

**MINUTES**  
**CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS**  
Regular Meeting, Tuesday, 07 May 2024

1. **CALL ORDER:** Mayor John Williams at 6:32 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 Christina Fitzpatrick  
Councilmember Paul Najarian  
Councilmember Phil Vaughan

**Staff Present:**

Kim Turner, City Manager  
Cynthia Trevino, City Attorney  
Michael Cassata, Development Services Director  
Randy Luensmann, Public Works Director  
Johnny Siemens, Police Chief  
Christine Green, Finance Director  
Jaclyn Redmon, Building Official

Mayor Williams noted a quorum was present.

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

Mayor Williams gave the invocation and led the Pledge of Allegiance to the United States and Texas flags.

4. **STAFF REPORTS AND OTHER DISCUSSION ITEMS:**

a. **CITY MANAGER'S REPORT:**

b. **STAFF REPORT:**

i. **FY 2024 Q2 Financial & Investment Report:** Given by Ms. Green, a summary of expenditures and revenues were reviewed for the General, Debt Service, Capital Projects, Utility, Stormwater, and Golf Course Funds. The status of accounts was given, including an investment report.

ii. **ORR FY 2024 Q2 Report:** Given by Ms. Garcia, a summary of open records requests fulfilled by the City was reviewed. The report was divided between time spent and amount or requests fulfilled by the City Clerk, Development Services Department, and Police Department.

5. **CITIZENS TO BE HEARD:**

- David Karras, 3001 Muscat Way, reviewed twenty surrounding cities, most of which did not require permits for accessory structures. He specifically noted his grievance with the high fee for inspection compared to the amount of time the inspection takes; his two inspections took less than two minutes total. He expressed concern for those impacted by the high permit fees. He reminded Council that he had emailed them four possible solutions and amendments to permit requirements and asked them for their consideration.
  
- Bernie Rubal, 635 Balboa, asked Council to consider rebranding the City from "The Gateway to Randolph AFB" to "The Gateway to Democracy." He asked them to consider this in light of having a higher voter turnout percentage in the City compared to Bexar County as a whole. He asked them to imagine having a 90-95% voter turnout, and to keep the importance of engaging all groups in mind.

7. **ANNOUNCEMENTS:**

a. **CITY MANAGER'S ANNOUNCEMENTS:**

Mrs. Turner reminded Council of the Special Meeting to Canvass the May 2024 Election on May 14, 2024 at 6:30 and the Special Joint Meeting of the UCEDC and City Council on May 21<sup>st</sup> starting at 5:30 PM.

**b. MAYORS' ANNOUNCEMENTS: Annual Professional Municipal Clerks Week & Building Safety Month Proclamations**

Councilmember Buck read the proclamation declaring the week of May 5-11 as Annual Professional Municipal Clerks Week.

Councilmember Najarian read the proclamation declaring the month of May as Building Safety Month.

Mayor Williams presented the Building Safety Month proclamation to UC Building Official, Jaclyn Redmon. Ms. Redmon noted that Building Safety Month events included two seminars: Aging in Place on May 11, 2024 at 10 AM, and New Homeowner Basics on May 13, 2024 at 6 PM. Both events will be held at the UC Public Library.

Mayor Williams thanked Staff for everything they do.

**c. COUNCILMEMBERS' ANNOUNCEMENTS:**

Mayor Pro Tem Goolsby noted Universal City voter turnout made it to 9%.

Councilmember Bulman thanked Mr. Karras for his research and hard work. She thanked all volunteers for the Pancake Breakfast. She hoped that voter turnout would improve every year.

Councilmember Najarian noted the Tint World ribbon cutting with the Veterans Memorial Drumline in attendance. He recognized Mr. Rubal for his successful campaign and thanked residents who ran in the recent election. He congratulated newly elected Councilmembers based on unofficial results of the May 2024 Election: these included Bernard Rubal, Phil Vaughan, Lori Putt, and Tom Maxwell. He thanked Universal City residents for the best 6 years of his life, referring to his time on Council.

Councilmember Fitzpatrick reminded everyone of Heroes Camp registration would open with the camp hosted June 3-7 for 12–14-year-olds. She noted successful events such as the Pancake Breakfast hosted by the Fire Department and a Volunteer Fair at the golf course for residents to learn about volunteer opportunities.

**N. T. 2: Executive Session:**

- a) 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:
  - i. 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
- b) Reconvene in Open Session and take action, if needed, on any item pertaining to or listed in the Executive Session section of this Agenda.

**Mayor Williams began the Closed Session at 7:01 P.M.**

Mayor Williams convened into Closed Session with present City Council Members, City Manager Kim Turner, City Attorney Cynthia Trevino, Development Services & Economic Development Director Michael Cassata, and Public Works Director Randy Luensmann.

**Mayor Williams and the City Council reconvened into Open Session at 7:15 P.M. No action was taken during the Closed Session.**

**7. CONSENT AGENDA:**

Councilmember Najarian moved to approve the following Consent Agenda items:

- 1) Consider the minutes of the Tuesday, 16 April 2024 Regular Meeting.
- 2) Resolution No.971-2024 (EDC Bond): A resolution by the City Council of the City of Universal City, Texas authorizing and approving projects and expenditures related to promoting new and expanded business development by the Universal City Economic Development Corporation; and other matters in connection therewith.
- 4) E. Wright Rowhomes
  - a. Ordinance No. 632-PC-584-FLUP-2024: An ordinance amending the Future Land Use Plan to change Land Use designation of property located at 604 Bowie Drive and 206-218 E. Wright Boulevard, Universal City, Texas (CB 5768 BLK 21 LOTS 1-5) from MDR-Medium Density Residential to HDR-High Density Residential; providing for severability; and establishing an effective date.
  - b. Ordinance No. 581-Y-PUD-102: An ordinance of the City Council of the City of Universal City, Texas amending the Zoning Map of the City of Universal City, Texas for an approximately 0.717-acre property, located at 604 Bowie Drive and 206-218 E. Wright Boulevard, Universal City, Texas; rezoning said property from R-OT Old Town Residential District to PUD 2024-102 District, generally for High-Density Residential and related uses; adopting the PUD Final Plan related to PUD 2024-102; providing for severability; providing for the publication of the caption of this ordinance; and establishing an effective date.
- 5) 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.
- 6) Ordinance No. 352-K-2024: An ordinance amending certain sections of Section 4-4-82 – Off Premises Signs of the City Code of Ordinances to amend the allowed locations and other requirements of off premises signs, providing severability, setting an effective date, and to amend the Universal City Codes accordingly.

Councilmember Buck seconded the motion.

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

**Motion to approve carried.**

Councilmember Buck moved to approve the following Consent Agenda items subject to further legal review by City and developer attorneys:

- 3) Reunion Development
  - d. Resolution No. 970-A-2024: A resolution of the City of Universal City authorizing the sale of Real Property located at 11514 E. Loop 1604 N., Universal City, Texas, by Universal City, Texas, for

projects to promote new or expanded business development.  
Councilmember Najarian seconded the motion.

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

**Motion to approve carried.**

Councilmember Buck moved to approve the following Consent Agenda items subject to further legal review by City and developer attorneys:

3) Reunion Development

- e. Resolution No. 970-B-2024: A resolution of the City of Universal City authorizing the sale of Real Property located at 11514 E. Loop 1604 N., Universal City, Texas, by the Universal City Economic Development Corporation, for projects to promote new or expanded business development.

Mayor Pro Tem Goolsby seconded the motion.

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

**Motion to approve carried.**

Councilmember Najarian moved to approve the following Consent Agenda items:

3) Reunion Development

- a. Ordinance No. 632-PC-583-FLUP-2024: An ordinance amending the Future Land Use Plan to change Land Use designation of property located at 11514 E. Loop 1604 N, Universal City, Texas from HC-Highway Commercial and OS-Open Space to HC-Highway Commercial, HDR-High Density Residential, and OS-Open Space; providing for severability; and establishing an effective date.
- b. Ordinance No. 581-Y-PUD-2024-101: An ordinance of the City Council of the City of Universal City, Texas, amending the Zoning Map of the City of Universal City, Texas for an approximately 43-acre property located at 11514 E. Loop 1604 N; rezoning said property from OS-Open Space and C4-General Commercial to PUD 2024-101 District, generally for Multi-Family Residential, Commercial, Office-Research and Open Space; adopting the PUD Final Plan related to PUD 2024-101 District; providing for severability; providing for the publication of the caption of this ordinance; and establishing an effective date.
- c. Ordinance No. 581-AA-2024: An ordinance of the City Council of the City of Universal City, Texas approving an agreement with Reunion Development Partners, LLC to program economic development incentives for public project enhancements, development standards, emergency service access, and correlated infrastructure relating to the development of Reunion Development in Universal City; and establishing a Savings Clause and an effective date.

Councilmember Fitzpatrick seconded the motion.

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

**Motion to approve carried.**

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

- 7) Resolution No. 970-C-2024: A resolution of the City of Universal City authorizing the purchase of Real Property located at 216 Pat Booker Road, Universal City, Texas, by the Universal City Economic Development Corporation, for projects to promote new or expanded business development. Councilmember Najarian seconded the motion.

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

**Motion to approve carried.**

## 8. ACTION ITEMS:

### Police Department Grants Resolutions

- B. Resolution 943-A-2024: Body-Worn Camera Grant – 2024 – Office of Governor Grant 3529603
- C. Resolution 943-B-2024: Body-Worn Camera Grant – 2024 – Office of Governor Grant 3529604
- D. Resolution 943-C-2024: Rifle Resistant Body Armor Grant – 2025 – Office of Governor Grant 4976701
- E. Resolution 943-D-2024: ALEERT Travel Assistance Grant – 2024 – Office of Governor Grant 4936401

Mrs. Turner explained that the resolutions allow the Police Department to apply for the grants.

Mayor Pro Tem Goolsby moved to approve TABS B-E; all Resolutions related to Police grants. Councilmember Bulman seconded the motion.

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

**Motion to approve carried.**

- F. Resolution 972-2024: A Resolution of the City of Universal City, Texas approving the application for grant funds from the Bureau of Reclamation WaterSMART: Planning and Project Design Grant for FY 2024 Program Funding Opportunity NO. R23AS00109.

Mrs. Turner explained that this would be the second application the City submits for the grant, with the first having been submitted and awarded last year. The grant assists to replace old hardware such as water meters. This grant would fund approximately five hundred new meters.

Councilmember Vaughan moved to approve Resolution 972-2024. Mayor Pro Tem Goolsby seconded the motion.

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

**Motion to approve carried.**

- G. Agreement between Bexar County and UC for County ARPA Sewer Pipe Bursting Funds.

Mrs. Turner explained that Bexar County had extra ARPA funds for which they had recently

opened access to cities. These funds must be committed by Bexar County by December of 2024. ARPA funding was used by the City for sewer pipe bursting projects. Mrs. Turner reported that Bexar County had agreed to award the City's request which led to the agreement on the agenda for approval. She noted that the original request for \$2 Million was based on the project estimate, though the project's actual cost was under budget.

Mr. Luensmann informed Council that he had requested Bexar County allow excess funds granted to be used on other projects. They indicated that they would allow this for projects in the same area; ARPA funds have specifications that must be followed, with the area cited falling under these requirements. Mr. Luensmann stated projects would be submitted to Bexar County before finalization of the contract.

Councilmember Vaughan asked for the status of discussion to replace ARPA funds in the future.

Mrs. Turner confirmed that a revised budget would be presented to Council with recommendations for where to best utilize ARPA funds.

Councilmember Buck moved to approve the agreement between Bexar County and Universal City for County ARPA funds. Councilmember Najarian seconded the motion.

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

**Motion to approve carried.**

#### **H. Permit Requirements for Accessory Structures.**

Councilmember Vaughan reported that this item was brought to Council by Mr. Karras. Councilmember Vaughan felt that, given the intention of the permitting process to control building safety, and that he did not believe accessory structures posed building safety threats, he felt the permits were unnecessary. He added that the International Code Council did not recommend requirements for permits for accessory structures. He noted that the City adopted an ordinance removing the exemption of permit requirements for accessory structures under 120 feet according to the International Building Code and two hundred feet according to the International Residential Code. He reported that of the cities Mr. Karras researched, only five required permits for said structures. He asked Councilmembers for their opinions on the permitting process for accessory structures.

Councilmember Fitzpatrick opined that structural integrity in the face of intensifying winds is cause for concern when exempting accessory structures from the permitting process. She worried that these structures would be converted into shrapnel at the high wind speeds possible for the area. She felt there was value in the permitting process given that Mr. Karras stayed with a better-quality product after the process concluded. She was open to considering the cost of the permit.

Mayor Williams opened the floor for a Staff presentation.

Mr. Cassata responded to concerns regarding the fee structure for permits. He noted that research showed a lack of standardization in fee formulation across the country for permits. He emphasized that Universal City had reevaluated their fee schedule five years ago to mitigate

inconsistencies in the fee structure; the City's current fee schedule is based on the true cost to the City while being revenue neutral. He explained the process of fee formulation for Universal City, including consideration of Staff involved, closeout of the permit, number of inspections, and direct and indirect costs. Certain permit categories were also consolidated.

Mrs. Turner commended Mr. Cassata for the consolidation of about forty-one permits to eight categories and noted that State legislature passed fee structure guidelines two legislatures ago that now makes some of the fee structures cited by Mr. Karras and across the state illegal. The City was ahead of the curve in compliance and will now be assisting other cities with their fee structures.

Ms. Redmon reviewed the City's history with accessory structure requirements and the switch from the Southern Building Code to the International Building Code. There have always been differences in accessory structure permit requirements when it comes to square footage requirements ranging from 150-250 square feet. The City removed the permit exemption for accessory structures when it switched from the Southern Building Code to the International Building Code. She presented surrounding area codes regarding accessory structures and noted inclusions of the accessory structure exemptions, verbiage used for definitions, and the classification of accessory structures as non-livable spaces that will not be utilized for occupancy. She also noted the confusing nature of the fee structures of surrounding areas. She explained that the intention of the Building Official at the time of the passage of the City's ordinance excluding the exemption for accessory structures was that it provides consistency and equitable administration of the Code, as well as ensure structural stability and avoidance of unintended consequences. Unintended consequences include things like easement considerations, setback requirements, prevention of code compliance cases, and avoiding demolition costs.

Councilmember Buck and Ms. Redmon discussed specifics of Mr. Karras's case and reasons why San Antonio and Austin may not require permits for accessory structures, with San Antonio being more lenient with the exemption to include structures of up to three hundred square feet. These reasons include not having sufficient Staff for their city size to enforce accessory structure inspection requirements. Additionally, damage potentially caused by accessory structures may have been found to be minimal. However, it was noted by Ms. Redmon that they cannot say definitively why either Austin or San Antonio would decide this route for accessory structures.

Mrs. Turner gave background for the exemption being removed in 2004, explaining that the City Council was concerned with sheds on properties being improperly constructed as well as being placed wherever the owner wished. Some sheds were also rented as living spaces. However, she said the consideration for Council was whether the homeowner was assisted at the beginning before installation or whether they were addressed after complaints when the structure is already established. The latter could lead to more expensive consequences for the homeowner.

Councilmember Buck clarified that he agreed with the Code as it was written; he only disagreed with requiring a permit. He believed homeowners had the obligation to be aware of and adhere to the Code of Ordinances.

Councilmember Najarian discussed unintended consequences of not having inspections in the case of damage caused by the accessory structure when filing insurance claims or dealing with title companies.

Mrs. Turner added that this can happen when houses are sold as well after inspections are conducted where certain structures are not up to Code. Title companies may ask for letters of approval for structures in non-compliance with the City Code, but the City cannot provide them when the structure was built and completed outside of the permitting process.

Councilmember Najarian concluded that he did not feel safe with allowing residents to forego the inspection process but felt that the permit process was too expensive for the residents.

Mayor Pro Tem Goolsby expressed confidence in Code Compliance's ability to catch structures out of Code. He was favorable of exceptions to the permit requirements, and felt the City was in a different circumstance than when the exemptions were excluded from the Code. He did not agree with requiring a permit for building something in your own backyard.

Councilmember Bulman agreed with the freedom of a homeowner to do what they would like with their property. She felt the City could manage the potential Code Compliance issues. She also felt that homeowners should be responsible for structures built noncompliant with Code.

Councilmember Vaughan moved to direct Staff to present an Ordinance that reinserts the accessory structure exception into the City Code of Ordinances, referring to the exceptions included in the International Building Code and International Residential Code. He asked that the language be copied from these codes and inserted into City Code, for action on a future agenda. Councilmember Bulman seconded the motion.

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

**Motion to approve carried.**

**9. ADJOURNMENT:** Mayor Williams adjourned the meeting at 7:58 P.M.

**APPROVED:**

\_\_\_\_\_  
Tom Mawell, Mayor

**ATTEST:**

\_\_\_\_\_  
Maribel Garcia, Deputy City Clerk