

[Agenda](#)[Minutes](#)[Close](#)

CITY OF KYLE



Notice of Regular City Council Meeting

KYLE CITY HALL
100 W. Center Street

Notice is hereby given that the governing body of the City of Kyle, Texas will meet at 7:00 PM on 5/15/2012, at Kyle City Hall, 100 West Center Street, Kyle, Texas for the purpose of discussing the following agenda.

Posted this 10th day of May, 2012 prior to 7:00 p.m.

I. Call Meeting To Order

II. Approval of Minutes

1. City Council Regular Meeting - May 1, 2012 ~ *Amelia Sanchez, City Secretary*

 [Attachments](#)

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 must sign in before the meeting begins at the Kyle City Hall. Speakers may be provided with an opportunity to speak during this time period, and they must observe the three-minute time limit.

IV. Presentation

2. The Kyle City Council will recognize Council Members Jaime Sanchez and Russ Huebner for their dedication and service to the City of Kyle ~ *Lucy Johnson, Mayor*

 [Attachments](#)

V. Proclamations

3. Proclamation of the City of Kyle recognizing May 28, 2012 as "Memorial Day" in Kyle, Texas ~ *David Wilson, Mayor Pro Tem*

 [Attachments](#)

4. Proclamation of the City of Kyle recognizing May 15, 2012 as "Gary Van der Wege Day" in Kyle, Texas ~ *David Wilson, Mayor Pro Tem*

 [Attachments](#)

5. Proclamation of the City of Kyle Designating May 13-19, 2012 as "Police Week" in the Kyle, Texas ~ *Jeff Barnett, Chief of Police*

 [Attachments](#)

VI. Appointments

6. Consideration of Nomination for Appointment to the Planning and Zoning Commission
~ *Lucy Johnson, Mayor*

- *Dan Ryan*

 [Attachments](#)

VII. Consider and Possible Action

7. A RESOLUTION BY THE CITY OF KYLE CERTIFYING THE ELECTION RESULTS OF THE SPECIAL LOCAL OPTION ELECTION TO LEGALIZE THE SALE OF ALCOHOLIC BEVERAGES, INCLUDING MIXED BEVERAGES; AND PROVIDING AN EFFECTIVE DATE ~ *Frank Garza, City Attorney*

 [Attachments](#)

8. (*First Reading*) AN ORDINANCE OF THE CITY OF KYLE, TEXAS; AUTHORIZING THE ADOPTION OF A SETTLEMENT OF THE APPLICATION FOR AN INCREASE IN WATER AND SEWER RATES BY MONARCH UTILITIES I, L.P. NEGOTIATED BY REPRESENTATIVES OF THE COALITION OF CITIES, (INCLUDING THE CITIES OF BLUE MOUND, BUDA, IVANHOE AND KYLE), TAMER (ON BEHALF OF ENVIRONS CUSTOMERS), THE EXECUTIVE DIRECTOR OF THE TEXAS COMMISSION OF ENVIRONMENTAL QUALITY, MONARCH UTILITIES I, L.P., AND OTHER PARTIES WHO ARE EXPECTED TO JOIN IN ADOPTING THE PROPOSED SETTLEMENT; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE ~ *Jerry Hendrix, Director of Community Development*

- *Public Hearing*

 [Attachments](#)

9. (*First Reading*) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, ("CITY") APPROVING IMPLEMENTATION OF THE

FEBRUARY 10, 2012, INTERIM RATE ADJUSTMENT FILING PURSUANT TO THE TEXAS UTILITIES CODE SEC. 104.301 OF TEXAS GAS SERVICE COMPANY, A DIVISION OF ONEOK, INC. ("TGS" OR "COMPANY"); AND DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; AND DECLARING AN EFFECTIVE DATE ~ *Jerry Hendrix, Director of Community Development*

 [Attachments](#)

10. Authorize the negotiation of a Professional Services Agreement with RPS ESPEY to perform the Engineering Services associated with the "E 11-12-01" City of Kyle "Southside Wastewater and Elliott Branch Wastewater Interceptor Improvements" (Impact Fee Capital Improvements) Projects ~ *Steven Widacki, P.E., City Engineer*

 [Attachments](#)

11. Authorize the Execution of a Professional Services Agreement with NEPTUNE-WILKINSON ASSOCIATES, INC. (NWA) to perform the Engineering Services associated with "Kyle Parkway and Bebee Road Alignment Study" in an amount Not to Exceed \$6,500.00 ~ *Steven Widacki, P.E., City Engineer*

 [Attachments](#)

12. Authorize Execution of Advance Funding Agreement (AFA) with Texas Department of Transportation for a Metropolitan Mobility and Rehabilitation Project On-System to Construct Sidewalks and Bike Lanes on FM 2770 from Hays High School to RM 150 (Rebel Drive) and on RM 150 from FM 2770 to N. Burleson Street. Funding from Federal and State participation for Engineering and Construction totals \$963,000.00. Total Project Funds under the AFA are \$1,010,298.00 to cover State Costs for Review, Inspection and Oversight of work performed. Local (City of Kyle) participation in the overall project cost is estimated to be \$0.00 ~ *Steven Widacki, P.E., City Engineer*

 [Attachments](#)

13. Authorize the Execution of a Professional Services Agreement with DIANNA L. TINKLER (DLT) to perform the services associated with "Right of Way Services – Bunton Creek WW Interceptor, Ph. 3" (WW Impact Fee Project) in an amount Not to Exceed \$29,785.00 ~ *Steven Widacki, P.E., City Engineer*

 [Attachments](#)

14. Authorize the Execution of a Professional Services Agreement with ECS TEXAS, LLP (ECS) to perform the Engineering Services associated with "Subsurface Exploration - Bunton Creek WW Interceptor" (WW impact fee project) in an

amount Not to Exceed \$4,401.25 ~ *Steven Widacki, P.E., City Engineer*

 [Attachments](#)

VIII. City Managers Report

15. Update on Various Capital Improvement Projects, Road Projects, Building Program, and/or General Operational Activities ~ *Lanny Lambert, City Manager*

- Update on next Community Visioning Session

 [Attachments](#)

IX. Executive Session

16. Convene into Executive Session pursuant to Section 551.071 (Consultation with Attorney) to discuss water fee dispute with United Apartment Group

 [Attachments](#)

17. Reconvene into Open Session to take action as deemed appropriate in the City Council's discretion regarding water fee dispute with United Apartment Group

 [Attachments](#)

X. 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.