

REGULAR CITY COUNCIL MEETING MINUTES

The City Council of the City of Kyle, Texas met in Regular Session on June 21, 2022 at Kyle City Hall with the following persons present:

Mayor Travis Mitchell	Hannah Foarde
Mayor Pro Tem Robert Rizo	Kate Mathis
Council Member Dex Ellison	Lauralee Harris
Council Member Yvonne Flores-Cale	Deborah Moore
Council Member Ashlee Bradshaw	Lila Knight
Council Member Daniela Parsley	Vanessa Westbrook
Council Member Michael Tobias	Stephanie Leibe
Scott Sellers, City Manager	Kevin Shepherd
James Earp, Assistant City Manager	AJ Fawver
Jerry Hendrix, Assistant City Manager	David Harding
Amber Lewis, Assistant City Manager	Elliott Jones
Paige Saenz, City Attorney	
Rachel Sonnier, Interim Communications Dir.	
Jennifer Holm, City Secretary	
Emily Hughes, Assistant City Secretary	
Leon Barba, City Engineer	
Kathy Roecker, SWMP Administrator	
Perwez Moheet, Finance Director	
Sandra Duran, HR Director	
Matt Dawson, IT Director	
Paul Phelan, Library Director	
Mariana Espinoza, Parks & Recreation Director	
Brooke Collins, Recreation Programmer	
Kaela Sharp, City Planner	
Julie Crookston, Asst. Director of Public Works	

I. Call Meeting to Order

Mayor Mitchell called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

Mayor Mitchell asked the city secretary to call roll.

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

II. Approval of Minutes

1. City Council Workshop Meeting Minutes - May 16, 2022. ~ *Jennifer Holm, City Secretary*
2. City Council Special Meeting Minutes - May 17, 2022. ~ *Jennifer Holm, City Secretary*
3. City Council Regular Meeting Minutes - May 17, 2022. ~ *Jennifer Holm, City Secretary*
4. City Council Special Meeting Minutes - June 7, 2022. ~ *Jennifer Holm, City Secretary*

Council Member Tobias moved to approve the minutes of the May 16, 2022 Workshop Council Meeting, the minutes of the May 17, 2022 Special Council Meeting, the minutes of the May 17, 2022 Regular Council Meeting, and the minutes of the June 7, 2022 Special Council Meeting. Mayor Pro Tem Rizo seconded the motion. Motion carried 7-0.

III. Citizen Comment Period with City Council

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

Hannah Foarde was called to speak as registered in opposition of Item No. 39. She spoke about her experience with Kyle Market Days, and how she was assisted to update her voter registration at such event. She asked Council Member Parsley to provide more context about the issue she takes with registering people to vote. She explained that they do not ask which party a person is when helping them to register. She stated that all Americans cannot and should not lose their benefit to vote.

Kate Mathis was called to speak as registered in opposition of Item No. 39. She stated that political parties and candidates add value to our public discourse. She spoke about the expression of first amendment rights. She continued that all partisan tents should be able to continue to participate in any public event, to provide assistance to registering voters, provide candidate literature, and sell political merchandise. She spoke about a neighborhood friend she met at a local event that became her lifeline to the outside world due to her being well-connected with several large groups.

Lauralee Harris was called to speak as registered in opposition of Item No. 39. She spoke about the market square developing as the City grows. She stated that they are looking for opportunities to engage in public discourse. She spoke about sharing with both democratic and republican parties in discussion. She stated she would hate to see any of that limited.

Deborah Moore was called to speak as registered. She stated that she has lived in Kyle for 27 years, but her family has lived in Hays County since 1876. She stated that she has been restricted to her home because of infrastructure upgrades. She asked that coordination be considered in the plans because three roads to her home were blocked. She has an elderly mother-in-law who lives with her and if she'd needed an ambulance, none would have been able to get there. She stated that no City supervision is there and that a City Foreman stated that it's planned and there's nothing that can be done. She stated that they have encroached onto her property and store their equipment onsite. She spoke about being unable to use her sidewalk. She asked for better communication. She stated from the audience that she lives in the Old Town portion of Kyle.

Lila Knight was called to speak as registered. She stated that Item No. 39, all of Council took an oath of office to solemnly swear to preserve, protect, and defend the constitution and laws of the United States. She stated that to prohibit political signs or political expression in a traditional public forum would be extremely problematic at best. She stated that she was sure the City Attorney would advise the council that content-based regulations such as partisan versus non-partisan political expression are generally deemed presumptively unconstitutional for a public forum. She stated her confidence that none of Council would want to abridge the citizens freedom of speech. She stated that she is not confident that Council will pass a homestead exemption, which she stated is a can that keeps getting kicked down the road. She stated that this action should not hinge on the budget or tax rate, or a road

bond. She suggested Council begin with the homestead exemption and then figure the rest out. She stated that every school district in Hays County has a homestead exemption of \$25,000.

Vanessa Westbrook was called to speak as registered. She stated that on June 11 at 9:00, there was a fabulous event that coincided with Market Days to celebrate Juneteenth. She stated that the news provided that the City of Kyle kicked off Juneteenth, and she was surprised. She read off many names of citizens that were in attendance. She encouraged the City to keep this going.

With no one else wishing to speak, Mayor Mitchell closed citizen comments at 7:21 p.m.

IV. Agenda Order

5. Agenda Order. ~ *Travis Mitchell, Mayor*

With no objections, Mayor Mitchell brought forward Agenda Item No. 39 out of order, ahead of Item No. 6.

39. Consider and possible action to create an ordinance to prohibit political signs or partisan tents at any city events and clarify the city's existing political sign regulations. ~ *Daniela Parsley, Council Member*

Council Member Parsley moved to direct staff to look into creating a policy on political sign placement within city property. Council Member Flores-Cale seconded the motion. Council Member Parsley withdrew her motion.

Council Member Parsley moved to direct staff to look into our ordinance about the placement of political signs and to bring back to Council to make sure they comply. Council Member Flores-Cale seconded the motion. Motion carried 7-0.

V. Presentation

6. Juneteenth proclamation. ~ *Dex Ellison, Council Member*

No action was taken.

7. Presentation of Graduates of the 2022 Team Kyle Academy. ~ *James R. Earp, Assistant City Manager*

Mr. Earp presented the graduates alongside Ms. Crookston. Certificates were provided to Susan Cardon, Marco Balderas, Kendall Byers and Susan Reyna. No action was taken.

8. 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*

- Budget Workshops
- Boards and Commissions Openings
- James Adkins Pool Public Swim Day - June 24
- July is Parks and Recreation Month
- 2022 Independence Day Fireworks Show – July 4
- Pie in the Sky Day Celebration - Sept. 3

- State of the City - June 28
- Summer Reading Program
- New Employees

Mr. Sellers, Ms. Espinoza, Ms. Sonnier, Mr. Phelan and Ms. Duran presented the item. Ms. Holm introduced Ms. Hughes.

Council Member Ellison moved to direct the City Manager to call a special meeting preferably this week to consider an agenda item for homestead exemptions for this fiscal year. Council Member Flores-Cale seconded the motion. Motion carried 6-1 with Mayor Mitchell dissenting.

9. CIP/Road Projects and Consent Agenda Presentation. ~ *Leon Barba, P.E., City Engineer*

No action was taken.

VI. Consent Agenda

Council Member Flores-Cale pulled Item No. 12. Mayor Mitchell brought forward Item Nos. 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, and 21 for consideration.

10. Approve the submittal of a Section 319(h) Nonpoint Source (NPS) Grant Program application to the TCEQ to fund a water quality improvement project. The grant has a 60/40 match which would require a city match of ~\$140,000.00 over 3 years if awarded. ~ *Kathy Roecker, Stormwater Management Plan Administrator*
11. Approve Amendment #1 to Task Order No. 2 to K FRIESE & ASSOCIATES, INC., Austin, Texas in an amount not to exceed \$6,170.00, increasing the total contract amount not to exceed \$60,580.00 for additional design revisions for the Downtown Electrical Relocation Project. ~ *Leon Barba, P.E., City Engineer*
13. Approve a resolution of the City Council of the City of Kyle, Texas accepting the Casetta Ranch Section 3 improvements: finding and determining that the meeting at which this Resolution is passed was noticed and is open to the Public as required by law. ~ *Leon Barba, P.E., City Engineer*
14. Approve a resolution of the City Council of the City of Kyle, Texas accepting the Brooks Ranch Phase 2 improvements: finding and determining that the meeting at which this Resolution is passed was noticed and is open to the Public as required by law. ~ *Leon Barba, P.E., City Engineer*
15. Authorize award and execution of a contract with BURGESS & NIPLE, INC., Austin, Texas in an amount not to exceed \$16,450.00 for providing water distribution modeling for the Kyle Marketplace Development. ~ *Leon Barba, P.E., City Engineer*
16. Approve ECS contract for Testing at Public Safety Center in the amount of \$25,200.00 to perform the necessary Air Barrier Testing that is called out in the specifications to be provided by owner. ~ *David Harding, AG|CM*

17. Approve the construction contract agreement between the City of Kyle and TEXAS REALTY/RETAIL PARTNERS, INC., (Developer), in order for the City to reimburse the Developer per the agreement up to a maximum amount not to exceed \$693,796.95 which includes a five (5) percent contingency for the construction of the Center Street Wastewater Phase I improvements. ~ *Leon Barba, P.E., City Engineer*
18. Approve Brick and Mortar Phase 1B - Site Plan (SD-22-0136) 8.72 acres; 2 lots located at the intersection of Benner and Jack Ryan. ~ *Amber Lewis, Assistant City Manager*

Planning and Zoning Commission voted 5-0 to recommend approval.
19. Authorize award and execution of a Purchase Order to Solid Border in an amount not to exceed \$165,174.00 for the purchase of IT networking equipment for the new Kyle Public Safety Center. ~ *Matt Dawson, Director Information Technology*
20. Ratify emergency pump repairs to reclaimed water effluent pump #1 at the Wastewater Treatment Plant, in an amount not to exceed \$18,604.53 payable to AUSTIN ARMATURE WORKS, LP, Buda Texas. ~ *Harper Wilder, Director of Public Works*
21. In compliance with Ordinance No. 566, the Library Services Department is requesting the City Council to declare all furniture and associated equipment identified by attached photographs as salvage or junk property and authorize the disposal of said city property as appropriate by the department. ~ *Paul Phelan, Director of Library Services*

Council Member Flores-Cale moved to approve Consent Agenda Item Nos. 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, and 21. Council Member Tobias seconded the motion. Motion carried 7-0.

VII. Items Pulled from Consent Agenda

12. (*Second Reading*) An ordinance granting to Universal Natural Gas, LLC (d/b/a Universal Natural Gas, Inc.) and its successors and assigns, for a period of ten (10) years from the effective date of this ordinance, a non-exclusive franchise and right to enter the public ways to install, operate and maintain a distribution system within, along, across, over and under the public ways of the city of Kyle, Texas for the transportation, distribution and/or sale of gas to customers and the public in the city; defining the words and phrases therein; providing for assignment, sale or lease of the franchise; providing for use and repair of the public ways; providing for regulation of service; establishing depth of pipelines; establishing rights and duties in the movement and alteration of pipelines; providing for indemnification of the city of Kyle; providing for inspection of grantee's records; requiring grantee to pay a franchise fee; providing for conditions of the franchise; providing for construction of this ordinance upon the invalidity of any part thereof; providing for acceptance of this franchise by grantee and both an effective and an operative date thereof; repealing all other ordinances directly in conflict herewith; providing for severability; providing for publication and prescribing an effective date. ~ *Jerry Hendrix, Assistant City Manager*

City Council voted 6-0 to approve on first reading on 6/7/2022.

Council Member Flores-Cale moved to approve an ordinance granting to Universal Natural Gas, LLC (d/b/a Universal Natural Gas, Inc.) and its successors and assigns, for a period of ten (10) years from the effective date of this ordinance, a non-exclusive franchise and right to enter the public ways to install, operate and maintain a distribution system within, along, across, over and under the public ways of the city of Kyle, Texas for the transportation, distribution and/or sale of gas to customers and the public in the city; defining the words and phrases therein; providing for assignment, sale or lease of the franchise; providing for use and repair of the public ways; providing for regulation of service; establishing depth of pipelines; establishing rights and duties in the movement and alteration of pipelines; providing for indemnification of the city of Kyle; providing for inspection of grantee's records; requiring grantee to pay a franchise fee; providing for conditions of the franchise; providing for construction of this ordinance upon the invalidity of any part thereof; providing for acceptance of this franchise by grantee and both an effective and an operative date thereof; repealing all other ordinances directly in conflict herewith; providing for severability; providing for publication and prescribing an effective date. Council Member Tobias seconded the motion. Motion carried 7-0.

VIII. Consider and Possible Action

22. Consideration and approval of a resolution of the City Council of the City of Kyle, Texas, Authorizing the acceptance of certain revenues in the tax increment fund from Tax Increment Reinvestment Zone Number Two, City of Kyle, Texas to pay certain project costs, including projects to be financed by the City through the issuance of Certificates of Obligation; Agreeing to be reimbursed by TIRZ #2 for all annual debt service payments on the Certificates of Obligation until their stated maturity or prior redemption; Making findings of fact; and Other matters in connection therewith. ~ *Stephanie Leibe, Norton Rose Fulbright US LLP*
23. Consideration and approval of a resolution approving the City's plan of finance pertaining to the contemplated issuance of obligations to be designated as "City of Kyle, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2022"; Authorizing City staff and the City's financial advisor and bond counsel to proceed with this plan of finance; and Authorizing other matters related to the foregoing. ~ *Stephanie Leibe, Norton Rose Fulbright US LLP*
24. Consideration and approval of a resolution approving the City's plan of finance pertaining to the contemplated issuance of obligations to be designated as "City of Kyle, Texas General Obligation Bonds, Series 2022"; Authorizing City staff and the City's financial advisor and bond counsel to proceed with this plan of finance; and Authorizing other matters related to the foregoing. ~ *Stephanie Leibe, Norton Rose Fulbright US LLP*
25. Consideration and approval of a resolution relating to Establishing the City's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various city improvements from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes; Authorizing other matters incident and related thereto; and Providing an effective date. ~ *Stephanie Leibe, Norton Rose Fulbright US LLP*

With no objections, Mayor Mitchell brought forward Item Nos. 22, 23, 24 and 25 simultaneously.

Mayor Pro Tem Rizo moved to approve Item Nos. 22 - 25. Council Member Ellison seconded the motion. Motion carried 6-1 with Council Member Flores-Cale dissenting.

26. Consider and possible action on a proposal from Verdunity, Inc. for Professional Services for the Comprehensive Plan Update and to authorize the City Manager to execute a contract in an amount not to exceed \$300,000.00. ~ *Amber Lewis, Assistant City Manager*

Council Member Flores-Cale moved to approve a proposal from Verdunity, Inc. for Professional Services for the Comprehensive Plan Update and to authorize the City Manager to execute a contract in an amount not to exceed \$300,000.00. Council Member Ellison seconded the motion.

Kevin Shepherd with Verdunity spoke addressing Council questions, and he introduced AJ Fawver who also provided information.

No vote was held.

Council Member Parsley moved to approve a proposal from Verdunity, Inc. for Professional Services for the Comprehensive Plan Update and to authorize the City Manager to execute a contract in an amount not to exceed \$300,000.00. Council Member Ellison seconded the motion.

Council Member Ellison called for the vote. Mayor Mitchell requested a roll call vote. Council Member Tobias voted aye; Council Member Flores-Cale voted aye; Council Member Bradshaw voted aye; Council Member Parsley voted aye; Mayor Mitchell voted aye; Mayor Pro Tem Rizo voted nay; and Council Member Ellison voted aye. Motion carried 6-1.

Mayor Mitchell requested a roll call vote on the motion to approve. Council Member Ellison voted aye; Mayor Mitchell voted aye; Council Member Parsley voted aye; Mayor Pro Tem Rizo voted nay; Council Member Flores-Cale voted nay; Council Member Bradshaw voted aye; and Council Member Tobias voted aye. Motion carried 5-2.

27. *(First Reading)* An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of rezoning approximately 5.4 acres of land from Agriculture 'A' to 'R-1-T' (Residential Townhouse 1) and approximately 4.6 acres 'RS' (Retail Services) for property located at 951 Windy Hill Road in Hays County, Texas. (Everardo Rosales - Z-22-0098)
~ *Amber Lewis, Assistant City Manager*

Planning and Zoning Commission voted 5-0 to recommend approval of the request.

- Public Hearing

Mayor Mitchell opened the public hearing at 9:15 p.m. With no one wishing to speak, Mayor Mitchell closed the public hearing at 9:15 p.m.

Council Member Tobias moved to approve an ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of rezoning approximately 5.4 acres of land from Agriculture 'A' to 'R-1-T' (Residential Townhouse 1) and approximately 4.6 acres 'RS' (Retail Services) for property located at 951 Windy Hill Road in Hays County, Texas. Council Member Parsley seconded the motion. Motion carried 6-1 with Council Member Ellison dissenting.

28. *(First Reading)* An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of rezoning approximately 32.34 acres of land from Agriculture 'A' to Retail Service District 'RS' for property located at the north corner of E RR 150 & SH-21 in Hays County, Texas. (FM RD 812, LLC - Z-22-0100) ~ *Amber Lewis, Assistant City Manager*

Planning and Zoning Commission voted 5-0 to recommend approval of the request.

- Public Hearing

Mayor Mitchell opened the public hearing at 9:19 p.m. With no one wishing to speak, Mayor Mitchell closed the public hearing at 9:19 p.m.

Council Member Flores-Cale moved to approve an ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of rezoning approximately 32.34 acres of land from Agriculture 'A' to Retail Service District 'RS' for property located at the north corner of E RR 150 & SH-21 in Hays County, Texas. Council Member Tobias seconded the motion.

Mayor Pro Tem Rizo moved to approve an ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of rezoning approximately 32.34 acres of land from Agriculture 'A' to Retail Service District 'RS' for property located at the north corner of E 150 & SH-21 in Hays County, Texas. Council Member Tobias seconded the motion. Council Member Flores-Cale reminded Council of the motion already on the table. Mayor Pro Tem Rizo withdrew his motion.

Mayor Mitchell called for the vote on the original motion. Motion carries 7-0. With no objections, the ordinance was finally passed.

29. Consideration and possible action to approve PR-4 "Constant Technologies" addition at Public Safety Center in the amount of \$1,109,678.03. ~ *David Harding, AG|CM*

Council Member Flores-Cale moved to approve PR-4 "Constant Technologies" addition at Public Safety Center in the amount of \$1,109,678.03. Mayor Pro Tem Rizo seconded the motion. Motion carried 7-0.

30. Consideration and possible action to approve the addition of the Vybe Trail (Option 2) at Public Safety Center in an amount not to exceed \$340,000.00. ~ *David Harding, AG|CM*

Council Member Flores-Cale moved to direct staff to find an alternative funding source for the addition of the Vybe Trail (Option 2) at Public Safety Center in an amount not to exceed \$340,000.00. Mayor Mitchell seconded the motion.

Council Member Flores-Cale amended her motion to direct staff to find multiple alternative funding sources for the Vybe Trail (Option 2) at Public Safety Center. Mayor Mitchell was amenable to seconding the amended motion.

Council Member Flores-Cale called the question. Council Member Parsley seconded the motion. Mayor Mitchell requested a roll call vote. Council Member Parsley voted aye; Mayor Pro Tem Rizo voted nay; Council Member Tobias voted aye; Council Member Ellison voted nay; Council Member Bradshaw voted aye; Mayor Mitchell voted nay; and Council Member Flores-Cale voted aye. Motion carried 4-3.

Mayor Mitchell requested a roll call vote on the motion to direct staff. Council Member Bradshaw voted aye; Council Member Tobias voted aye; Mayor Mitchell voted aye; Council Member Flores-Cale voted aye; Mayor Pro Tem Rizo voted aye; Council Member Ellison voted aye; and Council Member Parsley voted aye. Motion carried 7-0.

31. Consider and possible action on a proposal from AG|CM Inc. for Project Management Services for the proposed 104 S. Burluson Building Project and to authorize the City Manager to execute a contract in an amount not to exceed \$211,152.00. ~ *Amber Lewis, Assistant City Manager*

Council Member Flores-Cale moved to approve a proposal from AG|CM Inc. for Project Management Services for the proposed 104 S. Burluson Building Project and to authorize the City Manager to execute a contract in an amount not to exceed \$211,152.00. Council Member Ellison seconded the motion. Motion carried 6-0. Council Member Tobias left the dais at approximately 9:54 p.m. and was absent for the vote.

32. Consider and possible action on a Public Improvement District Deposit Agreement by and between the City of Kyle, Texas and Meritage Homes of Texas, LLC (Limestone Creek). ~ *Amber Lewis, Assistant City Manager*
33. Consider and possible action on a Development Agreement by and between the City of Kyle, Texas and Meritage Homes of Texas, LLC (Limestone Creek). ~ *Amber Lewis, Assistant City Manager*
34. Consider and possible action on a Resolution of the City Council of the City of Kyle, Texas accepting a Petition for Creation of the Limestone Creek Public Improvement District; Setting a public hearing under Sec. 372.009 of the Texas Local Government Code on the advisability of the creation of the Limestone Creek Public Improvement District within the City of Kyle, Texas; and Authorizing the issuance of notice by the City Secretary of Kyle, Texas regarding the public hearing. ~ *Amber Lewis, Assistant City Manager*

Mayor Mitchell brought forward Item Nos. 32 – 34 simultaneously. Council Member Tobias returned to the dais at 9:56 p.m. Elliott Jones, Division Vice President with Meritage Homes, presented on the item.

Mayor Mitchell moved to approve Item Nos. 32 – 34. Council Member Flores-Cale seconded the motion. Motion carried 7-0.

35. Discussion and possible action regarding pay increases for seasonal pool staff with the purpose of providing residents with more public access to the city pool. ~ *Yvonne Flores-Cale, Council Member*

Ms. Collins also provided information on the item.

Mayor Mitchell moved to direct staff to come up with a plan to fully staff the pool by the next council meeting. Council Member Tobias seconded the motion. Motion carried 7-0.

36. Grand Junction Trip Recap. ~ *Daniela Parsley, Council Member; Dex Ellison, Council Member; and Robert Rizo, Mayor Pro Tem*

No action was taken.

37. Consider and possible action to host Kyle market dates on a weekly or biweekly basis all year round. Except when City events are taking place. ~ *Daniela Parsley, Council Member*

Council Member Ellison moved to direct staff to engage the Parks Board on expanding Kyle market days and to bring back a recommendation to Council. Council Member Tobias seconded the motion. Motion carried 7-0.

38. Discussion and general direction regarding logistics for selection of time capsule items for Heroes Memorial Park. ~ *Travis Mitchell, Mayor*

Council Member Ellison moved to create an ad hoc committee to include, Mayor Mitchell, Mayor Pro Tem Rizo, Council Member Ellison, Rachel Sonnier, Jerry Hendrix, Police Chief, Fire Chief, EMS Chief, AMVETS Commander and VFW Commander to decide on Time Capsule items. Council Member Tobias seconded the motion. Motion carried 7-0.

40. Discussion and possible action regarding the creation of a city auditor position under financial department. ~ *Yvonne Flores-Cale, Council Member*

No action was taken.

41. Discussion and possible action regarding all City policies, to include the process of keeping Council updated on any policy changes, in order to comply with Section 4.03b of the City's Charter. ~ *Yvonne Flores-Cale, Council Member*

No action was taken.

IX. Executive Session

42. 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.
 - SouthWest Water Company Negotiation
2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
 - Right of Way Acquisition
 - Veterans Drive property acquisition
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.

- Project On the Tracks

Mayor Mitchell 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 - SouthWest Water Company Negotiation; Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072 - Right of Way Acquisition; Veterans Drive property acquisition; 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 On the Tracks." The City Council convened into executive session at 11:45 p.m.

43. Take action on items discussed in Executive Session.

Mayor Mitchell called the meeting back to order at 12:28 a.m. on June 22, 2022. Council Members Ellison, Parsley and Mayor Pro Tem Rizo were absent when Mayor Mitchell called the meeting back to order. Mayor Mitchell announced that no action took place in Executive Session and no action would be taken now.

X. Adjourn

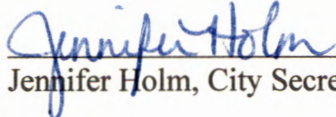
Mayor Mitchell moved to adjourn. Council Member Flores-Cale seconded the motion. No vote was held.

With no further business to discuss, the City Council adjourned at 12:28 a.m.



Travis Mitchell, Mayor

Attest:



Jennifer Holm, City Secretary