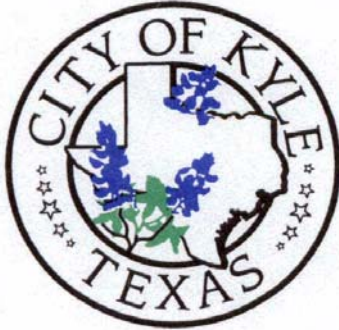


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CITY OF KYLE



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 10/21/2014, at Kyle City Hall, 100 West Center Street, Kyle, Texas for the purpose of discussing the following agenda.

Posted this 16th day of October, 2014 prior to 7:00 p.m.

I. Call Meeting To Order

II. Approval of Minutes

1. City Council Regular Meeting - October 8, 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. Consider nomination and take possible action for reappointment to the Library Board. ~ *R. Todd Webster, Mayor*

- Kathy Ryan, Reappointment

 [Attachments](#)

V. Consent Agenda

3. Approve a 2-year professional services agreement with FIRST SOUTHWEST ASSET MANAGEMENT, INC., with three 1-year renewal options to provide investment management and associated advisory services to the City of Kyle for a fixed quarterly rate of \$7,000.00 or \$28,000 per year for the term of the contract. ~ *Perwez A. Moheet, CPA, Director of*

Finance

[Attachments](#)

4. Award a Request for Proposal to NEPTUNE-WILKINSON ASSOCIATES, INC., Austin, Texas, in an amount not to exceed \$16,200.00 for the purpose of providing engineering services for the rehabilitation of the Roland Lane Elevated Tank. ~ *Leon Barba, P.E., City Engineer*

[Attachments](#)

5. (*Second Reading*) An ordinance amending the City of Kyle, Texas, Code of Ordinances Chapter 32 (Site Development), Article II (Plan and Procedures), Sec. 32-49 (Expiration); adding Secs. 32-49.1 through 32-49.4; amending Chapter 41 (Subdivisions), Article II (Processing of Proposed Subdivisions) Sec. 41.51 (Preliminary Plan Package (ppp)) by repealing Sec. 41-51(d); adding Secs. 41.51.1 through 41.51.5; amending Chapter 53 (Zoning), Sec. 53-954 (Expiration); extending said expiration periods of said amended provisions; providing definitions; providing when amended expiration periods apply; providing exemptions to said expiration periods; applying said expiration periods to a series of permits; requiring that the city shall consider a permit application solely on the basis of the regulations that were in effect at the time the original application was filed; providing that permit approval shall run with the land; providing for disposition of dormant projects; providing for expiration of permit applications; 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 for an effective date; and making such other findings and provisions related hereto. ~ *Manuel De La Rosa, Director of Planning*

[Attachments](#)

6. (*Second Reading*) An ordinance amending City of Kyle, Texas, Code of Ordinances, Chapter 53 (Zoning), Article I (In General), Section 53-5 (Definitions) by adding definitions for "front property line," "front wall," and "wall"; providing "Standards for Determination of a Front Wall for the Purposes of Establishing Garage Setback"; 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 for an effective date; and making such other findings and provisions related hereto. ~ *Manuel De La Rosa, Director of Planning*

[Attachments](#)

7. (*Second Reading*) An ordinance amending the City of Kyle, Texas, Code of Ordinances, Chapter 53 (Zoning), Article I (in general), section 53-5 (Definitions) by adding a definition for "dance hall"; amending Article II (Zoning Districts and Regulations), Division 15 (Central Business District 2, District CBD-2), Section 53-1230 (uses permitted in certain districts), by

adding "dance hall" as a use permitted in District CBD-2; providing city council the option to license and regulate dance halls; requiring dance halls to be assigned SIC and/or NAICs codes, types, and code descriptions; requiring dance halls to comply with the International Building Code; requiring dance halls to comply with Chapter 53 (Zoning) of the Code of Ordinances; regulating parking spaces; providing for penalties; providing for civil remedies; 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 for an effective date; and making such other findings and provisions related hereto. ~ *Manuel De La Rosa, Director of Planning*

 [Attachments](#)

8. Approve Plum Creek Phase 1 Section 11G - Preliminary Plan (PP-14-002) 8.962 acres; two lots located at the northwest corner of FM 1626 and Dorman. ~ *Manuel De La Rosa, Director of Planning*

Planning & Zoning Commission voted 4-0 to approve preliminary plan.

 [Attachments](#)

9. Approve Plum Creek Phase 1 Section 11G - Final Plat (FP-14-010) 8.962 acres; two lots located at the northwest corner of FM 1626 and Dorman. ~ *Manuel De La Rosa, Director of Planning*

Planning & Zoning Commission voted 4-0 to approve the plat.

 [Attachments](#)

10. Approve Plum Creek Phase 1 Section 6E2-1 - Amended Plat (SFP-14-006) 11.263 acres; 61 lots located between extension of Kirby and extension of Sanders, adjacent to the Golf Course. ~ *Manuel De La Rosa, Director of Planning*

Planning & Zoning Commission voted 4-0 to approve the plat.

 [Attachments](#)

11. Resolution of the City Council of the City of Kyle, Texas, authorizing the acceptance of a grant in the amount of \$32,000.00 from the Office of the Governor, Violent Crimes Against Women Criminal Justice and Training Projects Grant, for the purpose of funding the Kyle Police Department's victims services coordinator full-time position for Fiscal Year 2014-2015; authorizing and providing matching funds in an amount not to exceed \$22,600.00 from the Kyle Police Department's approved budget for Fiscal Year 2014-2015; agreeing and assuring that in the event of loss or misuse of said grant funds, the city will return the total amount of funds to the Criminal Justice Division of the Office of the Governor; authorizing the acting city manager or city manager to apply for, accept, reject, alter or

terminate the grant on behalf of the city council; finding and determining that the meeting at which this resolution is passed is open to the public as required by law; providing for an effective date; and making such other findings and provisions related hereto. ~ *Josh Moreno, Grants Administrator*

 [Attachments](#)

12. Approve a contract between Hays County and the City of Kyle for the Kyle Community Library to receive \$30,000 from Hays County during fiscal year 2014-2015. ~ *Connie Brooks, Library Director*

 [Attachments](#)

13. Authorize award and execution of a purchase order to GT DISTRIBUTORS, Austin, Texas, in an amount not to exceed \$61,641.60 for the purchase of emergency equipment, AR-15 rifles, and other associated equipment to outfit five (5) 2014 Chevrolet Tahoe police package vehicles, through the Buy Board Purchasing Cooperative for the Kyle Police Department. ~ *Jeff Barnett, Chief of Police*

 [Attachments](#)

VI. Consider and Possible Action

14. Consider authorizing the City's Director of Finance to initiate process, prepare documents, and coordinate all appropriate steps necessary for the refunding of approximately \$7,045,000.00 in outstanding Certificates of Obligations, Series 2008 in order to achieve approximately \$980,000.00 in estimated interest cost savings for the City of Kyle. ~ *Perwez A. Moheet, CPA, Director of Finance*

 [Attachments](#)

15. Discuss and take possible action to approve a professional services agreement with Mike O'Brien, Partner, PADGETT STRATEMANN AND COMPANY, Austin, Texas, in an amount not to exceed \$18,000.00, for the purpose of providing consulting services relating to the preparation of a reassessment roll and the reassessment of assessments on properties located in the Bunton Creek Public Improvement District. ~ *Ken Johnson, City Attorney*

 [Attachments](#)

VII. General Discussion and Possible Action

16. Discussion only regarding a proposed 640 acre development to be called "Kyle Estates" to be located adjacent to Lehman High School on Bunton Lane and a proposed 763 acre development to be called "Pecan Woods" to be located adjacent to Simon Middle School on FM 150. ~ *Manuel De La Rosa, Director of Planning*

 [Attachments](#)

17. Discussion only regarding a proposed 130 acre development to be called "The Woodlands at Center Street" at the "Y" intersection of W. Center Street at N. Old Stagecoach Road and Cypress Road. ~ *Manuel De La Rosa, Director of Planning*

 [Attachments](#)**VIII. City Managers Report**

18. Update on various capital improvement projects, road projects, building program, and/or general operational activities ~ *James Earp, Acting City Manager*
 1. A detailed report is attached listing all payments processed totaling \$15,000 or less during the month of September 2014.
 2. Public Meeting Notices for Bunton, Goforth, Lehman, and Burleson

 [Attachments](#)**IX. Executive Session**

19. Convene into executive session pursuant to Section 551.071, Tex. Gov't Code (Consultations with attorneys regarding ongoing litigation) regarding Cause No. 13-0894, *Aqua Operations, Inc. v. City of Kyle & TCEQ Docket Number 2013-0498-MWD-E: Executive Director of the Texas Commission on Environmental Quality vs. City of Kyle & Aqua Operations, Inc.*

 [Attachments](#)

20. Reconvene into open session regarding Cause No. 13-0894, *Aqua Operations, Inc. v. City of Kyle & TCEQ Docket Number 2013-0498-MWD-E: Executive Director of the Texas Commission on Environmental Quality vs. City of Kyle & Aqua Operations, Inc.*

 [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.