



City Council Regular Meeting Agenda
Tuesday, April 16, 2024 7:00 PM
Kyle City Hall, 100 W. Center Street, Kyle, TX. 78640

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Watch Online at www.cityofkyle.com/kyle10

I. Call Meeting to Order and Roll Call

II. Approval of Minutes

1. Approval of the City Council April 2, 2024 Special Meeting Minutes and April 2, 2024 Regular Meeting Minutes.
(Item Presenter: Jennifer Kirkland, TRMC, City Secretary)
[Exhibit 1 - April 2, 2024 Draft Special Minutes](#)
[Exhibit 2 - April 2, 2024 Draft Regular Minutes](#)

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 an appointment to the San Marcos Hays County Emergency Medical Services Board of Directors.
(Item Presenter: Jeff Barnett, Chief of Police)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)

VI. Reports and Presentations

4. A proclamation recognizing National Telecommunicator Week (April 15-19).
(Item Presenter: Robert Rizo, Mayor Pro Tem)
5. A proclamation recognizing National Animal Control Officer Appreciation Week (April 14-20).
(Item Presenter: Miguel A. Zuniga PhD, Council Member)

6. Receive a report and hold a discussion regarding the benchmarked Community Survey Results from ZenCity for the months of December 2023 - February 2024.
(Item Presenter: Rachel Sonnier, Director of Communications)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
7. Receive a report, hold a discussion and provide staff direction on the preliminary 5-year financial forecast for the City's General Fund for fiscal years 2024-2025 through 2028-2029.
(Item Presenter: Perwez A. Moheet, CPA, Director of Finance)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
8. Receive a report, hold a discussion, and provide staff feedback regarding the City of Kyle's 2022 Road Bond Program.
(Item Presenter: Joe Cantalupo, K Friese & Associates, City's 2022 Road Bond Program Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)

VII. Consent Agenda

9. Consider approval of Task Order No. 3 to BGE, Inc., in the amount of \$59,084 for the development of a preliminary engineering report for the Four Seasons Wastewater Interceptor Improvements project.
(Item Presenter: Leon Barba, P.E., City Engineer)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Task Order](#)
10. Consider approval of an amendment to a purchase agreement with Axon Enterprises, Inc. for the purpose of providing thirteen Fleet 3 in-car camera systems with associated software, and replacement plan in the amount of \$519,972.79.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
11. Consider approval of a resolution suspending the May 11, 2024 effective date of the proposal by Universal Natural Gas, LLC D/B/A Universal Natural Gas, Inc. to implement GRIP interim rate adjustments for gas utility investment in 2023.
(Item Presenter: Aimee Alcorn-Reed, City Attorney)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
12. Consider approval of a resolution authorizing a Wastewater Utility Easement from Texas Realty/Retail Partner, Inc. for 150 Business Park Subdivision containing one 0.196-acre easement and one 0.085-acre easement.
(Item Presenter: Leon Barba, P.E., City Engineer)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)

[Exhibit 3 - Resolution](#)

[Exhibit 4 - Easement](#)

13. Consider approval of agreements with Kalbacher Associates, LLC in the total amount of \$116,400 for professional grant writing services.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
14. Consider approval of a contract extension with Akin Gump Strauss Hauer & Feld LLP for federal lobbying services through December 31, 2024 in the amount of \$129,000.
(Item Presenter: Jesse Elizondo, Assistant City Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Contract Extension](#)
15. Consider award of the Design Services for Kyle Sportsplex: RFQ-2024-01 solicitation to Stantec Consulting Services, Inc. (or another qualified offeror) and authorize the City Manager to negotiate a contract.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Matrix](#)

VIII. Items Pulled from Consent Agenda

IX. Consider and Possible Action

16. Consider approval of a resolution of the City of Kyle, Texas approving the form and authorizing the distribution of a Preliminary Limited Offering Memorandum for the City of Kyle, Texas Special Assessment Revenue Bonds, Series 2024 (Limestone Creek Public Improvement District Improvement Area #1B Project); and resolving other matters incident and related thereto.
(Item Presenter: Stephanie Leibe, Norton Rose Fulbright, City's Bond Counsel)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - PLOM](#)
[Exhibit 5 - Appendix B - Form of Indenture](#)
[Exhibit 6 - Appendix C - Form of PSAP](#)
[Exhibit 7 - Appendix D - Form of BC Opinion](#)
[Exhibit 8 - Appendix E-1 - Form of Issuer CDA](#)
[Exhibit 9 - Appendix E-2 - Form of Developer CDA](#)
[Exhibit 10 - Appendix F - Financing Agreement](#)
[Exhibit 11 - Appendix G - Development Agreement](#)
17. *(First Reading)* Consider approval of an Ordinance of the City Council of the City of Kyle, Texas Approving the Final Project and Finance Plan and an Interlocal Agreement for the Tax Increment and Reinvestment Zone Number Six, City of Kyle, Texas.
(Item Presenter: Stephanie Leibe, Norton Rose Fulbright, City's Bond Counsel)

[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)

18. *(First Reading)* Consider approval of an ordinance establishing an exemption from ad valorem taxes for qualifying childcare facility properties.
(Item Presenter: Victoria Vargas, Director of Economic Development)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
[Exhibit 4 - Tax Code](#)
19. *(First Reading)* Consider approval of an ordinance authorizing the City Manager to execute any and all documents necessary with Archer Western Contractors, LLC for the construction of the FM 1626 Ground Storage Tank and Pump Station Project in an amount not to exceed \$25,000,000.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
[Exhibit 4 - Cost Proposal Phase 1](#)
20. Consider approval of Task Order No. 3 to BGE, Inc. for PS&E design of the Bunton Creek Road project of the 2022 Road Bond Program in an estimated amount of \$2,030,777.09.
(Item Presenter: Joe Cantalupo, K Friese & Associates, City's 2022 Road Bond Program Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Task Order](#)
21. Consider approval of Task Order No. 4 to Cobb, Fendley & Associates, Inc. for development of pedestrian treatment plans for the intersections along the Kyle Parkway/Lehman Road Extension project in an estimated amount of \$82,310.75.
(Item Presenter: Joe Cantalupo, K Friese & Associates, City's 2022 Road Bond Program Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Task Order](#)
22. Consider approval of a resolution approving a contract with Burditt Consultants for preliminary design services of the Community Center Project in the amount of \$120,000.
(Item Presenter: Jesse Elizondo, Assistant City Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Agreement](#)
23. Consider approval of a resolution authorizing City Fest featuring the annual State of the City and setting the estimated budget.
(Item Presenter: Rachel Sonnier, Director of Communications)

- [Exhibit 1 - Staff Memo](#)
- [Exhibit 2 - Presentation](#)
- [Exhibit 3 - Resolution](#)

24. Consider directing the City Manager to evaluate the possibility of moving the historic oak tree on Stagecoach Road.
(Item Presenter: Lauralee Harris, Council Member)
25. Council to discuss and designate a City of Kyle representative to serve on the Hays County Mental Health Coordinating Committee.
(Item Presenter: Bear Heiser, Council Member)
26. Discussion and possible action to direct city manager and staff to review and increase parking lot lighting at older parks throughout city.
(Item Presenter: Miguel A. Zuniga PhD, Council Member)
27. Discussion to review Charter Review Commission and councilmember charter amendment process and timelines.
(Item Presenter: Miguel A. Zuniga PhD, Council Member)
28. Consider directing the City Manager to hire a consultant to analyze existing city council district boundaries.
(Item Presenter: Bear Heiser, Council Member)

X. Executive Session

29. 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 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.
 - 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 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.

- 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 Project Lone Oak; **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.
- 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 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.
- 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 Project Connect Four; **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.
- 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 the City's construction contract with Stoddard Enterprise LLC and/or other legal issues related to La Verde Park and other City-owned property at or near Kohlers Crossing and Burnham.

30. 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 12th day of April, 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.