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# 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 7/15/2014, at Kyle City Hall, 100 West Center Street, Kyle, Texas for the purpose of discussing the following agenda.

Posted this 10th day of July, 2014 prior to 7:00 p.m.

### I. Call Meeting To Order

### II. Approval of Minutes

1. City Regular-called Meeting - July 1, 2014 ~ *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

2. Nominate and appoint honorary/non-voting member(s) of the Kyle Area Youth Advisory Council (KAYAC) to the City Council. ~ *Todd Webster, Mayor*

- James Collins

 [Attachments](#)

### V. Consent Agenda

3. (*Second Reading*) An Ordinance of the City of Kyle, Texas, Amending the Code of Ordinances, Chapter 50, "Utilities," Article VI, "Impact Fees," Sec. 50-233(a), by adding a definition of "Redundant Meter"; Amending Sec. 50-261 of said Chapter to exempt redundant meters from payment of Impact

Fees; Providing a severability clause; Providing repeal of conflicting ordinances; Finding and determining that the meeting at which this ordinance is passed is open to the public as required by law; Providing an effective date; Making such other findings and provisions related hereto ~ *James Earp, Assistant City Manager*

 [Attachments](#)

4. Approve the site plan for Kyle Parkway Storage (SD-14-009), 4.296 acres, one lot located at 5141 Cromwell Drive, Kyle, Texas ~ *James Earp, Assistant City Manager*

*Planning and Zoning Commission voted 7-0 to recommend approval.*

 [Attachments](#)

5. Approve a change order from SPAWGLASS CONSTRUCTION CORPORATION, Austin, Texas, in an amount not to exceed \$4,320.00, to increase the quantity of work to be performed, by providing consulting services for the asbestos abatement of the first-floor area of Kyle Historic Train Depot. ~ *Jerry Hendrix, Chief of Staff*

 [Attachments](#)

6. Approve the purchase of one Apple MacBook Pro laptop computer in an amount not to exceed \$1,920.52 from SOUTHERN COMPUTER WAREHOUSE, Marietta, Georgia, for work-related use by the City Attorney (Prosecutor) in Municipal Court proceedings and other city business. ~ *Robert Olvera, IT Systems Administrator*

 [Attachments](#)

7. Approve the purchase of three (3) Data911 M7 systems from DATA911, Alameda, CA, in an amount not to exceed \$30,006.50, to be installed in the three (3) recently acquired 2014 Chevrolet Tahoe Police Pursuit Vehicles for the Police Department. ~ *Jeff Barnett, Chief of Police*

 [Attachments](#)

8. Award a bid in an amount not to exceed \$1,521.42 to BAILEY'S FIREARM'S COUNTRY, Houston, TX, lowest and most responsible bidder, for the purchase of three (3) Remington Police 870 Shotguns for the three (3) recently acquired 2014 Chevrolet Police Tahoes for the Police Department. ~ *Jeff Barnett, Chief of Police*

 [Attachments](#)

9. Approve the purchase of three (3) Del-Ton AR-15 rifles from GT

DISTRIBUTORS, Austin, Texas, in an amount not to exceed \$3,267.81 to be carried by the Police Department's motorcycle patrol units. ~ *Jeff Barnett, Chief of Police*

 [Attachments](#)

10. Approve the lease payment to UNION PACIFIC RAILROAD COMPANY for the lot between Blanco Street and Center Street (a/k/a Train Depot lot) in an amount not to exceed \$3,854.46 for a lease period from July 15, 2014 to July 14, 2015 ~ *Kerry Urbanowicz, Director of Parks and Recreation*

 [Attachments](#)

11. Award a bid to SAF-T BOX, Hutto, Texas, lowest and most responsible bidder, in an amount not to exceed \$4,700.00, for the purchase of one forty-foot (40') storage container for use by the parks and recreation department. ~ *Kerry Urbanowicz, Director of Parks and Recreation*

 [Attachments](#)

12. Ratify the purchase of flags, poles and hardware from DIXIE FLAG MANUFACTURING COMPANY, San Antonio, Texas, in an amount not to exceed \$1,711.40 for the Parks and Recreation Department. ~ *Kerry Urbanowicz, Director of Parks and Recreation*

 [Attachments](#)

13. Authorize the city manager to execute a worksite training agreement with Workforce Solutions Rural Capital Area, San Marcos, Texas, for Workforce Solutions to provide a volunteer for the library at no cost to the city. ~ *Connie Brooks, Director of Kyle Public Library*

 [Attachments](#)

14. Authorize the city manager to execute an agreement with AWE DIGITAL LEARNING SOLUTIONS, Chester, PA, in an amount not to exceed \$300.00 for the purchase of replacement headphones, cords, computer mice, and keyboards for children's computers at the Kyle Public Library. ~ *Connie Brooks, Director of Kyle Public Library*

 [Attachments](#)

15. (*Second Reading*) An Ordinance amending the City's Approved Budget for Fiscal Year 2013-14 by increasing appropriations in the General Fund for the Planning & Zoning Department by \$3,500.00 and decreasing fund balance in the General Fund by the same amount in order to provide funding for the professional services contract awarded by City Council on June 17, 2014 to Byrn & Associates Inc., for the purpose of replatting the Edward J. Sledge and Kyle Library plats ~ *Perwez A. Moheet, CPA*,

*Director of Finance* [Attachments](#)

16. Approve the purchase through the Lower Colorado River Authority's (LCRA) Cooperative Government Pricing Contract of three (3) crew trucks for public works department use and one (1) pickup truck for utility department use from BLUEBONNET MOTORS, New Braunfels, Texas, in a total amount not to exceed \$100,245.40, a savings of \$43,089.60 from manufacturer's suggested retail price. ~ *Perwez A. Moheet, CPA, Director of Finance*

 [Attachments](#)

17. *(First Reading)* An ordinance approving a settlement agreement with Monarch Utilities I, LP. ~ *Jerry Hendrix, Chief of Staff*

 [Attachments](#)**VI. Consider and Possible Action**

18. *(First Reading)* An ordinance reassessing properties located within Bunton Creek Public Improvement District; providing definitions; finding assessments on properties located within the district are excessive and invalid; waiving certain assessments; requiring reassessment of assessments levied against properties located within the district; requiring release of liens; finding assessments levied on properties located within the district are not delinquent; finding other expenses void and unenforceable; determining validity of certain assessments; requiring a reassessment roll; providing a right to an administrative hearing to request adjustments to the reassessment roll; providing for a deadline to request a hearing; creating a hearing committee; providing for disbursement of certain reassessments; requiring reimbursement of assessments, interest or other expenses to be paid from reassessments; providing for collection and disbursement of reassessments; levying reassessments and attaching liens on reassessed properties located within the district; providing for the option to cancel reassessments; providing for a service plan; providing for future improvements and assessments; disallowing enforcement of the ordinance in dissolution; providing for enforcement; providing for efficient and effective administration of the ordinance; providing a legal description of the district; repealing ordinances, resolutions, covenants, deed restrictions, and agreements in conflict; providing for severability; providing for compliance with open meetings law; providing for an effective date; and adopting such other findings and provisions related hereto ~ *Ken Johnson, City Attorney*

- Public Hearing

 [Attachments](#)

19. *(First Reading)* An ordinance approving a request by Centerpoint Energy Resources Corp. to implement the March 31, 2014 Interim Rate Adjustment filing pursuant to Texas Utilities Code 104.301. ~ *Jerry Hendrix, Chief of Staff*

 [Attachments](#)

20. Authorize the city manager to execute a contract for election services by and between the City of Kyle and the Hays County Elections Officer ~ *Amelia Sanchez, City Secretary*

 [Attachments](#)

21. Approve the street light policy adopted by the Plum Creek Homeowners Association and reviewed by the City of Kyle ~ *James Earp, Assistant City Manager*

 [Attachments](#)

22. A resolution of the City of Kyle, Texas, accepting a deed without warranty from Qualico KP, LLC. ~ *Ken Johnson, City Attorney*

 [Attachments](#)

## **VII. Council Requested Agenda Items**

23. A Resolution of the City Council of the City of Kyle, Texas, granting the City Manager authority over expenditures not to exceed fifteen thousand dollars per expenditure; requiring the City Manager to comply with competitive bidding statutes, city purchasing policies and procedures, and accepted finance practices; authorizing the City Manager to execute contracts for said expenditures; authorizing the City Manager to execute contracts not requiring the expenditure of public funds; requiring an accounting and reporting to the City Council. ~ *Todd Webster, Mayor*

 [Attachments](#)

## **VIII. City Managers Report**

24. Update on various capital improvement projects, road projects, building program, and/or general operational activities of the city ~ *Lanny Lambert, City Manager*

1. Budget Workshops
2. G-200 Texas Public Officials Emergency Management Training, July 21, 2014, 2:00 p.m. - 5:00 p.m., Kyle City Hall, Council Chambers
3. Discuss City Hall Operating Hours
4. TML Conference, Sept. 30, 2014 - Oct. 3, 2014, Houston, TX

 [Attachments](#)

## IX. Executive Session

25. Convene into Executive Session pursuant to Section 551.087, Tex. Gov't Code, 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](#)

26. Convene into Executive Session pursuant to Sec. 551.071, Tex. Gov't Code, to consult with the City Attorney regarding contemplated litigation and the matter of the Bunton Creek Public Improvement District and pursuant to the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas under which the City Attorney has a duty to keep his client, the City Council, reasonably informed, regarding the status of the matter of the Bunton Creek Public Improvement District.

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27. Reconvene into Open Session to take any and all actions as deemed appropriate 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.

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28. Reconvene into Open Session to take action as deemed appropriate regarding contemplated litigation and the matter of the Bunton Creek Public Improvement District.

 [Attachments](#)

## X. 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.