

[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 5/7/2013, at Kyle City Hall, 100 West Center Street, Kyle, Texas for the purpose of discussing the following agenda.

Posted this 2nd day of May, 2013 prior to 7:00 p.m.

I. Call Meeting To Order

II. Approval of Minutes

1. City Council Regular Meeting - April 16, 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. Presentation of Employee of the Month for the Month of April ~ *Lanny Lambert, City Manager*
 - *Janie Tobias, Public Works Secretary*

 [Attachments](#)

V. Appointments

3. Consideration of Appointment of Council Member Samantha LeMense as the City of Kyle's Designated Representative to the Capital Area Council of Governments (CAPCOG) General Assembly ~ *Lucy Johnson, Mayor*

 [Attachments](#)

VI. Consent Agenda

4. Authorize award and execution of a Purchase Order to LOWER COLORADO RIVER AUTHORITY (LCRA) in the amount of \$2,380.30 for the Police Department's relocation and rewiring of of dispatch center consoles and control stations ~ *Jeff Barnett, Chief of Police*

 [Attachments](#)

5. (*Second Reading*) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS AMENDING CHAPTER 53, ZONING ARTICLE V- LANDSCAPING AND SCREENING REQUIREMENTS TO AMEND AND ESTABLISH SECTION 53-995 TREE ORDINANCE; AUTHORIZING THE CITY SECRETARY TO AMEND ORDINANCE 438 OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION DATE; PROVIDING FOR SEVERABILITY; AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED AS OPEN TO THE PUBLIC AS REQUIRED BY LAW ~ *Sofia Nelson, Director of Planning*

 [Attachments](#)

6. Authorize award and execution of a Purchase Order to IDS dba TEXAS TANK SERVICES of Tyler, Texas 75701 in an amount not to exceed \$6,750.00 for the internal cleaning of Well #3 standpipe, Well #3 ground storage, Yarrington ground storage, and Rebel Road ground storage #1 and #2. This internal cleaning process is necessary to conform with TCEQ regulations ~ *Harper Wilder, Director of Public Works*

 [Attachments](#)

7. Authorize award and execution of a 3-year service agreement with ROADWAY SPECIALTIES, INC., of Austin, Texas, in an amount not to exceed \$5,000.00 per fiscal year to provide supplies and repair services for damaged guardrails for the Public Works Department. ~ *Harper Wilder, Director of Public Works*

 [Attachments](#)

8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, ACCEPTING PLUM CREEK PHASE 1 SECTION 6E-3 (SANDERS STREET) SUBDIVISION IMPROVEMENTS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW ~ *Steven D. Widacki, P.E., City Engineer*

 [Attachments](#)

9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, ACCEPTING PLUM CREEK PHASE 1 SECTION 6E 2-3 SUBDIVISION

IMPROVEMENTS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW ~ *Steven D. Widacki, P.E., City Engineer*

 [Attachments](#)

VII. Consider and Possible Action

10. A RESOLUTION OF THE CITY OF KYLE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A DEPOSIT AND REIMBURSEMENT AGREEMENT WITH WALTON TEXAS, LP FOR A PROPOSED SUBDIVISION TO BE KNOWN AS PECAN WOODS, MADE UP OF 762 ACRES AND LOCATED IN KYLE'S ETJ ~ *Sofia Nelson, Director of Planning*

 [Attachments](#)

11. A Resolution of the City of Kyle Establishing a Committee for the Exploration of a Pie Festival; Appointing Members; Defining Roles and Terms; and Related Matters ~ *Samantha LeMense, Council Member District 5*

 [Attachments](#)

12. Authorize Execution of Standard Utility Agreement (SUA) with Hays County for the Relocation of the City of Kyle Utility's affected by the Yarrington Road Bridge Improvements at IH-35 (CCSJ:0016-02-135 & ROW CSJ:0016-02-114). The SUA is proposed to cover City costs for engineering, easement acquisition and construction of Utility Relocation Improvements. The cost of relocation improvement expenses subject to reimbursement to the City is estimated to be \$472,707.00. **Related to Agenda Item No. 13** ~ *Steven Widacki, P.E., City Engineer*

 [Attachments](#)

13. *(First Reading)* Approve an Ordinance to amend the City's Approved Budget for Fiscal Year 2012-13 by increasing appropriations in the Water Utility CIP Fund 331 by \$472,707.00 and increasing the amount of transfer from the Water and Wastewater Utility Operating Fund 310 by the same amount in order to provide funding for engineering services, easement acquisition, and construction costs associated with the relocation of an existing 12-inch water line impacted by the IH-35 at Yarrington Road improvement project. **Related to Agenda Item No. 12** ~ *Perwez A. Moheet, CPA, Director of Finance*

 [Attachments](#)

14. Consider approval of the timeline for the development and adoption of the City's annual operating and capital budgets for Fiscal Year 2013-14 including special called City Council meetings for budget workshops and public hearings ~ *Perwez*

A. Moheet, CPA, Director of Finance

 [Attachments](#)

VIII. General Discussion and Possible Action

15. General Discussion and Possible Action regarding the City Sponsored Public Forums to Discuss the Comprehensive Master Plan ~ *Sofia Nelson, Director of Planning*

 [Attachments](#)

IX. City Managers Report

16. Update on Various Capital Improvement Projects, Road Projects, Building Program, and/or General Operational Activities ~ *Lanny Lambert, City Manager*
1. Discussion of increased water conservation (Drought Contingency Stage 2)
 2. Discussion on improving citizen communication through Citizens Comments
 3. May 21, 2013 City Council Meeting has been changed to May 14, 2013
 4. Police Department Open House, May 16, 2013, 11:00 a.m.
 5. Discuss City Council Retreat scheduled for June 22, 2013

 [Attachments](#)

X. Staff Report

17. Presentation of the City's draft 5-Year CIP, Equipment, & Personnel Plan totaling \$98.8 million for Fiscal Years 2014 through 2018. ~ *Perwez A. Moheet, CPA, Director Finance*

 [Attachments](#)

XI. Executive Session

18. Convene into Executive Session pursuant to Section 551.071, Tex. Gov't Code, to consult with legal counsel regarding the case of *Aqua Operations Inc., v. City of Kyle*, filed in Hays County.

 [Attachments](#)

19. Convene into Executive Session pursuant to Section 551.071, Tex. Gov't Code, to consult with legal counsel regarding the case of *Save Our Springs Alliance, Inc. v. City of Kyle and Barton Springs-Edwards Aquifer Conservation District*

 [Attachments](#)

20. Convene into Executive Session pursuant to Section 551.071, Tex. Gov't Code, to

consult with legal counsel regarding the status of Meet and Confer Negotiations with Kyle Police Association.

 [Attachments](#)

21. Reconvene into Open Session to take any and all actions as deemed appropriate in the City Council's discretion regarding the case of *Aqua Operations Inc., v. City of Kyle*, filed in Hays County.

 [Attachments](#)

22. Reconvene into Open Session to take any and all actions as deemed appropriate in the City Council's discretion regarding the case of *Save Our Springs Alliance, Inc. v. City of Kyle and Barton Springs-Edwards Aquifer Conservation District*

 [Attachments](#)

23. Reconvene into Open Session to take any and all actions as deemed appropriate in the City Council's discretion regarding the status of Meet and Confer Negotiations with Kyle Police Association.

 [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.