



**City Council Regular Meeting Agenda
Wednesday, October 2, 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. Consider approval of the City Council September 17, 2024 Special Meeting Minutes and September 17, 2024 Regular Meeting Minutes.

(Item Presenter: Jennifer Kirkland, TRMC, City Secretary)

[Exhibit 1 - 2024 0917 Draft Special Minutes](#)

[Exhibit 2 - 2024 0917 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 approval of a resolution to reappoint Eddie Brown to Seat 2 and Julian Hernandez to Seat 4 for a two-year term expiring September 2026; to appoint Henry Siller to Seat 6 for a two-year term expiring September 2026; to appoint Spencer Violette to Seat 3 for a term to expire September 2025; and to appoint Dr. Giao Phan as an ex officio member of the Economic Development and Tourism Board.

(Item Presenter: Victoria Vargas, Director of Economic Development)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Resolution](#)

4. Consider approval of a resolution to reappoint Neil Stegall to Seat 4; and to appoint Jake Webb to Seat 2 and Jacob Houk to Seat 6 of the Planning and Zoning Commission for two-year terms expiring September 2026.

(Item Presenter: Melissa McCollum, Chief Development Officer)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Resolution](#)

5. Consider approval of a resolution to reappoint Brook Pillifant to Seat 2 for a two-year term expiring September 2026, and appoint Anabel Gomez to Seat 1, and Melissa Spence to Seat 3 to fill vacancies expiring September 2025 to the Arts and Cultural Board.

(Item Presenter: Amber Schmeits, Assistant City Manager)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Resolution](#)

VI. Reports and Presentations

6. A proclamation recognizing Domestic Violence Awareness Month.

(Item Presenter: Daniela Parsley, Council Member)

7. A proclamation recognizing 2024 World Homeless Day.

(Item Presenter: Lauralee Harris, Council Member)

8. Receive a report, hold a discussion, and provide staff direction 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](#)

9. Receive a report, hold a discussion, and provide staff direction regarding Project Sahara.

(Item Presenter: Melissa McCollum, Chief Development Officer)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

VII. Consent Agenda

10. Consider approval of a resolution approving the City of Kyle Economic Development Strategic Plan.

(Item Presenter: Victoria Vargas, Director of Economic Development)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Resolution](#)

[Exhibit 4 - Economic Development Strategic Plan](#)

11. Consider approval of a resolution for a sponsorship and fee waiver for the usage of Krug Activity Center for the Hays County Community Emergency Response Team (CERT) Award Dinner.

(Item Presenter: David Lopez, Director of Parks & Recreation)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Resolution](#)

12. Consider approval of a resolution for a sponsorship of the St. Anthony's 113th Fiesta on October 19, 2024 for the use of a city-owned 20'x40' tent.

(Item Presenter: David Lopez, Director of Parks & Recreation)

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

13. *(First Reading)* Consider approval of an ordinance amending Chapter 5 of the City of Kyle Code of Ordinances per the Interlocal Agreement (ILA) with the City of San Marcos, TX for the San Marcos Regional Animal Shelter.
(Item Presenter: Jeff Barnett, Chief of Police)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
14. *(Second Reading)* Consider approval of an Ordinance amending the Chapter 26 of the Code of Ordinances, Parks General Use, to add Section 26-92, Community Garden Rules, which authorizes the City Manager, or designee, to establish rules for the use of the Community Garden at Post Oak.
City Council voted 7-0 to approve on first reading on 9/17/2024
(Item Presenter: David Lopez, Director of Parks & Recreation)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
[Exhibit 4 - Community Garden Rules](#)
15. Consider approval of a resolution authorizing the City Manager to reject all proposals received for RFP 2024DD-01 for State Lobbying Services.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
16. Consider approval of a purchase order to the Hays County Treasurer for the City of Kyle's portion of the Combined Emergency Communications Center operations and maintenance in the amount of \$122,989.98 via the interlocal agreement with Hays County.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Invoice](#)
[Exhibit 4 - Interlocal Agreement](#)
17. Consider approval of a resolution authorizing a letter agreement with Rex and Mary Weigand to provide a 15-year extension to the non-annexation Development Agreement.
(Item Presenter: Melissa McCollum, Chief Development Officer)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
18. Consider approval of a resolution authorizing a letter agreement with the successor(s) or trustee(s) of Patsy Sturdivant to provide a 15-year extension to the non-annexation Development Agreement.
(Item Presenter: Melissa McCollum, Chief Development Officer)

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

19. Consider approval of a resolution approving a new logo and branding for Kyle Public Library.
(Item Presenter: Leslie Scott, Director of Library Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
20. Consider approval of a resolution for a sponsorship for promotion of the Department of Veterans Affairs mobile unit being at the Kyle VFW on October 16 from 10 a.m. to 2 p.m. to provide resources for veterans' benefits and family support.
(Item Presenter: Rachel Sonnier, Director of Communications)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
21. Consider approval of a resolution authorizing a letter agreement with the successor(s) or trustee(s) of Henry Armbruster to provide a 15-year extension to the non-annexation Development Agreement.
(Item Presenter: Melissa McCollum, Chief Development Officer)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)

VIII. Items Pulled from Consent Agenda

IX. Consider and Possible Action

22. Consider approval of a resolution of the City of Kyle, Texas determining the costs of certain authorized improvements to be financed within Improvement Area #2 of the Plum Creek North Public Improvement District; Approving a Preliminary Service and Assessment Plan updated for Improvement Area #2, including a Proposed Improvement Area #2 Assessment Roll; Directing the filing of the Proposed Improvement Area #2 Assessment Roll with the city secretary to make available for public inspection; Noticing a public hearing for October 15, 2024 to consider an ordinance levying assessments on property located within Improvement Area #2 of the Plum Creek North Public Improvement District; Directing city staff to publish and mail notice of said public hearing; 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](#)

23. 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 (Plum Creek North Public Improvement District Improvement Area #2 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 - Plum Creek North PID IA#2 S2024 - PLOM](#)
24. *(First Reading)* Consider approval of an ordinance amending Chapters 11, 23, 29, 41 and 53 of the City of Kyle Code of Ordinances related to food trucks, hours of construction, sign, subdivision and zoning code.
• Public Hearing
(Item Presenter: Will Atkinson, Director of Planning)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
25. *(First Reading)* Consider approval of an ordinance amending building permit fees associated with the construction of residential ADA ramps and Home Improvement Program, which amends the fee schedule that was included in Appendix A and adopted as part of the as fiscal year 2024-25 budget.
• Public Hearing
(Item Presenter: Melissa McCollum, Chief Development Officer)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
[Exhibit 4 - Updated Fee Schedule](#)
26. Consider approval of a resolution authorizing the City Manager to execute all documents necessary to purchase properties located at 208-246 Republic Drive.
(Item Presenter: David Lopez, Director of Parks & Recreation)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
27. Consider approval of a resolution allocating American Rescue Plan Act 2021 funding to specific projects.
(Item Presenter: Amber Schmeits, Assistant City Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)

28. Consider approval of a resolution finding Public Convenience and Necessity and authorizing the use of eminent domain to condemn if necessary, a permanent utility easement over a 853 square foot parcel of land out of a called 1.41 acre tract of land situated in the John Pharass Survey, Section No. 13, Abstract No. 361, in Hays County, Texas, as conveyed to Howard Green, et al. at Volume 571, Page 68 of the deed records of Hays County, Texas, for the public use and purpose of construction of public water and wastewater infrastructure improvements. (ROLL CALL VOTE REQUESTED)
- (Item Presenter: Amber Schmeits, Assistant City Manager)
- [Exhibit 1 - Staff Memo](#)
- [Exhibit 2 - Presentation](#)
- [Exhibit 3 - Resolution](#)
- [Exhibit 4 - Property Description](#)

X. Staff Reports and Presentations

29. Receive a report, hold a discussion, and provide staff direction regarding an overview of the Library department.
- (Item Presenter: Leslie Scott, Director of Library Services)
- [Exhibit 1 - Staff Memo](#)
- [Exhibit 2 - Presentation](#)
30. Receive a report, hold a discussion, and provide staff direction on the design process for Lake Kensington Nature Park.
- (Item Presenter: David Lopez, Director of Parks & Recreation)
- [Exhibit 1 - Staff Memo](#)
- [Exhibit 2 - Presentation](#)
31. Receive a report, hold a discussion, and provide staff direction regarding the 2025 Kyle Fair-A Tex-Travaganza.
- (Item Presenter: David Lopez, Director of Parks & Recreation)
- [Exhibit 1 - Staff Memo](#)
- [Exhibit 2 - Presentation](#)

XI. Executive Session

32. 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 and recreation use, 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 the acquisition of downtown property for municipal purposes; **and pursuant to Texas Government Code §551.072** to discuss the possible purchase, exchange, lease, or value of real estate related 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 the acquisition of property for water and wastewater utility 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.
- 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 the acquisition of property for municipal purpose, including 208-246 Republic Drive; **and pursuant to Texas Government Code §551.072** to discuss the possible purchase, exchange, lease, or value of real estate 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 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 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 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 related 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 water and wastewater infrastructure, including the City's wastewater treatment plant.
- 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 the process for the City to change names of existing and/or planned streets.

33. Take action on items discussed in Executive Session.

XII. 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 27th day of September, 2024, prior to 5:30 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.