

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 1/5/2016, at Kyle City Hall, 100 West Center Street, Kyle, Texas for the purpose of discussing the following agenda.

Posted this 31st day of December, 2015 prior to 7:00 p.m.

I. Call Meeting To Order

II. Approval of Minutes

1. City Council Regular Meeting - December 15, 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. Presentation

2. LAN Transportation Master Plan Update. ~ *David Manuel, Senior Planning Manager*

 [Attachments](#)

V. Consent Agenda

3. Authorize award and execution of a Purchase Order to BLUEBONNET MOTORS, New Braunfels, Texas, in the amount of \$29,150.23 for the purchase of one (1) 2016 Ford 150 four-wheel drive truck for the Public Works Department through the Lower Colorado River Authority's (LCRA) Cooperative Government Pricing Contract. ~ *Harper Wilder, Director of Public Works Department*

 [Attachments](#)

4. Approve contract Task Order No. 5 to NEPTUNE-WILKINSON ASSOCIATES, INC.,

Austin, Texas, in an amount not to exceed \$22,500.00 for the purpose of providing engineering services for restoration of the Downtown Elevated Tank located on W. Lockhart Street. ~ *Leon Barba, P.E., City Engineer*

 [Attachments](#)

5. Approve Amendment No. 3 to LNV, INC., Austin, Texas, in an amount not to exceed \$64,774.00 for the purpose of providing additional acquisition services for the Elliott Branch Wastewater Interceptor Project. ~ *Leon Barba, P.E., City Engineer*

 [Attachments](#)

6. *(First Reading)* Approve an Ordinance amending the City's Approved Budget for Fiscal Year 2015-16 by increasing total appropriations for expenditures by \$79,500.00 to complete storm related repairs authorized for various City parks and decreasing fund balance by the same amount in the Park Development Fund. ~ *Perwez A. Moheet, CPA, Director of Finance*

 [Attachments](#)

7. Declare six 4-drawer CD/DVD cabinets as surplus property and approve the donation of the cabinets from the Kyle Public Library to The Friends of the Kyle Library. ~ *Jerry Hendrix, Chief of Staff*

 [Attachments](#)

VI. Consider and Possible Action

8. *(First Reading)* An Ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of rezoning approximately 1.30 acres of land from Single Family Residential 'R-1' to Residential Townhome 'R-1-T' on property located at 707 Live Oak Street, in Hays County, Texas. (Richard Giberson - Z-15-020). ~ *Howard J. Koontz, Director of Planning and Community Development*

Planning and Zoning Commission voted 5-1 to recommend approval of the request.

- **PUBLIC HEARING**

 [Attachments](#)

9. *(First Reading)* An Ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of rezoning approximately 14.083 acres of land from Single Family 'R-1' to Residential Townhome 'R-1-T', on property located at the northwest corner of Live Oak Street and St. Anthony's Drive, in Hays County, Texas. (WS Live Oak Kyle LLC - Z-15-019). ~ *Howard J. Koontz, Director of Planning and Community Development*

Planning and Zoning Commission voted 5-1 to recommend approval of the request.

- **PUBLIC HEARING**

 [Attachments](#)

10. Consider a request by Krishna Kyle, LLC (Hampton Inn Suites - 151 Bunton Creek Road) for a Conditional Use Permit to construct a building with a height greater than 45 feet as required by Chapter 53 (Zoning) Section 1047 - Authorized Conditional Uses (13) of the City of Kyle Code of Ordinances, which states buildings with a height of up to 150 feet may be allowed in the Retail Service District. ~ *Howard J. Koontz, Director of Planning and Community Development*

Planning and Zoning Commission voted 6-0 to recommend approval of the request.

- **PUBLIC HEARING**

 [Attachments](#)

11. Consider a request by MNT & S Development (Sonic Drive In) for a waiver to exceed the maximum number of parking spaces per the Code of Ordinances, Chapter 53 (Zoning) Section 53-33 (n) (3) (Maximum Parking) for property located at 400 E. RR 150. ~ *Howard J. Koontz, Director of Planning and Community Development*

 [Attachments](#)

12. Approve a split-funding agreement with VIGILANT SOLUTIONS, INC., Livermore, CA, to install license plate recognition products in three Kyle Police Department vehicles to collect on outstanding municipal warrants and fines for a 25 percent fee of the amount of the fine. ~ *Jeff Barnett, Chief of Police*

 [Attachments](#)

13. *(First Reading)* Approve an Ordinance amending the City's Code of Ethics as adopted by Ordinance No. 581, to amend Part G, Section 2(d) items (2) and (3) pertaining to the itemized list of disqualifications from serving on the Ethics Commission as follows; Section 2(d)(2) is amended to read "an elected city official" instead of "an elected public official" and Section 2(d)(3) is amended to read "a candidate for elected city office" instead of "a candidate for elected public office." ~ *Frank Garza, City Attorney*

 [Attachments](#)

14. *(First Reading)* An Ordinance of the City of Kyle, Texas Amending the Membership of Boards; Providing Terms, Appointments, Qualifications for Ex Officio Members; Amending Section 53-5 Definitions of the Code of Ordinances; Providing an Effective Date; and Making Such Other Findings and Provisions Related Hereto. ~ *Diana Torres, Director Economic Development*

 [Attachments](#)

15. A Resolution of the City Council of the City of Kyle, Texas Ratifying Ex Officio Membership for the Economic Development & Tourism Board; Providing for an Effective Date. ~ *Diana Torres, Director Economic Development*

 [Attachments](#)

16. Appointment of two (2) Ex-officios and two (2) Citizen Members to the Economic Development and Tourism Board. ~ *Brian Ziegler, Economic Development & Tourism Board Chairman*

- Adriana Cruz, Greater San Marcos Partnership President
- Julie Snyder, Kyle Area Chamber of Commerce CEO
- Jim Hough, Kyle Resident
- Jo Fenety, Kyle Resident

 [Attachments](#)

VII. City Managers Report

17. Update on various capital improvement projects, road projects, building program, and/or general operational activities where no action is required. ~ *J. Scott Sellers, City Manager*

 [Attachments](#)

VIII. Executive Session

18. 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.
 - Contemplated Litigation - Driskell Property
2. Property acquisitions for road bond projects. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
 - Property acquisitions for road bond projects.
3. Personnel matters pursuant to Section 551.074.
4. Economic Development negotiations pursuant to Section 551.087.

 [Attachments](#)

19. 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.