

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF KYLE, TEXAS, PROVIDING FOR PUBLICATION OF NOTICE OF PUBLIC HEARINGS TO BE HELD ON THE PROPOSED ANNEXATION OF FOUR AREAS OF LAND LOCATED IN HAYS COUNTY, TEXAS AND ADJACENT AND CONTIGUOUS TO THE CITY LIMITS, CONSISTING OF AN APPROXIMATE TOTAL OF 259.7 ACRES, MORE OR LESS, INCLUDING THE ABUTTING STREETS, ROADWAYS, AND RIGHTS-OF-WAY; DIRECTING THE PLANNING STAFF TO PREPARE A MUNICIPAL SERVICES PLAN FOR THE AREAS PROPOSED TO BE ANNEXED; AND PROVIDING OPEN MEETINGS AND OTHER RELATED MATTERS.

WHEREAS, the City of Kyle, Texas, (herein the “City”) is a Texas home-rule city authorized pursuant to §43.003, *Tex. Loc. Gov’t. Code*, and the City Charter to annex the properties more particularly described herein (the “subject properties”) that are contiguous and adjacent to the corporate limits of the City; and

WHEREAS, the subject properties are contiguous and adjacent to the corporate limits of the City and are within the extraterritorial jurisdiction of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Proceedings. (a) The City Council directs that notice of two public hearings to be held at 7:00 pm on July 17, 2018 and at 8 am on July 28, 2018 be published in accordance with Section 43.063, Texas Local Government Code for the purpose of receiving public comment on the proposed annexation of the subject properties located in Hays, County, Texas that are shown in Exhibit A and which consist of an approximate total of 259.7 acres, more or less. Notices of public hearings mailed to property owners and public entities prior to the date of this Resolution are hereby approved and ratified.

(b) The Planning Department is hereby directed to prepare a municipal services plan that provides for the full extension of municipal services to the subject properties. The Planning Department may consult with other City departments and consultants in preparing the municipal services plan.

(c) The City Manager or his designee is further authorized to offer to owners of property that meet the requirements of Section 43.016(a), Texas Local Government Code, a development agreement as provided in Section 43.016, Texas Local Government Code in a form acceptable to the City Manager and City Attorney and to establish a deadline for acceptance of the development agreement.

Section 3. Severability. Should any section or part of this Resolution be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Resolution are declared to be severable.

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code.*

PASSED AND APPROVED this the ____ day of _____, 2018.

ATTEST:

CITY OF KYLE, TEXAS

Jennifer Vetrano, City Secretary

Travis Mitchell, Mayor

EXHIBIT “A”

Annexation Areas