

CITY OF KYLE



Notice of Special City Council Meeting

Kyle City Hall, 100 W. Center Street,
Kyle, TX 78640

Notice is hereby given that the governing body of the City of Kyle, Texas will meet at 9:00 AM on July 27, 2019, at Kyle City Hall, 100 W. Center Street, Kyle, TX 78640, for the purpose of discussing the following agenda.

Posted this 23rd day of July, 2019, prior to 5:00 p.m.

I. Call Meeting to Order

II. Executive Session

1. 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.
 - Kinder Morgan Pipeline Lawsuit
 2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
 3. Personnel matters pursuant to Section 551.074.
 4. Convene into executive session pursuant to Section 551.087, Texas Government Code, to deliberate regarding the offer of economic incentives to one or more business prospects that the City seeks to have locate, stay, or expand in or near the City.
2. Take action on items discussed in Executive Session.

III. Citizen Comment Period with City Council

The City Council welcomes comments from Citizens early in the agenda of special 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. Consider and Possible Action

3. (*First Reading*) An Ordinance of the City of Kyle, Texas annexing approximately 30.458 acres of land located at 3700 and 3800 Dacy Lane, in Hays County, Texas all of which are lying within the City's Extraterritorial Jurisdiction and to incorporate such property into the City of Kyle, as shown in the attached exhibit; making findings of fact; providing a severability clause; providing an effective date; and providing for open meetings and other related matters. ~ *Howard J. Koontz, Director of Planning and Community Development*
 - Public Hearing (First of Two Public Hearings)
4. City Manager's Proposed Budget for Fiscal Year 2019-2020 totaling approximately \$87.1 million for all City Funds including a proposed ad valorem tax rate of \$0.5416 per \$100.00 assessed valuation, a 10.0% increase in water service rates, no increase in wastewater service rates, no increase in storm drainage fees, a 4.0% increase in solid waste service (trash collection) charges per contract terms, limited changes in other fees and charges, and the proposed addition of 15.0 full-time new positions. ~ *J. Scott Sellers, City Manager*
5. City-Owned Burselson Property Request For Proposals. ~ *J. Scott Sellers, City Manager*
6. [Postponed 7/16/2019] Consider and possible action regarding a Request For Proposals for Uptown Development. ~ *J. Scott Sellers, City Manager*
7. Consider and possible action to direct the City Manager to prepare an Ordinance calling an election on approval of bonds for a Police Facility. ~ *Paige Saenz, City Attorney*
8. A Resolution to record City Council's vote to place a proposal on the agenda of a future City Council meeting as an action item to adopt an ad valorem tax rate of \$0.5416 per \$100.00 of taxable assessed valuation for Fiscal Year 2019-2020 for the City of Kyle; making findings of fact; and providing for related matters. ~ *J. Scott Sellers, City Manager*

V. ADJOURN

*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."



CITY OF KYLE, TEXAS

Executive Session

Meeting Date: 7/27/2019

Date time: 9:00 AM

Subject/Recommendation: 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.
 - Kinder Morgan Pipeline Lawsuit
2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
3. Personnel matters pursuant to Section 551.074.
4. Convene into executive session pursuant to Section 551.087, Texas Government Code, to deliberate regarding the offer of economic incentives to one or more business prospects that the City seeks to have locate, stay, or expand in or near the City.

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

Reconvene

Meeting Date: 7/27/2019

Date time: 9:00 AM

Subject/Recommendation: Take action on items discussed in Executive Session.

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

Voluntary Annexation - John
Kimbrow 3700/3800 Dacy Lane

Meeting Date: 7/27/2019
Date time: 9:00 AM

Subject/Recommendation: *(First Reading)* An Ordinance of the City of Kyle, Texas annexing approximately 30.458 acres of land located at 3700 and 3800 Dacy Lane, in Hays County, Texas all of which are lying within the City's Extraterritorial Jurisdiction and to incorporate such property into the City of Kyle, as shown in the attached exhibit; making findings of fact; providing a severability clause; providing an effective date; and providing for open meetings and other related matters. ~ *Howard J. Koontz, Director of Planning and Community Development*

- Public Hearing (First of Two Public Hearings)

Other Information: Please see attachments.

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

- Application and Letter of Request
- Ordinance with Exhibits

APPLICATION & CHECKLIST – VOLUNTARY ANNEXATION APPLICATION

Project Name/Address: 3800 Dacy Lane
Annex-19-0003

7/5/2019
(Submittal Date)

REQUIRED ITEMS FOR SUBMITTAL PACKAGE:

The following items are required to be submitted to the Planning Department in order for the application to be accepted for review.

- 1. Letter requesting annexation, signed and dated by all property owners and detailing the following information:
 - a. The name of the property owner(s)
 - b. The street address of the property
 - c. Tax appraisal district property ID number(s)
 - d. Acknowledgement that the property is contiguous to the current city limits.
 - e. Identify the number of residents living on the property.
 - f. Current use of the property.
 - g. Proposed use of the property
- 2. Map of the subject property
- 3. A legal description of the property (including a survey, field notes or legal description – subdivision, lot, and block) - label as Exhibit A.
- 4. Ownership Documents, Clean copy of recorded warranty deed or other document(s) conveying ownership of all the property to be annexed. If the property is owned by a partnership, corporation, trust, or other entity, documents demonstrating signatory's authority to sign Petition on behalf of entity must be included.
- 5. Application Fee: \$850.00 + \$190.21 (Newspaper Notification Fee) \$1,040.21

RECEIVED
JUL 05 2019
BY: [Signature]

Property Information

Owners: JOHN KIMBRO

Address: P.O. Box 1210 Kyle, Texas 78640

Phone: 512 845 6011 Email: Kimbro@baylor.com

Acreage: 1/24 Property ID (R#) _____

Legal Description: Attached

Number of lots and proposed use: _____

Agent: _____

Phone:

Email:

Fax Number:

Please Note: The signature of owner authorizes City of Kyle staff to visit and inspect the property for which this application is being submitted. The signature also indicates that the applicant or his agent has reviewed the requirements of this checklist and all items on this checklist have been addressed and complied with. **Note:** The agent is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.

(Check One:)

I will represent my application before city staff and the City Council.

I hereby authorize the person named below to act as my agent in processing this application before city staff and city council.

John Kimbom

512 845 6011

Owner's Name (printed)

P.O. Box 1210

Phone

Kyle

Fax

TX

78640

Owner's Address

City

State

Zip

Owner's Signature

Date

Email Address

Agent's Name:

JASON ARECHIGA

Company:

Mailing Address:

Street

City

State

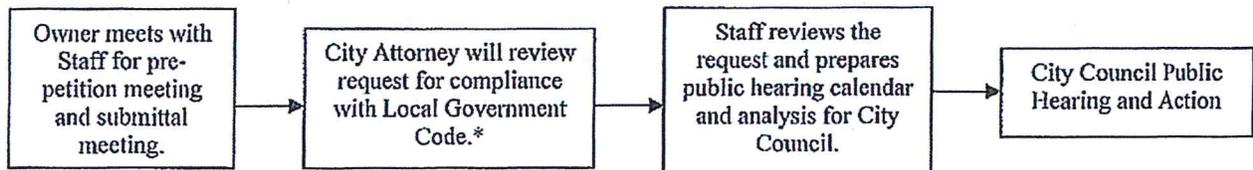
Zip

Phone

Fax

Email address

GENERAL PROCESS



**If the City Attorney determines the requested annexation does not meet the requirements of the local government code the applicant will be notified in writing and the request for annexation will not proceed.*



200 Concord Plaza Drive, Suite 900
San Antonio, Texas 78216
Phone 210.487.7878
www.nrpgroup.com

Howard Koontz
Director of Planning
City of Kyle
100 W Center Street
Kyle, TX 78640
hkoontz@cityofkyle.com



July 5, 2019

Dear Mr. Koontz:

I am writing on behalf of Kyle Dacy Apartments, Ltd. ("KDL") to respectfully request an annexation from the City of Kyle, Texas ("City").

Pursuant to the development agreement (filed and recorded 3/20/2019 as instrument #19008655) between the City of Kyle, Texas, and Kyle Dacy Apartments, Ltd. ("KDL"), KDL requests an annexation of approximately 30 acres of Parcel ID R17376, commonly known as 3800 Dacy Lane, Kyle, TX 78640, currently owned by John Kimbro. The property is contiguous to the current city limits, and there are currently no residents living on the property. The current use of the property is Agricultural/Farming, and the proposed use of the property will be split: one use being multifamily, which will be used to accommodate a proposed 324-unit multifamily complex on 24 acres, providing workforce housing for the residents of Kyle and Hays County. The other use of the remaining 6 acres is to be determined at a later date.

Thank you for your consideration.

Regards,

Jason Arechiga
Kyle Dacy Apartments, Ltd.
Its Authorized Representative

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KYLE, TEXAS, ANNEXING APPROXIMATELY 30.458 ACRES OF LAND LOCATED AT 3700 AND 3800 DACY LANE AND THE ABUTTING RIGHT-OF-WAY OF DACY LANE, IN HAYS COUNTY, TEXAS ALL OF WHICH ARE LYING WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION AND TO INCORPORATE SUCH PROPERTY INTO THE CITY OF KYLE, AS SHOWN IN THE ATTACHED EXHIBIT; MAKING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.

WHEREAS, the City of Kyle, Texas, (herein the "City") is a home rule municipality authorized by State law and the City Charter to annex territory lying adjacent and contiguous to the City; and

WHEREAS, the property owner (herein the "Petitioner"), being the owner of approximately 30.458 acres of land located at 3700 and 3800 Dacy Lane, within Hays County, Texas have petitioned the City for annexation of said tract into the city limits; and

WHEREAS, the property, including the Dacy Lane right-of-way, is within the City's extraterritorial jurisdiction and is adjacent and contiguous to the present city limits; and

WHEREAS, the City Council heard and has decided to grant the owners requests that the City annex said properties; and

WHEREAS, a public hearing was conducted prior to consideration of this Ordinance in accordance with §43.028 of the *Tex. Loc. Gov't. Code*; and

WHEREAS, the hearing was conducted and held not more than thirty (30) nor less than five (5) days after the date the petition is filed; and

WHEREAS, notice of the public hearing was published in a newspaper of general circulation in the City, exceeding standards and requirements relating to §43.028 of the *Tex. Loc. Gov't. Code* and the territory proposed to be annexed is not required to be in the newspaper for a certain amount of time; and

WHEREAS, the Petitioner has agreed and consented to the negotiated municipal service plan, attached hereto as Exhibit "C" and the annexation of the property by the City and further agreed to be bound by all acts, ordinances, and all other legal action now in force and effect within the corporate limits of the City and all those which may be hereafter adopted; and

WHEREAS, the City intends to provide services to the property to be annexed according to the Service Plan attached hereto as Exhibit "C".

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

SECTION 1. That all of the above premises and findings of fact are found to be true and correct and

are incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. That the following described property (hereinafter referred to as the “Annexed Property”), is hereby annexed into the corporate limits of the City of Kyle:

All those certain tracts or parcels being approximately 30.458 acres of land, located at 3700 and 3800 Dacy Lane in Hays County, Texas, and being more particularly described in Exhibit “A” and shown in Exhibit “B”, attached hereto and incorporated herein for all purposes.

SECTION 3. That the Service Plan submitted herewith is hereby approved as part of this Ordinance, made a part hereof and attached hereto as Exhibit “C”.

SECTION 4. That the future owners and inhabitants of the Annexed Properties shall be entitled to all of the rights and privileges of the City as set forth in the Service Plan attached hereto as Exhibit “C”, and are further bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be hereafter adopted.

SECTION 5. That the official map and boundaries of the City, heretofore adopted and amended, be hereby amended so as to include the Annexed Property as part of the City.

SECTION 6. That the Annexed Property shall be temporarily zoned Agricultural District “AG” as provided in the City Zoning Ordinance, as amended, until permanent zoning is established therefore.

SECTION 7. That the Annexed Property shall be assigned to Council District No. 6.

SECTION 8. That if any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 9. That this Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

SECTION 10. That it is hereby officially found and determined that the meeting at which this Ordinance 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 on First Reading the ___ day of July, 2019.

FINALLY PASSED AND APPROVED on Second Reading this ___ day of August, 2019.

ATTEST:

CITY OF KYLE, TEXAS

Jennifer Vetrano, City Secretary

Travis Mitchell, Mayor

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION

30.224 ACRES OUT OF THE JESSE B. EAVES SURVEY No. 5 AND THE E. L. PRUITT SURVEY No. 23, BOTH LOCATED IN HAYS COUNTY, TEXAS

THAT CERTAIN TRACT OF LAND IN HAYS COUNTY, TEXAS, BEING A PART OF THE JESSE B. EAVES SURVEY No. 5, ABSTRACT No. 166, AND THE ELISHA L. PRUITT SURVEY No. 23, ABSTRACT No. 376, AND BEING A PORTION OF THAT SAME CERTAIN TRACT CONVEYED TO JOHN KIMBRO, CALLED 30.458 ACRES IN DEED OF RECORD IN DOCUMENT No. 16013518 OF THE HAYS COUNTY OFFICIAL PUBLIC RECORDS, SAVE AND EXCEPT A TRACT CALLED 0.234 ACRE IN A DEED TO HAYS COUNTY FOR RIGHT-OF-WAY ON DACY LANE, SAID 30.224 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a ½" iron rod found in the former east line of Dacy Lane, a/k/a County Road 205, at the southwest corner of a tract called 5.00 acres in a deed to the Texas Veterans Land Board, of record in Volume 1389, Page 154 of the Hays County Official Public Records, at the northwest corner of said Kimbro tract, at the northwest corner of said Dacy Lane Right-of-Way tract; Thence with the south line of said 5 acre tract, north line of said Kimbro tract and north line of said Right-of-Way tract, N89°42'00"E for a distance of 41.13 feet to an iron rod found at the northeast corner of said Right-of-Way tract for the northwest corner and POINT OF BEGINNING hereof

THENCE with the south line of said Texas Veterans tract and north line of said Kimbro tract, N89°42'00"E for a distance of 910.80 feet to a ½" iron rod found at the southeast corner of said Texas Veterans tract and an ell corner of said Kimbro tract, for an ell corner hereof

THENCE with the east line of said Texas Veterans tract and a west line of said Kimbro tract, N00°05'40"W for a distance of 202.67 feet to a ½" iron rod found at the northeast corner of said Texas Veterans tract, southwest corner of a tract called 6.809 acres in a deed to Angel Rodriguez of record in Volume 2109, Page 798 of the Hays County Official Public Records, at a northwesterly corner of said Kimbro tract for the northerly northwest corner hereof

THENCE with the south line of said Rodriguez tract and a north line of said Kimbro tract, S86°45'59"E for a distance of 120.22 feet to an iron pipe found at an angle point

THENCE continuing with said line, N79°12'48"E for a distance of 199.90 feet to an iron pipe found at the southeast corner of said Rodriguez tract and an ell corner of said Kimbro tract for the northeast corner hereof

THENCE continuing with said line, N21°34'35"E for a distance of 283.95 feet to an iron pipe found at the northeast corner of said Rodriguez tract and a corner of a tract called 10.44 acres in a deed to Charles J. Holley, of record in Volume 691, Page 724 of the Deed Records of Hays County, Texas, for a northerly corner hereof

THENCE with the south line of said Holley tract and with the north line of said Kimbro tract, S66°52'16"E for a distance of 236.51 feet to an iron pipe found at an angle point in said line

THENCE continuing with said line, N66°02'58"E for a distance of 328.26 feet to an iron pipe found in said line, at the northeast corner of said Kimbro tract, at a northwest corner of a tract called 12.977 acres in a deed to Michael R. McKenna, of record in Volume 1320, Page 75 of the Deed Records of Hays County, Texas, for the northeast corner hereof

THENCE with the west and northwest lines of said McKenna tract, and with the east and southeast lines of said Kimbro tract, S20°49'39"E, for a distance of 348.02 feet to an iron pipe found at an ell corner of said McKenna tract and the east corner of said Kimbro tract

THENCE continuing with said line, S62°29'48"W for a distance of 459.35 feet to an iron pipe found at an angle point in said line

THENCE continuing with said line S37°07'01"W for a distance of 192.95 feet to an iron pipe found at an angle point

THENCE continuing with said line, and then with the northwest line of a tract called 7.44 acres in a deed to Leo Sanchez, of record in Volume 732, Page 163 of the Deed Records of Hays County, Texas, S36°25'34"W, at a distance of 271.78 feet passing the McKenna/Sanchez corner, and continuing on for a total distance of 422.42 feet to a capped iron rod previously set by the undersigned, stamped RPLS 3693, for an angle point in said Sanchez line and said Kimbro line

THENCE with the north line of said Sanchez tract and then the north line of a tract called 5.494 acres in a deed to Mariano Mendoza, of record in Volume 1932, Page 795 of the Deed Records of Hays County, Texas, and with the south line of said Kimbro tract, S72°52'47"W, at a distance of 398.16 feet passing an iron rod found at the common corner of Sanchez and Mendoza, and continuing on for a total distance of 548.00 feet to a recognized senior iron pipe found marking the northwest corner of said Mendoza tract and an ell corner of said Kimbro tract

THENCE with a west line of said Mendoza tract and east line of said Kimbro tract, S07°42'23"E for a distance of 132.90 feet to an iron pipe found marking an angle point in the west line of said Mendoza tract, northeast corner of a tract called 5.153 acres in a deed to Francisco Garcia, of record in Volume 1911, Page 874 of the Deed Records of Hays County, Texas, for a corner hereof

THENCE with the north line of said Garcia tract and south line of said Kimbro tract,, S67°24'33"W for a distance of 108.31 feet to an iron pipe found at an angle point

THENCE continuing with said line, S89°02'00"W, for a distance of 101.73 to a senior recognized iron pipe found marking the south line of said Kimbro tract, at the record northwest corner of said Garcia tract at odds with it's latest description, for a corner hereof

THENCE with the south line of said Kimbro tract and north line of Lot 1 of Miranda Subdivision, a subdivision in Hays County, Texas, of record in Volume 5, Page 172 of the Plat Records of Hays County, Texas, S89°06'58"W for a distance of 494.31 feet to an iron pipe found at the

northwest corner of said Lot 1 and a southwest corner of said Kimbro tract, for a corner hereof

THENCE with the south line of said Kimbro tract and a north line of a 60' Road Easement as dedicated on said Miranda Subdivision Plat, N61°53'03"W for a distance of 31.07 feet to a point marking the southeast corner of a 0.06 acre roadway dedication parcel of record in Volume 394, Page 770 of the Hays County Deed Records, for the southwest corner hereof

THENCE with the east line of said roadway dedication tract, being a southerly extension of Dacy Lane locally known as Moonlight Meadows Path, N01°25'00"W for a distance of 147.45 feet to a capped iron rod stamped RPLS 3693 previously set by the undersigned at the north corner of said Roadway Easement tract, for an angle point in the west line of said Kimbro tract and east line of Darcy Lane

THENCE with the west line of said Kimbro tract and east ROW line of Darcy Lane, N00°30'50"W for a distance of 334.99 feet to a capped iron rod stamped RPLS 3693 set at the south corner of said 0.234 acre tract conveyed to Hays County for widening of Dacy Lane, for a corner hererof

THENCE with the east line of said Dacy Lane ROW widening tract as recorded in Doc# 17011080, the following 4 calls:

1) along the arc of a curve to the left whose radius is 732.00 feet and whose chord bears N16°49'34"E for a distance of 30.45 feet to a capped iron rod stamped RPLS 3693 set at a point on curve

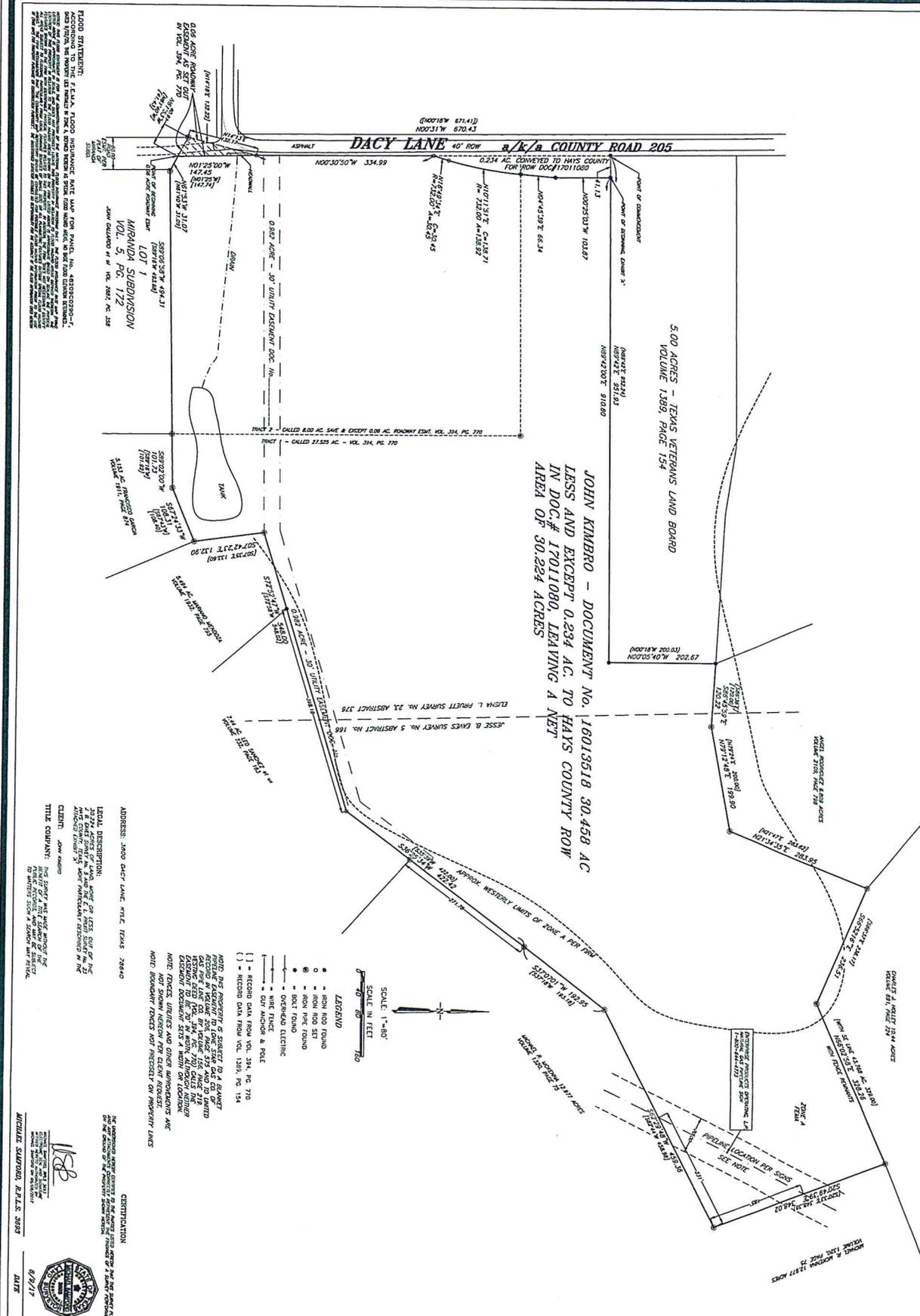
2) along the arc of a curve to the left whose radius is 732.00 feet and whose chord bears N10°11'51"E for a distance of 138.71 to an iron rod found at end of curve

3) N04°45'39"E for a distance of 66.34 feet to an iron rod found at an angle point

4) N00°25'03"W for a distance of 103.87 feet to the POINT OF BEGINNING hereof and containing 30.224 acres of land, more or less.

Michael Samford, RPLS 3693 File No. 170068





MAP OF SURVEY
 TO ACCOMPANY METES & BOUND DESCRIPTION

Samford & Associates, Inc.
 Land Surveying Firm 10103700
 1400 Hillside Terrace
 Buda, Texas 78610
 (512) 441-5601

Scale: 1" = 100'
 Survey Date: 1/10/09 - FEBRUARY & MARCH 2012
 Field Crew: JWB/MS/MS
 Drawn By: JWB
 Checked By: JWB
 Reference: 16013518
 Map Revision: 6/9/17

DATE: 6/9/17

FLOOD STATEMENT:
 ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR PANEL NO. 48020C0300-1, AND OTHER INFORMATION, THERE IS NO FLOOD HAZARD SHOWN ON THE FLOOD INSURANCE RATE MAP FOR THE SUBJECT PROPERTY. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE SUBJECT PROPERTY AND HAS DETERMINED THAT THERE IS NO FLOOD HAZARD ON THE SUBJECT PROPERTY. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE SUBJECT PROPERTY AND HAS DETERMINED THAT THERE IS NO FLOOD HAZARD ON THE SUBJECT PROPERTY.

LEGAL DESCRIPTION:
 JOHN KIMBRO - DOCUMENT NO. 16013518 30.458 AC LESS AND EXCEPT 0.234 AC. TO HAYS COUNTY ROW IN DOC.# 17011080, LEAVING A NET AREA OF 30.224 ACRES.

LEGEND
 ● IRON NOD FOUND
 ○ IRON NOD SET
 ● IRON PIPE FOUND
 ○ IRON PIPE FOUND
 ○ OVERHEAD ELECTRIC
 --- DIRT ROAD & POLE
 () RECORD DATA FROM VOL. 1389, PG. 154
 () RECORD DATA FROM VOL. 334, PG. 770

NOTE: THIS PROPERTY IS SUBJECT TO A EASEMENT RECORDED IN THE PUBLIC RECORDS, VOL. 16013518, PAGE 1. THE EASEMENT IS FOR THE INSTALLATION AND MAINTENANCE OF UTILITY LINES. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE SUBJECT PROPERTY AND HAS DETERMINED THAT THERE IS NO FLOOD HAZARD ON THE SUBJECT PROPERTY.

NOTE: THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE SUBJECT PROPERTY AND HAS DETERMINED THAT THERE IS NO FLOOD HAZARD ON THE SUBJECT PROPERTY.

CERTIFICATION
 I, JAMES W. BUDEN, a duly licensed Professional Land Surveyor in the State of Texas, do hereby certify that I am the author of the above and true and correct copy of the original field notes and computations on which this map is based, and that I am a duly licensed Professional Land Surveyor in the State of Texas.

JWB
 JAMES W. BUDEN
 LICENSE NO. 12345
 EXPIRES 12/31/2025

EXHIBIT "B"

Maps: +/- 30.458 acres

Exhibit B

ANNX-19-0003 3700 & 3800 Dacy Ln
30.458 Acres + Adjacent Dacy Ln Right-of-Way

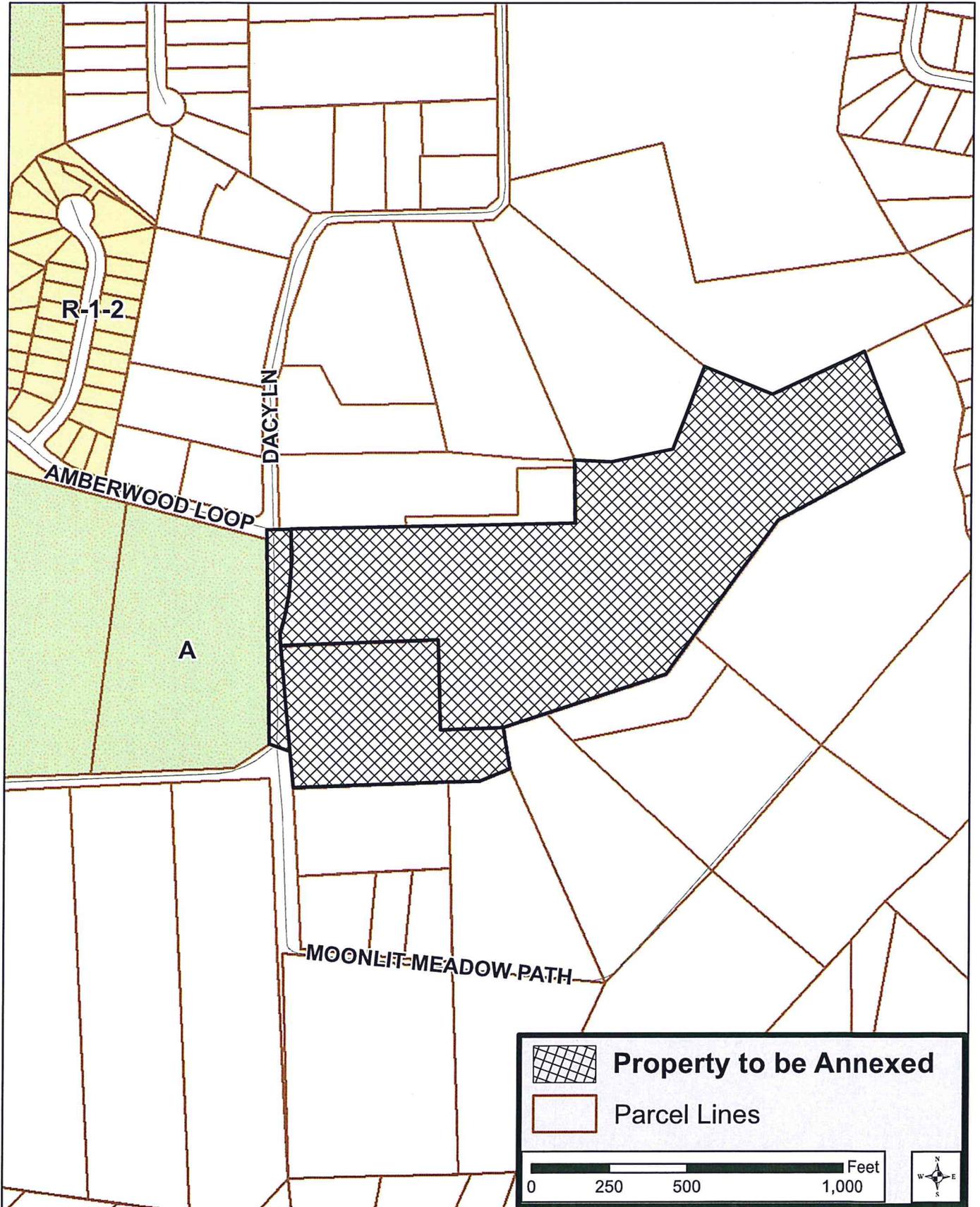


EXHIBIT “C”

MUNICIPAL SERVICES PLAN FOR PROPERTY TO BE ANNEXED TO THE CITY OF KYLE

WHEREAS, the City of Kyle, Texas (the “City”) intends to institute annexation proceedings for a tract of land described more fully hereinafter (referred to herein as the “Property”);

WHEREAS, *Section 43.056, Loc. Gov't. Code*, requires a municipal service plan be adopted with the annexation ordinance;

WHEREAS, the Property is not included in the municipal annexation plan and is exempt from the requirements thereof;

WHEREAS, infrastructure provided for herein and that are existing are sufficient to service the Property on the same terms and conditions as other similarly situated properties currently within the City limits and no capital improvements by the City are required to offer municipal services on the same terms and conditions as other similarly situated properties within the City;

WHEREAS, it is found that all statutory requirements have been satisfied and the City is authorized by *Chapt. 43, Loc. Gov't. Code*, to annex the Property into the City; and

WHEREAS, the Property will benefit from the City’s development restrictions and zoning requirements, as well as other municipal services provided by the City, which are good and valuable consideration for this service plan

NOW, THEREFORE, the City agrees to provide the following municipal services for the Property on the effective date of annexation:

(1) **General Municipal Services.** Pursuant to this Plan, the following municipal services shall be provided immediately from the effective date of the annexation:

A. Police protection as follows:

Routine patrols of areas, radio response to calls for police service and all other police services now being offered to the citizens of the City.

B. Fire protection and Emergency Medical Services as follows:

Fire protection by the present personnel and equipment of the City volunteer fire fighting force with the limitations of water available. Radio response for Emergency Medical Services with the personnel serving the area and equipment.

C. Solid waste collection services as follows:

Solid waste collection and services as now being offered to the citizens of the City.

D. Animal control as follows:

Service by present personnel, equipment and facilities or by contract with a third party, as provided within the City.

E. Maintenance of parks and playgrounds within the City.

F. Inspection services in conjunction with building permits and routine City code enforcement services by present personnel, equipment and facilities.

G. Maintenance of other City facilities, buildings and service.

H. Land use regulation as follows:

On the effective date of annexation, the zoning jurisdiction of the City shall be extended to include the annexed area, and the use of all property therein shall be grandfathered; and shall be temporarily zoned Agricultural District "A" with the intent to rezone the Property upon request of the landowner(s) or city staff. The Planning & Zoning Commission and the City Council will consider rezoning the Property at future times in response to requests submitted by the landowner(s) or requested by city staff.

(2) **Scheduled Municipal Services.** Depending upon the Property owner's plans and schedule for the development of the Property or redevelopment of the Property, the following municipal services will be provided on a schedule and at increasing levels of service as provided in this Plan:

A. Water service and maintenance of water facilities as follows:

(i) Inspection of water distribution lines or wells as provided by statutes of the State of Texas.

(ii) In accordance with the rules and regulations for water service extension, water service will be provided by the utility holding a water certificate of convenience and necessity ("CCN") for the Property, or absent a utility holding a CCN, in whose jurisdiction the Property is located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of water service. If connected to the City's system, the Property owner(s) shall construct the internal water lines and pay the costs of water line extension and necessary facilities to service the Property as required in City ordinances at the time of the request. The Property owner(s) agree the Property in its current state has adequate water service and no capital improvements by the City are required. The Property owner(s) agree as the Property develops and water services are sought from the utility holding the CCN for the Property that the City's ordinances, policies, or agreements between the City and the Property owner(s) shall govern the extension of water services to the Property and the City shall have no obligation to service in another CCN.

B. Wastewater service and maintenance of wastewater service as follows:

(i) Inspection of sewer lines or septic systems as provided by statutes of the State of Texas.

(ii) The Property owner(s) shall construct the internal and off-site sewer lines and facilities (the "Sewer System") and pay the costs of line extension and facilities as required in City ordinances. Upon acceptance of the Sewer System, sewer service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City, subject to all the ordinances, regulations and policies of the City in effect from time to time. The Sewer System will be accepted and maintained by the City in accordance with its usual policies. Requests for new sewer extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The City ordinances, policies, and agreements between the City and the Property owner(s) in effect at the time a request for additional service is submitted shall govern the costs and request for service.

C. Maintenance of public streets and rights-of-way as appropriate as follows:

(i) Provide maintenance services on public streets within the Property that are dedicated and finally accepted by the City. The maintenance of such public streets and roads will be limited as follows:

(A) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.;

(B) Routine maintenance as presently performed by the City;

and

(C) The Property owner(s) have specifically agreed that maintenance services will be of little benefit and will not be required or needed on the Property, prior to the Property owner(s), its grantees, successors and assigns completing the construction and dedication of streets to the City in compliance with City subdivision regulations.

(ii) Following installation of the roadways, including any required traffic signals, traffic signs, street markings, other traffic control devices and street lighting, the City will maintain the public streets, roadways and rights-of-way within the boundaries of the Property if dedicated and accepted, as follows:

(A) As provided in C (i)(A)&(B) above;

(B) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies;

(C) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards; and

(D) Installation and maintenance of street lighting in accordance with established policies of the City;

(iii) The outer boundaries of the Property abut existing roadways. The Property owner(s) agree that no City improvements are required on such roadways to service the Property. If the owner(s) develop the Property so as to impact abutting roadways pursuant to the City's subdivision regulation, the owner(s) agree to comply with such ordinances.

(3) **Special Services and Actions.** Although the City reserves all its governmental authority, powers and discretion, if the City shall unreasonably refuse to grant the permits and approvals above provided in (2)(A), (B) & (C), then in that event the owner(s) may request and obtain disannexation of the Property pursuant to this service plan; provided that if the City shall, in the exercise of its discretion and authority, approve the permits and events set forth in (2)(A), (B) & (C) above, the Property shall be and remain within the corporate limits of the City.

(4) **Capital Improvements.** Construction of the following capital improvements shall be initiated after the effective date of the annexation: None. Upon development of the Property or redevelopment, the landowner(s) will be responsible for the development costs the same as a developer or landowner in a similarly situated area under the ordinances in effect at the time of development or redevelopment. No additional capital improvements are necessary at this time to service the Property. The Property owner(s) for itself, its grantees, successors, and assigns agree that no capital improvements are required to service the Property the same as similarly situated properties already within the City.

(5) **Term.** If not previously expired, this service plan expires at the end of ten (10) years.

(6) **Property Description.** The legal description and map of the Property are as set forth in Exhibits "A" and "B" that are attached to the Ordinance to which this negotiated municipal service plan is attached as Exhibit "C".



CITY OF KYLE, TEXAS

City Manager's Proposed Budget for FY 2020

Meeting Date: 7/27/2019

Date time: 9:00 AM

Subject/Recommendation: City Manager's Proposed Budget for Fiscal Year 2019-2020 totaling approximately \$87.1 million for all City Funds including a proposed ad valorem tax rate of \$0.5416 per \$100.00 assessed valuation, a 10.0% increase in water service rates, no increase in wastewater service rates, no increase in storm drainage fees, a 4.0% increase in solid waste service (trash collection) charges per contract terms, limited changes in other fees and charges, and the proposed addition of 15.0 full-time new positions. ~ *J. Scott Sellers, City Manager*

Other Information: Section 8.05 of the City Charter requires the City Manager for the timely preparation and presentation of the budget and to present the recommended budget to the City Council no later than sixty (60) days prior to October 1st of each year.

In compliance with the City Charter, on July 27, 2019, the City Manager will present the City's proposed budget for Fiscal Year 2019-2020 to City Council for their consideration.

The proposed budget for fiscal year 2019-2020 is a complete financial plan for all City funds, programs, services, operations, and capital improvement program (CIP) activities for the period covering October 1, 2019 through September 30, 2020.

The proposed budget for fiscal year 2019-2020 for all City expenditures totals approximately \$87.1 million and includes 259.0 full time equivalent positions. Of the total \$87.1 million proposed budget, the City's General Fund budget for fiscal year 2019-2020 totals approximately \$26.5 million for operations and maintenance and approximately \$4.9 million in one-time transfers from the fund balance to pay for major capital improvement projects instead of issuing bond debt.

A general summary of the City's proposed budget for fiscal year 2019-2020 for all City funds including debt service is provided below:

FOR ALL CITY FUNDS:

• Estimated Beginning Fund Balance	\$ 70,430,381
• Estimated Revenue	\$ <u>77,810,410</u>
• Estimated Available Funds	\$148,240,781
• Estimated Expenditures	\$ <u>87,110,477*</u>
• Estimated Ending Fund Balance	\$ <u>61,130,304</u>

*Reflects expenditure of accumulated funds from prior fiscal years such as road bond proceeds, water and wastewater impact fees, park development fees, and the one-time use of fund balances.

The Kyle City Council is scheduled to hold budget meetings and public hearings on the

proposed budget, property tax rates, and water and wastewater utility rates, storm drainage fee, and other fees and charges for various City services for fiscal year 2019-2020 at Kyle City Hall located at 100 West Center Street, Kyle, Texas, on the following dates:

- City Council Budget Workshop No. 3: Saturday, July 27, 2019 at 9:00 a.m.
- Public Hearing No. 1 on Budget & Rates: Wednesday, August 14, 2019 at 7:00 p.m.
- Public Hearing No. 2 on Budget & Rates: Tuesday, August 20, 2019 at 7:00 p.m.
- Adoption of Budget & Rates (1st Reading): Wednesday, August 28, 2019 at 7:00 p.m.
- Adoption of Budget & Rates (2nd Reading): Tuesday, September 3, 2019 at 7:00 p.m.

All Kyle residents and interested persons are invited to attend the City Council's budget meetings and public hearings to provide their comments to the City Council. An electronic copy of the proposed operating and capital budget for fiscal year 2019-2020 will be available on the City's website beginning July 29, 2019. A printed copy of the complete proposed budget document will also be available for public inspection beginning July 29, 2019 during business hours (except on a City holiday) at Kyle City Hall located at 100 West Center Street, Kyle, Texas, and at Kyle Public Library located at 550 Scott Street, Kyle, Texas.

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

City-Owned Burleson Property RFP

Meeting Date: 7/27/2019

Date time: 9:00 AM

Subject/Recommendation: City-Owned Burleson Property Request For Proposals. ~ *J. Scott Sellers, City Manager*

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

Uptown Office RFP

Meeting Date: 7/27/2019

Date time:9:00 AM

Subject/Recommendation: [Postponed 7/16/2019] Consider and possible action regarding a Request For Proposals for Uptown Development. ~ *J. Scott Sellers, City Manager*

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

- Uptown Office RFP



CITY OF KYLE, TEXAS

**CALL FOR STATEMENTS OF INTEREST AND QUALIFICATIONS
FOR**

**PORPOSALS FOR DEVELOPMENT OF A NEW MUNICIPAL AND
COMMERCIAL COMPLEX**

REQUEST FOR PROPOSALS

MUNICIPAL COMPLEX/ COMMERCIAL DEVELOPMENT PARTNER

The City of Kyle is seeking proposals highlighting the interest and qualifications for the development of a parcel owned by the City in Plum Creek, for a five (5) story or taller, Class A Office Space and other commercial or retail use building. The City will occupy a minimum of 20,000 sq feet and guarantee rent of 50% of the building declining as and until the building is 50% occupied.

Statements of Interest and Qualifications, addressed to James R. Earp, will be received at the office of the City Manager, 100 W. Center St. Kyle, Texas 78640 until 12:00 P.M. on XXX, and then considered by City Council in Executive session under Section 551.087, Texas Government Code, Economic Development Negotiations.

Details of what the City seeks may be secured from the City website www.cityofkyle.com/rfps and are also available from the office of the City Secretary, 100 W. Center St., Kyle, Texas.

The City reserves the right to accept or reject any and all proposals and to accept only those proposals which are in the best interest of the City of Kyle.

Published:

DESCRIPTION

The City of Kyle seeks a visionary development partner to propose building elevations and use for a parcel in Plum Creek that will be a cornerstone of the new proposed Uptown Development (still to be named). The City will own said parcel and desires to contribute it toward a Chapter 380 Economic Development Package to leverage public resources in connection with a private developer in support of a private multistory (five story or more) commercial building to house City Hall and perhaps other city offices, as well as provide for Class A office space, first floor retail and if possible at least a single floor of residential units.

To further incentivize the project, the City will pay rent for the space it occupies (a minimum of 20,000 sq ft with the option to take more at fixed lease rates to be determined in negotiations), and will guarantee rent for the first 50% of the building, in declining percentage as the building is leased to other occupants. Once 50% of the building is leased, the city's obligation will be fulfilled.

The successful developer should propose a structure that would be suitable to the high visibility and importance to the new Uptown Development, utilizing an architectural landscape that sets the tone for the center of, and in the activation of space for, Uptown. Examples that show ideas or inspiration for the type of design the city is looking for are contained in Exhibit A. The building should be designed as Class A office but may have elements of a government facility (not prominent). This is to be an office building with retail and commercial office space thought of first and the government center second. The structure or campus concept should be designed to accommodate a second phase that would house the Hays CISD offices and occupy approximately 100,000 square feet or more of space.

The building(s) should include, at a minimum, tenant space on the ground (main) floor to be used solely for destination entertainment/dining/retail, activated outdoor space in patio seating and covered gathering space. The structure should additionally be designed in such a way as to encourage foot traffic and public interaction. The building should abide by the spirit of the City's Style Guide for residential construction including green space, multiple articulations, interesting architecture, water features, pedestrian access and an emphasis on gathering spaces including large shaded areas and entrances.

The structure should be designed with the intent of submitting for awards or recognition, and should use LEED principles but is not required to attain LEED certification. Areas to consider are anything that would increase energy efficiency such as use of ambient daylight, motion sensor controlled variable lighting, proper shading of windows or glass glazing, efficient air exchange and cooling/heating, rain water and storm water harvesting, eco-friendly build out materials, bicycle lockers, showers, and other strategies that will make the facility, its construction and footprint more sustainable.

The ground floor tenants will be required to maintain set and dedicated hours of operation that promote a night life destination for families, Kyle's predominant demographic and at a minimum, be programmed such that the building has uses that operate past the typical 5:00 pm workday (i.e. places to eat or engage in entertainment that are open until 9/10 pm or later).

The developer will be responsible in assuring that any tenant of the main floor will be required to support the City's trademark of the Pie Capital of Texas in some significant way. Ideas include a microbrewery/restaurant that sell a pie themed/flavor beer and mini pies for dessert. Or perhaps a restaurant that also sells deep fried pies for dessert. The business should bring in revenue that contributes to commerce, business development, tourism, local sales tax, or other revenue streams that align closely with the City of Kyle's core values and objectives for Uptown.

The developer will be expected to cover the construction costs associated with building the structure and gain approval of the City Council on the elevation/design. If the property fails to adhere to the relevant restrictions or agreement terms, including having a tenant that satisfies the above requirements, the City shall require full payment of the retail value of the land or other remedies as set forth in the final agreement.

Deed restrictions may be placed on any transfer of property and shall closely align with the City of Kyle's values for meaningful commercial and business development.

REQUIRED

General Requirements

All typical permits, fees, and inspections; Onsite temporary facilities; dumpsters; construction documents; etc.

As mentioned before the scope and plan of the project will be required to tie into the master plan for Uptown, and may include the development of adjacent park or open space.

Approval of City Council for the design, elevations, and programming of the building.

Existing Conditions

The proposal shall meet the construction and architectural specifications consistent with the City of Kyle's expectations for commercial development in Uptown. Otherwise the subject tract is greenspace and highly developable.

DESIRED AMENITIES

- Workout facility with showers
- Activated rooftop
- Structured parking
- Appropriate use of art and water features – especially in atrium

- Building shall be a show piece
- Make use of traditional and more modern open office features
- Create an outdoor gathering space
- Items specifically listed out in the DESCRIPTION above.

TERMS AND CONDITIONS

Submission of Proposals

Proposals shall be submitted in a sealed envelope plainly marked in the left-hand corner, **PROPOSAL FOR** “Municipal Complex/Commercial Development Partner”.

Deadline

All proposals must be submitted prior to 12:00 P.M. on XXX. Any submittals received after closing time will be returned unopened. Proposals must be mailed or delivered to the City of Kyle at 100 W. Center St., Kyle, TX 78640.

Name of Proposer

Proposing party must give full business name and address. Failure to manually sign the proposal will disqualify it.

Contract

Once a partner, satisfactory to the City, is selected, a detailed performance contract will be prepared with the participation of both parties.

Addenda

The City reserves the right to revise or amend the specific qualifications prior to the date set for opening responses. Such revisions or amendments, if any, will be announced by addenda or addendum to these specifications, copies of such addenda so issued will be furnished to all prospective proposing parties.

Documentation

Proposer shall provide all documentation required by this request for statement of interest. Failure to provide this information may result in rejection of proposal.

MINIMUM STANDARDS FOR RESPONSIBLE PROSPECTIVE BIDDERS

A proposer must affirmatively demonstrate proposer’s abilities. A proposer must meet the following requirements, and address each of these items in their response to be considered.

1. Have adequate financial resources, or the ability to obtain such resources as required.
2. Be able to comply with the required or proposed delivery of the building and agree to the restrictions placed on the project in regards to design, council approvals, and programming/leasing.
3. Have a satisfactory record of business performance and experience with similar projects.
4. Have a satisfactory record of integrity and ethics.

5. Be otherwise qualified and eligible to partner with a municipality.

The City of Kyle, Texas may request information sufficient to determine proper ability to meet the minimum standards listed above.

Termination for Default

The City of Kyle, Texas reserves the right to enforce the performance of a contract in any manner prescribed by law or deemed to be in the best interest of the City in the event of a breach or default of this contract. The City of Kyle, Texas will reserve the right to terminate negotiations with a proposer or the contract, as applicable, immediately in the event the successful proposer fails to:

1. Negotiate an agreement
2. Meet schedules
3. Pay any required fees; or,
4. Otherwise perform in accordance with the specifications.

In the event the successful proposer shall fail to perform, keep or observe terms and conditions of this proposal, the City of Kyle, Texas shall provide written notice of such default, and in the event said default is not remedied to the satisfaction and approval of the City of Kyle, Texas within two (2) working days of receipt of such notice by the successful proposer, default may be declared and the successful proposer's rights shall terminate.

Remedies

The successful proposer and the City of Kyle, Texas agree that both parties have all rights, duties, and remedies available as stated in the Uniform Commercial Code, as applicable.

Silence Of Specifications

The apparent silence of these specifications, terms, and conditions to any detail, or to the apparent omission of a detailed description concerning any point, shall be regarded as meaning that only the best commercial practices are to prevail. All interpretations of these specifications shall be made on the basis of this statement. The City reserves the right to revise or amend the specifications prior to the date set for opening bids. Such revisions or amendments, if any, will be announced by addenda or addendum to these specifications, copies of such addenda so issued will be furnished to all prospective bidding parties.

Payment and Performance Bonds

The City reserves the right to require the posting of payment and/or performance bonds, or other suitable fiscal surety to guarantee developer performance, if required by law or if otherwise determined advisable by the City in its sole discretion.

Award

The City of Kyle will award the proposal to the proposer who demonstrates the ability to deliver a project most closely aligned with the description of the request. Council will be looking at the items listed below. Transfer of property will be made after proposals are submitted to the city and approved. In awarding the proposal, the following criteria will be used:

1. Vision for the project, including design, amenities and aesthetics.
2. A comprehensive business plan.
3. The reputation and experience of the proposer.
4. The quality of the proposer's prior projects.
5. The extent to which the proposed project aligns with the City of Kyle's objectives for Uptown development.
6. The proposer's past relationship with the City of Kyle.
7. The impact on the ability of the City of Kyle to comply with laws and rules relating to contracting with historically underutilized businesses and non-profit organizations employing persons with disabilities.
8. The total long-term cost to the City of Kyle to contract with the developer for the project.
9. City of Kyle reserves the right to reject any and all proposals received as a result of this RFP. If a proposal is selected it will be the proposal that is the most advantageous to the City of Kyle and that is consistent with the requirements of this RFP. The City does not intend to award a contract fully on the basis of any response made to the proposal; the City reserves the right to consider proposals for modifications at any time before a contract would be awarded, and negotiations would be undertaken with that proposer whose proposal is deemed to best adhere to the City's specifications and needs. If the City determines that negotiations with a proposer will be unsuccessful, the City may terminate negotiations with that proposer and select another proposer to initiate negotiations without re-advertising the project.
10. The City reserves the right to reject any or all proposals, to waive or not waive informalities or irregularities in proposals, and to accept to negotiate cost, terms, or conditions of any proposal determined by the City to be in the best interests of the City.
11. Proposals must be signed by an official authorized to bind the proposer to its provisions for at least a period of 90 days. Failure of the successful proposer to accept the obligation of the contract may result in the cancellation of any award.
12. Proposals should be prepared simply and economically providing a straight-forward, concise description of the proposer's ability to meet the requirements of the RFP. Proposals shall be written in ink or typewritten. No erasures are permitted. Mistakes may be crossed out and corrected and must be initialed in ink by the person signing the proposal.
13. After a team is selected, a more specific performance contract shall be negotiated.

LOCATION

Please find the attached GIS imagery of the location,.

Exhibit A Architectural Style Samples







CITY OF KYLE, TEXAS
PROPOSAL
FOR "MUNICIPAL COMPLEX/COMMERCIAL DEVELOPMENT"

PLEASE ATTACH THE FOLLOWING DOCUMENTS AND MATERIALS:

1. Comprehensive business plan
2. Supporting financial documents
3. Examples of prior projects
4. The names of other governmental entities that you have worked with on similar projects.

"By the signature hereon affixed, the proposer hereby certifies that neither the bidder nor the firm, corporation, partnership, or institution represented by the proposer, or any acting for such firm, corporation, or institution has violated the antitrust laws of the State, codified in Section 15.01 et. seq., Texas Business and Commerce Code, or the Federal antitrust laws, nor communicated directly or indirectly the bid made to any competitor or any other person engaged in such line of business".

SIGNED: _____

NAME (Please Print) _____

PROPOSER _____

ADDRESS _____

PHONE _____

PROPOSAL DATE:

PROPOSAL LOCATION: 100 W. Center St., Kyle, TX 75119

Mark on sealed envelope: "MUNICIPAL COMPLEX/COMMERCIAL DEVELOPMENT UPTOWN DEVELOPMENT"

EXCEPTIONS TO SPECIFICATIONS LIST: *(Please list page, paragraph and item, then list item substituted or excepted)*

CITY OF KYLE, TEXAS
PROPOSAL



CITY OF KYLE, TEXAS

Direction - Bond Election

Meeting Date: 7/27/2019

Date time:9:00 AM

Subject/Recommendation: Consider and possible action to direct the City Manager to prepare an Ordinance calling an election on approval of bonds for a Police Facility. ~ *Paige Saenz, City Attorney*

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

Resolution to Record City Council's Vote to Consider Tax Rate for FY 2020

Meeting Date: 7/27/2019

Date time: 9:00 AM

Subject/Recommendation: A Resolution to record City Council's vote to place a proposal on the agenda of a future City Council meeting as an action item to adopt an ad valorem tax rate of \$0.5416 per \$100.00 of taxable assessed valuation for Fiscal Year 2019-2020 for the City of Kyle; making findings of fact; and providing for related matters. ~ *J. Scott Sellers, City Manager*

Other Information: The City Manager's Proposed Budget for Fiscal Year 2019-2020 includes a recommended ad valorem tax rate of \$0.5416 per \$100 of assessed valuation.

When a proposed ad valorem tax rate exceeds the effective tax rate or the rollback rate, whichever is lower, the taxing unit's governing body must approve a Resolution or Ordinance, as appropriate, to record vote to place a proposal on the agenda of a future meeting as an action item to adopt the ad valorem tax rate.

This vote must be recorded to show how each member of the governing body voted on the Resolution or Ordinance to place a proposal on the agenda of a future meeting as an action item to adopt the ad valorem tax rate. If the Resolution or Ordinance passes, then the governing body must hold two public hearings on the ad valorem tax proposal before adopting the tax rate.

The Kyle City Council is scheduled to hold budget meetings and public hearings on the proposed budget, property tax rates, and water and wastewater utility rates, storm drainage fee, and other fees and charges for various City services for fiscal year 2019-2020 at Kyle City Hall located at 100 West Center Street, Kyle, Texas, on the following dates:

- City Council Budget Workshop No. 3: Saturday, July 27, 2019 at 9:00 a.m.
- Public Hearing No. 1 on Budget & Rates: Wednesday, August 14, 2019 at 7:00 p.m.
- Public Hearing No. 2 on Budget & Rates: Tuesday, August 20, 2019 at 7:00 p.m.
- Adoption of Budget & Rates (1st Reading): Wednesday, August 28, 2019 at 7:00 p.m.
- Adoption of Budget & Rates (2nd Reading): Tuesday, September 3, 2019 at 7:00 p.m.

All Kyle residents and interested persons are invited to attend the City Council's budget meetings and public hearings to provide their comments to the City Council. An electronic copy of the proposed operating and capital budget for fiscal year 2019-2020 will be available on the City's website beginning July 29, 2019. A printed copy of the

complete proposed budget document will also be available for public inspection beginning July 29, 2019 during business hours (except on a City holiday) at Kyle City Hall located at 100 West Center Street, Kyle, Texas, and at Kyle Public Library located at 550 Scott Street, Kyle, Texas.

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

- Resolution - Tax Rate Consideration FY 2020

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF KYLE, TEXAS, TO RECORD CITY COUNCIL VOTE TO PLACE A PROPOSAL ON THE AGENDA OF A FUTURE CITY COUNCIL MEETING AS AN ACTION ITEM TO ADOPT AN AD VALOREM TAX RATE OF \$0.5416 PER \$100.00 OF ASSESSED VALUATION FOR FISCAL YEAR 2019-2020 FOR THE CITY OF KYLE; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the Texas Tax Code, Chapter 26 requires that when a proposed tax rate exceeds the effective tax rate or the rollback tax rate, whichever is lower, the taxing unit's governing body must vote to place a proposal to adopt the tax rate on the agenda of a future meeting as an action item and,

Whereas, the Texas Tax Code, Chapter 26 requires that prior to holding the required public hearings on the tax rate, the governing body must take a record vote by an ordinance or resolution, as appropriate, showing how each member of the governing body voted on the proposal to consider the tax increase, and,

Whereas, the Texas Tax Code, Chapter 26 requires that the governing body publish a notice of public hearing and hold two public hearings to receive comments from the public on the proposed tax rate.

Whereas, this Resolution complies with the provisions of the Texas Tax Code.

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

Section 1. Findings. As required by the Texas Tax Code, the City Council of the City of Kyle, Texas, has on this day considered to place a proposal to adopt an ad valorem tax rate of \$0.5416 per \$100.00 of assessed valuation for Fiscal Year 2019-2020 on the agenda of a future City Council meeting as an action item and recorded the vote on the proposal to be as follows:

FOR:

AGAINST:

**PRESENT
AND NOT
VOTING:**

ABSENT:

In addition, the following 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. Authorization. This Resolution of the City of Kyle, Texas, is hereby adopted in compliance with the requirements set forth in Chapter 26 of the Texas Tax Code.

Section 3. Effective Date. This Resolution shall take effect from and after the date of its passage as authorized by the Charter of the City of Kyle.

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, Chapter 551, Local Government Code.

FINALLY PASSED AND APPROVED on this the 27th day of July 2019.

THE CITY OF KYLE, TEXAS

Travis Mitchell, Mayor

ATTEST:

Jennifer Vetrano, City Secretary