owner is not present or permitted to drive so as to reasonably necessitate that the vehicle be removed by a wrecker.

Incident management tow means the towing or other transportation of a vehicle by a tow truck which is the result of a police officer exercising his/her authority to effect the removal of said vehicle pursuant to state law and/or this article.

Motor vehicle means every vehicle that is self-propelled.

Nonconsent tow means any tow conducted without the permission of, or not at the direction of, the towed vehicle's legal or registered owner, or such owner's authorized representative. Regardless of this definition, certified law enforcement officials may control the scene of an accident in the manner they deem appropriate.

Owner means any person who holds the legal title of a motor vehicle, or who has the legal right of possession thereof, or the legal right of control of such vehicle.

Person means an individual person, firm or corporation and shall include representatives, servants, employees or agents.

Street means any street, alley, boulevard, avenue, highway, public place or square within the corporate limits of the City.

Vehicle Storage Facility means a garage, parking lot, or other facility that is owned by a person other than a governmental entity and used to store or park at least 10 vehicles each year.

¹Editor's note(s)—Ord. No. 307-A, §§ 1—13, adopted February 21, 1989, has been treated as superseding the provisions of former §§ 3-3-161—3-3-170 in their entirety. Former §§ 3-3-161—3-3-170 were concerned with similar provisions and derived from Ord. No. 307, §§ 1—10, adopted October 3, 1978.

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Chapter 3-3 - BUSINESS AND INDUSTRY REGULATIONS,
LICENSES AND PERMITS
ARTICLE XI. VEHICLE WRECKER SERVICE
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Wrecker/tow truck means a motor vehicle or mechanical device adapted or used to tow, winch, or otherwise move disabled motor vehicles.

Wrecker/tow truck driver means a person engaged, contracted or employed by a wrecker/towing business or company using a tow truck to tow, winch, or otherwise move a motor vehicle.

Wrecker/tow truck owner means a person engaged in the business of using a tow truck to tow, winch, or otherwise move a motor vehicle.

Wrecker/towing business means the business of towing or removing disabled or wrecked vehicles.

Wrecker/towing company means any person engaged in the wrecker business.

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Sec. 3-3-163. Registration requirements.

A person may not operate a wrecker/tow truck for compensation within the City prior to obtaining a State Certificate of Registration. A City permit is required for all tow trucks performing nonconsent tows within the boundaries of the City without regard to the location of the place of business of the tow truck owner.

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Sec. 3-3-164. Identification requirement.

Every wrecker/tow truck shall have painted on the doors of such vehicle, the name of the wrecker/tow truck owner or the name under which the owner operates, together with the owner's address and telephone number. The name of the owner and the telephone number of the owner shall also be painted on the rear of such vehicles. The lettering shall be not less than two-and-a-half inches in height and not less than one-quarter inch wide.

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Sec. 3-3-165. Following emergency vehicles prohibited.

No person in a wrecker/tow truck shall follow any ambulance or police car which is traveling on a public street in response to report of an automobile collision or accident.

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Sec. 3-3-166. No wrecker/tow truck allowed at scene of accident unless called by police; certain exceptions.

No person shall drive a wrecker/tow truck to or near the scene or site of an accident or collision on the streets of the City of Universal City, unless such person has been called to the scene by the Police Department of the City of Universal City. Provided that when it is necessary to prevent death or bodily injury to any person involved in an accident or collision, this section shall not apply.

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Sec. 3-3-167. Wrecker/tow truck solicitations prohibited.

No person shall solicit in any manner, directly or indirectly, the business of towing, removing, repairing, wrecking, storing, trading, or purchasing any vehicle which is wrecked or disabled on a public street of the City of Universal City. Proof of the presence of any person engaged in the wrecker/towing business or the presence of any wrecker/tow truck or motor vehicle owned or operated by any person engaged in the wrecker/towing business, either as owner, operator, employee or agent, on any public street in the City, at or near the location of a wreck,

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accident, or collision within one (1) hour after the happening of a wreck, accident, or collision shall be prima facie evidence of a solicitation in violation of this section.

Sec. 3-3-168. Contract wrecker/tow truck service.

The City Manager is authorized to contract with a single wrecker/towing business or company that will be designated as the authorized contractor that will remove vehicles from the scene of an accident or collision on a public street when the vehicle is unable to proceed safely under its own power, or when the owner thereof is physically unable to drive such vehicle, or when removal is otherwise directed by the Police Department. The contract will establish fees for towing and storage, specification of a storage area, and procedures for release of vehicles and collection of fees for services provided.

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Sec. 3-3-169. Contract wrecker/tow truck not available.

If the wrecker/tow truck authorized contractor cannot arrive at the scene of an accident or collision within twenty (20) minutes, and the Police Officer investigating the incident determines that to delay would increase the hazard, he will request the service of another wrecker/tow truck business or company.

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Sec. 3-3-170. Use of flashing lights.

A wrecker/tow truck must utilize flashing lights with a vehicle in tow. The lights must be amber in color and must be clearly visible to approaching and following traffic.

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Sec. 3-3-171. Speed limits.

No wrecker/tow truck may exceed the posted speed limit at any time.

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Sec. 3-3-172. Removing wrecked or abandoned vehicles without permission of the police.

It shall be unlawful for any person in the operation of an wrecker/tow truck on the public streets and ways of the City and not having been directed to do so by the Chief of Police or his authorized representative, knowingly to move, tow, haul or otherwise transport in, on or over the public streets and ways of the City any vehicle which has been abandoned within the City limits of Universal City or which has been involved in a collision within the City limits of the City of Universal City.

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Sec. 3-3-173. Incident management and non-consent tows - Authority

A police officer of the city is hereby authorized to order removal of a vehicle, require the driver or other person in charge of a vehicle to move the same or have the vehicle removed by the wrecker/towing authorized contractor or other wrecker/towing business or company to the nearest place of safety or to the premises of the wrecker/towing business or company that meets the criteria in this article, or as otherwise directed by the city police department, under the following circumstances:

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- (1) When any vehicle is left unattended upon any bridge, viaduct or causeway, or in any tunnel where such vehicle constitutes an obstruction to traffic;

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- (2) When a vehicle upon a street is so wrecked or disabled and because of the wreck or disability its normal operation is impossible or impractical; or
- (3) The person or persons in charge of the vehicle are incapacitated by reason of physical injury or other reason to such extent as to be unable to provide for its removal or custody or are not in the immediate vicinity of the wrecked or disabled vehicle;
- (4) When any such police officer arrests any person driving or in control of a vehicle for an alleged offense and such officer is by this Code or other law required to take the person arrested immediately before a magistrate and it is unsafe to leave the vehicle unattended at the scene, or the vehicle is being seized as evidence;
- (5) When, in the opinion of a police officer, said vehicle constitutes a hazard or interferes with a normal function of a governmental agency;
- (6) When, in the opinion of a police officer, the safety of said vehicle is imperiled by reason of any catastrophe, emergency or unusual circumstance;
- (7) When any vehicle is found to be a junked vehicle;
- (8) Where otherwise authorized by law.

Sec. 3-3-174. Technical requirements.

Each wrecker/tow truck must display a wrecker/tow truck license plate issued by the Department of Motor Vehicles and have in possession the permit issued by the City and comply with the Tow Truck Rules attached as part of this article. The wrecker/tow truck business or company agrees that all vehicles and/or other equipment used by its employees, agents or contractors, will meet the state minimum safety requirements.

Sec. 3-3-175. Driver responsibilities.

- (a) Wrecker/tow truck drivers shall not have or permit any prohibited weapon or alcoholic beverages in or around a wrecker/tow truck when in operation. This provision does not prohibit a peace officer certified by the Texas Commission on Law Enforcement Officer Standards and Education from carrying a firearm while operating or riding in a wrecker/tow truck.
- (b) Wrecker/tow truck drivers must have a valid Texas driver's license for type of vehicle being driven, current identification and proof of a valid incident management towing permit. Drivers shall wear a company uniform, be neatly groomed and be prompt and courteous in order to provide services.
- (c) Wrecker/tow truck drivers shall ensure that while lifting a vehicle in preparation for towing that no one but the driver and/or designated helper shall be within a safe distance of the truck and vehicle to be towed. A safe distance is at least twice the distance between the end of the boom and the point of hook-up on the vehicle being winched or twice the distance the car is being lifted, whichever is greater. If a hydraulic lift is being used, a safe distance is twice the distance to which the lift arm is extended.
- (d) Wrecker/tow truck drivers shall ensure that if at any time during the process of connecting or winching, the tow truck or vehicle to be towed is in line of traffic, the flow of traffic must be diverted. If the tow truck cable is across lane/lanes of traffic, the traffic must be stopped or diverted by a law enforcement officer to permit safe winching or lifting of the vehicle to be towed.
- (e) Wrecker/tow truck drivers shall make all efforts to sweep and clean, remove debris, and use absorbent material at the accident scene as necessary for public safety.
- (f) Wrecker/tow truck drivers shall conduct themselves in a professional manner at all times.
- (g) Wrecker/tow truck drivers shall obey all lawful or direct orders from any and all police officers managing a scene or call where a wrecker is requested.

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Sec. 3-3-176 Vehicle Storage Facility.

- (a) City limits. The vehicle storage facility must be located within 10 miles of the corporate limits of the city and in compliance with the provisions of state law, Texas Occupations Code ch. 2303, any rules or regulations with regard to the same adopted by the Texas Department of Licensing or Regulation and city ordinances. If operator desires to change the location of its storage facility, the operator must obtain prior written approval from the Chief of Police of the new location and facility.
- (b) Vehicle Storage Facility requirements. The vehicle storage facility must be secure, completely enclosed by at least a six-foot high fence, well lit, have an all weather surface parking lot. The vehicle storage facility shall be equipped with security cameras that record the parking lot and the data shall be accessible to the police department for review. The vehicle storage facility must be of sufficient capacity to handle all vehicles requiring storage pursuant to this article and exclusive of other vehicles stored not pursuant to this article at any given time. There shall be enough room to store semi trucks and trailers if necessary. A separate, on site, storage area for electric vehicles is required due to fire hazards they pose. At no time will cars be stored on a road or thoroughfare. All police department initiated non-consent towed vehicles will be towed to the storage facility or a secure location as determined by the Police Department of the City of Universal City.

Sec. 3-3-177. Penalty.

Any person found in violation of the provisions of this article shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine not exceeding two hundred dollars (\$200.00).

Sec. 3-3-178. Indemnification.

- (a) The wrecker/tow truck driver, employee, owner, agent, business or company shall and does hereby agree to indemnify and hold harmless the city and its officials, officers, employees, agents and representatives from any and all loss, liability, obligation, penalties, judgments, claims, deficiency, expense or damages of any kind whatsoever by reason of any claim arising from a third person occasioned by any act, error or omission in the performance under this article.
- (b) The wrecker/tow truck owner, agent, business or company will, at its sole cost and expense, defend and protect the city against any and all claims and demands set out in subsection (a) above.

Sec. 3-3-179. Contractual rights.

This article does not create any contractual rights for a wrecker/tow truck owner, employee, agent, business or company or any third party.

Secs. 3-3-180. Reserved.

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PART III - ACTIVITIES REGULATED
Chapter 3-3 - BUSINESS AND INDUSTRY REGULATIONS, LICENSES AND PERMITS
ARTICLE XI. VEHICLE WRECKER SERVICE

ARTICLE XI. VEHICLE WRECKER SERVICE¹

Sec. 3-3-161. Definitions.

As used in this article, the following terms shall have the respective meanings ascribed to them:

Auto wrecker means any motor vehicle designed for the towing or removing of disabled or wrecked motor vehicles.

City means the City of Universal City, Texas.

Department means the Texas Department of Labor and Standards.

Motor vehicle means every vehicle that is self-propelled.

Nonconsent tow means any tow conducted without the permission of, or not at the direction of, the towed vehicle's legal or registered owner, or such owner's authorized representative. Regardless of this definition, certified law enforcement officials may control the scene of an accident in the manner they deem appropriate.

Owner means any person who holds the legal title of a motor vehicle, or who has the legal right of possession thereof, or the legal right of control of such vehicle.

Person means an individual person, firm or corporation and shall include representatives, servants, employees or agents.

Street means any street, alley, boulevard, avenue, highway, public place or square within the corporate limits of the City.

Tow truck means a motor vehicle or mechanical device adapted or used to tow, winch, or otherwise move disabled motor vehicles.

Tow truck owner means a person engaged in the business of using a tow truck to tow, winch, or otherwise move a motor vehicle.

Wrecker business means the business of towing or removing disabled or wrecked vehicles.

Wrecker company means any person engaged in the wrecker business.

(Ord. No. 307-A, § 1, 2-21-89)

Sec. 3-3-162. Registration requirements.

A person may not operate a tow truck for compensation within the City prior to obtaining a State Certificate of Registration. A City permit is required for all tow trucks performing nonconsent tows within the boundaries of the City without regard to the location of the place of business of the tow truck owner.

¹Editor's note(s)—Ord. No. 307-A, §§ 1—13, adopted February 21, 1989, has been treated as superseding the provisions of former §§ 3-3-161—3-3-170 in their entirety. Former §§ 3-3-161—3-3-170 were concerned with similar provisions and derived from Ord. No. 307, §§ 1—10, adopted October 3, 1978.

(Ord. No. 307-A, § 2, 2-21-89)

Sec. 3-3-163. Identification requirement.

Every auto wrecker/tow truck shall have painted on the doors of such vehicle, the name of the owner or the truck name under which the owner operates, together with the owner's address and telephone number. The name of the owner and the telephone number of the owner shall also be painted on the rear of such vehicles. The lettering shall be not less than two-and-a-half inches in height and not less than one-quarter inch wide.

(Ord. No. 307-A, § 3, 2-21-89)

Sec. 3-3-164. Following emergency vehicles prohibited.

No person in an auto wrecker/tow truck shall follow any ambulance or police car which is traveling on a public street in response to report of an automobile collision or accident.

(Ord. No. 307-A, § 4, 2-21-89)

Sec. 3-3-165. No wrecker/tow truck allowed at scene of accident unless called by police; certain exceptions.

No person shall drive a wrecker/tow truck to or near the scene or site of an accident or collision on the streets of the City of Universal City, unless such person has been called to the scene by the Police Department of the City of Universal City. Provided that when it is necessary to prevent death or bodily injury to any person involved in an accident or collision, this section shall not apply.

(Ord. No. 307-A, § 5, 2-21-89)

Sec. 3-3-166. Wrecker/tow truck solicitations prohibited.

No person shall solicit in any manner, directly or indirectly, the business of towing, removing, repairing, wrecking, storing, trading, or purchasing any vehicle which is wrecked or disabled on a public street of the City of Universal City. Proof of the presence of any person engaged in the wrecker/towing business or the presence of any wrecker/tow truck or motor vehicle owned or operated by any person engaged in the wrecker/towing business, either as owner, operator, employee or agent, on any public street in the City, at or near the location of a wreck, accident, or collision within one (1) hour after the happening of a wreck, accident, or collision shall be prima facie evidence of a solicitation in violation of this section.

(Ord. No. 307-A, § 6, 2-21-89)

Sec. 3-3-167. Contract wrecker/tow truck service.

The City Manager is authorized to contract with a single wrecker service that will be designated as the only company that will remove vehicles from the scene of an accident or collision on a public street when the vehicle is unable to proceed safely under its own power, or when the owner thereof is physically unable to drive such vehicle, or when removal is otherwise directed by the Police Department. Contract will establish fees for towing and storage, specification of a storage area, and procedures for release of vehicles and collection of fees for services provided.

(Ord. No. 307-A, § 7, 2-21-89)

(Supp. No. 80)

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Sec. 3-3-168. Contract wrecker/tow truck not available.

If the contract wrecker/tow truck cannot arrive at the scene of an accident or collision within twenty (20) minutes, and the Police Officer investigating the incident determines that to delay would increase the hazard, he will request the service of another wrecker/tow truck service.

(Ord. No. 307-A, § 8, 2-21-89)

Sec. 3-3-169. Use of flashing lights.

Wreckers/tow trucks must utilize flashing lights with a vehicle in tow. The lights must be amber in color and must be clearly visible to approaching and following traffic.

(Ord. No. 307-A, § 9, 2-21-89)

Sec. 3-3-170. Speed limits.

No wrecker/tow truck may exceed the posted speed limit at any time.

(Ord. No. 307-A, § 10, 2-21-89)

Sec. 3-3-171. Removing wrecked or abandoned vehicles without permission of the police.

It shall be unlawful for any person in the operation of an automobile wrecker/tow truck on the public streets and ways of the City and not having been directed to do so by the Chief of Police or his authorized representative, knowingly to move, tow, haul or otherwise transport in, on or over the public streets and ways of the City any vehicle which has been abandoned within the City limits of Universal City or which has been involved in a collision within the City limits of the City of Universal City.

(Ord. No. 307-A, § 11, 2-21-89)

Sec. 3-3-172. Technical requirements.

Each wrecker/tow truck must display a wrecker/tow truck license plate issued by the Department of Motor Vehicles and have in possession the permit issued by the City and comply with the Tow Truck Rules attached as part of this article.

(Ord. No. 307-A, § 12, 2-21-89)

Sec. 3-3-173. Penalty.

Any person found in violation of the provisions of this article shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine not exceeding two hundred dollars (\$200.00).

(Ord. No. 307-A, § 13, 2-21-89)

Secs. 3-3-174—3-3-180. Reserved.

CITY OF UNIVERSAL CITY

DATE: 04/02/2024

TO: Members of City Council
FROM: Kim Turner, City Manager
SUBJECT: Consider Approval of Pay Application #1 invoice for the Ivy Lane Street Improvements - Construction

The attached pay application #1 invoice requires the approval of City Council for the City to receive federal funding reimbursement from the Bexar County Community Development Block Grant (CDBG).

Staff recommends approval of pay application #1 in the amount of \$230,803.63 to D&D Contractors Inc. for the Ivy Lane Street Improvements construction.

APPLICATION FOR PAYMENT

CAP702
Page: 1 of 4

To:
City of Universal City
2150 Universal City Blvd
Universal City, TX 78148

PROJECT:
1411
Ivy Lane Street Improvements

Application No.: Application Date: Period To: Contract Date:
1 FEB 29, 2024 JAN 24, 2024 JAN 24, 2024

Project Nos:

Distribution List: Owner Construction Mgr
 Architect Field
 Contractor Other

From Contractor:
D&D CONTRACTORS, INC.
1463 Bolton Rd
Marion, TX 78124

VIA ARCHITECT:
GEJ / Glyler Engineering, Inc.
515 Busby Dr., Suite 101
San Antonio, TX 78209

CONTRACT FOR: 667,739.78

Contractor's Application for Payment

Application is made for payment as shown below, with attached Continuation Sheet.

1. Original Contract Amount: \$ 667,739.78
2. Net of Change Orders: \$ 0.00
3. Net Amount of Contract: \$ 667,739.78
4. Total Completed & Stored to Date: \$ 258,448.49
5. Retainage Summary:
 - a. 10.00 % of Completed Work: \$ 25,844.86
 - b. 0.00 % of Stored Material: \$ 0.00
 - Total Retainage: \$ 25,844.86
6. Total Completed Less Retainage: \$ 230,803.63
7. Less Previous Applications: \$ 0.00
8. Current Payment Due, This Application: \$ 230,803.63
9. Contract Balance (Including Retainage): \$ 436,936.15

CHANGE ORDER Activity	Additions	Subtractions
Total previously approved:	0.00	0.00
Total approved this Month:	0.00	0.00
Sub Totals:	0.00	0.00
NET of Change Orders:	0.00	

CONTRACTOR'S CERTIFICATION:

The Contractor's signature here certifies that, to the best of their knowledge, this document accurately reflects the work completed in this Application for Payment. The Contractor also certifies that all payments have been made for work on previous Applications for Payment and also that the Current Payment is Due.

(Authorizing Signature)

D&D CONTRACTORS, INC.

Date: FEB 29, 2024

State Authorized: Texas

County of: Comanche

Subscribed and sworn to before me this 29 day of March 2024

Notary Public: [Signature]

My Commission expires: 2/8/2027



ARCHITECT'S CERTIFICATION:

The Architect's signature here certifies that, based on their own observations, the Contract Documents and the information contained herein, this document accurately reflects the work completed in this Application for Payment. The Architect also certifies the Contractor is entitled to the amount certified for payment.

AMOUNT CERTIFIED: \$ 230,803.63

(Architect's Signature)

Date: 3/18/2024

[Signature]
(City Manager)

Date: 3/21/2024

\$45,193.05 Acct# 09-5900-4900-5024
\$185,610.58 Acct# 03-5640-4900-4986

PROJECT : Ivy Lane Street Improvements Contractor Project ID Number: 1411 CONTRACTOR: D&D Contractors, Inc.						Estimate #: 1								
Original Contract Amount: \$667,738.78						Contract : \$667,738.78			Estimate Period: 2/1/24 to 2/28/24					
BID ITEM NO.	ITEM DESCRIPTION	UNIT	BID QTY	UNIT PRICE	ITEM PRICE	PREVIOUS QTY DONE	QTY THIS PERIOD	REMAINING QTY	% COMP	Amount \$ Remaining	TOTAL QTY DONE	PAY AMOUNT THIS PERIOD	TOTAL AMOUNT COMPLETED	
1	Mobilization	LS	1.00	\$ 56,947.44	\$ 56,947.44		0.50	0.50	50%	\$ 28,473.72	0.50	\$28,473.72	\$28,473.72	
2	Insurance & bonds	LS	1.00	\$ 12,041.07	\$ 12,041.07		1.00	0.00	100%	\$ -	1.00	\$12,041.07	\$12,041.07	
3	Storm Water Pollution Prevention Plan	LS	1.00	\$ 5,108.46	\$ 5,108.46		0.70	0.30	70%	\$ 1,531.94	0.70	\$3,574.52	\$3,574.52	
4	Traffic Control	LS	1.00	\$ 5,309.83	\$ 5,309.83		0.33	0.67	33%	\$ 3,567.59	0.33	\$1,762.24	\$1,762.24	
5	PROJECT SIGN	LS	1.00	\$ 1,444.93	\$ 1,444.93		1.00	0.00	100%	\$ -	1.00	\$1,444.93	\$1,444.93	
6	REMOVE CONCRETE HEADER CURB	LF	1483.70	\$ 2.84	\$ 4,213.71		785.70	688.00	53%	\$ 1,982.32	785.70	\$2,231.39	\$2,231.39	
7	REMOVE CONCRETE CURB & GUTTER	LF	16.30	\$ 2.84	\$ 46.29			16.30	0%	\$ 46.29	0.00	\$0.00	\$0.00	
8	REMOVE SIDEWALK	SY	77.30	\$ 14.34	\$ 1,108.48		77.30	0.00	100%	\$ -	77.30	\$1,108.48	\$1,108.48	
9	REMOVE DRIVEWAY APRON WITH FLUSH CURB	SY	408.63	\$ 12.94	\$ 5,287.87		218.84	189.79	54%	\$ 2,455.88	218.84	\$2,831.79	\$2,831.79	
10	REMOVE CONCRETE INLET APRON	SY	3.72	\$ 205.72	\$ 769.00			3.72	0%	\$ 769.00	0.00	\$0.00	\$0.00	
11	REMOVE & STORE MAILBOXES	EA	28.00	\$ 76.26	\$ 2,219.00		6.00	22.00	21%	\$ 1,743.60	6.00	\$475.50	\$475.50	
12	REMOVE CONCRETE RESIDENTIAL ENTRY SIDEWALK	SY	39.00	\$ 37.26	\$ 1,462.79		19.50	19.50	50%	\$ 728.40	19.50	\$726.35	\$726.35	
13	ROADWAY EXCAVATION INCLUDING HAULING	CY	2400.00	\$ 31.27	\$ 75,048.00		1200.00	1200.00	50%	\$ 37,524.00	1200.00	\$37,524.00	\$37,524.00	
14	ADJUST EXISTING SANITARY SEWER MANHOLES TO PROPOSED GRADE	EA	2.00	\$ 1,972.72	\$ 3,945.44			2.00	0%	\$ 3,945.44	0.00	\$0.00	\$0.00	
15	INSTALL CONCRETE RESIDENTIAL ENTRY SIDEWALK	SY	39.00	\$ 85.49	\$ 3,324.11			39.00	0%	\$ 3,324.11	0.00	\$0.00	\$0.00	
16	INSTALL CONCRETE CURB & GUTTER	LF	1441.00	\$ 21.97	\$ 31,658.77		947.00	494.00	68%	\$ 16,853.18	947.00	\$20,805.59	\$20,805.59	
17	INSTALL CONCRETE SPILL CURB	LF	84.75	\$ 21.87	\$ 1,861.89		51.00	33.75	60%	\$ 741.49	51.00	\$1,120.47	\$1,120.47	
18	INSTALL RESIDENTIAL CONCRETE DRIVEWAY APRON INCLUDING LAYDOWN CURB	SY	448.40	\$ 107.11	\$ 48,028.12			448.40	0%	\$ 48,028.12	0.00	\$0.00	\$0.00	
19	INSTALL 4" CONCRETE SIDEWALK	SY	80.00	\$ 91.11	\$ 7,288.80			80.00	0%	\$ 7,288.80	0.00	\$0.00	\$0.00	
20	INSTALL CONCRETE INLET APRON	SY	3.72	\$ 231.91	\$ 862.71			3.72	0%	\$ 862.71	0.00	\$0.00	\$0.00	
21	LIME STABILIZE SUBGRADE	SY	3829.00	\$ 12.98	\$ 49,700.42		2113.02	1715.98	55%	\$ 22,273.42	2113.02	\$27,427.00	\$27,427.00	
22	INSTALL TENSAR GEOGRID TX-5 ON LIME-STABILIZED SUBGRADE	SY	3829.00	\$ 4.11	\$ 15,737.19		2113.02	1715.98	56%	\$ 7,062.68	2113.02	\$8,684.51	\$8,684.51	
23	OVERBUILD EMBANKMENT	CY	113.00	\$ 17.90	\$ 2,022.70		58.50	58.50	50%	\$ 1,011.35	58.50	\$1,011.35	\$1,011.35	
24	INSTALL CRUSHED MOISTURE CONDITIONED LIMESTONE FLEXIBLE BASE (6" COMPACTED DEPTH)	SY	3829.00	\$ 17.12	\$ 65,552.48		2113.02	1715.98	65%	\$ 28,377.58	2113.02	\$36,174.90	\$36,174.90	
25	PRIME COAT	GAL	400.00	\$ 4.70	\$ 1,880.00			400.00	0%	\$ 1,880.00	0.00	\$0.00	\$0.00	
26	INSTALL ASPHALT TREATED BASE (4" COMPACTED DEPTH)	SY	3175.52	\$ 28.49	\$ 84,119.52			3175.52	0%	\$ 84,119.52	0.00	\$0.00	\$0.00	
27	TACK COAT	GAL	400.00	\$ 4.09	\$ 1,636.00			400.00	0%	\$ 1,636.00	0.00	\$0.00	\$0.00	
28	PAVE 2" TYPE 'D' HMAC 70-22 VIRGIN MIX	SY	3175.52	\$ 18.28	\$ 51,833.96			3175.52	0%	\$ 51,833.96	0.00	\$0.00	\$0.00	
29	REINSTALL & MAILBOXES	EA	28.00	\$ 213.25	\$ 5,971.00			28.00	0%	\$ 5,971.00	0.00	\$0.00	\$0.00	
30	REPAIR IRRIGATION	LS	1.00	\$ 4,543.30	\$ 4,543.30			1.00	0%	\$ 4,543.30	0.00	\$0.00	\$0.00	
31	PROVIDE AND INSTALL TOP SOIL & SOD	SY	1624.00	\$ 10.42	\$ 16,922.08			1624.00	0%	\$ 16,922.08	0.00	\$0.00	\$0.00	
32	PREPARE 10' DRAINAGE EASEMENT	LS	1.00	\$ 4,729.41	\$ 4,729.41		1.00	0.00	100%	\$ -	1.00	\$4,729.41	\$4,729.41	
33	REMOVE WOOD FENCE	LF	20.00	\$ 10.26	\$ 205.20		20.00	0.00	100%	\$ -	20.00	\$205.20	\$205.20	
34	REMOVE METAL PLANTER EDGING	LF	8.00	\$ 1.71	\$ 13.68			8.00	0%	\$ 13.68	0.00	\$0.00	\$0.00	
35	PROVIDE & INSTALL 5" CURB INLET, INCL. EXCAVATION, BACKFILL & HAULING	EA	1.00	\$ 9,106.62	\$ 9,106.62		1.00	0.00	100%	\$ -	1.00	\$9,106.62	\$9,106.62	
36	PROVIDE & INSTALL 24" HOPE, INCL. EXCAVATION, BACKFILL & HAULING	LF	195.00	\$ 113.81	\$ 22,192.95		195.00	0.00	100%	\$ -	195.00	\$22,192.95	\$22,192.95	
37	CONCRETE ENCASUREMENT, CRADLES, SADDLES AND COLLARS FOR THE INTO & CURB INLET & EXISTING JUNCTION	CY	2.00	\$ 2,133.60	\$ 4,267.20			2.00	0%	\$ 4,267.20	0.00	\$0.00	\$0.00	
38	Provide & Install Topsoil & Sod	SY	236.30	\$ 10.49	\$ 2,476.79			236.30	0%	\$ 2,476.79	0.00	\$0.00	\$0.00	
39	REPAIR IRRIGATION	LS	1.00	\$ 985.32	\$ 985.32			1.00	0%	\$ 985.32	0.00	\$0.00	\$0.00	
40	REPLACE WOOD FENCE	LF	20.00	\$ 63.85	\$ 1,077.00			20.00	0%	\$ 1,077.00	0.00	\$0.00	\$0.00	
41	REPLACE METAL PLANTER EDGING	LF	8.00	\$ 17.11	\$ 136.88			8.00	0%	\$ 136.88	0.00	\$0.00	\$0.00	

PROJECT : Ivy Lane Street Improvements
 Contractor Project ID Number: 1411
 CONTRACTOR: D&D Contractors, Inc.

Original Contract Amount: \$667,739.78

Estimate #: 1

Contract : \$667,739.78

Estimate Period: 2/1/24 to 2/29/24

BID ITEM NO.	ITEM DESCRIPTION	UNIT	BID QTY	UNIT PRICE	ITEM PRICE	PREVIOUS QTY DONE	QTY THIS PERIOD	REMAINING QTY	% COMP	Amount \$ Remaining	TOTAL QTY DONE	PAY AMOUNT THIS PERIOD	TOTAL AMOUNT COMPLETED
All Bid Items													\$0.00
42	Mobilization	LS	1.00	\$ 301.03	\$ 301.03		1.00	0.00	100%	\$ -	1.00	\$301.03	\$301.03
43	Insurance & bonds	LS	1.00	\$ 2,408.21	\$ 2,408.21		1.00	0.00	100%	\$ -	1.00	\$2,408.21	\$2,408.21
44	Storm Water Pollution Prevention Plan	LS	1.00	\$ 1,902.88	\$ 1,902.88		1.00	0.00	100%	\$ -	1.00	\$1,902.88	\$1,902.88
45	Traffic Control	LS	1.00	\$ 2,052.88	\$ 2,052.88		1.00	0.00	100%	\$ -	1.00	\$2,052.88	\$2,052.88
46	REMOVE CONCRETE HEADER CURB	LF	171.40	\$ 2.84	\$ 486.78		171.40	0.00	100%	\$ -	171.40	\$486.78	\$486.78
47	REMOVE CONCRETE RESIDENTIAL ENTRY SIDEWALK	SY	3.00	\$ 48.66	\$ 139.98		3.00	0.00	100%	\$ -	3.00	\$139.98	\$139.98
48	REMOVE SIDEWALK	SY	78.80	\$ 13.73	\$ 1,079.18		78.80	0.00	100%	\$ -	78.80	\$1,079.18	\$1,079.18
49	REMOVE & STORE MAILBOXES	EA	1.00	\$ 30.97	\$ 30.97		1.00	0.00	100%	\$ -	1.00	\$30.97	\$30.97
50	ROADWAY EXCAVATION INCLUDING HAULING	CY	61.00	\$ 33.11	\$ 2,019.71		61.00	0.00	100%	\$ -	61.00	\$2,019.71	\$2,019.71
51	MILL ASPHALT PAVEMENT IN 50' GAS EASEMENT INCLUDING HAULING	CY	87.00	\$ 86.70	\$ 7,542.90		87.00	0.00	100%	\$ -	87.00	\$7,542.90	\$7,542.90
52	INSTALL CONCRETE CURB & GUTTER	LF	171.40	\$ 36.28	\$ 6,218.39		132.00	39.30	77%	\$ 1,429.43	132.00	\$4,788.96	\$4,788.96
53	INSTALL RESIDENTIAL ENTRY SIDEWALK	SY	3.00	\$ 163.83	\$ 491.49			3.00	0%	\$ 491.49	0.00	\$0.00	\$0.00
54	INSTALL 4" CONCRETE SIDEWALK	BY	76.00	\$ 114.88	\$ 8,729.33			76.00	0%	\$ 8,729.33	0.00	\$0.00	\$0.00
55	LIME STABILIZE SUBGRADE	SY	314.00	\$ 9.91	\$ 3,111.74		314.00	0.00	100%	\$ -	314.00	\$3,111.74	\$3,111.74
56	INSTALL TENSAR GEOGRID TX-5 ON LIME-STABILIZED SUBGRADE	SY	314.00	\$ 4.48	\$ 1,406.72		314.00	0.00	100%	\$ -	314.00	\$1,406.72	\$1,406.72
57	OVERBUILD EMBANKMENT	CY	8.90	\$ 2.33	\$ 20.74		8.90	0.00	100%	\$ -	8.90	\$20.74	\$20.74
58	FLEXIBLE BASE (6" COMPACTED DEPTH)	SY	314.00	\$ 17.56	\$ 5,513.84		314.00	0.00	100%	\$ -	314.00	\$5,513.84	\$5,513.84
59	PRIME COAT	GAL	20.00	\$ 4.70	\$ 94.00			20.00	0%	\$ 94.00	0.00	\$0.00	\$0.00
60	INSTALL ASPHALT TREATED BASE (4" COMPACTED DEPTH)	SY	257.00	\$ 26.49	\$ 6,807.93			257.00	0%	\$ 6,807.93	0.00	\$0.00	\$0.00
61	TACK COAT	GAL	20.00	\$ 16.28	\$ 325.20			20.00	0%	\$ 325.20	0.00	\$0.00	\$0.00
62	PAVE 2" TYPE "D" HMAC 70-22 VIRGIN MIX	SY	171.40	\$ 4.09	\$ 701.03			171.40	0%	\$ 701.03	0.00	\$0.00	\$0.00
63	REINSTALL & MAILBOXES	EA	1.00	\$ 154.14	\$ 154.14			1.00	0%	\$ 154.14	0.00	\$0.00	\$0.00
64	REPAIR IRRIGATION	LS	1.00	\$ 804.04	\$ 804.04			1.00	0%	\$ 804.04	0.00	\$0.00	\$0.00
65	PROVIDE AND INSTALL TOP SOIL & SOD	SY	100.80	\$ 23.02	\$ 2,320.42			100.80	0%	\$ 2,320.42	0.00	\$0.00	\$0.00

Adjusted Contract Amount: \$ 667,739.78

		411,291.27	\$256,448.49	\$256,448.49
0.10	(10%) Retainage	\$	25,644.86	\$ 25,644.86
	Previous Paid	\$	-	\$ -
	Amount Due	\$	230,803.63	\$ 230,803.63
	% of Contract Billed		38.41%	38.41%

CITY OF UNIVERSAL CITY

Date: 04/02/2024

TO: City Council
FROM: Kim M. Turner, City Manager
SUBJECT: Resolution 902-2024 Public Health Official

Historical Background

The City has an Interlocal Agreement (ILA) with the City of San Antonio to utilize the Metropolitan Health District as the official Health Authority for Universal City. Every two years, the City needs to appoint or reappoint the term of the Health Official. Dr. Chichi Woo has been acting in that capacity for the last four years. Her current term with the City expires on 20 May 2024 and she, or someone else, needs to be appointed for the next two-year term.

An alternate route for the City would be to appoint Dr. Lillian Ringsdorf who is the State appointed Health Authority for Region 8 of the Department of State Health Services. Dr. Ringsdorf has been the Region 8 Health Authority for the last seven years. Her primary office is located in San Antonio.

Action Requested

Approve Resolution 902-2024 and authorize Mayor Williams to sign the Certificate of Appointment of Dr. Chichi Woo OR Dr. Lillian Ringsdorf for a two-year term; 21 May 2024 through 20 May 2026. Additional information on Region 8 can be obtained using this link: <https://www.dshs.texas.gov/regional-local-health-operations/texas-public-health-region-8>

Procurement Methodology

This is an appointment procedure only and requires no procurement by the City.

Source and Amount of Funding

This is an appointment procedure only and requires no funding by the City.

Staff Recommendation

Staff recommend approval of either Resolution and the corresponding Certificate of Appointment.

Attachments: Resolutions 902-2024: Dr. Woo or Dr. Ringsdorf
2024 Certificates of Appointment: Dr. Woo or Dr. Ringsdorf
Notifiable Conditions Lists

RESOLUTION 902-2024
(San Antonio Metropolitan Health District)

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.

WHEREAS, during the 68th Legislature, Governor Mark White signed the “Local Public Reorganization Act” into law; and,

WHEREAS, during the 71st Legislature, the legislature recodified the Act as Chapter 121 of the Texas Health and Safety Code, which, among other things, defines the powers of counties and municipalities as it relates to local regulation of public health, including the establishment of a public health district; and,

WHEREAS, In 1977, The City Council of Universal City approved and adopted Ordinance 155-A to establish a Health Department including the role and responsibilities of a Health Authority (Officer).

WHEREAS, Universal City is a member of the San Antonio Metropolitan Health District, a public health district under Texas Health and Safety Code Chapter 121, Subchapter E; and,

WHEREAS, the members of the public health district shall approve the appointment of a physician as the health authority for the district; and,

WHEREAS, the Health and Safety Code defines a health authority as an individual who acts as a State Officer when performing their duties which include aiding the State with quarantine, sanitation enforcement, public health law enforcement, reportable diseases, and vital statistics collection; and,

WHEREAS, A Health Authority must be a competent physician with a reputable professional standing who is a resident of Texas, is legally qualified to practice medicine, and shall serve for a term of two years and may be appointed to successive terms; and,

WHEREAS, Universal City seeks a Health Authority who strives to do what is best in the interest of all Universal City residents, one who encourages preparedness, prevention, response, and recovery activities; and,

WHEREAS, Universal City requires the appointment of a Health Authority who will work collaboratively with the Mayor, City Manager, City staff, and the Bexar County Hospital District (OBA University Health System); and,

WHEREAS, Dr. Chichi Junda Woo is a licensed physician who meets all statutory requirements and was approved by the City Council of San Antonio as the Health Authority for the San Antonio Metropolitan Health District.

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

Approval of the appointment of Dr. Chichi Junda Woo as the Health Authority for the City of Universal City from May 21, 2024 thru May 20, 2026.

THIS resolution will take effect upon its passage, approval and publication as provided by law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Universal City on this the 2ND day of APRIL, 2024.

CITY OF UNIVERSAL CITY, TEXAS

APPROVED:

John Williams, Mayor

ATTEST:

APPROVED AS TO FORM:

Maribel Garcia, Deputy City Clerk

Megan R. Santee, City Attorney
Denton Navarro Rodriguez Bernal Santee & Zech, P.C.



Certificate of Appointment

for a

Health Authority

The Health Authority has been appointed and approved by the:

(Put an "X" by the appropriate designation below)

_____ Commissioners Court for _____ County

Governing Body for the Municipality of UNIVERSAL CITY

_____ Director, _____ Health Department

_____ Director, _____ Public Health District

I, John Williams, acting in my capacity
as: *(Put an "X" by the appropriate designation below)*

_____ County Judge or Designee

Mayor or Designee

_____ Non-physician and the Local Health Department Director

_____ Non-physician and the Public Health District Director

do hereby certify the physician, CHICHI JUNDA WOO, who is licensed
by the Texas Board of Medical Examiners, was duly appointed as the (check as applicable),

_____ Health Authority

Health Authority Designee

for the jurisdiction of UNIVERSAL CITY, Texas.

Date term of office begins May 21, 2024

Date term of office ends May 20, 2026, unless removed by law.

I certify to the above information on this the _____ day of _____, 2024 .

Signature of Appointing Official

RESOLUTION 902-2024
(Region 8 Department of State Health Services)

A RESOLUTION OF THE CITY COUNCIL OF UNIVERSAL CITY, TEXAS TO APPOINT **DR. LILLIAN RINGSDORF** AS THE OFFICIAL HEALTH AUTHORITY FOR THE CITY OF UNIVERSAL CITY AND SETTING AN EFFECTIVE DATE.

WHEREAS, during the 68th Legislature, Governor Mark White signed the “Local Public Reorganization Act” into law; and,

WHEREAS, during the 71st Legislature, the legislature recodified the Act as Chapter 121 of the Texas Health and Safety Code, which, among other things, defines the powers of counties and municipalities as it relates to local regulation of public health, including the establishment of a public health district; and,

WHEREAS, In 1977, The City Council of Universal City approved and adopted Ordinance 155-A to establish a Health Department including the role and responsibilities of a Health Authority (Officer).

WHEREAS, Universal City is a member of the Texas Department of State Health Services Region 8, a public health district under Texas Health and Safety Code Chapter 121, Subchapter E; and,

WHEREAS, the members of the public health district shall approve the appointment of a physician as the health authority for the district; and,

WHEREAS, the Health and Safety Code defines a health authority as an individual who acts as a State Officer when performing their duties which include aiding the State with quarantine, sanitation enforcement, public health law enforcement, reportable diseases, and vital statistics collection; and,

WHEREAS, A Health Authority must be a competent physician with a reputable professional standing who is a resident of Texas, is legally qualified to practice medicine, and shall serve for a term of two years and may be appointed to successive terms; and,

WHEREAS, Universal City seeks a Health Authority who strives to do what is best in the interest of all Universal City residents, one who encourages preparedness, prevention, response, and recovery activities; and,

WHEREAS, Universal City requires the appointment of a Health Authority who will work collaboratively with the Mayor, City Manager, City staff, and the Bexar County Hospital District (OBA University Health System); and,

WHEREAS, Dr. Ringsdorf is a licensed physician who meets all statutory requirements and was approved by the State of Texas as the Region 8 Health Authority.

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

Approval of the appointment of Dr. Lillian Ringsdorf as the Health Authority for the City of Universal City from May 21, 2024 thru May 20, 2026.

THIS resolution will take effect upon its passage, approval and publication as provided by law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Universal City on this the 2ND day of APRIL, 2024.

CITY OF UNIVERSAL CITY, TEXAS

APPROVED:

John Williams, Mayor

ATTEST:

APPROVED AS TO FORM:

Maribel Garcia, Deputy City Clerk

Megan R. Santee, City Attorney
Denton Navarro Rodriguez Bernal Santee & Zech, P.C.



Certificate of Appointment

for a

Health Authority

The Health Authority has been appointed and approved by the:

(Put an "X" by the appropriate designation below)

_____ Commissioners Court for _____ County

Governing Body for the Municipality of UNIVERSAL CITY, TEXAS

_____ Director, _____ Health Department

_____ Director, _____ Public Health District

I, JOHN WILLIAMS, acting in my capacity
as: *(Put an "X" by the appropriate designation below)*

_____ County Judge or Designee

Mayor or Designee

_____ Non-physician and the Local Health Department Director

_____ Non-physician and the Public Health District Director

do hereby certify the physician, LILLIAN RINGSDORF, MD, who is licensed
by the Texas Board of Medical Examiners, was duly appointed as the (check as applicable),

Health Authority

_____ Health Authority Designee

for the jurisdiction of UNIVERSAL CITY, TEXAS, Texas.

Date term of office begins MAY 21, 20 24

Date term of office ends MAY 20, 20 26, unless removed by law.

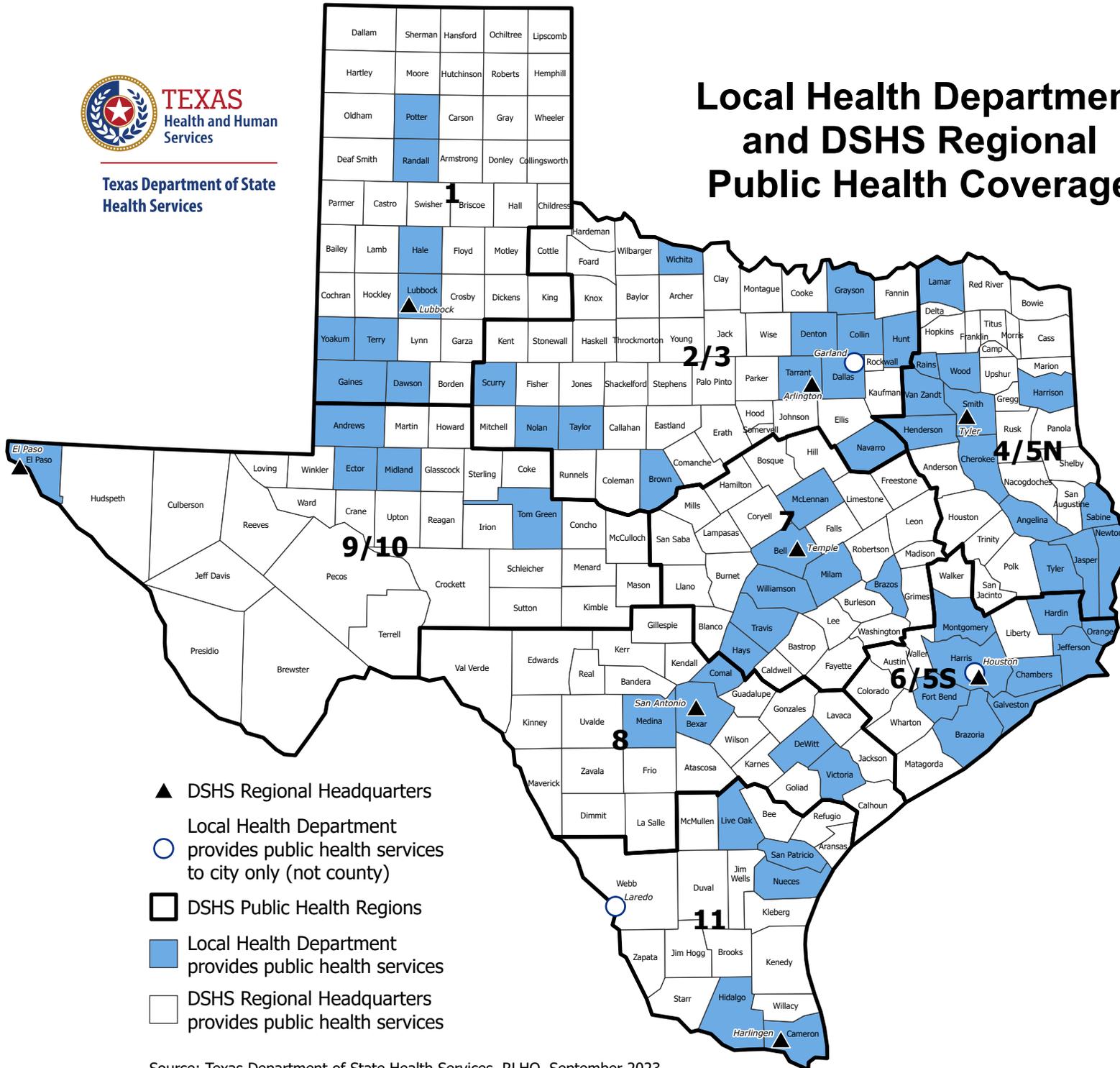
I certify to the above information on this the _____ day of _____, 20 24

Signature of Appointing Official



Texas Department of State Health Services

Local Health Department and DSHS Regional Public Health Coverage



- ▲ DSHS Regional Headquarters
- Local Health Department provides public health services to city only (not county)
- DSHS Public Health Regions
- Local Health Department provides public health services
- DSHS Regional Headquarters provides public health services

Source: Texas Department of State Health Services, RLHO, September 2023



**METROPOLITAN
HEALTH DISTRICT**

2023 Texas Notifiable Conditions

Report all suspected cases to

San Antonio Metropolitan Health District, unless noted by *

Reporting forms are available at <http://www.sanantonio.gov/Health/HealthProfessionals/ReportableDiseases>.

Call as indicated for immediately reportable conditions

Epidemiology Program			
24/7 Main Line: (210) 207-8876 Fax: (210) 207-2007			
Fax for COVID-19: (210) 207-8807			
Condition	When to Report	Condition	When to Report
Amebic meningitis and encephalitis	Within 1 week	Leishmaniasis	Within 1 week
Anaplasmosis	Within 1 week	Listeriosis ⁶	Within 1 week
Anthrax^{1, 2}	Call Immediately	Lyme disease	Within 1 week
Arboviral infections ^{3,4}	Within 1 week	Malaria	Within 1 week
*Asbestosis ⁵	Within 1 week	Measles (rubeola)	Call Immediately
Ascariasis	Within 1 week	Meningococcal infection, invasive (<i>Neisseria meningitidis</i>)⁶	Call Immediately
Babesiosis ⁴	Within 1 week	Mumps	Within 1 work day
Botulism (adult and infant)^{2,6,7}	Call Immediately	Paragonimiasis	Within 1 week
Brucellosis^{1, 2}	Within 1 work day	Pertussis	Within 1 work day
Campylobacteriosis	Within 1 week	*Pesticide poisoning, acute occupational ¹⁷	Within 1 week
*Cancer ⁸	See rules ⁵	Plague (<i>Yersinia pestis</i>)^{1, 2}	Call Immediately
Candida auris	Within 1 work day	Poliomyelitis, acute paralytic	Call Immediately
Carbapenem-resistant Enterobacteriales (CRE)⁹	Within 1 work day	Poliovirus infection, non-paralytic	Within 1 work day
Chagas disease ⁴	Within 1 week	Prion disease such as Creutzfeldt-Jakob disease (CJD) ¹⁸	Within 1 week
Chickenpox (varicella) ¹⁰	Within 1 week	Q fever	Within 1 work day
*Contaminated sharps injury ¹¹	Within 1 month	Rabies, human	Call Immediately
* Controlled substance overdose¹²	Report Immediately	Rubella (including congenital)	Within 1 work day
Coronavirus, novel¹³	Call Immediately	Salmonellosis, including typhoid fever ⁶	Within 1 week
Cryptosporidiosis	Within 1 week	Shiga toxin-producing <i>Escherichia coli</i> ⁶	Within 1 week
Coronavirus Disease 2019 (COVID-19)	Within 1 week	Shigellosis	Within 1 week
Cyclosporiasis	Within 1 week	*Silicosis ⁵	Within 1 week
Cysticercosis	Within 1 week	Smallpox^{1, 2}	Call Immediately
Diphtheria⁶	Call Immediately	*Spinal cord injury ¹⁴	Within 10 work days
*Drowning/near drowning ¹⁴	Within 10 work days	Spotted fever rickettsioses	Within 1 week
Echinococcosis	Within 1 week	Streptococcal disease (<i>S. pneumo.</i> ⁶), invasive	Within 1 week
Ehrlichiosis	Within 1 week	<i>Taenia solium</i> and undifferentiated <i>Taenia</i> infection	Within 1 week
Fascioliasis	Within 1 week	Tetanus	Within 1 week
<i>Haemophilus influenzae</i> , invasive	Within 1 week	Tick-borne relapsing fever	Within 1 week
*Hansen's disease (leprosy) ¹⁵	Within 1 week	*Traumatic brain injury ¹⁴	Within 10 work days
Hantavirus infection	Within 1 week	Trichinosis	Within 1 week
Hemolytic uremic syndrome (HUS)	Within 1 week	Trichuriasis	Within 1 week
Hepatitis A	Within 1 work day	Tularemia^{1, 2}	Call Immediately
Hepatitis B, C, and E (acute)	Within 1 week	Typhus	Within 1 week
Hepatitis B infection identified prenatally or at delivery (mother)	Within 1 week	Vancomycin-intermediate <i>Staph aureus</i> (VISA)⁶	Call Immediately
Hepatitis B, perinatal (HBsAg+ < 24 months old) (child)	Within 1 work day	Vancomycin-resistant <i>Staph aureus</i> (VRSA)⁶	Call Immediately
Hookworm (ancylostomiasis)	Within 1 week	<i>Vibrio</i> infection, including cholera⁶	Within 1 work day
Influenza-associated pediatric mortality	Within 1 work day	Viral hemorrhagic fever (including Ebola)²	Call Immediately
Influenza, novel	Call Immediately	Yellow fever	Call Immediately
* Lead, child blood, any level & adult blood, any level¹⁶	Call/Fax Immediately	Yersiniosis	Within 1 week
Legionellosis	Within 1 week		

In addition to specified reportable conditions, **any outbreak, exotic disease, or unusual group expression of disease that may be of public health concern should be reported by the most expeditious means available. This includes any case of a select agent.** ²

See select agent list at <https://www.selectagents.gov/sat/list.htm>

*See condition-specific footnote for reporting contact information

(Rev. 1/23) Expires 1/31/24 -- Go to <http://www.sanantonio.gov/Health/HealthProfessionals/ReportableDiseases> for updates.

Report to STDs/ HIV Program
Main Line: (210) 207-8830 Fax: (210) 207-2116

Condition	When to Report	Condition	When to Report
Acquired immune deficiency syndrome (AIDS) ¹⁹	Within 1 week	Human immunodeficiency virus (HIV), acute infection^{19,20}	Within 1 work day
Chancroid ¹⁹	Within 1 week	Human immunodeficiency virus (HIV), non-acute Infection ^{19,20}	Within 1 week
<i>Chlamydia trachomatis</i> infection ¹⁹	Within 1 week	Syphilis – all other stages ^{19,21}	Within 1 week
Gonorrhea ¹⁹	Within 1 week	Syphilis – primary and secondary stages^{19,21}	Within 1 work day

Report to Tuberculosis Program
Main Line: (210) 207-8823 Fax: (210) 207-8779

Tuberculosis infection ²²	Within 1 week	Tuberculosis (<i>Mycobacterium tuberculosis</i> complex)^{6,23}	Within 1 work day
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2023 Texas Notifiable Conditions Footnotes

1. Lab isolate should be sent to San Antonio Metropolitan Health District (Metro Health) lab. Call 210-207-5883 for specimen submission information.
2. Please secure select agent isolates and specimens in accordance with the guidance in the [Select Agent Regulation](#), and immediately initiate a consultation with public health regarding need for further testing or sequencing. Notify any transfer facilities of any test results of high consequence/interest
3. Arboviral infections including, but not limited to, those caused by California serogroup virus, chikungunya virus, dengue virus, Eastern equine encephalitis (EEE) virus, St. Louis encephalitis (SLE) virus, Western equine encephalitis (WEE) virus, West Nile (WN) virus, and Zika virus.
4. All blood collection centers should report all donors with reactive tests for West Nile virus, Zika virus, *Babesia* species and *Trypanosoma cruzi* (Chagas disease) to the DSHS Zoonosis Control Branch. If your center uses a screening assay under an IND protocol, please include results of follow-up testing as well. Fax the report to Metro Health at 210-207-2007 and send to DSHS by secure email to WNV@dshs.texas.gov or fax the report to 512-776-7454. Providing the following data points will suffice: Collection Agency; Unique BUI #; Test Name, Collection Date; Last Name, First Name, Donor Phone Number, Donor Address, Date of Birth, Age, Sex, Race, and Hispanic Ethnicity (Y/N).
5. For asbestos and Silicosis reporting information see <http://www.dshs.texas.gov/epitox/Asbestosis-and-Silicosis-Surveillance/>.
6. Lab samples of the following must be sent to the Department of State Health Services, Laboratory Services Section, 1100 West 49th Street, Austin, Texas 78756-3199 or other public health laboratory as designated by the Department of State Health Services: *Candida auris* isolates, *Clostridium botulinum* isolates, *Corynebacterium diphtheriae* isolates, *Haemophilus influenzae* isolates from normally sterile sites in children under five years old, *Listeria monocytogenes* isolates, *Neisseria meningitidis* isolates from normally sterile sites or purpuric lesions, *Salmonella* species isolates (also requested - specimens positive for *Salmonella* by culture-independent diagnostic testing (CIDT) methods), Shiga toxin-producing *Escherichia coli* (all *E.coli* O157:H7 isolates and any *E.coli* isolates or specimens in which Shiga toxin activity has been demonstrated), isolates of all members of the *Mycobacterium tuberculosis* complex, *Staphylococcus aureus* with a vancomycin MIC greater than 2 µg/mL (VISA and VRSA), *Streptococcus pneumoniae* isolates from normally sterile sites in children under five years old, and *Vibrio* species isolates (also requested - specimens positive for *Vibrio* by culture-independent diagnostic testing (CIDT) methods). Pure cultures (or specimens) should be submitted as they become available accompanied by a current department Specimen Submission Form. See the Texas Administrative Code (TAC) Chapter 97: §97.3(a)(4), §97.4(a)(6), and §97.5(a)(2)(C). Call 512-776-7598 for specimen submission information.
7. Report suspected botulism immediately by phone to 210-207-8876.
8. For more information on cancer reporting rules and requirements go to <http://www.dshs.state.tx.us/tcr/reporting.shtm>.
9. See additional CRE reporting information at http://www.dshs.state.tx.us/IDCU/health/antibiotic_resistance/Reporting-CRE.doc.
10. For Varicella (Chickenpox) reporting see <https://www.sanantonio.gov/Health/HealthProfessionals/ReportableDiseases> for the Varicella Reporting Form.
11. Applicable for governmental entities. Not applicable to private facilities. (TAC §96.201) Initial reporting forms for Contaminated Sharps at http://www.dshs.texas.gov/idcu/health/infection_control/bloodborne_pathogens/reporting/.
12. To report a Controlled Substance Overdose, go to <http://odreport.dshs.texas.gov/>.
13. Novel coronavirus causing severe acute respiratory disease includes Middle East Respiratory Syndrome (MERS) and Severe Acute Respiratory Syndrome (SARS). Call immediately for SARS, MERS, or any other novel coronavirus cases.
14. Please refer to specific rules and regulations for injury reporting and who to report to at <http://www.dshs.state.tx.us/injury/rules.shtm>
15. Reporting forms are available at <https://www.dshs.texas.gov/idcu/disease/hansens/forms.shtm>.
16. For lead reporting information see <http://www.dshs.texas.gov/lead/Reporting-Laws-Administrative-Code.aspx>.
17. For pesticide reporting information see <https://www.dshs.texas.gov/sites/default/files/epitox/pestrptfrm.pdf>.
18. For purposes of surveillance, CJD notification also includes Kuru, Gerstmann-Sträussler-Scheinker (GSS) disease, fatal familial insomnia (FFI), sporadic fatal insomnia (sFI), Variably Protease-Sensitive Prionopathy (VPSPr), familial CJD (fCJD) or genetic CJD (gCJD), variant CJD (vCJD), iatrogenic CJD (iCJD) and any novel prion disease affecting humans.
19. Please refer to specific rules and regulations for HIV/STD reporting and who to report to at: <http://www.sanantonio.gov/Portals/0/Files/health/HealthProfessionals/ReportableConditions-STDs.pdf>
20. Any person suspected of having HIV should be reported, including HIV exposed infants.
21. Laboratories should report syphilis test results within 3 work days of the testing outcome.
22. TB infection is determined by a positive result from an FDA-approved Interferon-Gamma Release Assay (IGRA) test such as T-Spot® TB or QuantiFERON® - TB GOLD In-Tube Test or a tuberculin skin test, and a normal chest radiograph with no presenting symptoms of TB disease. See rules and reporting information at <http://www.dshs.state.tx.us/idcu/disease/tb/reporting/>. Please report skin test results in millimeters.
23. Reportable tuberculosis disease includes the following: suspected tuberculosis disease pending final laboratory results; positive nucleic acid amplification tests; clinically or laboratory-confirmed tuberculosis disease; and all *Mycobacterium tuberculosis* (*M. tb*) complex including *M. tuberculosis*, *M. bovis*, *M. africanum*, *M. canettii*, *M. microti*, *M. caprae*, and *M. pinnipedii*. See rules and reporting information at <http://www.dshs.texas.gov/idcu/disease/tb/reporting/>.

San Antonio Metropolitan Health District

Epidemiology Program
 Phone (210) 207-8876
 Fax (210) 207-2007
 Fax for COVID-19: (210) 207-8807

Sexually Transmitted Diseases/HIV Program
 Phone (210) 207-8830
 Fax (210) 207-2116

Tuberculosis Program
 Phone (210) 207-8823
 Fax (210) 207-8779

CITY OF UNIVERSAL CITY

Date: 04/02/2024

TO: City Council

FROM: Kim M. Turner, City Manager

SUBJECT: **City Council Message Board Service Agreement and Contract with XenForo.**

Historical Background

City Council requested Staff to present options of Contracts of Service for a City Council Message Board. Council described a board that would host non-action discussion among Councilmembers and allow Council to post attachments and explain items they propose/own prior to meetings.

Based on these guidelines, the City reached out to XenForo, Civic Plus, and phpBB, all of which provide message board services. However, certain wants and practicalities were not met by Civic Plus and phpBB. They are listed below.

Civic Plus – Community Voice Module:

- Limit users to Council only: *No, the public has the ability to comment if they create an account.*
- Able to include attachments in messages: *No.*
- OMA compliant (including limit access to OMA non-compliant tools such as polling): *No*
- Experience with Council message boards: *Not for our uses. Only Community Voice as a community social media forum.*
- Site is Cloud Hosted (not programmed or stored on our own servers; cloud hosted and managed by company for storage, programming, and regular bug updates): *Yes.*
- Compatible with current Civic Plus website: *Yes.*
- Price: *Not explored due to incompatibility of goals and module capabilities.*

phpBB – Forum Open-Source Software for website bulletin board – USED BY AUSTIN:

- Limit users to Council only: *Yes.*
- Able to include attachments in messages: *Yes.*
- OMA compliant (including limit access to OMA non-compliant tools such as polling): *Yes.*
- Experience with Council message boards: *Yes, though they do not provide any services for implementation or maintenance. The site is provided through an open-source code download which is hosted and maintained by Austin's technology department.*
- Site is Cloud Hosted (not programmed or stored on our own servers; cloud hosted and managed by company for storage, programming, and regular bug updates): *No. The City would have to host the open-source system on their own website servers. Backups, maintenance, and updates would have to be conducted by Staff who know how to program a website. Universal City does not have the means to maintain self-hosted sites.*
- Compatible with current Civic Plus website: *Yes, as a link. However, maintenance of the site would have to be done by City Staff with website programming knowledge.*
- Price: *Free*

XenForo was the only company that met all criteria. They:

- Are able to limit users to Councilmembers only;
- Are able to allow users to include attachments in messages;
- Have experience creating Council message boards AND make them OMA compliant through the limitation of access to OMA non-compliant tools such as polls;
- Would cloud host the site – it would not have to be hosted by Universal City on City servers;
- Are able to set retention schedules for threads in accordance with Texas Gov't Code, Section 551.006;

- Is compatible with Civic Plus, the City's current website host/service provided. It would be posted on the site as a link that redirects residents and users to the XenForo forum.

Considerations Prior to Action

In reaching out to the City of San Marcos, they strongly advised that Councilmembers only discuss topics of current agendas. They did not have experience with Councilmembers proposing new items via the message board and did not think it was a quick platform for back-and-forth discussion. They and multiple colleagues in the Texas Municipal Clerk's Association expressed concerns with the complexities of a walking quorum and the danger of creating one with a message board.

On the other hand, the City of Austin uses their message board similar to what UC Council has expressed as their want for the board. The City of Austin stated their message board use policy is crucial for maintaining compliance to the OMA.

If a Council message board is adopted, a policy dictating terms of use should be created to avoid any violations of the OMA.

Action Requested

Consideration of a Council Message Board service contract with XenForo.

Procurement Methodology

City Purchase Policy, Ord 544-B-2024, <\$2,500, annual expense between \$648 and \$720

Source and Amount of Funding

General Fund – Communications – Memberships/Subscriptions - \$51,060.

Staff Recommendation

Staff recommend careful consideration of approval of a service contract creating a Council message board, and the creation of a terms of use policy prior to Council use of that board.

Attachments: XenForo Cloud Service Agreement
XenForo Plans and Licenses Quotes

Cloud service agreement

Updated: Feb 7, 2022

This cloud service ("Service") agreement ("Agreement") is a legal agreement between you (either an individual or an entity, "You" or "Your") and XenForo Limited ("We", "Our" or "Us") for the use of the XenForo® Service. XenForo Limited reserves the right to modify the terms of this Agreement at any time.

By purchasing a subscription to the Service (or authorizing any other person to do so) You warrant that you are capable of entering into a binding legal agreement, that You have read and understand this Agreement and that You accept its terms and conditions. You acknowledge that this Agreement constitutes the complete statement of the agreement between You and XenForo Limited.

1. Grant and Scope of Service

Subject to the terms and conditions of this Agreement and the payment by You of the applicable fees for the Service, XenForo Limited grants You a single hosted installation of the XenForo software ("Software"), and the use of the necessary infrastructure to operate it within the specified limits of the selected Service plan. Service shall begin upon receipt of payment and shall recur monthly ("Service Period") until cancelled.

For the avoidance of doubt, nothing in this Agreement shall guarantee the availability of or access to the XenForo community (xenforo.com/community), content or files contained within, associated documentation, or the ability to communicate with any community members.

2. Rights

Your use of the Software is provided to You for use only under the terms and conditions of the Service. You acknowledge that all intellectual property rights, copyrights and trademarks in the Software belong to XenForo Limited and that You have no rights in, or to, the Software other than the right to use them in accordance with the terms of this Agreement.

All copies of the Software must contain the same proprietary notices that appear on and in the Software, including all copyright notices embedded in the Software, which must remain unaltered from the original and visible at all times, unless by specific prior arrangement with XenForo Limited.

3. Restrictions

This Service is provided to You alone. You may not attempt to redistribute the Software in whole or in part. You may not rent, lease, sell, assign, pledge, transfer or otherwise dispose of the Cloud Service or Software in any form, on a temporary or permanent basis, without the prior written consent of XenForo Limited.

For the avoidance of doubt, You are solely responsible for managing content posted using the Service ("Your Content").

You are solely responsible for ensuring that Your Content and Your use of the Service and Software complies with all applicable legislation and regulations, including but not limited to all applicable Data Protection and Privacy legislation.

You undertake to ensure that the Service is not used by You or others to engage in or promote: illegal activity; any activity that would violate the rights of third parties; defamation, discrimination, harassment, hatred or harm of third parties.

You may not use the Service in conjunction with any other software for which you do not have a valid license.

You hereby agree to indemnify Us from any loss or damage arising from Your breach of this provision.

4. Fees and Payment

By subscribing to the Service, You agree to pay the monthly or annual subscription fees for the Service and additional usage fees indicated for the relevant subscription plan. Payments will be charged on the subscription start date and will cover the use of the Service for the selected period.

Subscription fees are not refundable and are paid in advance.

Payment for Services will be made by a valid credit card accepted by XenForo Limited. You hereby authorize Us to charge your credit card for such amounts according to your service usage.

We reserve the right to change the payment terms and fees upon thirty (30) days prior written notice to you.

5. Termination

You may terminate the Service by notifying Us of your intention to cancel the Service prior to the commencement of the next Service Period. Your Service will continue to operate until the end of the Service Period and no refunds will be provided for unused periods.

XenForo Limited reserves the right to revoke Your access to use the Service should any of the terms of this Agreement be violated. In the event that We terminate Your Service for a violation of this Agreement, no refund will be granted.

A copy of Your Content may be requested within 60 days of the date of Service termination. This will take the form of a database backup and copies of any associated files such as media items and user avatars, which We will make available to You for download.

60 days after the date of Service termination, all copies of Your Content in Our possession will be irrevocably deleted.

6. Customer Data

It is Your responsibility to ensure that you provide XenForo Limited with accurate, complete and current contact information. A failure to do so may result in Your inability to access the Service Updates and services.

You must maintain the confidentiality and security of your customer credentials that allow You to access the XenForo.com customer area. Any communication received by XenForo Limited through the customer area shall be assumed to have originated from You or an agent acting on your behalf.

7. Service level

The Service shall be made available for at least 99% of each Service Period. Periodic down-time may be required for essential maintenance to Service infrastructure and software updates, but this shall be kept to the minimum possible.

Down-time or unavailability of the Service due to circumstances and issues beyond Our control shall not be counted towards the 99% uptime guarantee.

We will inform You in advance of any scheduled down-time likely to make the Service unavailable for a period of four hours or more.

Should the Service not meet 99% uptime during a single Service Period, You may request compensation in the form of a pro-rated credit for the time during which the Service was unavailable. This request must be made within the 30 days following the end of the affected Service Period.

Your Content will be backed up daily to services based in the EU to ensure the security of the data against loss. Backups are retained for 28 days after capture.

8. Exceeding subscription limits

It is Your responsibility when subscribing to the Service to select a plan that meets Your requirements.

During each Service Period, automated systems will monitor Your use of disk space and page views. These statistics will be recorded and may be reviewed in the customer area at xenforo.com.

Should Your use of disk space or page views exceed those specified by Your selected subscription plan, We will notify you of the overage and suggest an alternative plan.

Should Your usage exceed plan limits for two consecutive Service Periods, We will at the beginning of the third Service Period upgrade Your plan to the next available plan under which Your usage would not exceed limits.

9. Support

For the duration of your subscription to the Service, We shall provide You with support to respond to any problems ("Support") You are experiencing with the Service which result in it not complying with its description or the demonstration, as made available on Our website ("Problem").

You may notify Us of Problems via the website and We will use Our reasonable endeavours to respond to such Problems and provide a resolution to such Problems. For the avoidance of doubt, We do not warrant that We can provide resolution to Problems on an individual basis and resolution to Problems may be provided with the next Update.

10. Third-party Add-ons and Services

The Service is compatible with third-party add-ons and services ("Add-ons") which can be installed and upgraded exclusively through the Admin control panel in the Software.

It is Your responsibility to verify individual Add-ons' compatibility with the Service and to obtain appropriate licenses for their use prior to installation. Should Your license for an Add-on become invalid (through refund, cancellation etc.), You must immediately remove the Add-on from the Service.

Your usage of Add-ons with the Service is reported to Us. We reserve the right to prevent installation of particular Add-ons at any time. Some Add-ons may be subject to review by Us before installation is permitted.

11. Data Protection

By providing hosted services to You and Your site visitors, We are a "Data Processor" as defined by data protection regulations including GDPR (EU Regulation 2016/679), UK GDPR (Data Protection Act 2018) and a "Service Provider" as defined by CCPA (California Consumer Privacy Act of 2018). We undertake to comply fully with our obligations under these laws.

By using the Service, You acknowledge that We will necessarily Process Your personal data and that of Your site visitors to Your website. We will not Process, use or disclose this data except as is required to provide the Service, or for internal administrative purposes except with your prior written agreement.

Should We receive a proper and correct request from an individual to disclose or modify data pertaining to that individual, We will work with You to satisfy this request as You comply with Your obligations under the applicable laws

We shall regularly review systems and processes to ensure the security of data against theft or loss. In the event of a breach of data security or a significant loss of data that can not be repaired, or a suspicion that such an event has occurred, We shall without undue delay notify You of the details of the event, and work with You to investigate the circumstances surrounding the event with a view to preventing future issues. We will not disclose the details of such events to third parties without Your prior written consent except as is required in law.

Questions relating to data protection issues, including requests for information, should be addressed in writing to support@xenforo.com.

12. Disclaimer of Warranties

The Service is provided on an "AS IS" basis, without warranty of any kind, including without limitation the warranties of merchantability, fitness for a particular purpose, and non-infringement.

You acknowledge that the Service has not been developed to meet Your individual requirements, and that it is therefore Your responsibility to ensure that the facilities and functions of the Service meet your requirements prior to purchase. You acknowledge that the Service may not be free of bugs or errors, and agree that the existence of errors shall not constitute a breach of this Agreement.

In the event that You subscribe to the Service as a consumer, nothing in this clause shall affect your statutory rights.

13. Limitation of Liability

Our liability for losses suffered by you, arising out of or in connection with this Service (including any liability for the acts or omissions of its employees, agents and subcontractors), whether arising in contract, tort (including negligence), misrepresentation or otherwise, shall be limited to the total amount paid for the Service during the twelve months immediately preceding the event.. We shall not be liable for indirect, incidental, or consequential damages of any kind, including loss of income or profits, loss of goodwill, loss of data, or the like. Nothing in this Agreement shall limit or exclude the liability of either party for death or personal injury resulting from negligence, fraud or fraudulent misrepresentation.

This Agreement sets out the full extent of Your obligations and liabilities in respect of the supply of the Service. In particular, there are no conditions, warranties, representations or other terms, express or implied, that are binding on You except as specifically stated in this Agreement. Any condition, warranty, representation or other term concerning the supply of the Service which might otherwise be implied into, or incorporated in, this Agreement, or any collateral contract, whether by statute, common law or otherwise, is hereby excluded to the fullest extent permitted by law.

14. Indemnification

You agree to indemnify, defend, and hold harmless XenForo Limited and its officers, directors, agents, and employees from and against any and all demands, claims, losses and liabilities, including reasonable attorney's fees, arising out of or caused by You or Your visitors' use of the Service. This obligation shall survive the termination of this Agreement.

15. Exceptions

Any deviations or exceptions to the terms of this Agreement must be agreed in writing with XenForo Limited.

16. Jurisdiction

This Agreement, its subject matter or its formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with English law and submitted to the non-exclusive jurisdiction of the English courts. If an English Court judges any provision of this Agreement to be invalid, void, or unenforceable, the parties agree that the remaining provisions of this Agreement shall remain valid and enforceable.



XenForo plans and licenses

Community platform tailored to your needs

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\$648 / year (\$54 month)

Everything you need to get a small community started.

-  **Lifetime** support
-  **400K** monthly page views¹
-  **50GB** data storage²
-  **Complete** XenForo suite³
-  **Unlimited** members and staff
-  **Fully** managed service
-  **Your choice** of data center location
-  **Add-ons** and **API**⁴
-  **Backups** daily

Standard

\$1,080 / year (\$90 month)

Our standard plan, suitable for medium sites with room to grow.

-  **Lifetime** support
-  **1M** monthly page views¹
-  **100GB** data storage²
-  **Complete** XenForo suite³
-  **Unlimited** members and staff
-  **Fully** managed service
-  **Your choice** of data center location
-  **Add-ons** and **API**⁴
-  **Backups** daily

 **DDoS** protection

 **SSL** security

 Your choice of URL⁵

 Get started now (pay yearly)

 **DDoS** protection

 **SSL** security

 Your choice of URL⁵

 Get started now (pay yearly)

Business

\$2,700 / year (\$225 month)

Larger sites will benefit from the allowances and support offerings of our business plan.

 Lifetime **priority** support

 **4M** monthly page views¹

 **240GB** data storage²

 **Complete** XenForo suite³

 **Unlimited** members and staff

 **Fully** managed service

 **Your choice** of data center location

 **Add-ons** and **API**⁴

 **Backups** daily

 **DDoS** protection

 **SSL** security

 Your choice of URL⁵

 Get started now (pay yearly)

Enterprise

Contact us for pricing

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 Lifetime **priority** support

 **Migration** and **import** service

 **5M+** monthly page views¹

 **Unlimited** data storage²

 **Complete** XenForo suite³

 **Unlimited** members and staff

 **Fully** managed service

 **Your choice** of data center location

 **Add-ons** and **API**⁴

 **Backups** daily

 **DDoS** protection

 **SSL** security

 Your choice of URL⁵

 Contact us...

Your questions answered



What software is included?



All XenForo Cloud plans include the complete XenForo software suite, including our Enhanced Search product.

Can I install add-ons, styles and languages?

You can upload third-party styles, languages and add-ons through your admin control panel at any time, although some add-ons may be flagged for inspection prior to deployment to ensure the security of your site.

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Can I use my own domain name?

It's easy to use your own domain name for your XenForo Cloud site. Once your site is running, we will provide you with simple instructions to edit your DNS records. You do not need to change your name servers or assign control of your domain name to us.

Do I own my community data?

Yes. All content and data created through your XenForo Cloud plan belongs to you. If you cancel your subscription, you will be offered a complete copy of your content and data at no cost.

Is my data secure?

XenForo Cloud systems are hardened against attack vectors to prevent data theft or leakage. Automated systems regularly snapshot and back up your data to off-site servers located in the EU for GDPR compliance purposes.

What security and protection is included?

XenForo Cloud runs with SSL and includes built-in DDoS protection at no extra cost.

What happens if my site exceeds its allowances?

If your site exceeds its allowed quota of page views or storage in any month, we will notify you of the excess. If the excess persists after a second month, we will automatically upgrade you to the next plan that accommodates your usage.

Can I upgrade if I need more allowances?

You may switch to a plan with greater allowances at any time. We do not offer data storage over the specified amount with our starter, standard or business packages, although the XenForo software supports external storage providers such as Amazon S3.

What page views count against allowances?

We only count page views that involve connecting to the database and rendering a complete page of HTML. Cached pages and simple file transfers are not counted.

Can I get direct SSH, FTP etc. access?

XenForo Cloud is a fully managed service and as such, direct access to the server is not available. The ability to upload assets such as images for use in styles, new smilie graphics etc. is handled directly through the XenForo admin control panel.

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If the URL of your site changes when you move to XenForo Cloud, we will leave behind a redirection system at your previous URL so that pages indexed by search engines are seamlessly redirected (using HTTP 301) to their corresponding new URL. No links are left orphaned and there is no SEO penalty for this approach.

Can you build a one-off enterprise plan?

[Let's talk!](#) Open lines of communication with us and together we can build a solution that perfectly fits your needs.

But can it run Crysis?

No.

Self-hosted XenForo License



Complete freedom to deploy XenForo however you like

If you have your own hosting infrastructure that meets the XenForo requirements, you can purchase a XenForo license to install the software onto your own systems.

 Self-hosted

\$195 license

 Software license only⁶

 Discount for multiple licenses

 Use your existing infrastructure

 Lifetime use⁷

 No limits

 Add-ons and API⁴

 No monthly fee

 Access to XenForo source code

 Pay for only what you need

 Build your XenForo package

Notes



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3. The XenForo® software suite comprises [the core software](#) and all first-party add-ons, including [XenForo Media Gallery](#), [XenForo Resource Manager](#) and [XenForo Enhanced Search](#).
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 - .community.forum
 - .xenforo.cloud
 - .xenforo-hosting.com
6. Purchase of a [XenForo license](#) grants use of the XenForo software only. Hosting and management of the software is not included.
7. A XenForo license grants lifetime use, subject to the terms of the [License Agreement](#), and one year of access to support and software updates. After this, to access ongoing support and updates, a one-year extension must be purchased.
8. Prices are shown exclusive of VAT, which will be added at checkout for UK and EU customers at your local rate.



XenForo plans and licenses

Community platform tailored to your needs

Whether you are looking for a fully-managed, hosted solution or a software-only option to run on your existing infrastructure, you'll find what you need here.

[Compare cloud plans >](#) [See self-hosted license options >](#)

XenForo Cloud New



You bring the idea, and we'll take care of the rest

The debut of your online community is just minutes away with our fully-managed plans.

 **Save** with annual payment

Starter

\$60 / month

Everything you need to get a small community started.

-  **Lifetime** support
-  **400K** monthly page views¹
-  **50GB** data storage²
-  **Complete** XenForo suite³
-  **Unlimited** members and staff
-  **Fully** managed service
-  **Your choice** of data center location
-  **Add-ons** and **API**⁴
-  **Backups** daily

Standard

\$100 / month

Our standard plan, suitable for medium sites with room to grow.

-  **Lifetime** support
-  **1M** monthly page views¹
-  **100GB** data storage²
-  **Complete** XenForo suite³
-  **Unlimited** members and staff
-  **Fully** managed service
-  **Your choice** of data center location
-  **Add-ons** and **API**⁴
-  **Backups** daily

 **DDoS** protection

 **SSL** security

 Your choice of URL⁵

 Get started now

 **DDoS** protection

 **SSL** security

 Your choice of URL⁵

 Get started now

Business

\$250 / month

Larger sites will benefit from the allowances and support offerings of our business plan.

 Lifetime **priority** support

 **4M** monthly page views¹

 **240GB** data storage²

 **Complete** XenForo suite³

 **Unlimited** members and staff

 **Fully** managed service

 **Your choice** of data center location

 **Add-ons** and **API**⁴

 **Backups** daily

 **DDoS** protection

 **SSL** security

 Your choice of URL⁵

 Get started now

Enterprise

Contact us for pricing

We can tailor packages to any requirements. Get in touch and let's discuss a solution.

 **Live** online support

 Lifetime **priority** support

 **Migration** and **import** service

 **5M+** monthly page views¹

 **Unlimited** data storage²

 **Complete** XenForo suite³

 **Unlimited** members and staff

 **Fully** managed service

 **Your choice** of data center location

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Disposition Log

City of Universal City

Office/Dept. : Administration

Prepared by: Kristin Mueller

Date: unknown

Unit Manager Signature: _____

Date: _____

Legal Counsel Signature: _____

Date: _____

RMO Signature: _____

Date: 1/22/24

Information from the Records Retention Schedule

Matches corresponding series on schedules adopted by the government or internal amendments, if applicable. Add a description if title does not convey the nature and purpose of the record.

Inclusive Dates

Starting and ending dates of the records to be destroyed under each records series. (MM/YY)

Method and Quantity R/Recycle

(open records only); S/Shred; D/Delete; A/Archives Appx. volume of records: ft., in. # of boxes, GB, etc.

Approval Date and Initial

The date of actual disposition and approval of each series.

See Att

Record Number	Record Series Title	Retention Period	Start	End	Action	Quantity	Date	Initial	X
5.1.001b	CASO Documents Management Contract	AC+4	11/09/2015	11/09/2015	Shred	26 pages	12/18/2020	KM	
1.1.006	Complaint Form - Anonymous	AC+2	04/30/2019	04/30/2019	Shred	1 page	04/11/2022	KM	
4.9.001	Budget Calendar 2017	FE+3	05/17/2017	09/20/2017	Shred	1	04/11/2022	KM	
GR1000-a	Northlake Monument Sign Leases 2014-2015	AC+4	01/01/2014	12/31/2015	Shred	12	12/20/2022	KM	
1.1.006	Complaint Form - Maldonado, Victoria	AC+2	05/30/2018	05/30/2018	Shred	1	04/11/2022	KM	
GR1000-a	Northlake Monument Sign Leases 2016-2019	AC+4	01/01/2016	12/31/2019	Shred	87	01/19/2024	KM	
1.1.020	Open Records Request Filled	AC+1	01/01/2016	12/31/2020	Shred	160	01/19/2024	KM	

Disposition Log

Name of Local Government:

Office/Dept.: Animal Control

Prepared by: Sheila Perez

Date: 1/31/24

Unit Manager Signature: [Signature]

Date:

Legal Counsel Signature:

Date:

RMO Signature: Manuel Garcia

Date: 2/2/24

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Method and Quantity
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See Att

Record Number	Record Series Title	Retention Period	Start	End	Action	Quantity	Date	Initial	X
	End of Month (EOM) Adoption paperwork	3 yrs	Jan 2016	Dec 2017		2 boxes			
	EOM, Adoption paperwork	3 yrs	Jan 2018	Dec 2018		1 box			
	EOM, Adoption paperwork	3 yrs	Jan 2019	Dec 2019		2 boxes			
	EOM, Adoption paperwork	3 yrs	Oct 2019	Mar 2020		1 box			
	EOM, Adoption paperwork	3 yrs	Jan 2016	Dec 2016		1 box			
	Adoptions & Microchips	1 yr	Jan 2018	Dec 2019		1 box			
	Inactive Volunteer paperwork	3 yrs	2016	2018		1 box			
	City pet licenses	3 yrs	Jan 2018	Dec 2018		1 box			
	City pet licenses	3 yrs	Jan 2019	Dec 2019		1 box			
	Adoptions & Microchips	3 yrs	Jan 2016	Dec 2017		1 box			
	Credit Card Receipts	3 yrs	Jan 2019	Dec 2019		1 box			
	HH monthly vet bills (City copy)	1 yr	Jan 2015	Dec 2015		1 box			
	Vendor paperwork	1 yr	2005	2012		1 box			

15

**RECORD DESTRUCTION LIST
PER LOCAL SCHEDULE LC
Part 1, Item 2350-03**

COURT

<u>DATE OF RECORD(S)</u>	<u>TYPE</u>	<u>DATE DESTROYED</u>
2-96 TO 1-97	CASE PAPERS	1-10-02 (SHRED)
12-87 TO 2-88	CASE PAPERS	1-28-02 (SHRED)
1-96 TO 12-96	CASE PAPERS	1-28-02 (SHRED)
1-77 TO 1-98	CASE PAPERS	3-26-03 (BURN)
1-62 TO 12-64	DOCKET BOOK	3-26-03 (BURN)
1-68 TO 12-68	DOCKET BOOK	3-26-03 (BURN)
1-70 TO 1-89	DOCKET BOOK	3-26-03 (BURN)
1-92 TO 12-93	DOCKET BOOK	3-26-03 (BURN)
1-70 TO 2-93	CASE PAPERS	3-26-03 (BURN)
1-98 TO 12-98	CASE PAPERS	1-16-04 (SHRED)
1-99 TO 1-2001	CASE PAPERS	1-27-06 (SHRED)
1-2001 TO 12-01	CASE PAPERS	2-22-07 (SHRED)
1-90 TO 5-02	ELECTRONIC FILES	5-25-07 (PURGE)
1-02 TO 7-02	CASE PAPERS	8-14-07 (SHRED)
8-02 TO 10-02	CASE PAPERS	1-30-08 (SHRED)
5-02 TO 12-02	ELECTRONIC FILES	1-30-08 (PURGE)
8-06 TO 7-06	DAILY REPORTS	4-21-08 (SHRED)
1992 TO 1995	OLD TICKETS	5-9-08 (SHRED)*
1993 TO 1996	SCHOOL DIST TICKETS	5-9-08 (SHRED)*
9-02 TO 2-03	CASE PAPERS	9-4-08 (SHRED)
3-03 TO 12-03	CASE PAPERS	1-29-09 (SHRED)
1-03 TO 12-03	ELECTRONIC FILES	1-29-09 (PURGE)
1-04 TO 12-04	ELECTRONIC FILES	1-5-10 (PURGE)
1-04 TO 12-04	CASE PAPERS	3-25-10 (SHRED)
1-05 TO 12-05	CASE PAPERS	1-19-11 (SHRED)
1-05 TO 12-05	ELECTRONIC FILES	1-19-11 (PURGE)
1-06 TO 12-06	ELECTRONIC FILES	1-3-12 (PURGE)
1-06 TO 12-06	CASE PAPERS	1-20-12 (SHRED)
1-07 TO 12-07	CASE PAPERS	1-14-13 (SHRED)
1-07 TO 12-07	ELECTRONIC FILES	1-15-13 (PURGE)
1-08 TO 12-08	CASE PAPERS	1-14-13 (SHRED)
1-08 TO 12-08	ELECTRONIC PAPERS	1-14-14 (PURGE)
1-09 TO 7-09	CASE PAPERS	10-3-14 (SHRED)
8-09 TO 12-09	CASE PAPERS	1-21-15 (SHRED)
1-09 TO 12-09	ELECTRONIC PAPERS	1-22-15 (PURGE)
1-10 TO 9-10	CASE PAPERS	9-25-15 (SHRED)
1-12 TO 12-13	DAILY REPORTS	9-25-15 (SHRED)
1-10 TO 12-10	ELECTRONIC PAPERS	1-22-16 (PURGE)
10-10 TO 12-10	CASE PAPERS	5-11-16 (SHRED)
1-11 TO 12-11	CASE PAPERS	1-10-17 (SHRED)
1-12 TO 12-12	CASE PAPERS	1-23-18 (SHRED)
1-12 TO 12-12	ELECTRONIC PAPERS	1-23-18 (PURGE)
1-13 TO 5-13	CASE PAPERS	6-1-18 (SHRED)*
2002 TO 2016	EXPUNCTION ORDERS	7-13-18 (SHRED)
6-13 TO 7-13	CASE PAPERS	8-3-18 (SHRED)
8-13 TO 9-13	CASE PAPERS	10-19-18 (SHRED)
10-13 TO 12-13	CASE PAPERS	2-21-19 (SHRED)
OPEN WARRANTS 2000-2005	CASE PAPERS	2-21-19 (SHRED)
1-01-14 TO 12-31-14	CASE PAPERS	1-03-20 (SHRED)
1-01-14 TO 12-31-14	ELECTRONIC FILES	1-03-20 (PURGED)

BH

*SHRED SERVICE USED FOR RECORDS LOCATED AT PUBLIC WORKS BLDG.

Mandel Garcia

RECORDS DISPOSITION LOG

Local Government Development Services

Record Title	Retention Period	Dates of Records	Volume	Disposition Method	Signature Authorizing Disposition	Disposition Date
SECO Grant 2010/2011	5 yrs	2010/2011	1	Garbage	Linda Jelut	10/31/16
Street Span Banne Permit Log 2012	5 yrs	Jan-Dec 2012	1	Garbage	Linda Jelut	12/21/17
Food & Beverage Permits	5 yrs	9/30/10	1	Garbage	Linda Jelut	12/21/17
Food & Beverages Permits	5 yrs	9/30/11	1	Garbage	Linda Jelut	12/21/17
Food & Beverages Permits	5 yrs	9/30/11	1	Garbage	Linda Jelut	12/21/17
Building Permits 2012	5 yrs	1-1-12 12-31-12	1	Garbage	Linda Jelut	12/21/17
Building Permits	5 yrs	1-2013 8-2013	1	Garbage	Linda Jelut	9/26/18
Building Permits	5 yrs	9-2013 12-2014	1	Garbage	Linda Jelut	10/1/18
Building Permits	5 yrs	1-2015 12-2015	1	Garbage	Linda Jelut	10/1/18
Building Permits	5 yrs	1-2016 7/1/2017	1	Garbage	Linda Jelut	July 2022
Building Permits	5 yrs	8/1/2017 11/2018	1	Garbage	Linda Jelut	11/22/23
					Marulul Garcia	2/1/24

Disposition Log

Name of Local Government: City of Universal City Office/Dept.: Finance

Prepared by: Christine Green

Date: 1/30/2024

Unit Manager Signature: _____

Date: _____

Legal Counsel Signature: _____

Date: _____

RMO Signature: Marcus Garcia

Date: 2/2/24

Information from the Records Retention Schedule

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Inclusive Dates

Starting and ending dates of the records to be destroyed under each records series. (MM/YY)

Method and Quantity

R/Recycle (open records only); S/Shred; D/Delete; A/Archives
Appx. volume of records: ft., in., # of boxes, GB, etc.

Approval Date and

Initial
The date of actual disposition and approval of each series.

See
Att

Record Number	Record Series Title	Retention Period	Start	End	Action	Quantity	Date	Initial	X
4.1.001	Accounts Payable	FE +3	10/2016	9/2020	Destroy	21	1/31/24	CG	
3.2.002 & 3.4.006	Employee Earnings Records & Time and Attendance Records	4	10/1998	9/2019	Destroy	23	1/31/24	CG	
4.1.009	Accounts Receivable Information	FE+3	10/2018	9/2020	Destroy	8	1/31/24	CG	

Disposition Log

City of Universal City

Office/Dept. : Fire Department

Prepared by: Monica Eaton

Date: 11/06/2023

Unit Manager Signature: _____

Date: _____

Legal Counsel Signature: _____

Date: _____

RMO Signature: Mandy Garcia

Date: 2/2/24

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Approval Date and Initial

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Record Number	Record Series Title	Retention Period	Start	End	Action	Quantity	Date	Initial	X
GR1050-28a	Training Records – Dustin Acklen	Date Sep. + 5yrs	08/12/2010	08/14/2011	Shred	88 pages	11/03/2023	ME	
GR1050-28a	Training Records – Brent Hodges	Date Sep. + 5yrs	12/24/2002	04/13/2013	Shred	9 pages	11/03/2023	ME	
GR1050-28a	Training Records- Scott Dingel	Date Sep. + 5yrs	05/30/2007	08/27/2012	Shred	6 pages	11/03/2023	ME	
GR1050-28a	Training Records-Kenneth Hughes	Date Sep. + 5yrs	03/06/2005	04/15/2012	Shred	7 pages	11/03/2023	ME	
GR1050-28a	Training Records-Terry Lee, Jr.	Date Sep. + 5yrs	05/31/2007	01/25/2014	Shred	136 pages	11/03/2023	ME	
GR1050-28a	Training Records-Jason Schultze	Date Sep. + 5yrs	03/20/2010	02/11/2014	Shred	165 pages	11/03/2023	ME	
GR1050-28a	Training Records-John Hagarty	Date Sep. + 5yrs	05/04/2009	01/04/2014	Shred	98 pages	11/03/2023	ME	
GR1050-28a	Training Records- Ryan Ramirez	Date Sep. + 5yrs	10/24/2012	05/13/2015	Shred	26 pages	11/03/2023	ME	
GR1050-28a	Training Records- Travis Leihsing	Date Set. + 5yrs	04/19/2013	01/07/2015	Shred	40 pages	11/03/2023	ME	
GR1050-28a	Training Records-Daniel Hardy	Date Sep. + 5yrs	10/19/2012	08/21/2016	Shred	56 pages	11/03/2023	ME	
GR1050-28a	Training Records-Jacob Esquivel	Date Sep. + 5yrs	02/15/2014	10/20/2016	Shred	3 pages	11/03/2023	ME	

FIRE DEPARTMENT

GR1050-28a	Training Records – Corey Seay	Date Sep. + 5yrs	10/12/2007	01/25/2013	Shred	9 pages	11/03/2023	ME	
GR1050-28a	Training Records- Justin Meuth	Date Sep. + 5yrs	08/23/2016	01/19/2017	Shred	17 pages	11/03/2023	ME	
GR1050-28a	Training Records- Richard Huizar	Date Sep. + 5yrs	02/13/2016	09/28/2016	Shred	3 pages	11/03/2023	ME	
GR1050-28a	Training Records-Brian Mulroney	Date Sep. + 5yrs	09/08/2006	05/22/2007	Shred	49 pages	11/03/2023	ME	
GR1050-28a	Training Records-Ross Wallace	Date Sep. + 5yrs	05/19/1975	01/31/2016	Shred	41 pages	11/03/2023	ME	
GR1050-28a	Training Records – John Hatzel	Date Sep. + 5yrs	10/01/1972	01/31/2017	Shred	106 pages	11/03/2023	ME	

Mamuel Garcia 2/2/24

