

[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 6/18/2013, at Kyle City Hall, 100 West Center Street, Kyle, Texas for the purpose of discussing the following agenda.

Posted this 13th day of June, 2013 prior to 7:00 p.m.

I. Call Meeting To Order

II. Approval of Minutes

1. City Council Regular Meeting - June 4, 2013 ~ *Amelia Sanchez, City Secretary*

 [Attachments](#)

2. City Council Special Called Meeting - June 11, 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. Appointments

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

- *James Massaro, Place 7*
- *Cynthia Bentley, Alternate*

 [Attachments](#)

4. Consideration of Nomination(s) for Appointment to the Board of Adjustments/Sign Control Board ~ *Lucy Johnson, Mayor*

- *Matt Janysek*

 [Attachments](#)

V. Consent Agenda

5. Award execution of a Purchase Order to SOUTHERN COMPUTER WAREHOUSE of Marietta, Georgia, in an amount not to exceed \$15,217.62 for the purchase of all necessary equipment and installation of a Wi-Fi Mesh for the Kyle Police Department. ~ *Jeff Barnett, Chief of Police*

 [Attachments](#)

6. (*Second Reading*) AN ORDINANCE AMENDING ORDINANCE NO. 438 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY 0.95 ACRES FROM 'R-1' RESIDENTIAL-1 TO 'RS' RETAIL SERVICE DISTRICT ON PROPERTY LOCATED AT 905 OLD HWY 81 NORTH, IN HAYS COUNTY, TEXAS. (MARIA CASTILLO - Z-13-002); 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 ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW ~ *Sofia Nelson, Director of Planning*

Planning and Zoning Commission recommended denial of the request for Retail Services and recommended approval of Community Commercial Zoning Designation.

 [Attachments](#)

VI. Consider and Possible Action

7. Consideration and Possible Action as may be appropriate in regards to the Selection of Mayor Pro Tem per City of Kyle Charter requirements ~ *Lucy Johnson, Mayor*

 [Attachments](#)

8. Authorize Execution of Advance Funding Agreement (AFA) for Voluntary Local Government Contributions to Transportation Improvement Projects with no required match with TEXAS DEPARTMENT OF TRANSPORTATION for inclusion of Bridge Aesthetics on the turnaround bridges on RM 150 and FM 1626 as part of the project construction of CSJ: 0016-02-133; PROJECT: IH-35 at

Cement Plant Road and RM 150 and FM 1626. Total project funds under the AFA are \$34,293.00 to cover state costs for construction, review, inspection and oversight of work performed. Local (City of Kyle) participation in the overall project cost is estimated to be \$34,293.00 ~ *Steven Widacki, P.E., City Engineer*

 [Attachments](#)

9. Authorize execution of an interlocal agreement between the Guadalupe Blanco River Authority (GBRA) and City of Kyle to fund City's share in the amount of \$25,557.00 for Phase II of U.S. Army Corps of Engineers (USACE) Flood Feasibility Study of the Guadalupe River below Canyon Dam including the Blanco and San Marcos Rivers. ~ *Steven Widacki, P.E., City Engineer*

 [Attachments](#)

10. *(First Reading)* AN ORDINANCE AUTHORIZING THE RELEASE OF A PORTION OF THE CITY OF KYLE'S EXTRATERRITORIAL JURISDICTION ("ETJ"); APPROVING AN AGREEMENT BETWEEN THE CITY OF SAN MARCOS AND THE CITY OF KYLE REGARDING THE MUTUAL RELEASE OF ETJ; AUTHORIZING THE MAYOR TO EXECUTE THE NECESSARY DOCUMENTS RELATING TO AN AGREEMENT BETWEEN THE CITY OF KYLE AND THE CITY OF SAN MARCOS FOR THE MUTUAL RELEASE OF ETJ AND KYLE EXPANSION OF ITS ETJ; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING. ~ *Sofia Nelson, Director of Planning*

- Public Hearing

 [Attachments](#)

11. Rojo Subdivision - Final Plat (FP-13-002)
15 acres; 5 Lots
Located on Roland Lane approx 1000 feet east of CR 136
Owner: Daniel Rivera
Agent: Mauricio Quintero-Rangel, P.E.
~ *Sofia Nelson, Director of Planning*

Planning and Zoning Commission voted 5-0 to approve the plat with the condition that the three variances be granted or meet the requirements of the subdivision ordinance.

 [Attachments](#)

12. Consider a variance request by Mauricio Quintero-Rangel, on behalf of Daniel Rivera, to Section 41.141 of the City of Kyle Code which requires all electrical, telephone, cable television and similar lines shall be placed underground to allow for overhead electric at 1626 Roland Lane, Kyle, Texas ~ *Sofia Nelson, Director of*

Planning

Planning and Zoning Commission voted 5-0 to deny the variance request.

 [Attachments](#)

13. Consider a variance request by Mauricio Quintero-Rangel, on behalf of Daniel Rivera, to Section 41-137 of the City of Kyle code which requires all subdivisions which front on a local or collector street to dedicate land for one-half of the required right-of-way of an adjacent local and collector street and pay the improvements costs or build one-half of the required width of adjacent local and collector streets, including curbs, gutters and storm drainage to not require the payment of the road improvement fee at 1626 Roland Lane Kyle, Texas ~ *Sofia Nelson, Director of Planning*

Planning and Zoning Commission voted 5-0 to deny the variance request.

 [Attachments](#)

14. Consider a variance request by Mauricio Quintero-Rangel, on behalf of Daniel Rivera, to Chapter 41 - Subdivisions of the City of Kyle code which requires all plats not considered a short-form plat to submit a concept plan, preliminary plan, and final plat to allow for the submittal of just a final plat for a proposed subdivision located at 1626 Roland Lane ~ *Sofia Nelson, Director of Planning*

Planning and Zoning Commission voted 5-0 to approve the variance request.

 [Attachments](#)

15. (*First Reading*) AN ORDINANCE AMENDING ORDINANCE NO. 438 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY 7.634 ACRES FROM 'RS' RETAIL SERVICE DISTRICT TO 'R-3-3' APARTMENTS RESIDENTIAL 3 ON PROPERTY LOCATED SOUTH OF AMBERWOOD S. AND IH-35 FRONTAGE ROAD, IN HAYS COUNTY, TEXAS. (SOUTH CORRIDOR PARK, LTD Z-13-005); 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 ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW ~ *Sofia Nelson, Director of Planning*

Planning and Zoning Commission voted 5-0 to deny the request of R-3-3 and recommended approval of R-3-2 Zoning.

 [Attachments](#)

16. A RESOLUTION OF THE CITY COUNCIL, CITY OF KYLE, TEXAS, AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE U.S. DEPARTMENT OF JUSTICE, COMMUNITY ORIENTED POLICING SERVICES (COPS), FOR FUNDING THROUGH THE FY13 COPS HIRING PROGRAM (CHP) IN THE AMOUNT OF \$125,000.00 FOR THREE YEARS AND REQUIRING CITY PARTICIPATION IN THE AMOUNT OF \$89,180.00 OVER THE 3-YEAR PERIOD PLUS AN ADDITIONAL 100% FUNDING APPROXIMATELY \$75,000.00 REQUIRED OF THE CITY IN YEAR 4; AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF KYLE, TEXAS IN ALL MATTERS RELATED TO THE APPLICATION; TO PROVIDE MATCHING FUNDS; TO WORK WITH THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES TO COMPLY WITH GRANT REQUIREMENTS OF THE COPS HIRING PROGRAM ~ *Joshua Moreno, Grants Administrator*

 [Attachments](#)

17. A RESOLUTION OF THE CITY COUNCIL, CITY OF KYLE, TEXAS, AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE OFFICE OF THE ATTORNEY GENERAL, CRIME VICTIM SERVICES DIVISION, FOR A VICTIM COORDINATOR AND LIAISON GRANT IN THE AMOUNT OF \$82,375.00 FOR A 2-YEAR PERIOD WITH AN ESTIMATED CITY MATCH TOTALING \$27,815.00; AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF KYLE, TEXAS IN ALL MATTERS RELATED TO THE APPLICATION; TO WORK WITH THE OFFICE OF THE ATTORNEY GENERAL, CRIME VICTIM SERVICES DIVISION TO COMPLY WITH GRANT REQUIREMENTS OF THE VICTIM COORDINATOR AND LIAISON GRANT PROGRAM ~ *Joshua Moreno, Grants Administrator*

 [Attachments](#)

VII. City Managers Report

18. Update on Various Capital Improvement Projects, Road Projects, Building Program, and/or General Operational Activities ~ *Lanny Lambert, City Manager*
1. Discuss date for City Council Retreat
 2. Discuss Road Bond Calendar
 3. Discuss Street Construction Management
 4. Discuss the Filing of a Loan Application in the Principal Amount of \$750,000.00 to the Texas Water Development Board from the Texas Water Development Fund

 [Attachments](#)

VIII. 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 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.