

# 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 3/19/2013, at Kyle City Hall, 100 West Center Street, Kyle, Texas for the purpose of discussing the following agenda.

Posted this 14th day of March, 2013 prior to 7:00 p.m.

### I. Call Meeting To Order

### II. Approval of Minutes

1. City Council Regular Meeting - March 5, 2013 ~ *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. Recognition of outgoing Public Works and Service Committee members for the selfless work and dedication for the citizens of Kyle ~ *David Wilson, Council Member District*

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- Kelly Hoag
- Ann Long

 [Attachments](#)

3. Presentation by Gary Scahtz on a proposed round-about vs. traffic light located at FM

1626 and Kohler's Crossing ~ *Sofia Nelson, Director of Planning; Steven D. Widacki, P.E., City Engineer; and Jeff Barnett, Chief of Police*

 [Attachments](#)

4. Presentation of Kyle Chamber of Commerce Quarterly Report for Reporting Period October 2012 through December 2012 ~ *Ray Hernandez, Executive Director of Kyle Area Chamber of Commerce & Visitor's Bureau*

 [Attachments](#)

## V. Proclamations

5. Proclamation of the City of Kyle, Texas Proclaiming March 19th as "James Alton Holt, Sr. Day" in the City of Kyle, Texas ~ *Lucy Johnson, Mayor*

 [Attachments](#)

## VI. Appointments

6. Consideration of Nomination(s) for Appointment to the Community Relations Committee ~ *Lucy Johnson, Mayor*

- Richard Baggett

 [Attachments](#)

7. Consideration of Nomination(s) for Appointment to the Economic Development Committee ~ *Lucy Johnson, Mayor*

 [Attachments](#)

## VII. Consent Agenda

8. (*Second Reading*) AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING PART II, CHAPTER 2, ARTICLE III, DIVISION 4, SUBDIVISION I & II OF THE CITY OF KYLE MUNICIPAL CODE DEALING WITH THE STRATEGIC PLANNING AND FINANCE COMMITTEE, THE COMMUNITY RELATIONS COMMITTEE, THE PUBLIC WORKS & SERVICE COMMITTEE, THE MOBILITY COMMITTEE, THE PARKS AND RECREATION COMMITTEE, THE SAFETY & EMERGENCY SERVICES COMMITTEE, AND THE ECONOMIC DEVELOPMENT AND TOURISM COMMITTEE; REVISING MEMBERS OF OFFICE; REVISING DUTIES, MEMBERSHIP, TERMS, APPOINTMENTS; AND PROVIDING FOR RELATED MATTERS ~ *Brad*

*Pickett, Council Member District 3*

 [Attachments](#)

9. *(Second Reading)* AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY 5.115 ACRES OF LAND FROM 'C-2' COMMERCIAL – GENERAL BUSINESS TO 'RS' RETAIL SERVICE DISTRICT, ON PROPERTY LOCATED AT 770 WINDY HILL ROAD, IN HAYS COUNTY, TEXAS. (NESTER DEVELOPMENT AND STEVEN AND REBECCA ENTERPRISES, INC. Z-13-001); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW ~ *Sofia Nelson, Director of Planning*

*Planning and Zoning Commission voted 7-0 to Deny the rezone request of Retail Services and made a Recommendation to rezone the property to Community Commercial.*

 [Attachments](#)

10. *(Second Reading)* AN ORDINANCE SUSPENDING THE IMPLEMENTATION OF THE INTERIM RATE ADJUSTMENT UNDER SECTION 104.301 OF THE TEXAS UTILITIES CODE BY TEXAS GAS SERVICE COMPANY WITHIN THE CITY OF KYLE, TEXAS; REQUESTING REIMBURSEMENT FOR THE CITY'S EXPENSES FOR HIRING CONSULTANTS TO ASSIST THE CITY IN ITS REVIEW AND CONSIDERATION OF THE RATE ADJUSTMENT; AND PROVIDING FOR AN EFFECTIVE DATE ~ *Jerry Hendrix, Director of Community Development*

 [Attachments](#)

11. Authorize award and execution of a Purchase Order to GREAT BIG SIGNS, INC., of Kyle, Texas, in an amount not to exceed \$3,645.00 for the installation of building signage for the Police Department headquarters ~ *Jeff Barnett, Chief of Police*

 [Attachments](#)

12. Authorize award and execution of a Purchase Order to A AWNING DOCTOR of San Antonio, Texas, in an amount not to exceed \$1,775.00 for the installation of window awnings at the Police Department headquarters ~ *Jeff Barnett, Chief of Police*

 [Attachments](#)

13. Authorize award and execution of a Purchase Order to WEIGELT ENTERPRISES, LLC, of Dripping Springs, Texas, in an amount not to exceed \$3,240.00 for the installation of hydro-mulched Bermuda grass in Mary Kyle Hartson City Square Park ~ *Kerry Urbanowicz, Director of Parks & Recreation*

 [Attachments](#)

14. Authorize award and execution of a Purchase Order to UNITED RENTALS in an amount not to exceed \$1,478.21 for the rental of a generator and a light tower to provide power and lighting for the Full Moon Jubilee to be held April 26, 2013 at Lake Kyle Park ~ *Kerry Urbanowicz, Director of Parks & Recreation*

 [Attachments](#)

15. Authorize award and execution of a Purchase Order to NOLES PEST SERVICES DBA PESTMASTER SERVICES of Georgetown, Texas, in an amount not to exceed \$1,820 to provide pest control services for specified occupied city facilities for FY2013 and cancel any and all open Purchase Orders and agreements with Thrash Pest Control ~ *Kerry Urbanowicz, Director for Kyle Parks & Recreation*

 [Attachments](#)

16. Authorize City of Kyle Information Technology Department to send old cell phone equipment to recycling by way of [call2recycle.org](http://call2recycle.org) program as well as selling 108 old phones that qualify for Sprint's buy back program to be sold to Sprint for \$2,279.00 ~ *Mark Shellard, Director of Information Technology*

 [Attachments](#)

## VIII. Consider and Possible Action

17. Consideration and Possible Action on an Economic Development Application for Business Incentives received and reviewed by the Economic Development & Tourism Committee and City Council ~ *Diana Blank, Director of Economic Development*

 [Attachments](#)

18. Consideration and Possible Action on Approval of Change Orders #1 & #2 to the Construction Contract for SPAWGLASS CONTRACTOR'S, INC., of Austin, Texas, in the amount of \$3,490 for a total contract amount of \$176,236 for the Construction of Phase II of the Historical Kyle Depot ~ *Jerry Hendrix, Director of Community Development*

 [Attachments](#)

19. Consider City Council Recommendation to TXDOT regarding Intersection of FM1626 and Kohler's Crossing Traffic Control Device ~ *Lanny Lambert, City Manager*

 [Attachments](#)

20. Consideration and Possible Action on proposed additional language to the Hays County Gang Task Force Interlocal Agreement ~ *Jeff Barnett, Chief of Police*

 [Attachments](#)

21. Authorize Staff to solicit bids for the handicap access power door opener for City Hall east door and City Council Chamber door ~ *Samantha LeMense, Council Member District 5*

 [Attachments](#)

22. Authorize execution of Amendment Number 1 to the Professional Services Agreement with Dianna L. Tinkler increasing the contract amount by \$11,400.00 for a revised total contract amount not to exceed \$41,185.00 for right-of-way acquisition services associated with the Bunton Creek Wastewater Interceptor, Phase 3 Project ~ *Steven Widacki, P.E., City Engineer*

 [Attachments](#)

23. Authorize execution of Amendment Number 1 to the Professional Services Agreement with LNV, Inc., increasing the contract amount by \$10,020.00 for a revised total contract amount not to exceed \$183,560.00 for right-of-way acquisition services associated with the Southside Wastewater Improvements Project ~ *Steven Widacki, P.E., City Engineer*

 [Attachments](#)

## **IX. City Managers Report**

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

- Discuss Annexation Calendar

 [Attachments](#)

## **X. Staff Report**

25. Presentation of the Police Department's Annual Racial Profiling Report for 2012 ~ *Jeff Barnett, Chief of Police*

 [Attachments](#)

## **XI. Executive Session**

26. Convene into Executive Session pursuant to Tex. Gov't Code, § 551.087, to deliberate offers of financial or other incentives and economic development negotiations with business prospects that the City seeks to have locate, stay or expand in or near the City

 [Attachments](#)

27. Convene into Executive Session pursuant to Tex. Gov't. Code, § 551.071 and Tex.Gov't Code § 551.074, Consultation with Attorney and Personnel Matters to discuss:

1. Status of the former City Attorney
2. Steps to take in filling the position of City Attorney

 [Attachments](#)

28. Reconvene into Open Session to take any and all actions as deemed appropriate in the City Council's discretion regarding offers of financial or other incentives and economic

development negotiations with business prospects that the City seeks to have locate, stay or expand in or near the City

 [Attachments](#)

29. Reconvene Into Public Session and take action as appropriate in the Council's discretion regarding:

1. Status of the former City Attorney
2. Steps to take in filling the position of City Attorney

 [Attachments](#)

## **XII. 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.

