

**MINUTES**  
**CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS**  
Regular Meeting, Tuesday, August 3, 2021

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

**Present:**

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

**Present:**

Kim Turner, City Manager  
Matthew Longoria, City Attorney  
Michael Cassata, Development Services Director  
Veronica Hernandez, Utility Administrator  
Randy Luensmann, Public Works Director  
Jessica Moore, Finance Director  
Kristin Mueller, City Clerk/Economic Dev Director  
Shana Palos, Finance Clerk

Mayor Williams noted a quorum was present.

3. INVOCATION: Councilmember Goolsby gave the invocation.
4. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS FLAG: Led by Mayor Williams.
5. VOTE TO CONSIDER THE EXCUSE OF ABSENT MAYOR/COUNCILMEMBERS:

No action was necessary; all members were present.

6. CONSENT AGENDA:

Councilmember Shelby moved to approve the following consent agenda items:

- a) Consider City Council Minutes for the Tuesday, July 7, 2021 Budget Workshop and the Tuesday, July 20, 2021 Regular Meeting.
- b) Ordinance 632 (PC 548.A & 549.A) FLUP 2021: An Ordinance amending the City's Future Land Use Plan to reclassify Orchard Park Subdivision, Units 1 & 2, 900-Series lots & Easement Parcels from AC-Aviation Commercial to OS-Open Space and residential lots from AC-Aviation Commercial to MDR-Medium Density Residential; providing for legislative findings in support thereof; providing for severability; and establishing an effective date. (2<sup>nd</sup> Reading).
- c) Ordinance 581-X-2021 (PC 548.B, PC 549.B, ZC 226 & ZC 227): An Ordinance amending the Zoning Classification of an approximately 42.5 Acre property from R1-Large Lot Residential to R3-Medium Density Residential for residential lots and R1-Large Lot Residential to OS-Open Space for 900-Series lots and easement parcels; providing for severability; and establishing an effective date. (2<sup>nd</sup> Reading).

Councilmember Goolsby seconded the motion.

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

**Motion to approve carried.**

7. CITIZENS TO BE HEARD:

- Lisa Quates, 177 Rifle Gap, chose to speak after the Waste Management agenda item was discussed. After Council's discussion, she asked if there could be a choice for one or two pickups a week. She also suggested that a roll-off be left at the Public Works Department for brush drop-off. She shared that she uses the brown bags to keep her shredded paper in. She asked for clarification on the pink tags. She wanted to know if every extra bag needed a pink tag. She also was concerned that there would not be enough room for mailboxes, cars, and trash cans on the curbside.
- Kim Igleheart, 736 Garden Meadow, thanked staff for the presentation. She mentioned that there was a subdivision in Coronado subdivision that has every other home has a rear entry garage, so she was curious how that street would be addressed.

8. AWARDS/PROCLAMATION/INTRODUCTION OF GUESTS: None.

9. BUSINESS:

- A. Consider Resolution 922: A Resolution of the City Council of the City of Universal City, Texas, calling a Special Election to be held on Tuesday, November 2, 2021 to submit to the voters of the City of Universal City, Texas, a proposition to establish an Ad Valorem Tax Limitation for persons who are disabled or persons sixty-five (65) years of age or older; authorizing contracts with the Election Administrator of Bexar County and of Guadalupe County to conduct this election and procedures related thereto; and providing an Open Meetings clause.**

City Manager Kim Turner stated because the City received a petition and City Council certified it as valid, the City will have a Special Election in November to submit to the voters a proposition to establish an Ad Valorem Tax Limitation for persons who are disabled or persons sixty-five or older.

Councilmember Maxwell asked what the cost of the election is to the City. Mrs. Turner answered approximately \$10,000.

Councilmember Najarian moved to approve Resolution 922. Councilmember Goolsby seconded the motion.

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

**Motion to approve carried.**

- B. Discuss & Consider Ordinance 525-U-2021: An ordinance of the City Council of the City of Universal City, Texas repealing Ordinances 525 thru Ordinance 525-T-2019 (City Code of Ordinances Chapter 2-3, Section 2-3-1 thru Section 2-3-29) in their entirety and adopting new provisions regarding the collection and disposition of solid waste and recyclable material in the City; establishing a city-wide collection, transportation and disposal program; authorizing execution of a comprehensive agreement granting Waste Management of Texas, Inc. an exclusive franchise to operate a solid waste and collection disposal service in the City of Universal City, Texas; establishing penalties not to exceed \$2000.00 per offense; providing that this ordinance shall be cumulative; providing for severability; and providing for an effective date. (1<sup>st</sup> Reading).**

City Manager Kim Turner mentioned that Waste Management came to City Council with a proposal in 2013 to be the first of its client cities to go to Automated Side Loading (ASL) trash service. The 2013 City Council determined at that time they did not want to transition. Since then, Waste Management has transitioned their fleet to ASL trash services. The new agreement includes curbside pick-up for most areas of Universal City. The only exception would be those who have rear-entry garages and paved alleyways would continue to receive pickup at the rear of the house. Other important components incorporated into this agreement include:

- Waste Management will provide 96-gallon wheeled polycarts for trash and recycling.
- The number of service days for recycle and trash pickup will remain the same.
- Residences with larger families can obtain an additional polycart for a nominal monthly fee. Residents who have occasional excessive trash and yard waste can purchase pink tags at City Hall which allows for the extra bags to be picked up by Waste Management.
- Bulk brush pickup will occur twice a year rather than monthly. Weekly yard waste can be placed in trash polycarts.
- The At-Your -Door Program will still be available to everyone as will the City's brush chipping service.
- The number of roll-offs dedicated to the City's Fall and Spring Clean Up for bulky waste and hazardous waste will more than double to 73 roll-offs per event.
- Bagster will always remain an option for any resident that has bulky items for pickup during the year.
- Waste Management will continue its support of the annual Snowfest.
- The term of the contract is for five years as allowed by State Law, with an optional 5-year extension and the option to cancel the agreement at any time with a 30-day written notice.
- City's Franchise Fee will remain the same; 10% for residential and commercial; 15% for roll-offs. Upon approval of the Agreement, residential customers will be charged a base rate of \$22.39 (a \$0.78 increase) and \$2.00 for the Pink Tags.

Christopher Cox, Public Sector Manager for Waste Management, explained ASL collection service, showed examples of the polycarts that will be provided to residents at no cost, and explained the safety benefits of ASL to the drivers.

Mayor Williams asked if bags of leaves can still be set out. Mr. Cox clarified that they can be set out during the Fall and Spring brush pickup. He also mentioned that brush can be put in the polycart for normal twice a week pickup or you can purchase a pink tag.

Discussion continued about the frequency of brush pickup, the ability of the elderly to move the carts, the pink tag process, the width of the streets and if there is room to have curbside pickup on those streets and why all the alleyways that currently have rear trash pickup cannot continue to have rear trash pickup.

Mr. Maxwell stated that while he agrees with the contract and ASL, he is not convinced that alleyway trash pickup should be removed from the contract. He would like the City and Waste Management to consider it further.

Councilmember Shelby moved to approve Ordinance 525-U-2021. Councilmember Volle seconded the motion.

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

**Motion to approve carried.**

**C. Consider the Financial Report for FY2021 Third Quarter (April 1 – June 30, 2021).**

Finance Director Jessica Moore presented the FY2021 Third Quarter Financial Report and answered questions accordingly.

Councilmember Maxwell moved to approve the FY2021 Third Quarter Financial Report.  
Councilmember Shelby seconded the motion.

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

**Nays: None**

**Motion to approve carried.**

10. CITY MANAGER COMMENTS:

Mrs. Turner:

1. Informed that City staff is meeting with TxDot to discuss the traffic light timing on Pat Booker Road as well as the lane change issue under Loop 1604;
2. Mentioned that City staff is meeting in a couple weeks with TxDot to discuss the IH-35 double decker construction;
3. Reported that the City did receive its certified tax rolls from the county and is preparing it for a public meeting; and
4. Apprised that the City had completed the State and Federal paperwork process to receive its ARPA funds. Staff is working on a budget and will present it to City Council at a future meeting.

12. COUNCILMEMBER COMMENTS:

Councilmember Goolsby echoed Mr. Maxwell's concern about alleyway trash pickup.

Councilmember Volle made no comments.

Mayor Pro Tem Neville asked for clarification on the City's Charter and whether recusing oneself from voting counts as a no vote.

Councilmember Maxwell stated that he toured the Waste Management facility, and it was an enlightening experience. He believes there needs to be more recycling education programs.

Councilmember Najarian invited everyone to attend the Toga Run and thanked Ms. Quates and Ms. Igleheart for their comments.

Councilmember Shelby jokingly asked if anyone else feels like they need a shower after so much discussion about trash.

13. MAYORAL COMMENTS:

Mayor Williams:

1. Thanked everyone for attending the meeting;
2. Mentioned that Councilmember Volle's daughter recently got her first hole in one golfing and he got one himself last Friday; and

3. Shared that his son, daughter-in-law and grandchild now live in Texas.
14. ADJOURNMENT: Mayor Williams adjourned the meeting at 8:27 P.M.

ATTEST:

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John Williams, Mayor

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Kristin Mueller, City Clerk