

## SPECIAL CITY COUNCIL MEETING MINUTES

The City Council of the City of Kyle, Texas met in Special Session on January 19, 2021 and due to COVID-19, some members attended virtually (v) at Spectrum 10; <https://www.cityofkyle.com/kyletv/kyle-10-live> with the following persons present:

Mayor Travis Mitchell  
Mayor Pro Tem Rick Koch  
Council Member Dex Ellison (v)  
Council Member Yvonne Flores-Cale  
Council Member Robert Rizo (v)  
Council Member Ashlee Bradshaw  
Council Member Michael Tobias (v)  
Scott Sellers, City Manager  
James Earp, Assistant City Manager (v)  
Paige Saenz, City Attorney (v)  
Jerry Hendrix, Chief of Staff (v)  
Samantha Armbruster, Communications Dir.  
Sarah Watson, Programs and Events Coordinator (v)  
Jennifer Holm, City Secretary  
Diana Torres, Economic Dev Director (v)  
Perwez Moheet, Finance Director (v)  
Matt Dawson, IT Director  
Grant Bowling, Video Production Specialist  
Howard Koontz, Community Dev Director (v)  
Jeff Barnett, Chief of Police (v)

### **I. Call Meeting to Order**

Mayor Mitchell called the meeting to order at 5:03 p.m. Mayor Mitchell asked the city secretary to call roll.

Present were: Mayor Mitchell, Mayor Pro Tem Koch, Council Member Flores-Cale, Council Member Rizo, and Council Member Bradshaw. A quorum was present. Council Member Ellison and Council Member Tobias were absent.

Council Member Tobias arrived at approximately 5:13 p.m. during item no. 3 and entered into executive session.

Council Member Ellison arrived at 5:16 p.m. during item no. 3 and entered into executive session.

### **II. Citizen Comment Period with City Council**

1. Members of the public that wish to provide citizen comment have the following options:
  1. In-Person at Kyle City Hall
  2. Virtual Attendance - Submit the online registration form found at: <https://www.cityofkyle.com/council/citizen-comment-sign>. Registration must be received by 12 p.m. on the day of the meeting.

Mayor Mitchell opened citizen comments at 5:03 p.m.

Michael Kloss was called to speak as registered. He spoke about dangers of feral cats. He also spoke about cats not being required to have leashes and collars, and the damage to property that they are responsible for.

With no one else wishing to speak, Mayor Mitchell closed citizen comments at 5:09 p.m.

### **III. Executive Session**

2. 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.
    - PGAL Contract
    - Parallel Contract
    - Workforce housing on Philomena
    - Marketplace Development Agreement
    - Sign Regulations
  2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
  3. Personnel matters pursuant to Section 551.074.
    - City Manager Consulting Opportunity
  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.
    - Project Goldfish
    - Project Carnation Pink

Council Member Bradshaw read into the record, "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: Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071 - PGAL Contract, Parallel Contract, Workforce housing on Philomena, Marketplace Development Agreement, Sign Regulations; Personnel matters pursuant to Section 551.074 - City Manager Consulting Opportunity; and 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 - Project Goldfish, Project Carnation Pink."

The City Council convened into executive session at 5:11 p.m. Mayor Mitchell left the dais. Mayor Pro Tem Koch stated that the Council is now in executive session.

3. Take action on items discussed in Executive Session.

Mayor Mitchell moved to reconvene into open session. Council Member Flores-Cale seconded the motion. All votes aye; motion carried 7-0.

The City Council reconvened into open session at 7:06 p.m.

Mayor Mitchell announced that no action took place in Executive Session, but action would be taken now.

Mayor Mitchell moved to authorize the City Manager to engage in a consulting opportunity. Council Member Rizo seconded the motion.

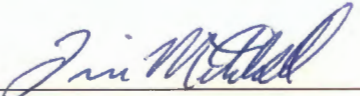
There was discussion on the motion. Mayor Mitchell stated to Mr. Sellers regarding contractual stipulations, to make sure all ethical standards are followed within the contract between the City of Kyle and the City Manager. Mr. Sellers stated this had been done prior and the opportunity had again presented itself. The stipulations are, not to do with business with any entity that is doing business with the City of Kyle, City of Buda, or the City of San Marcos. Additionally, to not use city equipment or time providing that service. Council Member Flores-Cale stated that not uncommon for city managers to consult with alternative cities, and it is an honor to have a city manager who has been asked to be consulted and the Council has all agreed to that.

All votes aye; motion carried 7-0.

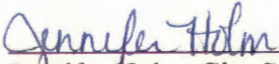
#### IV. Adjourn

Mayor Mitchell moved to adjourn. Council Member Rizo seconded the motion. All votes aye; motion carried 7-0.

With no further business to discuss, the City Council adjourned at 7:08 p.m.

  
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Travis Mitchell, Mayor

Attest:

  
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Jennifer Holm, City Secretary