

MINUTES
CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS
Regular Meeting, Tuesday, July 20, 2021

1. CALL TO ORDER: Mayor Pro Tem Neville at 6:34 P.M.
2. QUORUM CHECK: Kristin Mueller, City Clerk

Present:

Mayor John Williams, arrived at 6:40 P.M.
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
Randy Luensmann, Public Works Director
Kristin Mueller, City Clerk/Economic Dev Director
Todd Perna, Fire Marshall

Mayor Pro Tem Neville noted a quorum was present.

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

No action was necessary; Mayor Pro Tem Neville mentioned that Mayor Williams was delayed but will arrive soon.

6. MINUTES OF THE PREVIOUS CITY COUNCIL MEETING:

Councilmember Shelby moved to approve the minutes of the Tuesday, July 6, 2021 City Council regular meeting. Councilmember Maxwell seconded the motion.

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

Motion to approve carried.

7. CITIZENS TO BE HEARD:

- Bill Ferrato, 13319 Demeter, reiterated that he still has an issue with his neighbors outdoor lighting shining into his home. He feels that code enforcement is failing to enforce code and would still like the issue resolved.

After his unavoidable delay, Mayor Williams arrived and assumed chair at 6:40 P.M.

8. AWARDS/PROCLAMATION/INTRODUCTION OF GUESTS:

Mayor Williams presented Todd Perna, Universal City Fire Marshall, with the Schertz Partnership Award, extending the City of Schertz gratitude for Universal City's assistance with COVID-19 vaccination clinics.

9. BUSINESS:

A. Consider Bid Acceptance of the CDBG West Byrd Phase 2 Drainage Improvements.

Public Works Director Randy Luensmann explained that the scope of the project included the reconstruction of 3,300 SY of Parkview Drive and the installation of a storm drain, and curb inlets, driveway aprons, curbs and a residential sidewalk on the west side of Parkview drive between the intersections of West Byrd to Hillview Drive. He said that the bid was advertised, and they received a total of four responsive bids. Staff recommends awarding the bid to the lowest responsive responsible bidder, R.L. Rohde General Contracting in the amount of \$397,026.99 for the base bid; and \$36,121.10 for Add Alternate #1, and \$55,957.00 for Add Alternate #2; for a total bid amount of \$443,173.92 for the West Byrd Phase 2 Drainage Improvements.

Councilmember Maxwell moved to accept the bid from R.L. Rohde General Contracting in the amount of \$443,173.92 for the West Byrd Phase 2 Drainage Improvements. Councilmember Najarian seconded the motion.

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

Motion to approve carried.

B. Consider Resolution 915: A Resolution by the City of Universal City, Texas ("City") authorizing the City to participate as part of a coalition of cities in proceedings to be held by the railroad commission of Texas related to implementation of House Bill 1520; authorizing the hiring of attorneys and consultants; directing the activities of lawyers and consultants regarding the Railroad Commission's HB 1520 proceedings; requiring reimbursement of reasonable legal and consultant expenses to extent allowed by law; finding that the meeting complies with the Open Meetings Act; and making other findings and provisions related to the subject.

City Manager Kim Turner stated that Texas State legislature has provided a means for gas companies to issue bonds to pay off the debt that incurred in the gas market during the recent winter storm that crippled all of Texas. The legislation allows that debt issued by CenterPoint to be paid by a rate increase for each of its customers. Approving Resolution 915 would allow the City to participate in a coalition of cities, represented Herrera Law & Associates, to fight the implementation of HB1520 and to be present as Universal City's official representative during the Railroad Commission's proceedings and file any required paperwork on behalf of the City.

Councilmember Maxwell moved to approve Resolution 915. Councilmember Shelby seconded the motion.

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

Motion to approve carried.

C. PUBLIC HEARING on PC 548.A & 549.A – a request for amendments to the 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.

Mrs. Turner explained that when Orchard Park was first annexed, the entire development was zoned R1-Large Lot Residential, a perfunctory designation. However, per the Development Agreement and both Plats of Subdivision, the residential lots are to be classified as R3-Medium Density Residential and the open space lots and easement parcels classified as OS-Open Space. The proposed FLUP and zoning amendments would complete the City's original intent related to the annexation and development of the Orchard Park Subdivision.

The proposed FLUP change would be to change the residential lots from AC-Aviation Commercial to MDR-Medium Density Residential and to change the 900-Series lots and easement parcels from AC-Aviation Commercial to OS-Open Space.

Mayor Williams opened the Public Hearing at 6:55 P.M.

There being no public comments, Mayor Williams closed the Public Hearing at 6:56 P.M.

- D. Discuss & Consider 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. (1st Reading).**

Councilmember Shelby moved to approve Ordinance 632 (PC 548.A & 549.A) FLUP 2021. Mayor Pro Tem Neville seconded the motion.

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

Motion to approve carried.

- E. PUBLIC HEARING on PC 548.B (ZC 226) & 549.B (ZC 227) – a request for amendments to the Zoning Map and Zoning Ordinance 581 to reclassify Orchard Park Subdivision, Units 1 & 2, 900-Series lots & Easement Parcels from R1-Large Lot Residential to OS-Open Space and residential lots from R1-Large Lot Residential to R3-Medium Density Residential.**

Mayor Williams opened the Public Hearing at 6:59 P.M.

There being no public comment, Mayor Williams closed the Public Hearing at 7: 00 P.M.

- F. Discuss & Consider 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. (2nd Reading).**

Councilmember Shelby moved to approve Ordinance 581-X-2021 (PC 548.B, PC 549.B, ZC 226 & 227). Mayor Pro Tem Neville seconded the motion.

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

Motion to approve carried.

G. Discuss & Consider Appointments to the City's Boards & Commissions.

Councilmember Shelby recused himself from voting and stepped out of the room.

Mayor Pro Tem Neville moved to approve the following appointments for the 2021-2023 term:

Board of Adjustments/Appeals: Bill Fitzpatrick, John Hudson, Chuck Consla, Roger Pritt

Board of Adjustment/Appeals Alternates: Roberta Castano, Elizabeth Dixon

Golf & Conference Center Committee: Robert Barnhardt, George "Les" Bourne

Library Advisory Commission: Catherine Huston, Mary Quandt

Planning & Zoning Commission: Zachary Carlton, Christina Fitzpatrick, Ronald Jackson,
Sheila Garcia

Parks and Recreation Commission: Alexis Adams, Janet Tennis

Councilmember Maxwell seconded the motion.

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

Nays: None

Recused: Shelby

Motion to approve carried.

Councilmember Shelby reentered the room at 7:04 P.M.

H. Closed Session pursuant to Tex. 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 following properties located at the listed addresses and within the City of Universal City:

- a. 118 East Langley Blvd.
- b. 406 Bowie
- c. 408 Bowie
- d. 202 E. Langley Blvd.
- e. 208 E. Langley Blvd.
- f. 110 E. Wright

Mayor Williams convened into Closed Session with City Council, City Manager Kim Turner, Economic Development Director Kristin Mueller, and City Attorney Matthew Longoria at 7:05 P.M.

I. Reconvene in Open Session.

Mayor Williams reconvened into Open Session at 7:30 P.M. and announced that no action was taken in the Closed Session.

J. Consideration and appropriate action, if any, regarding Resolution 916 authorizing the Universal City Economic Development Corporation's purchase of real property located at 118 East Langley Blvd.

Councilmember Maxwell moved to approve Resolution 916. Councilmember Shelby seconded the motion.

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

Motion to approve carried.

K. Consideration and appropriate action, if any, regarding Resolution 917 authorizing the Universal City Economic Development Corporation's purchase of real property located at 406 Bowie.

Councilmember Najarian moved to approve Resolution 917. Councilmember Maxwell seconded the motion.

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

Motion to approve carried.

L. Consideration and appropriate action, if any, regarding Resolution 918 authorizing the Universal City Economic Development Corporation's purchase of real property located at 408 Bowie.

Councilmember Shelby moved to approve Resolution 918. Councilmember Volle seconded the motion.

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

Motion to approve carried.

M. Consideration and appropriate action, if any, regarding Resolution 919 authorizing the Universal City Economic Development Corporation's purchase of real property located at 202 East Langley Blvd.

Councilmember Najarian moved to approve Resolution 919. Councilmember Shelby seconded the motion.

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

Motion to approve carried.

N. Consideration and appropriate action, if any, regarding Resolution 920 authorizing the Universal City Economic Development Corporation's purchase of real property located at 208 East Langley Blvd.

Councilmember Shelby moved to approve Resolution 920. Councilmember Maxwell seconded the motion.

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

Motion to approve carried.

O. Consideration and appropriate action, if any, regarding Resolution 921 authorizing the Universal City Economic Development Corporation's purchase of real property located at 110 E. Wright.

Councilmember Volle moved to approve resolution 921. Councilmember Shelby seconded the motion.

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

Motion to approve carried.

10. CITY MANAGER COMMENTS:

Mrs. Turner:

1. Announced Assistant Police Chief Bill Gabbard will be retiring on December 31, 2021;
2. Informed that she will be signing a contract for the City to purchase more water rights;
3. Mentioned that the City has completed its application for the Texas Department of Emergency Management Application and SAM.gov application so that it is eligible to receive its first ARPA funding allocation of \$2.5M in approximately 30 days; and
4. Revealed that the new hotel is looking to open in October or November of this year.

12. COUNCILMEMBER COMMENTS:

Councilmember Shelby suggested that the light pollution ordinance be reviewed to see if it accomplishes the spirit of the law.

Councilmember Najarian mentioned that he regretted that he missed Casino Night.

Councilmember Maxwell made no comments.

Councilmember Neville made no comments.

Councilmember Goolsby made no comments.

Councilmember Volle made no comments.

13. MAYORAL COMMENTS:

Mayor Williams:

1. Said that he attended the Military Transportation Taskforce meeting in the newly renovated San Antonio City Hall;
 2. Informed of Colonel Reimer's visitation and funeral schedule as well as invited councilmembers to attend a Celebration of Life event for Colonel Reimer on Friday; and
 3. Apologized for running late. He said in his 19 years as Mayor, he has never missed a meeting.
14. ADJOURNMENT: Mayor Williams adjourned the meeting at 7:40 P.M.

ATTEST:

John Williams, Mayor

Kristin Mueller, City Clerk