

[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 12/18/2012, at Kyle City Hall, 100 West Center Street, Kyle, Texas for the purpose of discussing the following agenda.

Posted this 13th day of December, 2012 prior to 7:00 p.m.

I. Call Meeting To Order

II. Approval of Minutes

1. City Council Regular Meeting - December 4, 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. Presentation of the Ethics Commission 2012 Annual Report ~ *Gary Rush, Chairman, Ethics Commission*

 [Attachments](#)

V. Proclamations

3. Proclamation of the City of Kyle, Texas Proclaiming December 18th, 2012 as "Adell Hurst Day" in the City of Kyle, Texas ~ *David Wilson, Council Member District 4 & Samantha LeMense, Council Member District 5*

 [Attachments](#)

VI. Appointments

4. Consideration of Nomination for Appointment to the City of Kyle's Board of Tax Increment Refinancing Zone No.1. ~ *Lucy Johnson, Mayor*

- *Greg Blackwell*

 [Attachments](#)

5. Consideration of Nomination(s) for Appointment to the Ethics Commission ~ *Lucy Johnson, Mayor*

- *District 6, Re-appointment, Gary Rush*
- *District 3, Re-appointment, Jerry Lopez*
- *District 2, New Appointment, Marta Ortiz*

 [Attachments](#)

6. Consideration of Nomination(s) for Appointment to the Public Works & Service Committee ~ *Lucy Johnson, Mayor*

- *Terri Slaughter*

 [Attachments](#)

VII. Consent Agenda

7. Authorize award and execution of a 36-month contract with THOMSON REUTERS WEST of New York City, NY in an amount not to exceed \$7,774.20 for an online Law Library subscription for the City Attorney ~ *Mark Shellard, Director of Information Technology*

 [Attachments](#)

8. Authorize award and execution of Purchase Order to WALLTECH of Austin, Texas, in an amount not to exceed \$4,250.00 to purchase seventeen (17) 5-drawer lateral file cabinets for the Police Department ~ *Jeff Barnett, Chief of Police*

 [Attachments](#)

VIII. Consider and Possible Action

9. Consider a request by Minerva, Ltd. (7 Eleven Store) located at 22553 IH-35 for a Conditional Use Permit to construct a 3,010 square foot building located within the Interstate Highway 35 Corridor District.
~ *Sofia Nelson, Director of Planning*

Planning and Zoning Commission voted 6-1 to approve the Conditional Use Permit with Conditions outlined in Staff Report.

- *Public Hearing*

 [Attachments](#)

10. (*Second Reading*) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS AMENDING CHAPTER 53, ZONING ARTICLE III-OVERLAY DISTRICTS, DIVISION 4 - CONDITIONAL USE OVERLAY DISTRICTS OF THE CITY OF KYLE CITY CODE TO AMEND AND ESTABLISH SPECIFIC DEVELOPMENT REQUIREMENTS FOR PROPERTY WITHIN THE IH-35 OVERLAY DISTRICT; PROVIDING FOR THE AMENDMENT OF THE ZONING ORDINANCE; PROVIDING FOR RELATED MATTERS.

~ *Sofia Nelson, Director of Planning*

Planning and Zoning Commission voted 6-1 to Recommend Approval.

- *Public Hearing*

 [Attachments](#)

11. Approve a Resolution authorizing the City Manager to seek funding in the amount of \$311,851.00 under the Transportation Enhancement Program of the Texas Department of Transportation for the final phase of the Train Depot Renovation Project. The City will be required to provide \$77,963.00 in matching cash contribution for the grant funding ~ *Joshua Moreno, Grants Administrator*

 [Attachments](#)

12. Approve a Resolution authorizing the City Manager to submit a loan funding invitation request to the Texas Water Development Board under the Clean Water State Revolving Fund in an amount totaling \$4,300,000.00 for the expansion of the City's wastewater treatment plant from 3.0 MGD to 4.5 MGD ~ *Joshua Moreno, Grants Administrator*

 [Attachments](#)

13. A RESOLUTION OF THE CITY OF KYLE, TEXAS, ACKNOWLEDGING THE CONTRIBUTIONS OF KYLE RESIDENT ADELL HURST, PARTICULARLY HER CONTRIBUTIONS FOR THE SENIOR CITIZENS OF KYLE AND THE PRESERVATION OF THE CITY'S HISTORY AND HERITAGE, AND TO MEMORIALIZE THOSE CONTRIBUTIONS BY RENAMING THE KYLE HISTORIC CITY HALL TO THE ADELL HURST SENIOR CITIZENS CENTER AND THEREBY HONORING HER FOR HER OUTSTANDING CIVIC INVOLVEMENT ON BEHALF OF THE CITY OF KYLE ~ *David Wilson, Council Member District 4*

 [Attachments](#)

14. Authorize the City Manager to negotiate and execute a 5-year professional services agreement with BICKERSTAFF HEATH DELGADO ACOSTA, LLP of Austin, Texas, with one 5-year extension option to provide bond counsel and related advisory services to the City of Kyle ~ *Perwez A. Moheet, CPA, Director of Finance*

 [Attachments](#)

15. Authorize the City Manager to execute the First Amendment to Interlocal Agreement between Hays County and the City of Kyle to establish a 6-year annual payment schedule for the reimbursement of City's share totaling \$1,921,241.28 (24.39%) of construction costs for Dacy Lane roadway improvements. In addition, interest cost will accrue and due if payment in full is not made by the first year. Construction cost for the entire Dacy Lane project totaled \$7,877,168.00 ~ *Lanny Lambert, City Manager*

 [Attachments](#)

16. A RESOLUTION OF THE CITY OF KYLE, TEXAS DECLARING GOALS FOR THE LEGISLATIVE SESSION TO INCLUDE PRIORITIES DETERMINED BY THE CITY COUNCIL THAT RANGE FROM WATER UTILITY REGULATION AND FIRE CONTROLS WITHIN CITY LIMITS, CERTIFICATE OF CONVENIENCE AND NECESSITY AUTHORITY OF CITIES, STATE FUNDING FOR LIBRARY SERVICES, EXTRATERRITORIAL JURISDICTION (ETJ) ISSUES AND ANNEXATION POWERS INCLUDING RIGHTS FOR LAND OWNERS THAT ARE ADJACENT TO ANOTHER CITY'S ETJ, AUTHORITY TO INCLUDE A CITY'S ABILITY TO COLLECT SALES TAX ON NEW CAR SALES TO THAT OF THE STATE, AND TO ADDRESS REASONABLE MUNICIPAL COURT FINES AND THE SHARE OF SUCH FINES WITH THE STATE OF TEXAS ~ *Lanny Lambert, City Manager*

 [Attachments](#)

17. Consideration and Possible Action to Authorize the City Manager to Execute Memorandum of Understanding regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business Enterprise Program by City of Kyle ~ *Steven D. Widacki, P.E., City Engineer*

 [Attachments](#)

18. Authorize the Kyle Parks and Recreation Department to plan for a new special event called The Full Moon Jubilee and accept the event as a city sponsor event ~ *Kerry Urbanowicz, Director of Parks and Recreation*

 [Attachments](#)

IX. City Managers Report

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

- Discuss annexation procedure

 [Attachments](#)

X. Executive Session

20. Convene Into Executive Session pursuant to Section 551.074, Tex. Government Code, Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of various personnel positions

 [Attachments](#)

21. Reconvene Into Public Session and take action as appropriate in the Council's discretion regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of various personnel positions

 [Attachments](#)

XI. 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.