

SPECIAL CITY COUNCIL MEETING MINUTES

The City Council of the City of Kyle, Texas met in Special Session on May 16, 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 Daniela Parsley
Jerry Hendrix, Interim City Manager
Amber Schmeits, Assistant City Manager
Paige Saenz, City Attorney
Roxy Stevens, Special Counsel
Rachel Sonnier, Communications Director
Grant Bowling, Video Production Specialist
Jennifer Kirkland, City Secretary
Victoria Vargas, Economic Dev. Director
Will Atkinson, Planning Director
Kaela Sharp, City Planner

I. Call Meeting to Order

Mayor Mitchell called the meeting to order at 5:33 p.m. Mayor Mitchell asked the city secretary to call roll.

Present were: Mayor Mitchell, Mayor Pro Tem Tobias, Council Member Heiser, Council Member Flores-Cale, and Council Member Parsley. A quorum was present. Council Member Zuniga and Council Member Bradshaw were absent. Council Member Zuniga entered into executive session at approximately 5:40 p.m.

II. Citizen Comment Period with City Council

Mayor Mitchell opened citizen comments at 5:33 p.m. With no one wishing to speak, Mayor Mitchell closed citizen comments at 5:33 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.
 - Sunfield Municipal Utility District No. 4 Petition for Annexation
 - 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

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 Smokin'
 - Project Patrick Swayze

Council Member Heiser 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 - Sunfield Municipal Utility District No. 4 Petition for Annexation; Cause No. 22-0873; the State of Texas, 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 Old Stagecoach Road, LLC v. City of Kyle, Texas; pending in the 22nd Judicial District Court of Hays County, Texas; Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072 to deliberate the purchase of real property for public purpose; Personnel matters pursuant to Section 551.074; 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.”

The City Council did not convene regarding possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072 or personnel matters pursuant to Section 551.074 as stated. The City Council convened into executive session at 5:35 p.m.

Council Member Flores-Cale recused herself from the discussion regarding 1200 S. Old Stagecoach Road, LLC v. City of Kyle, Texas; pending in the 22nd Judicial District Court of Hays County, Texas.

2. Take action on items discussed in Executive Session.

Mayor Mitchell called the meeting back to order at 7:07 p.m. Mayor Mitchell announced that no action took place in Executive Session and no action would be taken now.

IV. Consider and Possible Action

3. Consideration and possible action to disannex or discontinue from being part of the city properties described in Ordinance No. 1010, consisting of approximately 62.47 acres of

land, repealing Ordinance No. 1010, and declaring an emergency. ~ *Paige Saenz, City Attorney*

No action was taken.

V. Adjourn


Mayor Mitchell moved to adjourn. Council Member Parsley seconded the motion. No vote was held.

With no further business to discuss, the City Council adjourned at 7:07 p.m.



Travis Mitchell, Mayor

Attest:



Jennifer Kirkland, City Secretary