



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

**Watch City Council Meetings at home on Spectrum 10 or
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 16, 2024 Special Meeting Minutes and April 16, 2024 Regular Meeting Minutes.
(Item Presenter: Jennifer Kirkland, TRMC, City Secretary)
[Exhibit 1 - April 16, 2024 Draft Special Minutes](#)
[Exhibit 2 - April 16, 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. Reports and Presentations

2. A proclamation recognizing Police Week (May 12 - 18).
(Item Presenter: Michael Tobias, Council Member)
3. A proclamation recognizing Air Quality Awareness Week (May 6-10).
(Item Presenter: Robert Rizo, Mayor Pro Tem)
4. A proclamation recognizing May 2024 as Mental Health Month.
(Item Presenter: Bear Heiser, Council Member)
5. Receive a report, hold a discussion, and provide staff direction on the Wireless Telecommunications Facilities regulations and placing telecom equipment on city infrastructure to improve wireless communications in the city.
(Item Presenter: Melissa McCollum, Chief Development Officer)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
6. Receive a report, hold a discussion, and provide staff direction regarding the construction activity of the Alliance Water segment "C" pipeline.
(Item Presenter: Graham Moore, P.E., Executive Director, Alliance Regional Water Authority)
[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

7. Receive a report, hold a discussion, and provide staff direction regarding a Property Improvement Program.
(Item Presenter: Melissa McCollum, Chief Development Officer)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)

V. Agenda Order

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

VI. Consent Agenda

9. Consider approval of a resolution authorizing an Interlocal Agreement (ILA) with Hays County for installation of sidewalk at Veterans Drive and Silverado.
(Item Presenter: Leon Barba, P.E., City Engineer)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Interlocal Agreement](#)
10. Consider approval of a final plat for Plum Creek Phase 2, Section 4B (SUB-23-0328) located at 836 Rikardson.
(Item Presenter: Jason Lutz, Planning Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Final Plat](#)
[Exhibit 4 - Summary Letter](#)
[Exhibit 5 - Landowner Authorization Form](#)
[Exhibit 6 - Deed](#)
[Exhibit 7 - Franchise Tax Account Status](#)
11. Consider approval of a contract with K. Friese & Associates in the amount of \$178,700 to complete 30% design for the Four Oaks Subdivision drainage improvements and Sledge Street culvert improvements.
(Item Presenter: Leon Barba, P.E., City Engineer)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Task Order](#)
12. Consider approval of a site plan for the La Verde parking lot (SD-24-0224) located at the northeast corner of Burnham and Doherty.
(Item Presenter: Will Atkinson, Director of Planning)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Site Plan](#)
[Exhibit 4 - Landscape Plan](#)
[Exhibit 5 - Deed](#)
[Exhibit 6 - ARC Approval Letter](#)

13. Consider approval of a resolution accepting Opal Ranch subdivision improvements.
(Item Presenter: Leon Barba, P.E., City Engineer)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
14. Consider approval of a resolution accepting Waterstone Boulevard improvements.
(Item Presenter: Leon Barba, P.E., City Engineer)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
15. Consider approval of a contract with CORE Office Interiors, through the BuyBoard, for the purchase and installation of office furniture and modular walls in the amount of \$183,861.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Contract](#)
16. Consider approval of a resolution authorizing the application for the United States Department of Transportation through the Consolidated Rail Infrastructure and safety improvements (CRISI) program for fiscal year 2024 in the amount of \$20,813,662.
(Item Presenter: Jesse Elizondo, Assistant City Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
17. Consider approval of a resolution vacating a dedicated, unnamed, public, 20' alley of Block 43 of the Original Town of Kyle, between N. Groos Street and N. Meyer Street and waiving fees related to subdivision plats for incorporating abandoned rights-of-way into adjacent property owners parcels.
(Item Presenter: Will Atkinson, Director of Planning)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
18. *(First and Final Reading)* Consider approval of an ordinance approving and authorizing the issuance and sale of the City of Kyle, Texas, Special Assessment Revenue Bonds, Series 2024 (Limestone Creek Public Improvement District Improvement Area #1B Project); and approving and authorizing related agreements.
(Item Presenter: Stephanie Leibe, Norton Rose Fulbright, City's Bond Counsel)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
19. *(First and Final Reading)* Consider approval of an ordinance of the City Council of the City of Kyle, Texas approving the 2024 Annual Update to the Service and Assessment Plan and Assessment Roll for the Limestone Creek Public Improvement District including the collection of the 2024 annual installments.
(Item Presenter: Stephanie Leibe, Norton Rose Fulbright, City's Bond Counsel)
[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Ordinance](#)

20. Consider 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 in Tax Increment Reinvestment Zone Number Two, City of Kyle, Texas 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.

(Item Presenter: Stephanie Leibe, Norton Rose Fulbright, City's Bond Counsel)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Resolution](#)

VII. Items Pulled from Consent Agenda

VIII. Consider and Possible Action

21. Consider approval of a resolution amending the City of Kyle policy on appointments for city boards, committees and commissions.

(Item Presenter: Jesse Elizondo, Assistant City Manager)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Resolution](#)

[Exhibit 4 - Policy Update Redline](#)

22. Consider approval of a resolution for an interlocal agreement by and between the City of San Marcos and the City of Kyle for a water sharing agreement.

(Item Presenter: Mike Murphy, Director of Water Utilities)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Resolution](#)

[Exhibit 4 - Agreement](#)

23. Consider approval of a resolution selecting a moderator for the 2024 Dialogue for Peace and Progress - Celebrating Juneteenth.

(Item Presenter: Rachel Sonnier, Director of Communications)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Resolution](#)

24. Consider execution of an agreement with Stantec Consulting Services, Inc. for the Design Services for Kyle Sportsplex: RFQ-2024-01 solicitation in an amount of \$549,300 for the initial phases of work.

(Item Presenter: Rosie Truelove, Director of Administrative Services)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Contract](#)

[Exhibit 4 - Scope of Work](#)

25. Consider approval of Task Order No. 5 with BGE, Inc. in the amount of \$437,847.30 for the preparation of the final design plans for the wastewater treatment plant access road.

(Item Presenter: Leon Barba, P.E., City Engineer)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Task Order](#)

IX. Executive Session

26. 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 downtown and park 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.
- 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 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 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 Stars are Bright **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.

- 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 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.
- 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 legal issues related to potential litigation and Equal Employment Opportunity Commission complaint(s) related to the City's reorganization.
- i. **Executive session pursuant to Texas Government Code §551.074** to discuss personnel issues, including deliberating the appointment, employment, evaluation, reassignment, duties, or discipline of public officers or employees (including, but not limited to, the City Manager).

27. Take action on items discussed in Executive Session.

X. 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 3rd day of May, 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.