

## SPECIAL CITY COUNCIL MEETING MINUTES

The City Council of the City of Kyle, Texas met in Special Session on April 18, 2023 at Kyle City Hall with the following persons present:

Mayor Travis Mitchell  
Mayor Pro Tem Michael Tobias  
Council Member Bear Heiser\*  
Council Member Yvonne Flores-Cale  
Council Member Miguel Zuniga  
Council Member Ashlee Bradshaw  
Council Member Daniela Parsley\*  
Jerry Hendrix, Interim City Manager  
Amber Schmeits, Assistant City Manager  
Paige Saenz, City Attorney  
Jennifer Kirkland, City Secretary  
Leon Barba, City Engineer  
Victoria Vargas, Economic Development Director  
Marco Forti, IT Director

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

Mayor Mitchell called the meeting to order at 6:00 p.m. Mayor Mitchell asked the city secretary to call roll.

Present were: Mayor Mitchell, Mayor Pro Tem Tobias, Council Member Flores-Cale, Council Member Zuniga, Council Member Bradshaw, and Council Member Parsley. A quorum was present. Council Member Heiser was absent but arrived virtually during executive session.

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

Mayor Mitchell opened citizen comments at 6:01 p.m. With no one wishing to speak, Mayor Mitchell closed citizen comments at 6:01 p.m.

### **III. 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, settlement agreement, or to seek the advice of the City Attorney and Attorneys concerning legal issues pursuant to Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct.
    - Cause No. 22-0873; the State of Texas, ex. rel. 1200 S. Old Stagecoach Road, LLC, v. City of Kyle, Texas; pending in the 207th Judicial District Court of Hays County, Texas, and Cause No. 19-1492; 1200 S. Old Stagecoach Road, LLC v. City of Kyle, Texas; pending in the 22nd Judicial District Court of Hays County, Texas
    - Marshall Tract
    - City Manager Employment Agreement

\*One or more members of the governing body may participate in the meeting by videoconference pursuant to Section 551.127, Texas Government Code, provided that a quorum of the governing body will be present at Kyle City Hall.

2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072 to deliberate the purchase of real property for public purpose.
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 Pearly Whites
  - Project Lion King
  - Project Limoncello
  - Project Chile Pepper

Council Member Flores-Cale 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, settlement agreement, or to seek the advice of the City Attorney and Attorneys concerning legal issues pursuant to Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct- Cause No. 22-0873; the State of Texas, ex. rel. 1200 S. Old Stagecoach Road, LLC, v. City of Kyle, Texas; pending in the 207th Judicial Court of Hays County, Texas, and Cause No. 19-1492; 1200 S. Old Stagecoach Road, LLC v. City of Kyle; pending in the 22nd Judicial Court of Hays County, Texas; Marshall Tract; City Manager Agreement; 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 Pearly Whites; Project Lion King; Project Limoncello; Project Chile Pepper.”

The City Council convened into executive session at 6:02 p.m.

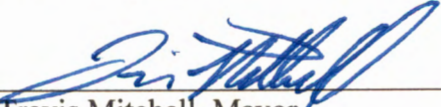
2. Take action on items discussed in Executive Session.

Mayor Mitchell called the meeting back to order at 7:14 p.m. Mayor Mitchell announced that no action took place in Executive Session and no action would be taken now.

#### IV. 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 7:14 p.m.

  
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Travis Mitchell, Mayor

Attest:

  
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Jennifer Kirkland, City Secretary