

# CITY OF KYLE



## Notice of Regular City Council Meeting

Kyle City Hall, 100 W. Center St., Kyle,  
Texas 78640

Notice is hereby given that the governing body of the City of Kyle, Texas will meet at 7:00 PM on September 20, 2016, at Kyle City Hall, 100 W. Center St., Kyle, Texas 78640, for the purpose of discussing the following agenda.

Posted this 16th day of September, 2016, prior to 7:00 p.m.

*Jennifer A. Vetrano,*  
*City Secretary*

### **I. Call Meeting To Order**

### **II. Approval of minutes**

1. City Council Regular Meeting Minutes - September 6, 2016. ~ *Jennifer Vetrano, City Secretary*

### **III. Citizen Comment Period with City Council**

The City Council welcomes comments from Citizens early in the agenda of regular meetings. Those wishing to speak are encouraged to sign in before the meeting begins. Speakers may be provided with an opportunity to speak during this time period on any agenda item or any other matter concerning city business, and they must observe the three-minute time limit.

### **IV. Executive Session**

2. Pursuant to Chapter 551, Texas Government Code, the City Council reserves the right to convene into Executive Session(s) from time to time as deemed necessary during this meeting. The City Council may convene into Executive Session pursuant to any lawful exception contained in Chapter 551 of the Texas Government Code including any or all of the following topics.
  1. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071.
    - Attorney/Client communications regarding pending terms for the funding agreement with Kyle Area Chamber of Commerce
    - Attorney/Client communications regarding terms and conditions of Meet and Confer Contract
  2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
  3. Personnel matters pursuant to Section 551.074.

- Annual performance evaluation of City Manager, Scott Sellers
- 4. Economic Development negotiations pursuant to Section 551.087.
  - Project Steel Blue
- 3. Take action on items discussed in Executive Session.

## **V. Presentation**

- 4. Progress report on all five road bond projects including latest project cost estimates.  
~ *Leon Barba, P.E., City Engineer*

## **VI. Consent Agenda**

- 5. Approve Stepping Stone School XXI - Site Plan (SD-16-012) 1.3 acres; 1 commercial lot located at 1020 Lightfoot. ~ *Howard J. Koontz, Director of Planning and Community Development*

*Planning and Zoning Commission voted 5-0 to recommend approval of the site plan.*

- 6. Authorize award and execution of a Purchase Order to HUF COR, INC., Dallas, Texas, in an amount not to exceed \$25,000.00 for the replacement of the sliding wall divider in Kyle City Hall and related services. ~ *Kerry Urbanowicz, Director of Parks, Recreation and Facilities*
- 7. Accept a petition for voluntary annexation from Lennar Homes of Texas Land and Construction, Ltd. The property is 51.48 acres of land located southwest of the intersection of FM 2770 and FM 1626. ~ *Howard J. Koontz, Director of Planning and Community Development*
- 8. Approve a Resolution appointing the City's Planning & Zoning Commission to act as the Impact Fee Advisory Committee for the water and wastewater impact fee study and update. ~ *J. Scott Sellers, City Manager*
- 9. Authorize renewal of the lease contract with COWBOY HARLEY-DAVIDSON OF AUSTIN, TEXAS, for a total of three (3) FLHP Police Electra Glide Harley-Davidson motorcycles and to extend the lease period to expire September 30, 2017, at the lease rate of \$390.00 per month for each motorcycle for a total amount not to exceed \$14,040.00 for lease payments to be made during Fiscal Year 2016-17. ~ *Jeff Barnett, Chief of Police*
- 10. A Resolution of the City Council of the City of Kyle, Texas accepting Creekside Village Section 1 & 2; finding and determining that the meeting at which this Resolution is passed was noticed and is open to the Public as required by law. ~ *Leon Barba, P.E., City Engineer*
- 11. Consider and possible action to approve a Resolution of the City Council of the City of Kyle, Texas, authorizing the acceptance of a two year grant in the amount of \$99,899.20 from the Office of the Governor, Victims of Crime Act Grant for the

purpose of funding the Kyle Police Department's Victims Services Coordinator full-time position for fiscal years 2016-2018; authorizing and providing matching funds in an amount not to exceed \$24,224.80 from the Kyle Police Department's approved budget for fiscal years 2016-2018; agreeing and assuring that in the event of loss or misuse of said grant funds, the city will return the total amount of funds to the Criminal Justice Division of the Office of the Governor; authorizing the City Manager to apply for, accept, reject, alter or terminate the grant on behalf of the City Council; finding and determining that the meeting at which this resolution is passed is open to the public as required by law; providing for an effective date; and making such other findings and provisions related hereto. ~ *Jeff Barnett, Chief of Police*

12. Approve Contract Task Order No. 7 to NEPTUNE-WILKINSON ASSOCIATES, INC. Austin, Texas, in an amount not to exceed \$11,000.00 for the purpose of providing project management for the installation of SCADA equipment (provided by others) at City-owned facilities. ~ *Harper Wilder, Director of Public Works*
13. A Resolution of the City Council of the City of Kyle, Texas accepting Meadows At Kyle Phase Five Subdivision; finding and determining that the meeting at which this Resolution is passed was noticed and is open to the Public as required by law. ~ *Leon Barba, P.E., City Engineer*
14. Consider Tank/Ground Lease Agreement with Guadalupe-Blanco River Authority (GBRA). ~ *J. Scott Sellers, City Manager*
15. Authorize award and execution of a Contract and Purchase Order to TYLER TECHNOLOGIES, INC., Lubbock, Texas, in an amount not to exceed \$344,134.00 for the EnerGov Software Module and Installation Services for the City's Building Inspection, Community Development, and Public Works departments. ~ *Jerry Hendrix, Chief of Staff*

## **VII. Consider and Possible Action**

16. (*First Reading*) An ordinance amending the Code of Ordinances of the City of Kyle, Texas; amending Chapter 53 ("Zoning"), Article I ("In General"), Section 53-5 ("Definitions"); and Article II ("Zoning Districts and Regulations"), Section 53-33 (I) ("Impervious Coverage"); amending Chart 2 and Associated Notes. ~ *Howard J. Koontz, Director of Planning and Community Development*

*Planning and Zoning Commission voted 5-0 to recommend amendment.*

### **• PUBLIC HEARING**

17. (*First Reading*) An ordinance amending the Code of Ordinances of the City of Kyle, Texas; amending Chapter 53 ("Zoning"), Article V ("Landscaping and Screening Requirement"). ~ *Howard J. Koontz, Director of Planning and Community Development*

*Planning and Zoning Commission voted 5-0 to recommend amendment.*

### **• PUBLIC HEARING**

18. Consider and possible action to approve an Agreement for Professional Services with TRAYLOR AND ASSOCIATES for grant application and administration. ~ *J. Scott Sellers, City Manager*
19. Consider and possible action to approve a Resolution of the City Council of the City of Kyle, Texas, Approving an Application for Funding through the Texas Department of Agriculture, Texas Capital Fund in anticipation of Texas Capital Fund grant submission. ~ *Gary Traylor, Traylor and Associates*
20. Consider and possible action to approve a Resolution regarding requirements for participation in the Texas Community Development Block Grant (TxCDBG) Program in anticipation of Texas Capital Fund grant submission. ~ *Gary Traylor, Traylor and Associates*
21. Consider and possible action to approve Traylor and Associates Work Order No. 1 for the preparation of Texas Capital Fund Grant Application, Work Order No. 2 for the coordination and production of an Environmental Assessment of Owner's project activities in accordance with 24 CFR Part 58, Subpart E of the HUD Environmental Regulations, and Work Order No. 3 for Grant Management Services for the Texas Capital Fund Grant. ~ *J. Scott Sellers, City Manager*
22. Consider participation in Hays Caldwell Public Utility Agency's feasibility study for constructing a regional wastewater treatment plant in the amount of \$10,000.00. ~ *J. Scott Sellers, City Manager*
23. Consider and possible action to approve a Retail Water and Wastewater Services Agreement between City of Kyle and Mountain City 150, LP. ~ *James R. Earp, Assistant City Manager*
24. (First Reading) An Ordinance of the City of Kyle, Texas, amending the City of Kyle, Tx Code of Ordinances; amending Article II. Water and Waste Water System Generally Section 50-29, to add an exception to recover construction costs of utility lines. ~ *James R. Earp, Assistant City Manager*

## **VIII. City Manager's Report**

25. Update on various capital improvement projects, road projects, building program, and/or general operational activities where no action is required. ~ *J. Scott Sellers, City Manager*
  - Kyle Founder's Parade - October 15, 2016
  - Reminder: Next Council meeting - October 18, 2016

## **IX. ADJOURN**

*At any time during the Regular City Council Meeting, the City Council may adjourn into an Executive Session, as needed, on any item listed on the agenda for which state law authorizes Executive Session to be held*

\*Per Texas Attorney General Opinion No. JC-0169; Open Meeting & Agenda Requirements, Dated January 24, 2000: The permissible responses to a general member communication at the meeting are limited by 551.042, as follows: "SEC. 551.042. Inquiry Made at Meeting. (a) If, at a meeting of a government body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by the subchapter, the notice provisions of this subchapter, do not apply to: (1) a statement of specific factual information given in response to the inquiry; or (2) a recitation of existing policy in response to the inquiry. (b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting."