

MINUTES
CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS
Regular Meeting, Tuesday, 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

Absent:

Councilmember Christina Fitzpatrick
Councilmember Phil Vaughan

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

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