



City Council Regular Meeting Agenda
Tuesday, March 19, 2024 7:00 PM
Kyle City Hall, 100 W. Center Street, Kyle, TX 78640

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I. Call Meeting to Order and Roll Call

II. Approval of Minutes

1. Approval of the City Council March 7, 2024 Special Meeting Minutes, and March 7, 2024 Regular Meeting Minutes. (Item Presenter: Jennifer Kirkland, TRMC, City Secretary)

III. Citizen Comment Period with City Council

The City Council welcomes comments from Citizens early in the agenda of City Council 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. Agenda Order

2. Agenda Order per Rules of Council Sec. B1. (Item Presenter: Travis Mitchell, Mayor)

V. Appointments

3. Consider approval of a minute order appointing Debra Broderick to seat 6 of the Arts and Cultural Board. (Item Presenter: Amber Schmeits, Assistant City Manager)
4. Consider approval of a minute order appointing Paul Hill for Seat 4 on the City of Kyle Ethics Commission. (Item Presenter: Lauralee Harris, Council Member)

VI. Reports and Presentations

5. Receive a report, hold a discussion, and provide staff direction regarding updating the City of Kyle Fee Schedule in Appendix A of the City of Kyle Code of Ordinances. (Item Presenter: Melissa McCollum, Chief Development Officer)

VII. Consent Agenda

6. Consider approval of a contract with Raftelis Financial Consultants, Inc., to conduct a water and wastewater cost of service and rate study in the amount of \$129,163. (Item Presenter: Rosie Truelove, Director of Administrative Services)
7. Consider approval of Amendment No. 4 to Task Order No. 2 to CP&Y, Inc. dba STV Infrastructure, Inc., in the amount of \$92,430 increasing the total contract amount to \$438,454.50 for design modifications and acquisition services for the North Trails Wastewater Interceptor improvement project. (Item Presenter: Leon Barba, P.E., City Engineer)

8. Consider approval of Amendment No. 6 to K Friese & Associates, LLC., in the amount of \$143,240 increasing the total contract amount to \$490,390 for design, bid and construction phase services for the Center Street Village Wastewater Improvements. (Item Presenter: Leon Barba, P.E., City Engineer)
9. Consider approval of a resolution authorizing a two-year contract with Hilltop Securities Asset Management, LLC to provide investment advisory services in the amount of \$72,000. (Item Presenter: Rosie Truelove, Director of Administrative Services)
10. Consider approval of a resolution accepting Porter Country Phase 1 subdivision improvements. (Item Presenter: Leon Barba, P.E., City Engineer)
11. Consider approval of a contract with The Brandt Companies, LLC., through the BuyBoard, for the purchase and installation of docking stations in the amount of \$228,638, and authorize the City Manager to execute the contract. (Item Presenter: Rosie Truelove, Director of Administrative Services)
12. *(Second Reading)* Consider approval of an ordinance amending the City's adopted budget for Fiscal Year 2023-2024 to authorize the addition of two inspector positions and all support costs including two leased vehicles for the Building Department. *City Council voted 6-0 to approve on first reading on 3/7/2024*
(Item Presenter: Melissa McCollum, Chief Development Officer)
13. *(Second Reading)* Consider approval of an ordinance amending the City's adopted budget for Fiscal Year 2023-2024 by discontinuing the Pie in the Sky Fair program and authorizing the reprogramming of \$180,000 in funding to be added to the Tex-Travaganza Fair program. *City Council voted 6-0 to approve on first reading on 03/07/2024* (Item Presenter: Mariana Espinoza, Director of Parks & Recreation)
14. *(Second Reading)* Consider approval of an ordinance authorizing the City Manager, or designee, to execute agreements within the City Manager's authority level as set by the City's purchasing policy; authorizing the City Manager, or designee, to execute any other agreements after City Council approval; and delegating the City Council's authority to determine that an alternative procurement method provides the best value to the City, under Section 2269.056 of the Texas Government Code, to the City Manager, or designee. *City Council voted 6-0 to approve on first reading on 03/07/2024* (Item Presenter: Aimee Alcorn-Reed, City Attorney)
15. *(Second Reading)* Consider approval of an ordinance amending the City's adopted budget for Fiscal Year 2023-2024 and consider approval of an Inter-Local Agreement between ESD #5 and City of Kyle to reimburse purchase of a hazmat trailer and hazmat supplies not to exceed \$59,290.04. *City Council voted 6-0 to approve on first reading on 03/07/2024* (Item Presenter: Jeff Barnett, Chief of Police)

VIII. Items Pulled from Consent Agenda

IX. Consider and Possible Action

16. Consider approval of a resolution adopting the City of Kyle's Legislative Program. (Item Presenter: Jesse Elizondo, Assistant City Manager)

17. *(First Reading)* Consider approval of an ordinance granting a non-exclusive franchise to One Gas, Inc. for a period of 20 years for the transportation, distribution, and sale of gas and requiring payment of franchise fees.
 - Public Hearing
(Item Presenter: Amber Schmeits, Assistant City Manager)
18. *(First Reading)* Consider approval of an Ordinance approving a Conditional Use Permit for a medical office use pursuant to the Kalterra Capital Partners, LLC Development Agreement for a property located at 2220 Kohlers Crossing, Hays County, TX 78640. (CUP-24-0101)
 - Public Hearing
(Item Presenter: Kaela Sharp, City Planner)
19. *(First Reading)* Consider approval of an Ordinance amending the Landscape Code of Chapter 54 of the City of Kyle Code of Ordinances.
 - Public Hearing
(Item Presenter: Will Atkinson, Director of Planning)
20. Consider approval of a resolution approving the policy and application for the Downtown Revitalization Grant Program. (Item Presenter: Victoria Vargas, Director of Economic Development)
21. Consider approval of Task Order No. 6 to Lockwood, Andrews & Newman, Inc. for PS&E design of the Windy Hill Road project of the 2022 Road Bond Program in an amount of \$830,345.20. (Item Presenter: Joe Cantalupo, K Friese & Associates, City's 2022 Road Bond Program Manager)
22. *(First Reading)* Consider approval of an ordinance amending the City's adopted budget for Fiscal Year 2023-2024 to authorize the Mayor and City Council members to access the health insurance program on the same terms as full-time City employees and to reallocate funds currently available for mileage reimbursement for the Mayor and City Council members to create a mileage stipend for the Mayor and each City Council member in the amount of \$300 per month to cover the cost of using a personal vehicle for City business; and amending Ordinance No. 1043 regarding City Council health insurance access. (Item Presenter: Jesse Elizondo, Assistant City Manager)
23. Consider approval of a resolution appointing Megan Brua to serve as the City's ethics compliance officer on a temporary basis, pending issuance of a request for proposals, based on the recommendation of the City Attorney. (Item Presenter: Aimee Alcorn-Reed, City Attorney)
24. Consider approval of an amendment to Task Order No. 2 with HDR Engineering, Inc. in the amount of \$596,972 for plans, specifications, and estimates, bidding, and contract administration for the re-aligned FM 1626 Transmission Main, a new Well 4 Chlorine Building, and supervisory control and data acquisition control system upgrades. (Item Presenter: Leon Barba, P.E., City Engineer)

X. Executive Session

25. 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.

- a. **Executive session pursuant to Texas Government Code 551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning legal issues related to the acquisition of property for transportation improvements and related infrastructure; **and pursuant to Texas Government Code §551.072** to discuss the possible purchase, exchange, lease, or value of real estate related to same.
- b. **Executive session pursuant to Texas Government Code 551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning legal issues related to the acquisition of property for park improvements and related infrastructure and downtown properties; **and pursuant to Texas Government Code §551.072** to discuss the possible purchase, exchange, lease, or value of real estate related to same.
- c. **Executive session pursuant to Texas Government Code 551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning legal issues related to Project Two Step; **and pursuant to Texas Government Code §551.087** to discuss and deliberate regarding potential financial or other incentives to business prospect(s) that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations relate to same.
- d. **Executive session pursuant to Texas Government Code 551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning legal issues related to Project Sahara; **and pursuant to Texas Government Code §551.087** to discuss and deliberate regarding potential financial or other incentives to business prospect(s) that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations relate to same.
- e. **Executive session pursuant to Texas Government Code §551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning legal issues related to Emerald Ranch **and pursuant to Texas Government Code §551.087** to discuss and deliberate regarding potential financial or other incentives to business prospect(s) that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations related to same.
- f. **Executive session pursuant to Texas Government Code §551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning legal issues related to Project Cliffhanger; **and pursuant to Texas Government Code §551.087** to discuss and deliberate regarding potential financial or other incentives to business prospect(s) that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations relate to same.
- g. **Executive session pursuant to Texas Government Code §551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning legal issues related to Universal Natural Gas's application for an interim rate adjustment.
- h. **Executive session pursuant to Texas Government Code §551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning legal issues related to Lennar Corporation and/or other developers wishing to build residential developments at Plum Creek North and Waterstone, and contracts related to wastewater and water facilities, public improvement districts, and park improvements related to such developments.
- i. **Executive session pursuant to Texas Government Code §551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning legal issues related

to contracts with various lobbyists and strategic advocacy consultants.

26. Take action on items discussed in Executive Session.

XI. Adjourn

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

Posted this 15th day of March, 2024, prior to 5:00 p.m.

At any time during the City Council meeting, the City Council may elect to go into an Executive Session to discuss any item on the agenda for which state law authorizes an Executive Session to be held. If the City Council elects to go into an Executive Session regarding an agenda item, the presiding officer will first announce the section of the law authorizing a closed meeting. The description of an item in Executive Sessions constitutes the written interpretation by the City Attorney of Chapter 551 of the Texas Government Code and the legal opinion of the City Attorney that said item may be discussed in a closed meeting.

Under the Americans with Disabilities Act, an individual with a disability must have equal opportunity for effective communication and participation in public meetings. Kyle City Hall is wheelchair accessible. Individuals who require auxiliary aids, interpretive services, and/or other services for this meeting should submit a request at <https://www.cityofkyle.com/contact> or call (512) 262-1010, 48 hours in advance of the meeting.