

## REGULAR CITY COUNCIL MEETING

The City Council of the City of Kyle, Texas met in Regular Session on March 4, 2014 at 7:00 pm at Kyle City Hall, with the following persons present:

Mayor Lucy Johnson	Gene Harris
Council Member Diane Hervol	Kay Rush
Council Member Selbera	Gary Rush
Council Member Ray Bryant	Laurie Luttrell
Council Member Chad Benninghoff	
Council Member David Wilson	
Nikolas Fisher, Honorary Council Member	
Lanny Lambert, City Manager	
Jerry Hendrix, Chief of Staff	
Perwez Moheet, Finance Director	
Sandra Duran, HR Director	
Diana Blank, Director of Economic Development	
Leon Barba, City Engineer	
Sofia Nelson, Planning Director	
Harper Wilder, Public Works Director	
Robert Olvera, IT	
Jeff Barnett, Police Chief	
Ken Johnson, City Attorney	

### CALL MEETING TO ORDER

Mayor Johnson called the meeting to order at 7:01 P.M.

Mayor Johnson stated that Council Member Selbera would be late and that Mayor Pro Tem LeMense was ill and moved to excuse her absence. Council Member Hervol seconds the motion. All aye. Motion carried.

### ROLL CALL

Mayor Johnson called for roll call. Present were Mayor Johnson, Council Member Hervol, Council Member Bryant, Council Member Benninghoff, Council Member Wilson and Nikolas Fisher, Honorary Member.

### APPROVAL OF MINUTES

CITY COUNCIL REGULAR MEETING - FEBRUARY 18, 2014 ~ *AMELIA SANCHEZ,*  
*CITY SECRETARY*

Council Member Wilson moved to approve the City Council Regular Meeting Minutes - February 18, 2014. Council Member Hervol seconds the motion. All votes aye. Motion carried.

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### CITIZEN COMMENT PERIOD WITH CITY COUNCIL

Mayor Johnson opened the citizens comment period at 7:08 P.M. and called for comments on items not on the agenda or posted for public hearing. Gene Harris spoke in favor of Item # 17 supporting a zoning change request by property owners. Kay Rush spoke and asked Council to approve an Ordinance against the proposed rate hike by Monarch Utilities and stated Monarch had an unjust policy of rates with them paying the highest rates within the city. Gary Rush spoke and asked the Council to approve the Ordinance against the rate increase by Monarch, stating they provided bad service and high rates. Laurie Luttrell spoke and stated that the Texas DMV does not register or license golf carts and that state law covers the operation of golf carts in Master Planned Communities with golf courses like Plum Creek and no further regulation from the City of Kyle was needed. With no one else wishing to speak Mayor Johnson closed Citizen's Comments at 7:07 P.M.

### PRESENTATION

#### PRESENTATION OF EMPLOYEE OF THE MONTH FOR THE MONTH OF FEBRUARY ~ *LANNY LAMBERT, CITY MANAGER*

- Catlyn Bone, Kyle Police Officer

City Manager Lanny Lambert presented the Employee of the Month for the Month of February award to Catlyn Bone.

#### PRESENTATION FROM BUDGET INFOGRAPHICS ~ *LUCY JOHNSON, MAYOR*

Larry Peterson with Budget Infographics provided a short presentation on new technology for budget understanding.

#### PRESENTATION OF KYLE CHAMBER OF COMMERCE QUARTERLY REPORT FOR REPORTING PERIOD OCTOBER 2013 THROUGH DECEMBER 2013 ~ *JULIE SNYDER, CEO, KYLE AREA CHAMBER OF COMMERCE & VISITOR'S BUREAU*

Julie Snyder, CEO, Kyle Area Chamber of Commerce & Visitor's Bureau presented the Kyle Chamber of Commerce Quarterly Report for the period of October 2013 through December 2013.

### APPOINTMENTS

#### CONSIDERATION OF NOMINATION(S) FOR APPOINTMENT TO THE LIBRARY BOARD ~ *LUCY JOHNSON, MAYOR*

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- Leata Bartlett

Mayor Johnson moved to appoint Leata Bartlett to the Library Board. Council Member Wilson seconds the motion. All aye. Motion carried.

CONSIDERATION OF NOMINATION(S) FOR APPOINTMENT TO THE COMMUNITY RELATIONS COMMITTEE ~ LUCY JOHNSON, MAYOR

- Jenny Bennett

Mayor Johnson moved to appoint Jenny Bennett to the Community Relations Committee. Council Member Hervol seconds the motion. All aye. Motion carried.

CONSIDERATION OF NOMINATION(S) FOR APPOINTMENT TO THE PARKS & RECREATION COMMITTEE ~ LUCY JOHNSON, MAYOR

- Scott Stoker, Alternate

Mayor Johnson moved to appoint Scott Stoker, Alternate to the Parks & Recreation Committee. Council Member Wilson seconds the motion. All aye. Motion carried.

CONSENT AGENDA

*(Second Reading)* AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY 0.17 ACRES OF LAND FROM 'R-1' SINGLE FAMILY TO 'R-1-A' SINGLE FAMILY ATTACHED, ON PROPERTY LOCATED AT 350 W. THIRD STREET, IN HAYS COUNTY, TEXAS. (ELISA ALICE FLORES AND OLIVER BILLINGSLEY Z-14-002); 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 WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW. ~ *Sofia Nelson, Director of Planning*

*(Second Reading)* AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY 0.13 ACRES OF LAND ON LOT 6 AND APPROXIMATELY 0.13 ACRES OF LAND ON LOT 7 FROM 'R-1' SINGLE FAMILY TO 'R-1-A' SINGLE FAMILY ATTACHED, ON PROPERTY LOCATED AT 307 W. MOORE STREET, IN HAYS COUNTY, TEXAS. (MARCO & YOLANDA CANTU Z-14-001); AUTHORIZING THE CITY

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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*

Plum Creek Phase 1 Section 6E-1, Lots 22-24, Block L – Amended Plat (AFP-14-002)  
2 acres; 3 Lots Located off of Kirby and Grace; Owner: Plum Creek Development Partners  
Agent: Scott Bauer, Bigelow Development, LLC ~ *Sofia Nelson, Director of Planning*

*Planning and Zoning Commission voted 6-0 to approve the plat*

*(Second Reading)* AN ORDINANCE OF THE CITY OF KYLE, TEXAS, ESTABLISHING A DEDICATED FUND TITLED STREET MAINTENANCE & IMPROVEMENT FUND IN THE CITY'S FINANCIAL MANAGEMENT AND REPORTING SYSTEM TO ACCOUNT FOR ALL RECEIPTS, DISBURSEMENTS, AND OR OBLIGATIONS ASSOCIATED WITH PERIMETER STREET FEES. ~ *Perwez A. Moheet, CPA, Director of Finance*

*(Second Reading)* AN ORDINANCE OF THE CITY OF KYLE, TEXAS AUTHORIZING AND DIRECTING THE INSTALLATION AND ERECTION OF FOUR WAY STOP SIGNS FOR THE ZONING OF TRAFFIC CONTROL ON KYLE CENTER DRIVE AT THE INTERSECTION OF SHELDON DRIVE IN THE CITY LIMITS OF KYLE; FIXING A PENALTY THEREFOR; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER THEREOF ~ *Leon Barba, P. E., City Engineer*

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, ACCEPTING THE VILLAS AT CREEKSIDE 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. ~ *Leon Barba, P. E., City Engineer*

*(Second Reading)* AN ORDINANCE OF THE CITY OF KYLE, TEXAS AMENDING CHAPTER 47, TRAFFIC AND VEHICLES, AS AMENDED, TO PERMIT THE USE OF GOLF CARTS IN THE CITY ON CERTAIN PUBLIC STREETS SUBJECT TO COMPLIANCE HAVING SPECIFIED SAFETY EQUIPMENT AND MOTOR VEHICLE INSURANCE; PROVIDING FOR DEFINITIONS; PROVIDING FOR A PENALTY; PROVIDING FOR EXCEPTIONS; PROVIDING FOR AN EFFECTIVE DATE;

MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT ~  
*Jeff Barnett, Chief of Police*

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Council Member Bryant asked that Item #14 be removed from the Consent Agenda.

Council Member Hervol moved to approve Consent Agenda **Item #8** ~ (*Second Reading*) An Ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of rezoning approximately 0.17 acres of land from 'R-1' Single Family to 'R-1-A' Single Family Attached, on property located at 350 W. Third Street, in Hays County, Texas. (Elisa Alice Flores and Oliver Billingsley Z-14-002; **Item #9** ~(*Second Reading*) An Ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of rezoning approximately 0.13 acres of land on Lot 6 and approximately 0.13 acres of land on Lot 7 from 'R-1' Single Family to 'R-1'-A'Single Family attached, on property located at 307 W. Moore St., in Hays County, Texas.(Marco & Yolanda Cantu Z-14-001); **Item # 10** ~ Plum Creek Phase 1 Section 6E-1, Lots 22-24, Block L – Amended Plat (AFP-14-002) 2 acres; 3 Lots Located off of Kirby and Grace; Owner: Plum Creek Development Partners; **Item # 11** ~ (*Second Reading*) An Ordinance of the City of Kyle, Texas, establishing a dedicated fund titled Street Maintenance & Improvement Fund in the City's Financial Management and Reporting System to account for all receipts, disbursements, and or obligations associated with Perimeter Street Fees; **Item #12** ~ (*Second Reading*) An Ordinance of the City of Kyle, Texas, authorizing and directing the installation and erection of four way stop signs for the zoning of traffic control on Kyle Center Drive at the intersection of Sheldon Drive in the city limits of Kyle; **Item #13** ~ A Resolution of the City Council of the City of Kyle, Texas accepting the Villas at Creekside Subdivision Improvements finding and determining that the meeting at which this Resolution is passed was noticed and was open to the public as required by law. Council Member Selbera seconds the motion. All aye. Motion carried.

(*Second Reading*) AN ORDINANCE OF THE CITY OF KYLE, TEXAS AMENDING CHAPTER 47, TRAFFIC AND VEHICLES, AS AMENDED, TO PERMIT THE USE OF GOLF CARTS IN THE CITY ON CERTAIN PUBLIC STREETS SUBJECT TO COMPLIANCE HAVING SPECIFIED SAFETY EQUIPMENT AND MOTOR VEHICLE INSURANCE; PROVIDING FOR DEFINITIONS; PROVIDING FOR A PENALTY; PROVIDING FOR EXCEPTIONS; PROVIDING FOR AN EFFECTIVE DATE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT ~  
*Jeff Barnett, Chief of Police*

Council Member Bryant moved to table (*Second Reading*) An Ordinance of the City of Kyle, Texas, amending Chapter 47, Traffic and vehicles, as amended, to permit the use of Golf Carts in the City on certain public streets subject to compliance having specified safety equipment and motor vehicle insurance. Council Member Wilson seconds the motion and asks Council Member Bryant if he will modify the motion to have the Homeowners

Association of Plum Creek address the issues that are coming out of Plum Creek. Council Member Bryant agrees.

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Mayor Johnson asked for a roll call vote. Council Member Hervol votes nay, Council Member Selbera votes nay, Mayor Johnson votes nay, Council Member Bryant votes aye, Council Member Benninghoff votes nay, Council Member Wilson votes aye. Motion failed 2-4.

Council Member Hervol moved to approve the Ordinance with the revisions that the City Attorney had provided Council in an email. Mayor Johnson seconds the motion. Council Member Hervol requests that staff will reach out to UPS and with Plum Creek Golf Course. Mayor Johnson agrees to the request. Honorary Member Fisher stated that he supports any kind of legislation regulating golf carts but not necessarily this legislation. Mayor Johnson asked for a roll call vote. Council Member Hervol votes aye, Council Member Selbera votes aye, Mayor Johnson votes aye, Council Member Bryant votes nay, Council Member Benninghoff votes aye, Council Member Wilson votes nay. Motion carried 4-2.

#### CONSIDER AND POSSIBLE ACTION

*(First Reading)* AN ORDINANCE OF THE CITY OF KYLE, TEXAS, REVIEWING THE RATE INCREASE REQUEST OF MONARCH UTILITIES I, L.P.; ADOPTING A FINAL DETERMINATION DENYING THE REQUESTED INCREASE IN RATES; FINDING THAT THE APPLICATION TO INCREASE RATES IS IN VIOLATION OF LAW AND UNREASONABLE; ORDERING THAT NO INCREASE IN RATES OCCUR; REQUIRING THE REIMBURSEMENT OF RATE CASE EXPENSES; ESTABLISHING AN EFFECTIVE DATE FOR THIS ORDINANCE; CONTAINING A SAVING CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLIC NOTICE PURSUANT TO THE TEXAS OPEN MEETINGS ACT; ESTABLISHING THAT THIS ORDINANCE SHALL GOVERN OVER PREVIOUSLY ADOPTED RESOLUTIONS; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED HERETO. ~ *Jerry Hendrix, Chief of Staff*

#### PUBLIC HEARING

Mayor Johnson opened the Public Hearing at 7:59 P.M. to hear comments on *(First Reading)* An Ordinance of the City of Kyle, Texas, reviewing the rate increase request of Monarch Utilities I, L. P; Adopting a final determination denying the requested increase in rates; Finding the application to increase rates in violation of law and unreasonable; Ordering that no increase in rates occur; Requiring the reimbursement of rate case expenses; Establishing an effective date for this Ordinance; Contain a saving clause; Providing for severability; Providing for Public Notice pursuant to the Texas Open Meetings Act; Establishing that this Ordinance shall govern over previously adopted Resolutions; Making such other findings and provisions related hereto.

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Gary Rush spoke and stated that Monarch's rates and service were poor and water rates continue to increase and they were choking the economy on that side of town. Sharon Ryan spoke and stated she left hurricanes and big taxes in Galveston to come to Kyle. She stated she started studying the increases in the water and asked Council to stop it as she could not handle the increases. Kay Rush spoke and asked the Council to pass this Ordinance denying the increase in rates by Monarch. She stated the water smelled bad and she had complained to TCEQ and had the water tested a couple of times, that it didn't taste good and filled with lots of scale. Tammy Swaton asked the Council to deny the rate increase by Monarch for all the previously stated reasons. One being the quality of water, and during drought they are the fastest rise in the drought stage, getting up to 4 or 5 every year. Jo Fenedy stated that she was new to Amberwood and when she applied for service she had to deal with some very rude people and she had never seen water rates like these. She encouraged Council to go get them. Linda Ramos spoke and stated that the water tasted bad and residents are treated like second class citizens. With no one else wishing to speak Mayor Johnson closed the Public Hearing at 8:09.

Council Member Hervol moved to approve (*First Reading*) An Ordinance of the City of Kyle, Texas, reviewing the rate increase request of Monarch Utilities I, L. P; Adopting a final determination denying the requested increase in rates; Finding the application to increase rates in violation of law and unreasonable; Ordering that no increase in rates occur; Requiring the reimbursement of rate case expenses; Establishing an effective date for this Ordinance; Contain a saving clause; Providing for severability; Providing for Public Notice pursuant to the Texas Open Meetings Act; Establishing that this Ordinance shall govern over previously adopted Resolutions; Making such other findings and provisions related hereto. Council Member Bryant seconds the motion. All aye. Motion carried.

(*First 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, PENDING HEARING AND DECISION BY THE CITY COUNCIL. ~  
*Jerry Hendrix, Chief of Staff*

Council Member Hervol moved to approve (*First 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, Pending hearing and decision by the City Council. Council Member Bryant seconds the motion. All aye. Motion carried.

(*First Reading*) AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF ASSIGNING ORIGINAL ZONING TO APPROXIMATELY 3.104 ACRES OF LAND FROM 'AG' AGRICULTURE TO 'RS' RETAIL SERVICE DISTRICT, ON PROPERTY LOCATED AT 1250 DACY LANE, IN

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HAYS COUNTY, TEXAS. (SERGIO AND TERESA LOPEZ Z-14-003); 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 6-0 to approve the request*

PUBLIC HEARING

Mayor Johnson opened the Public Hearing at 8:17 P.M. to hear comments on (*First Reading*) An Ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of assigning Original Zoning to approximately 3.104 acres of land from 'AG' Agriculture to 'RS' Retail Service District, on property located at 1250 Dacy Lane, in Hays County, Texas. (Sergio and Teresa Lopez z-14-003). With no one wishing to speak Mayor Johnson closed the Public Hearing at 8:17 P.M.

Mayor Johnson moved to approve (*First Reading*) An Ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of assigning Original Zoning to approximately 3.104 acres of land from 'AG' Agriculture to 'RS' Retail Service District, on property located at 1250 Dacy Lane, in Hays County, Texas. (Sergio and Teresa Lopez z-14-003); 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 thereof; Finding and determining that the meeting at which this was passed was open to the public as required by law. Council Member Benninghoff seconds the motion. All aye. Motion carried.

(*First Reading*) AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING ORDINANCE 438, ARTICLE II-ZONING DISTRICTS AND REGULATIONS (SECTION 53-33.GENERAL REQUIREMENTS AND LIMITATIONS) TO EXEMPT PROPERTIES WITHIN THE ORIGINAL TOWN OF KYLE FROM THE RESIDENTIAL REQUIREMENT OF CONSTRUCTION OF A GARAGE. 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*

*The Planning Commission approved the amendment with a vote of 6-0.*



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### PUBLIC HEARING

Mayor Johnson opened the Public Hearing at 8:22 P.M. to hear comments on (*First reading*) an Ordinance of the City of Kyle, Texas, Amending Ordinance 438, Article I I-Zoning Districts and Regulations (Section 53-33.General Requirements and Limitations) to exempt properties within the Original Town of Kyle from the residential requirement of construction of a garage. ). With no one wishing to speak Mayor Johnson closed the Public Hearing at 8:22 P.M.

Council Member Hervol moved to approve (*First reading*) an Ordinance of the City of Kyle, Texas, Amending Ordinance 438, Article I I-Zoning Districts and Regulations (Section 53-33.General Requirements and Limitations) to exempt properties within the Original Town of Kyle from the residential requirement of construction of a garage. 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 was open to the public as required by law. Council Member Wilson seconds the motion. All aye. Motion carried.

(*First Reading*) AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING THE COMPREHENSIVE MASTER PLAN APPLICATION CHARTS AS FOLLOWS AND AS SHOWN ON EXHIBIT A:

- • TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS RECOMMENDED ZONING DISTRICTS AND CHANGE RETAIL SERVICES (RS) AS NOT RECOMMENDED WITHIN IN THE LOCAL NODE FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS CONDITIONAL ZONING DISTRICTS WITHIN THE REGIONAL NODE FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS CONDITIONAL ZONING DISTRICTS AND CHANGE CBD1 AND CBD2 AS NOT RECOMMENDED ZONING DISTRICTS WITHIN THE SUPER-REGIONAL NODE FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS NOT RECOMMENDED ZONING DISTRICTS AND CHANGE RETAIL SERVICES (RS) TO A NOT RECOMMENDED ZONING DISTRICT WITHIN THE RIPARIAN LANDSCAPE FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A

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- CONDITIONAL ZONING DISTRICT, COMMUNITY COMMERCIAL (CC) AS A NOT RECOMMENDED ZONING DISTRICT AND CHANGE RETAIL SERVICES (RS) AS A NOT RECOMMENDED ZONING DISTRICT WITHIN THE FARM LANDSCAPE FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A CONDITIONAL ZONING DISTRICT, COMMUNITY COMMERCIAL (CC) AS A NOT RECOMMENDED ZONING DISTRICT AND CHANGE RETAIL SERVICES (RS) AS A ZONING DISTRICT NOT RECOMMENDED WITHIN THE RANCH LANDSCAPE FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A CONDITIONAL ZONING DISTRICT, COMMUNITY COMMERCIAL (CC) AS A NOT RECOMMENDED ZONING DISTRICT AND CHANGE CBD-1 AND CBD-2 TO CONDITIONAL ZONING DISTRICTS, R-1-1 AND R-1-2(SINGLE FAMILY RESIDENTIAL) AS A RECOMMENDED ZONING DISTRICTS, AND R-3-3 AS NOT RECOMMENDED ZONING DISTRICTS WITHIN THE OLD TOWN FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS RECOMMENDED ZONING DISTRICTS AND CHANGE RETAIL SERVICES (RS) TO A CONDITIONAL ZONING DISTRICT WITHIN THE CORE AREA TRANSITION FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A CONDITIONAL ZONING DISTRICT, COMMUNITY COMMERCIAL (CC) AS A NOT RECOMMENDED ZONING DISTRICT AND CHANGE RETAIL SERVICES (RS) AS A ZONING DISTRICT NOT RECOMMENDED WITHIN THE HISTORIC CORE AREA TRANSITION FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS CONDITIONAL ZONING DISTRICTS AND CHANGE RETAIL SERVICES (RS) AS A ZONING DISTRICT NOT RECOMMENDED WITHIN THE MIDTOWN COMMUNITY FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A RECOMMENDED ZONING DISTRICT, COMMUNITY COMMERCIAL (CC) AS A CONDITIONAL ZONING DISTRICT AND CHANGE R-3-2 (APARTMENT RESIDENTIAL), M-2 (MANUFACTURED HOME SUBDIVISION) AND M-3

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- (MANUFACTURED HOME PARK) AS CONDITIONAL ZONING DISTRICTS WITHIN NEW SETTLEMENT COMMUNITY FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS RECOMMENDED ZONING DISTRICTS WITHIN THE NEW TOWN COMMUNITY FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS RECOMMENDED ZONING DISTRICTS AND CHANGE HOSPITAL SERVICES (HS) AND ENTERTAINMENT (E) AS CONDITIONAL ZONING DISTRICTS WITHIN THE EMPLOYMENT COMMUNITY FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A CONDITIONAL ZONING DISTRICT, COMMUNITY COMMERCIAL (CC) AS A NOT RECOMMENDED ZONING DISTRICT AND CHANGE CONSTRUCTION MANUFACTURING (CM), RETAIL SERVICES (RS), ENTERTAINMENT (E) AND WAREHOUSE (W) TO NOT RECOMMENDED ZONING DISTRICTS WITHIN THE SENSITIVE/SUSTAINABLE DEVELOPMENT FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A RECOMMENDED ZONING DISTRICT AND COMMUNITY COMMERCIAL (CC) AS A CONDITIONAL ZONING DISTRICT WITHIN THE HERITAGE COMMUNITY FUTURE LAND USE DISTRICT.

PROVIDING FOR THE AMENDMENT OF THE PLAN; PROVIDING FOR RELATED MATTERS

*The Planning and Zoning Commission voted 6-0 to approve the amendments*

Mayor Johnson opened the Public Hearing at 8:26 P.M. to hear comments on (*First Reading*) An Ordinance of the City of Kyle, Texas, Amending the Comprehensive Master Plan Application Charts as follows and as shown on Exhibit A Providing for the Amendment of the Plan; Providing for related matters. With no one wishing to speak Mayor Johnson closed the Public Hearing at 8:26 P.M.

Council Member Wilson asked the City Attorney regarding the Public Hearing just held, that since it was not on the agenda did another Public Hearing need to be held? City Attorney Ken Johnson replied that Sofia Nelson, Planning Director stated it was published

in the newspaper for this meeting but could not say if that was adequate or not at the moment, and that the most cautious approach would be to delay the vote and re-post.

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Council Member Wilson moved to table (*First Reading*) An Ordinance of the City of Kyle, Texas, Amending the Comprehensive Master Plan Application Charts as follows and as shown on Exhibit A Providing for the Amendment of the Plan; Providing for related matters. Council Member Benninghoff seconds the motion. All aye. Motion carried.

*(First Reading)*. AN ORDINANCE AMENDING ORDINANCE NO. 311 (PLUM CREEK PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT ZONING ORDINANCE). ARTICLE II- PUD DISTRICTS: REGULATIONS AND PERFORMANCE STANDARDS, PART C ZONING, SECTION 7”C” COMMERCIAL PUD DISTRICT (C) SITE DEVELOPMENT REGULATIONS TO ADD A REQUIREMENT FOR SITE LIGHTING- REQUIRING ALL PARKING LOT LIGHTS, SECURITY LIGHTS AND OTHER LIGHTS TO BE DESIGNED TO DIRECT LIGHT DOWN ONTO THE SITE AND AWAY FROM ADJACENT RESIDENTIAL PROPERTY WITH NO EXPOSED LIGHTING SOURCES VISIBLE FROM ADJACENT PROPERTIES WITH USE CATEGORIES OF R-1 OR R-2. AUTHORIZING THE CITY SECRETARY TO AMEND THE ORDINANCE 311 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 WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.  
~ Sofia Nelson, Director of Planning

*Planning and Zoning Commission voted 6-0 to approve the amendment*

#### PUBLIC HEARING

Mayor Johnson opened the Public Hearing at 8:38 P.M. to hear comments on (*First Reading*). An Ordinance amending Ordinance No. 311 (Plum Creek Planned Unit Development Overlay District Zoning Ordinance). Article ii- PUD Districts: Regulations and Performance Standards, Part C Zoning, Section 7”C” Commercial PUD District (c) Site Development Regulations to add a requirement for site lighting- requiring all parking lot lights, security lights and other lights to be designed to direct light down onto the site and away from adjacent residential property with no exposed lighting sources visible from adjacent properties with use categories of R-1 or R-2. With no one wishing to speak Mayor Johnson closed the Public Hearing at 8:38 P.M.

Council Member Hervol moved to approve (*First Reading*). An Ordinance amending Ordinance No. 311 (Plum Creek Planned Unit Development Overlay District Zoning Ordinance). Article ii- PUD Districts: Regulations and Performance Standards, Part C Zoning, Section 7”C” Commercial PUD District (c) Site Development Regulations to add a

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requirement for site lighting- requiring all parking lot lights, security lights and other lights to be designed to direct light down onto the site and away from adjacent residential property with no exposed lighting sources visible from adjacent properties with use categories of R-1 or R-2. authorizing the City Secretary to amend the Ordinance 311 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 was open to the public as required by law. Council Member Benninghoff seconds the motion. All aye. Motion carried.

*(First Reading)*. AN ORDINANCE AMENDING ORDINANCE NO. 311 (PLUM CREEK PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT ZONING ORDINANCE). ARTICLE II-PUD DISTRICTS: REGULATIONS AND PERFORMANCE STANDARDS, PART C ZONING, SECTION 5 “R-3” MULTI-FAMILY RESIDENTIAL PUD DISTRICT (C) SITE DEVELOPMENT REGULATIONS; SECTION 6 “NC” NEIGHBORHOOD COMMERCIAL PUD DISTRICT (C) SITE DEVELOPMENT REGULATIONS, SECTION 7”C” COMMERCIAL PUD DISTRICT (C) SITE DEVELOPMENT REGULATIONS, SECTION 8 “MXD” MIXED USE PUD DISTRICT (D) SITE DEVELOPMENT REGULATIONS, SECTION 9 “EMP” EMPLOYMENT PUD DISTRICT (C) SITE DEVELOPMENT STANDARDS, SECTION 10 “LI LIGHT INDUSTRIAL PUD DISTRICT (C) SITE DEVELOPMENT REGULATIONS- TO ADD A REQUIREMENT TO PROVIDE A LETTER OF APPROVAL FROM THE ARCHITECTURAL REVIEW COMMITTEE WITH THE APPLICATION FOR A SITE PLAN. AUTHORIZING THE CITY SECRETARY TO AMEND THE ORDINANCE 311 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 WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW. ~ *Sofia Nelson, Director of Planning*

*Planning and Zoning Commission voted 6-0 to approve the amendment*

## PUBLIC HEARING

Mayor Johnson opened the Public Hearing at 8:46 P.M. to hear comments on(*First Reading*). An Ordinance amending Ordinance No. 311 (Plum Creek Planned Unit Development Overlay District Zoning Ordinance). With no one wishing to speak Mayor Johnson closed the Public Hearing at 8:46 P.M.

Council Member Hervol moved to approve (*First Reading*). An Ordinance amending Ordinance No. 311 (Plum Creek Planned Unit Development Overlay District Zoning Ordinance). Article ii-PUD Districts: Regulations and Performance Standards, part C Zoning, Section 5 “R-3” Multi-Family Residential PUD District (c) Site Development Regulations; Section 6 “NC” Neighborhood Commercial PUD district (c) Site Development

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Regulations, Section 7”C” Commercial PUD District (c) Site Development Regulations, Section 8 “MXD” Mixed Use PUD District (d) Site Development Regulations, Section 9 “EMP” Employment PUD District (c) Site Development Standards, Section 10 “LI Light Industrial PUD District (c) Site Development Regulations- to add a requirement to provide a letter of approval from the architectural review committee with the application for a site plan. Authorizing the City Secretary to amend the Ordinance 311 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 was open to the public as required by law. Council Member Bryant seconds the motion. All aye. Motion carried.

*(First Reading)* AN ORDINANCE AMENDING ORDINANCE NO. 311 (PLUM CREEK PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT ZONING ORDINANCE). ARTICLE II-PUD DISTRICTS: REGULATIONS AND PERFORMANCE STANDARDS, PART C ZONING, SECTION 8- “MXD” MIXED USE (D) SITE DEVELOPMENT REGULATIONS (6)(D)MAXIMUM HEIGHT: TO INSERT A REQUIREMENT FOR A COMPATIBILITY SETBACK WHEN A MXD DEVELOPMENT IS ADJACENT TO A R-1 DEVELOPMENT. AUTHORIZING THE CITY SECRETARY TO AMEND THE ORDINANCE 311 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. AUTHORIZING THE CITY SECRETARY TO AMEND THE ORDINANCE 311 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 WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW. ~ *Sofia Nelson, Director of Planning*

*The Planning and Zoning Commission voted 6-0 to approve the amendment.*

## PUBLIC HEARING

Mayor Johnson opened the Public Hearing at 8:48 P.M. to hear comments on(*First Reading*). An Ordinance amending Ordinance No. 311 (Plum Creek Planned Unit Development Overlay District Zoning Ordinance) Part C Zoning, Section 8. With no one wishing to speak Mayor Johnson closed the Public Hearing at 8:48 P.M.

Council Member Hervol moved to approve (*First Reading*). An Ordinance amending Ordinance No. 311 (Plum Creek Planned Unit Development Overlay District Zoning Ordinance). Article II-PUD Districts: Regulations and Performance Standards, Article ii-PUD Districts: Regulations and Performance Standards, Part C Zoning, Section 8- “MXD” Mixed Use (d) Site Development Regulations (6)(d)Maximum Height: To insert a Requirement for a compatibility setback when a MXD Development is adjacent to a R-1

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development authorizing the City Secretary to amend the Ordinance 311 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 was open to the public as required by law. Authorizing the City Secretary to amend the Ordinance 311 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 was open to the public as required by law. Mayor Johnson seconds the motion. All aye. Motion carried.

*(First Reading)* AN ORDINANCE AMENDING ORDINANCE NO. 311 (PLUM CREEK PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT ZONING ORDINANCE). ARTICLE II-PUD DISTRICTS: REGULATIONS AND PERFORMANCE STANDARDS, PART C ZONING, SECTION 8- “MXD” MIXED USE TO INSERT SECTION (9) OPERATING HOURS FOR “MXD” COMMERCIAL USES. AUTHORIZING THE CITY SECRETARY TO AMEND THE ORDINANCE 311 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. AUTHORIZING THE CITY SECRETARY TO AMEND THE ORDINANCE 311 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 WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW. ~ *Sofia Nelson, Director of Planning*

*Planning and Zoning voted 6-0 to approve the amendment*

### PUBLIC HEARING

Mayor Johnson opened the Public Hearing at 8:50 P.M. to hear comments on *(First Reading)*. An Ordinance amending Ordinance No. 311 (Plum Creek Planned Unit Development Overlay District Zoning Ordinance) Article ii-PUD Districts: Part C Zoning, Section 8 MXD” Mixed Use to insert Section (9) operating hours for “MXD” Commercial Uses. With no one wishing to speak Mayor Johnson closed the Public Hearing at 8:50 P.M.

Council Member Hervol moved to approve *(First Reading)* An Ordinance amending Ordinance No. 311 (Plum Creek Planned Unit Development Overlay District Zoning Ordinance). Article II-PUD Districts: Regulations and Performance Standards, Part C Zoning, Section 8- “MXD” Mixed Use to insert Section (9) operating hours for “MXD” Commercial Uses. Authorizing the City Secretary to amend the Ordinance 311 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; Authorizing the City Secretary to amend the Ordinance 311 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 was open to the public as required by law. Council Member Bryant seconds the motion. All aye. Motion carried.

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A RESOLUTION OF THE CITY OF KYLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$703,997.00 WITH HDR ENGINEERING, INC., FOR DESIGN AND CONSTRUCTION PHASE SERVICES RELATING TO LEHMAN ROAD (FM 150 TO GOFORTH ROAD); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS. ~ *Leon Barba, P. E., City Engineer*

A RESOLUTION OF THE CITY OF KYLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$1,009,992.21 WITH LOCKWOOD, ANDREWS, & NEWNAM, INC., FOR DESIGN AND CONSTRUCTION PHASE SERVICES RELATING TO GOFORTH ROAD (IH-35 TO BUNTON CREEK ROAD); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS. ~ *Leon Barba, P. E., City Engineer*

A RESOLUTION OF THE CITY OF KYLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$579,454.34 WITH LJA ENGINEERING, INC., FOR DESIGN AND CONSTRUCTION PHASE SERVICES RELATING TO BUNTON CREEK ROAD (IH-35 TO LEHMAN ROAD); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS. ~ *Leon Barba, P. E., City Engineer*

A RESOLUTION OF THE CITY OF KYLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$974,262.00 WITH FREESE AND NICHOLS, INC., FOR DESIGN AND CONSTRUCTION PHASE SERVICES RELATING TO N. BURLESON STREET (MILLER STREET TO IH 35); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS. ~ *Leon Barba, P.E., City Engineer*

A RESOLUTION OF THE CITY OF KYLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$412,448.00 WITH K FRIESE & ASSOCIATES, INC., FOR DESIGN AND CONSTRUCTION PHASE SERVICES RELATING TO MARKETPLACE AVENUE (N. BURLESON STREET TO CITY LIGHTS DR.); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS. ~ *Leon Barba, P.E., City Engineer*

Mayor Johnson moved to table Items # 24, 25, 26, 27, and 28 to the next meeting when we can bring back exact figures to be taken out of the contracts. Council Member Bryant seconds the motion. All aye. Motion carried.



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*(First Reading)* AN ORDINANCE OF THE CITY OF KYLE, TEXAS, ZONING FOR TRAFFIC AND RATE OF SPEED THEREIN ON IH 35 SB FRONTAGE ROAD IN THE CITY LIMITS OF THE CITY OF KYLE; DEFINING SPEEDING AND FIXING A PENALTY THEREFORE; DECLARING WHAT MAY BE A SUFFICIENT COMPLAINT IN PROSECUTIONS HEREUNDER; WITH A SAVING CLAUSE REPEALING CONFLICTING LAWS AND DECLARING AN EMERGENCY. ~ *Leon Barba, P. E., City Engineer*

Council Member Wilson moved to approve *(First Reading)* An Ordinance of the City of Kyle, Texas, Zoning for traffic and rate of speed therein on IH 35 SB Frontage Road in the City Limits of the City of Kyle; Defining Speeding and Fixing a penalty therefore; Declaring what may be a sufficient complaint in prosecutions hereunder; with a saving clause repealing conflicting laws and declaring an emergency. Council Member Hervol seconds the motion. Motion carried 4-1 with Council Member Benninghoff voting nay. Council Member Selbera was off the dais and did not vote.

CONSIDER AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH SISK-ROBB, INCORPORATED OF LEANDER, TEXAS IN AN AMOUNT NOT TO EXCEED \$1,760.00, FOR THE REMOVAL AND PROPER DISPOSAL OF ASBESTOS FROM THE KYLE POLICE DEPARTMENT BUILDING, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO COMPLETE THIS TRANSACTION. ~ *HARPER WILDER, DIRECTOR OF PUBLIC WORKS*

Council Member Wilson moved to approve a contract for professional services with SISK-ROBB, INCORPORATED of Leander, Texas in an amount not to exceed \$1,760.00, for the removal and proper disposal of asbestos from the Kyle Police Department Building, and authorizing the City Manager to execute all documents necessary to complete this transaction. Council Member Bryant seconds the motion. All aye. Motion carried.

CONSIDER AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH TERRACON CONSULTANTS, INC., OF AUSTIN, TEXAS IN AN AMOUNT NOT TO EXCEED \$1,970.00, FOR ON-SITE INSPECTION/AIR MONITORING, ASBESTOS ABATEMENT PROJECT MANAGEMENT, AND PROVIDING ASBESTOS ABATEMENT DESIGN DOCUMENTS AND FINAL PROJECT DOCUMENTATION FOR THE ABATEMENT REMOVAL PROJECT AT THE KYLE POLICE DEPARTMENT BUILDING, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO COMPLETE THIS TRANSACTION. ~ *HARPER WILDER, DIRECTOR OF PUBLIC WORKS*

Council Member Wilson moved to approve a contract for professional services with TERRACON CONSULTANTS, INC., of Austin, Texas in an amount not to exceed \$1,970.00, for on-site inspection/air monitoring, asbestos abatement project management,

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and providing asbestos abatement design documents and final project documentation for the abatement removal project at the Kyle Police Department Building, and authorizing the City Manager to execute all documents necessary to complete this transaction. Council Member Selbera seconds the motion. All aye. Motion carried.

CONSIDER AUTHORIZING THE CITY MANAGER TO REIMBURSE AQUA TEXAS, INC., IN AN AMOUNT NOT TO EXCEED \$24,797.45 FOR EMERGENCY REPAIRS TO THE CLARIFIER DRIVE AT THE WASTEWATER TREATMENT PLANT. ~ *HARPER WILDER, DIRECTOR OF PUBLIC WORKS*

Council Member Hervol moved to approve authorizing the City Manager to reimburse AQUA TEXAS, INC., in an amount not to exceed \$24,797.45 for emergency repairs to the clarifier drive at the wastewater treatment plant.. Council Member Bryant seconds the motion. All aye. Motion carried.

A RESOLUTION OF THE CITY OF KYLE, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT WITH CINESTARZ ENTERTAINMENT, LLC; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS. ~ *Diana Blank-Torres, Director of Economic Development*

Council Member Hervol moved to approve A Resolution of the City of Kyle, Texas, authorizing the City Manager to negotiate and execute an Economic Development Incentive Agreement with CINESTARZ Entertainment, LLC. Council Member Benninghoff seconds the motion. All aye. Motion carried.

## CITY MANAGERS REPORT

UPDATE ON VARIOUS CAPITAL IMPROVEMENT PROJECTS, ROAD PROJECTS, BUILDING PROGRAM, AND/OR GENERAL OPERATIONAL ACTIVITIES ~ LANNY LAMBERT, CITY MANAGER

1. Discuss Warrant Roundup
2. Discuss Emergency Services District #8 Sales Tax Agreement
3. Discuss the date for the first step of the Proposal to Assist in the Developing Policies and Practices to Ensure High Performance Professional Relationships

City Manager Lanny Lambert stated that Council Member Benninghoff had mentioned 18 wheelers crossing the railroad tracks at 150 and stated staff has contacted Hays County, and TXDOT to see if a truck route can be designed. He stated they would be taking the proposals to the Public Safety Committee and the Mobility Committee and ask for their input.

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Mr. Lambert stated that the Police Department would be participating in the 2014 warrant round up during the month of March.

Mr. Lambert stated he has had no success in aranging a meeting with ESD #8 the Fire Department out of Buda.

Mr. Lambert stated he met with Professor Longoria in charge of the MBA program at Texas State and he was excited about the project regarding the 3 positions managed by City Council. He stated that he would bring the contract at the next meeting.

Mayor Johnson stated that during their discussions with Commissioner Conley he requested a workshop with the City of Kyle regarding the Greater San Marcos Partnership and tentatively set for March 18 at 6:30 P.M. before the Council meeting. All agreed to the date and time.

ADJOURN

With no further business to discuss Council Member Hervol moved to adjourn. Council Member Selbera seconds the motion. All votes aye. Motion carried.

The City Council meeting adjourned at 9:41 pm.

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Lucy Johnson, Mayor

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Amelia Sanchez, City Secretary