

[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 9/1/2015, at Kyle City Hall, 100 West Center Street, Kyle, Texas for the purpose of discussing the following agenda.

Posted this 28th day of August, 2015, prior to 7:00 p.m.

I. Call Meeting To Order

II. Approval of Minutes

1. City Council Special Called Meeting - August 1, 2015. ~ *Amelia Sanchez, City Secretary*

[Attachments](#)

2. City Council Special Called Meeting - August 18, 2015. ~ *Amelia Sanchez, City Secretary*

[Attachments](#)

3. City Council Special Meeting - August 19, 2015. ~ *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 are encouraged to sign in before the meeting begins. Speakers may be provided with an opportunity to speak during this time period on any agenda item or any other matter concerning city business, and they must observe the three-minute time limit.

IV. Public Hearings

4. Hold the second of two state-mandated Public Hearings for the possible extension of the Kyle municipal boundaries by the annexation of approximately 135.78 acres. (Cypress Forest Annexation). ~ *Howard J. Koontz, AICP, Director of Planning and Community Development*

- **PUBLIC HEARING**

 [Attachments](#)

V. Consent Agenda

5. Authorize execution of a 12-month professional services agreement with CATALYST COMMERCIAL, INC., Dallas, Texas, in an amount not to exceed \$22,000.00 to provide services related to developing commercial retail growth and recruitment strategies in the City of Kyle for the period October 1, 2015 through September 30, 2016. ~ *Diana Torres, Director of Economic Development*

 [Attachments](#)

6. (*Second Reading*) An Ordinance of the City of Kyle, Texas, Amending Chapter 29, "Sign Standards and Permits" of the City's Code of Ordinances relative to permitting existing off-premise commercial billboards to be converted to changeable electronic variable message signs ("CEVMS") subject to specific approval of the City Council; requiring a sign face exchange ratio for digital display signs; repealing the sunset clause for the sign face exchange ratio; repealing all conflicting Ordinances; and providing an effective date. ~ *Mario Perez, Building Official*

 [Attachments](#)

7. (*Second Reading*) An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of rezoning approximately 0.53 acres of land from Single Family Residential "R-1" to Retail Service District "RS" located at 713 and 715 N. Old Highway 81, in Hays County, Texas. (Alberto Saucedo, Sr. on behalf of Ypolita Cruz Saucedo, Z-15-007). ~ *Howard J. Koontz, AICP, Director of Planning and Community Development*

Planning and Zoning Commission voted 5-0 to recommend approval of the request.

 [Attachments](#)

8. (*Second Reading*) Approve an Ordinance amending the City's Approved Budget for Fiscal Year 2014-15 by increasing the number of authorized positions by adding three (3) full-time positions to the Public Works Department for the operations and maintenance of the wastewater treatment plant. ~ *Perwez A. Moheet, CPA, Director of Finance*

 [Attachments](#)

9. Adopt a Resolution approving the annual update to the City's Investment Policy as required by the Public Funds Investment Act (PFIA). ~ *Perwez A. Moheet, CPA, Director of Finance*

 [Attachments](#)

10.

An Ordinance of the City of Kyle, Texas, amending the City of Kyle, Texas Code of Ordinances; amending Part II, Chapter 41, Article V, Section 41-147 Park Land Dedication, to remove conflicting references to living unit equivalent or LUE; providing for repeal of conflicting ordinances; providing for an effective date and an open meetings clause; and providing for related matters. ~ *James Earp, Assistant City Manager*

 [Attachments](#)

11. Approval of Execution of the Temporary Park Trail Grading Easement for Walton Texas, LP. ~ *Leon Barba, P.E., City Engineer*

 [Attachments](#)

12. Approval of Execution of the Storm Water Detention and Water Quality Controls Easement for Walton Texas, LP. ~ *Leon Barba, P.E., City Engineer*

 [Attachments](#)

13. Approval of Execution of the Storm Water Detention and Water Quality Controls Easement 2 (second separate easement) for Walton Texas, LP. ~ *Leon Barba, P.E., City Engineer*

 [Attachments](#)

14. Approval of Execution of the Waste Water Lines Easement for Walton Texas, LP. ~ *Leon Barba, P.E., City Engineer*

 [Attachments](#)

15. Approval of Execution of the Detention and Water Quality Controls Easement for Bigelow San Marcos Development, LLC. ~ *Leon Barba, P.E., City Engineer*

 [Attachments](#)

16. *(First Reading)* An Ordinance of the City of Kyle, Texas, in accordance with Chapter 47, Article III authorizing and directing the installation and erection of NO PARKING signs to prohibit parking on Old State Highway 81 at the intersection of Center Street (RR150) 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*

 [Attachments](#)

17. Authorize Letter Agreement between GBRA, City of San Marcos, City of Kyle, and City of Buda for Temporary Supply of Additional Water to Buda. ~ *James Earp, Assistant City Manager*

 [Attachments](#)

18. A Resolution of the City of Kyle, Texas, to hold a public hearing on September 15, 2015, in accordance with Chapter 26 of the Texas Parks and Wildlife Code, for the non-park use of a part of Kyle Vista Park for the purpose of installing and maintaining a water line and a sanitary sewer line for the Crosswinds Municipal Utility Extension. ~ *Kerry Urbanowicz, Director of Parks*

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

19. Approval of KAYAC By-Laws Amendment. ~ *Jonathan Lopez, President and Andy Garza, Vice President*

 [Attachments](#)

20. Consider and Possible Action on Development Agreement Between City of Kyle, Texas, and Neil and Amber Meinzer. ~ *James Earp, Assistant City Manager*

 [Attachments](#)

21. Consider and Possible Action to Approve a Development Agreement with KYLE RIVERBEND – COTTONWOOD INVESTMENTS, LLC., a Texas limited liability company, for remaining phases of Woodlands Park. ~ *James Earp, Assistant City Manager*

 [Attachments](#)

22. *(First Reading)* An Ordinance of the City of Kyle, Texas adopting a budget for the ensuing fiscal year beginning October 1, 2015 and ending September 30, 2016; appropriating the various revenue and expenditure amounts thereof, including water and wastewater rates, miscellaneous fees and charges for City services as specified in the fee schedule, all associated budget schedules and documents, and repealing all Ordinances or parts of Ordinances in conflict therewith; and providing for an effective date. ~ *J. Scott Sellers, City Manager*

- **PUBLIC HEARING**

 [Attachments](#)

23. *(First Reading)* An Ordinance of the City of Kyle, Texas, fixing the ad valorem tax rate and providing for the levying of ad valorem taxes for use and support of the municipal government of the City for the fiscal year beginning October 1, 2015 and ending September 30, 2016; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid. ~ *J. Scott Sellers, City Manager*

 [Attachments](#)

24. An Ordinance of the City of Kyle, Texas amending Chapter 38, Article II of the Code of Ordinances, Streets and Sidewalks, so as to add Section 38-46 to 38-49 Parking of Vehicles, Trailers and Other Equipment Prohibited; to establish regulations governing which vehicles are prohibited from parking on a public right-of-way; establishing a penalty; and setting an effective date. ~ *Damon Fogley, Council Member; Jeff Barnett, Chief of Police*

- **PUBLIC HEARING**

 [Attachments](#)

25. An Ordinance of the City of Kyle, Texas amending Chapter 47 of the Code of Ordinances, Traffic and Vehicles so as to add Article VII In General, To Prohibit the Operation of Hand-Held Wireless Communication Devices While Operating a Motor Vehicle; Providing Exemptions; Providing Affirmative Defenses; Providing Increased Penalty for Second and Third Offenses; Providing a Savings Clause; Providing for Severability and an Effective Date. ~ *David Wilson, Mayor Pro Tem; Jeff Barnett, Chief of Police*

- **PUBLIC HEARING**

 [Attachments](#)

VII. City Managers Report

26. Update on various capital improvement projects, road projects, building program, and/or general operational activities. ~ *J. Scott Sellers, City Manager*

- Reschedule Tuesday, October 6, 2015 Regular City Council Meeting to Wednesday, October 7, 2015 due to National Night Out.
- Reschedule Tuesday, November 3, 2015 Regular City Council Meeting to Wednesday, November 4, 2015 due to Election day.

 [Attachments](#)

VIII. Executive Session

27. Pursuant to Chapter 551, Texas Government Code, the City Council reserves the right to convene into Executive Session(s) from time to time as deemed necessary during this meeting. The City Council may convene into Executive Session pursuant to any lawful exception contained in Chapter 551 of the Texas Government Code including any or all of the following topics.

1. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071.
 - Discussion of San Marcos Hays County EMS Contract

2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
3. Personnel matters pursuant to Section 551.074.
4. Economic Development negotiations pursuant to Section 551.087.
 - Project VP
 - Project BB

 [Attachments](#)

28. Take action on items discussed in Executive Session.

 [Attachments](#)

IX. 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.