

REGULAR CITY COUNCIL MEETING MINUTES

The City Council of the City of Kyle, Texas met in Regular Session on September 6, 2016 at Kyle City Hall with the following persons present:

Mayor Todd Webster	Roy McMullin
Mayor Pro Tem Damon Fogley	
Council Member Travis Mitchell	
Council Member Becky Selbera	
Council Member Shane Arabie	
Council Member David Wilson	
Council Member Daphne Tenorio	
Scott Sellers, City Manager	
James Earp, Assistant City Manager	
Ashley White, City Attorney	
Sarah Watson, KAYAC Staff Liaison	
Meghan Murphy – KAYAC	
Destinee Cabrera – KAYAC	
Skyler Gold – KAYAC	
Hanna Malott – KAYAC	
Aiden O’Keeffe – KAYAC	
Raymond Navarro – KAYAC	
Luke Jackson – KAYAC	
Cindy Stohr, Programs and Events Specialist	
Jennifer Vetrano, City Secretary	
Leon Barba, City Engineer	
Diana Torres, Economic Dev Director	
Perwez Moheet, Finance Director	
Andy Alejandro, Accounting Manager	
Sandra Duran, HR Director	
Robert Olvera, IT Manager	
Paul Phelan, Library Director	
Kerry Urbanowicz, PARD Director	
Jason Miller, Recreation Division Manager	
Howard Koontz, Community Dev Director	
Jeff Barnett, Chief of Police	
Pedro Hernandez, Police Captain	

I. Call Meeting To Order

Mayor Webster called the meeting to order at 7:00 p.m. Mayor Webster asked the secretary to call roll.

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Present were Mayor Webster, Council Member Mitchell, Council Member Selbera, Council Member Arabie, Council Member Wilson, Council Member Fogley, and Council Member Tenorio. A quorum was present.

II. Approval of minutes

1. City Council Regular Meeting Minutes - August 17, 2016. ~ *Jennifer Vetrano, City Secretary*
Item No. 1 Attachments
2. City Council Special Meeting Minutes - August 24, 2016. ~ *Jennifer Vetrano, City Secretary*
Item No. 2 Attachments
3. City Council Special Meeting Minutes - August 31, 2016. ~ *Jennifer Vetrano, City Secretary*
Item No. 3 Attachments

Mayor Webster brought forward Item Nos. 1, 2, and 3 for discussion. Council Member Wilson moved to approve City Council Regular Meeting Minutes from August 17, 2016, City Council Special Meeting Minutes from August 24, 2016, and City Council Special Meeting Minutes from August 31, 2016. Council Member Fogley seconded the motion. All votes aye; motion carried 7-0.

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.

Mayor Webster opened citizen comments at 7:01 p.m.

Roy McMullin was called to speak. He withdrew his request to speak.

Kerry Urbanowicz, Director of Parks & Recreation, was called to speak. He introduced Jason Miller, the new Recreation Division Manager.

Cindy Stohr, Programs and Events Specialist, was called to speak. She thanked the Council for their support for Kyle's events. Ms. Stohr then introduced Sarah Watson, who was chosen as the new Programs and Events Specialist.

With no one else wishing to speak, and no objections to closing citizen comments, Mayor Webster closed citizen comments at 7:07 p.m.

IV. Appointments

4. Consider and take possible action to appoint the named nominated individuals for designated terms to the Kyle Area Youth Advisory Council. ~ *Sarah Watson, KAYAC Staff Liaison*
 - Jude McClaren

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- Skyler Gold
- Mia Padron
- Dharma Heaney
- Raymond "RJ" Navarro
- Anna Holsonbake
- Samantha Martinez

Item No. 4 Cover Sheet

Mayor Webster brought forward Item No. 4 for discussion. Ms. Watson presented the item and introduced each of the nominated individuals.

Council Member Tenorio moved to approve the appointments of Jude McClaren, Skyler Gold, Mia Padron, Dharma Heaney, Raymond "RJ" Navarro, Anna Holsonbake, and Samantha Martinez for designated terms to the Kyle Area Youth Advisory Council. Council Member Wilson seconded the motion. All votes aye; motion carried 7-0.

5. Appoint nominee for position on City of Kyle Ethics Commission. ~ *Travis Mitchell, Council Member*

- Ryan Browning

Item No. 5 Attachments

Mayor Webster brought forward Item No. 5 for discussion and gave the floor to Council Member Mitchell. Council Member Mitchell discussed his nomination, Ryan Browning, as his appointee for the Ethics Commission.

Council Member Mitchell moved to approve the appointment of Ryan Browning on the City of Kyle Ethics Commission Place 1. Council Member Tenorio seconded the motion. All votes aye; motion carried 7-0.

V. Consent Agenda

Mayor Webster asked if there were any items to be pulled from the Consent Agenda. There were none. With no objections, Mayor Webster brought forward Item Nos. 6, 7, and 8.

6. Approve Amendment No. 1 to Task Order No. 4 to NEPTUNE-WILKINSON ASSOCIATES, INC., Austin, Texas, in an amount of \$4,600.00, increasing the total contract amount to not exceed \$26,600.00 for additional engineering services for the Tenorio Addition Wastewater System Rehabilitation Phase One-B project. ~ *Leon Barba, P.E., City Engineer*

Item No. 6 Attachments

7. Approve contract Task Order No. 6 to NEPTUNE-WILKINSON ASSOCIATES, INC., Austin, Texas, in an amount not to exceed \$33,500.00 for the purpose of providing engineering and inspection services for rehabilitation of the ground storage tank at Yarrington Rd. (250,000 gallons), the ground storage tank at FM 1626 (500,000 gallons) and for obtaining bid proposals for the Downtown Elevated Tank. ~ *Leon Barba, P.E., City Engineer*

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Item No. 7 Attachments

8. In compliance with Ordinance No. 566, declare all bookshelves and associated equipment identified by attached photographs and listed herewith as surplus city property and authorize the sale of said listed surplus city property to the highest bidder by auction on GovDeals, an Internet-based auction marketplace. ~ *Paul Phelan, Director of Library Services*

Item No. 8 Attachments

Council Member Wilson moved to approve Consent Agenda Item Nos. 6, 7, and 8. Council Member Fogley seconded the motion. All votes aye; motion carried 7-0.

VI. Consider and Possible Action

9. (Second & Final Reading) Approve an Ordinance of the City of Kyle, Texas, adopting a budget for the ensuing fiscal year beginning October 1, 2016 and ending September 30, 2017; appropriating the revenue and expenditure amounts thereof for all City Funds, authorizing water and wastewater rates, stormwater drainage fees, other fees and charges for various City services as specified in the fee schedule, full time equivalent positions, carryover of encumbrances, 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*

Item No. 9 Attachments

Mayor Webster brought forward Item No. 9 for discussion. Mr. Sellers presented the item.

Council Member Wilson moved to approve an Ordinance of the City of Kyle, Texas, adopting a budget for the ensuing fiscal year beginning October 1, 2016 and ending September 30, 2017; appropriating the revenue and expenditure amounts thereof for all City Funds, authorizing water and wastewater rates, stormwater drainage fees, other fees and charges for various City services as specified in the fee schedule, full time equivalent positions, carryover of encumbrances, all associated budget schedules and documents, and repealing all Ordinances or parts of Ordinances in conflict therewith; and providing for an effective date. Council Member Selbera seconded the motion.

Mayor Webster called for a roll call vote. Council Member Mitchell voted aye, Council Member Tenorio voted nay, Council Member Arabie voted aye, Council Member Wilson voted aye, Council Member Selbera voted aye, Mayor Pro Tem Fogley voted aye, and Mayor Webster voted aye. Motion carried 6-1 with Council Member Tenorio dissenting.

10. (Second & Final Reading) Approve an Ordinance of the City of Kyle, Texas, fixing the ad valorem tax rate at \$0.5748 per \$100 of assessed taxable valuation and providing for the levying of ad valorem taxes for use and support of the municipal government of the City of Kyle for the fiscal year beginning October 1, 2016 and ending September 30, 2017; 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*

Item No. 10 Attachments

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Mayor Webster brought forward Item No. 10 for discussion. Mr. Sellers presented the item.

Council Member Tenorio moved that the property tax rate be increased by the adoption of a tax rate of \$0.5748, which is effectively a 5.59 percent increase in the tax rate. Council Member Arabie seconded the motion.

Mayor Webster called for a roll call vote. Council Member Wilson voted aye, Council Member Tenorio voted aye, Council Member Selbera voted aye, Council Member Mitchell voted aye, Council Member Arabie voted aye, Mayor Pro Tem Fogley voted aye, and Mayor Webster voted aye. All votes aye; motion carried 7-0.

11. Consider and possible action to approve a Pre-Annexation Agreement Template related to receiving city utilities. ~ *J. Scott Sellers, City Manager*
Item No. 11 Attachments

Mayor Webster brought forward Item No. 11 for discussion. Mr. Sellers presented the item.

Council Member Tenorio moved to approve a Pre-Annexation Agreement Template related to receiving city utilities. Council Member Arabie seconded the motion. All votes aye; motion carried 7-0.

12. Consider and approve an Economic Incentives Agreement with RSI, Inc. ~ *Diana Torres, Director of Economic Development*
Item No. 12 Attachments

Mayor Webster brought forward Item No. 12 for discussion. Mr. Sellers stated that staff requests this item be tabled.

Council Member Selbera moved to table the Economic Incentives Agreement with RSI, Inc. Council Member Fogley seconded the motion. All votes aye; motion carried 7-0.

VII. Executive Session

13. 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.
 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.Item No. 13 Cover Sheet

There was no Executive Session.

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14. Take action on items discussed in Executive Session.
Item No. 14 Cover Sheet

There was no Executive Session.

VIII. ADJOURN

Council Member Tenorio moved to adjourn. Council Member Fogley seconded the motion. All votes aye; motion carried 7-0.

With no further business to discuss, the City Council adjourned at 7:28 p.m.

R. Todd Webster, Mayor

Attest: Jennifer A. Vetrano, City Secretary