**City Council Regular Meeting Agenda**
**Tuesday, November 17, 2026 7:00 PM**
**Kyle City Hall, Council Chambers,**
**100 W. Center Street, Kyle, TX 78640**

## I. Call Meeting to Order, Roll Call, and Excuse Absences

## II. Approval of Minutes

1. Consider approval of City Council meeting minutes:
   A. October 20, 2026 6P Special
   B. October 20, 2026 7P Regular
   (Item Presenter: Jennifer Kirkland, TRMC, City Secretary)
   Exhibit 1 - 2026 1020 Draft Special
   Exhibit 2 - 2026 1020 Draft Regular

## 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 will be provided with an opportunity to speak during this time period on any agenda item or any other matter concerning city business, and we ask they observe the three-minute time limit.

## IV. Agenda Order

2. Agenda Order per Rules of Council Sec. B1.
   (Item Presenter: Yvonne Flores-Cale, Mayor)

## V. Recognitions and Proclamations

3. A proclamation recognizing Turkeys Tackling Hunger Campaign.
   (Item Presenter: Marc McKinney, Council Member)

4. Introduction of Lucas Massie, the City of Kyle's new Director of Parks and Recreation.
   (Item Presenter: Jesse Elizondo, Assistant City Manager)
   Exhibit 1 - Staff Memo
   Exhibit 2 - Presentation

## VI. Consent Agenda

5. *(Second Reading)* Consider approval of an Ordinance, pursuant to City Council direction provided on September 15, 2026, (1) amending the City's water and wastewater rates for customers located outside the City limits effective for water usage and wastewater service provided beginning in December 2026, (2) establishing rates for each outside-City customer class at 1.2 times the corresponding inside-City rates, (3) amending the City's FY 2026-27 Schedule of Rates, Fines, Fees & Charges, in accordance with rates as determined by the City Council upon first reading of this Ordinance, and (4) amending the Code of Ordinances Chapter 50, Sections No. 50-23 and 50-24 previously establishing the water and wastewater service rates for outside-City customers.
*City Council voted 6-0 to approve a rate of 1.2 times the corresponding inside-City rates on First Reading on October 20, 2026.*
(Item Presenter: Perwez A. Moheet, CPA, Interim City Manager & Director of Finance)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation
Exhibit 3 - Ordinance

6. Consider approval of a Resolution of the City Council of the City of Kyle, Texas ratifying the acceptance of Hays County funds in the amount of $35,000.00, for the Kyle Public Library, which the deadline to accept was October 9, 2026.
(Item Presenter: Leslie Scott, Director of Library Services)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation
Exhibit 3 - Grant Contract
Exhibit 4 - Resolution

7. Consider approval of a contract with Rucoba & Maya Construction, LLC in the amount of $205,579.60 plus a 20% contingency of $41,115.92 for a total contract value of $246,695.52 for the purpose of the Brent Boulevard Sidewalk Improvements project, which is expected to be reimbursed through Community Development Block Grant (CDBG) Funds.
(Item Presenter: Leon Barba, P.E., City Engineer)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation
Exhibit 3 - Brent Boulevard Sidewalk Improvements-Bid Tabulations
Exhibit 4 - Contract
Exhibit 5 - Recommendation Letter

8. Consider approval of a contract with Ram Rod Utilities, LLC, in the amount of $350,000.00, plus a 20% contingency of $70,000.00, for a total contract value not to exceed $420,000.00, for the construction of the Downtown Sewer Rehabilitation Project, which consists of rehabilitating approximately 2,100 linear feet of existing 6-inch vitrified clay pipe (VCP) sanitary sewer main using the pipe bursting method along West Allen Street and West Moore Street.
(Item Presenter: Mike Murphy, Director of Water Utilities)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation
Exhibit 3 - Bid Award Recommendation Letter
Exhibit 4 - Contract

9. Consider approval of a Resolution authorizing the Interim City Manager, or designee, to accept and execute all documents necessary for a sidewalk easement from Vertical Chapel, for the Vertical Chapel site development, containing 0.0881-acre (3,839 SF) of sidewalk easement.
(Item Presenter: Leon Barba, P.E., City Engineer)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation
Exhibit 3 - Resolution
Exhibit 4 - Easement

10. Consider approval of Amendment No. 1 to Task Order No. 1 with WGI, Inc. for 100% design, bidding and construction phase services, easement acquisition assistance, culvert and headwall structural services, and FEMA Letter of Map Revision (LOMR) services for the Goforth Road Culvert Replacement Project, in the amount of $197,340.00, for a total contract amount of $297,165.00.
(Item Presenter: Leon Barba, P.E., City Engineer)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation
Exhibit 3 - Amendment

11. Consider approval of a Resolution authorizing the Interim City Manager to execute all documents necessary to purchase 4,663 SF (0.1070 AC) of right of way and 1,644 SF (0.0377 AC) of grading easement in two parts from J. Reyes Auto LLC, for the purpose of improvements to the eastern segment of the Bebee Road project for the 2022 Road Bond, in an amount of $92,190.00, plus an estimated $2,000.00 for reasonable closing cost.
(Item Presenter: Leon Barba, P.E., City Engineer)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation
Exhibit 3 - Resolution
Exhibit 4 - Purchase Agreement

12. Consider approval of a Resolution of the City Council of the City of Kyle, Texas authorizing the Interim City Manager, or designee, to execute all documents necessary to grant a utility easement to Pedernales Electric Cooperative, Inc., at 246 Republic Drive, containing a 15’ wide utility easement at no cost to the City.
(Item Presenter: Leon Barba, P.E., City Engineer)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation
Exhibit 3 - Resolution
Exhibit 4 - Utility Easement

## VII. Items Pulled from Consent Agenda

## VIII. Reports and Presentations

13. Review unaudited year-to-date Budget Performance Reports for revenues, expenditures, and fund balances for the City's four major operating funds to include General Fund, Water Utility Fund, Wastewater Utility Fund, and Storm Drainage Utility Fund as of September 30, 2026 for Fiscal Year 2025-26, and as of October 31, 2026 for Fiscal Year 2026-27 respectively.
(Item Presenter: Holly Holt-Torres, Assistant Director of Finance)

Exhibit 1 - Staff Memo
Exhibit 2 - Presentation

14. Pursuant to City Council direction on October 20, 2026, receive a report, hold a discussion, and provide staff feedback regarding the evaluation for the design of the new Kohlers and Bebee Road roundabout and the quality of work performed by the contractor.
(Item Presenter: Leon Barba, P.E., City Engineer)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation
Exhibit 3 - Kohlers Bebee W Preliminary Inspection Memo

15. Receive a report, hold a discussion, and provide staff feedback regarding City of Kyle holiday special events through the month of December 2026.
(Item Presenter: Lucas Massie, Director of Parks and Recreation)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation

16. Receive a report, hold a discussion, and provide staff feedback regarding adopting a policy regarding record-keeping for Executive/Closed Session Council Meetings.
(Item Presenter: Jennifer Kirkland, TRMC, City Secretary)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation

## IX. Consider and Possible Action

17. *(First and Final Reading)* Consider approval of an Ordinance of the City of Kyle, Texas, calling a Runoff Election on Saturday, December 12, 2026, for the purpose of electing a Mayor and a Council Member District 4; providing for early voting and for notice of the election; and providing for other matters relating to the election and setting an effective date.
(Item Presenter: Jennifer Kirkland, TRMC, City Secretary)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation
Exhibit 3 - Ordinance
Exhibit 4 - Draft Notice of Runoff Election
Exhibit 5 - Draft Order of Runoff Election
Exhibit 6 - Cost Estimate

18. *(First Reading)* Consider approval of an Ordinance amending the Code of Ethics to specifically require recusal on any item for which the person or business entity seeking to do business with the City, or an interested party thereof, has provided a campaign contribution of $500 or more to the elected official in the preceding 24 months.
*The Ethics Commission voted 6-0 to recommend approval on 10/6/2026.*
(Item Presenter: Aimee Alcorn-Reed, City Attorney)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation
Exhibit 3 - Ordinance

19. *(First Reading)* Consider approval of an Ordinance amending Section 29-12 of the City's Code of Ordinances to clarify requirements related to the posting of political signs on public property that serves as a polling location in accordance with the Texas Election Code.
(Item Presenter: Aimee Alcorn-Reed, City Attorney)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation
Exhibit 3 - Ordinance

20. Consider approval of a Resolution authorizing the Interim City Manager to negotiate and finalize an agreement ensuring long-term occupancy and/or ownership of the property located at 107 Veterans for VFW Post #12058 or Veterans and Neighbors Community Center, a qualified non-profit corporation.
(Item Presenter: Aimee Alcorn-Reed, City Attorney)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation
Exhibit 3 - Resolution

21. *(First Reading)* Consider approval of an Ordinance to convert the intersection of Physicians Way & Kyle Center Drive from its current two-way stop controlled configuration to an all-way stop-controlled intersection.
(Item Presenter: Leon Barba, P.E., City Engineer)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation
Exhibit 3 - Ordinance
Exhibit 4 - Internal Memo
Exhibit 5 - Memo Appendix A
Exhibit 6 - Memo Appendix B

## X. City Council Items

22. Direct the City Manager to develop and bring back a proposed policy limiting the City's and Kyle Police Department's cooperation, assistance, and voluntary interactions with Immigration and Customs Enforcement, with the policy prepared for immediate implementation under the incoming state administration.
(Item Presenter: Claudia Zapata, Council Member)

23. Direct the City Manager to bring back an ordinance amending the City's development regulations to define data center and high-intensity data processing facilities and prohibit them as an allowed use in all zoning districts within the City of Kyle.
(Item Presenter: Claudia Zapata, Council Member)

24. Pursuant to City Council direction on October 20, 2026, consideration and discussion of options for and approval of a process to engage an executive search firm to assist the City Council in the recruitment and selection of the next City Manager for the City of Kyle, including the process to be followed for:
(1) Development of desired candidate profile, qualifications, experience, attributes and other requirements.
(2) Recruitment strategy, evaluation process, and final selection process.
(3) Estimated timeline.
(4) Projected costs.
(Item Presenter: Perwez A. Moheet, CPA, Interim City Manager & Director of Finance)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation

25. Pursuant to direction and prioritization from the City Council on July 21, 2026, review and approve the requirements set forth in the proposed Request for Proposals (RFP) and authorize the Interim City Manager to proceed with issuing the RFP to solicit proposals and cost estimates from qualified firms to conduct an independent forensic audit based examination of the City's executive management decisions, management practices undertaken, and related contributing factors that resulted in the decline in the City's General Fund reserves from approximately $34.2 million in Fiscal Year 2022-23 to a projected low of $10.3 million in Fiscal Year 2025-26, to investigate any allegations of mismanagement by executive management, and to present a final report to City Council by April 6, 2026.
(Item Presenter: Perwez A. Moheet, CPA, Interim City Manager & Director of Finance)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation

## XI. 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:
        i. Consult with the City Attorney concerning the latest counterproposal (#2) received from the Municipal Utility District (MUD) petitioners representing utility customers within Anthem MUD, Crosswind MUD, and LaSalle MUD to resolve the water and wastewater rate appeal filed with the Texas Public Utility Commission under Docket No. 58988.
        ii. Consult with the City Attorney concerning legal issues related to pending or anticipated litigation in the matter of *Kyle Development Partners, LLC v. City of Kyle and Melissa McCollum*, City's former Chief Development Officer.
        iii. Consult with the City Attorney concerning legal issues related to the City Charter and the City's Code of Ethics as related to the investigation into the relationship between the former mayor and American Structurepoint.
    b. **Executive session pursuant to Texas Government Code §551.071** and Texas

Disciplinary Rules 1.05 **and pursuant to Texas Government Code §551.072** to:

i. Consult with the City Attorney concerning legal issues related to the possible purchase, exchange, lease, or value of real estate needed for transportation improvements and related infrastructure, including, but not limited to the City's road bond projects, including, but not limited to the properties needed for the Kyle Parkway Lehman extension project (Ronald Lee Divine and Bari Lynn Divine).

27. Take action on items discussed in Executive Session.

## XII. Consider and Possible Action Following Executive Session

28. Consider approval of a motion providing direction to the City Attorney and/or Interim City Manager related to the investigation into the relationship between the former mayor, Travis Mitchell, and American Structurepoint, Inc.
(Item Presenter: Aimee Alcorn-Reed, City Attorney)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation

29. Consider approval of a Resolution authorizing the Interim City Manager to execute all documents necessary to purchase 211,702 SF (4.86 AC) of right of way from Roland Lee Divine and Bari Lynn Divine for the purpose of improvements to the Kyle Parkway Lehman Extension project, in an amount of $1,164,361.00 plus an estimated $7,000.00 for reasonable closing costs.
(Item Presenter: Leon Barba, P.E., City Engineer)
Exhibit 1 - Staff Memo
Exhibit 2 - Presentation
Exhibit 3 - Resolution
Exhibit 4 - Purchase Agreement

## XIII. 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 10th day of November, 2026, prior to 5:45 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://forms.cityofkyle.gov/Public-Meetings-ADA-Accommodation-Request-Form or call (512) 262-1010, 48 hours in advance of the meeting.