



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

Watch at: Spectrum 10; www.cityofkyle.com/communications/city-videos-kyle-10.

I. Call Meeting to Order and Roll Call

II. Approval of Minutes

1. Consider approval of the City Council October 15, 2024 Special Meeting Minutes and October 15, 2024 Regular Meeting Minutes.
(Item Presenter: Jennifer Kirkland, TRMC, City Secretary)
[Exhibit 1 - 2024 1015 Draft Special](#)
[Exhibit 2 - 2024 1015 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 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. Reports and Presentations

3. A proclamation recognizing Turkeys Tackling Hunger Campaign.
(Item Presenter: Robert Rizo, Mayor Pro Tem)

VI. Consent Agenda

4. Consider approval of a resolution authorizing an administrative services agreement with Empower Retirement, LLC for deferred compensation financial services.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Agreement](#)
[Exhibit 5 - Proposal](#)
5. Consider approval of a contract with Decker Mechanical, Inc. for the installation of three infrared radiant tube heaters in the truck bay of the Public Works building in the amount of \$76,589.77 via the BuyBoard cooperative contract.
(Item Presenter: Rosie Truelove, Director of Administrative Services)

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

6. Consider approval of a contract with Axis Construction, L.P. to install four water tank mixing systems on the elevated storage tanks at Yosemite, Post Oak, Dacy Lane, and Well #3 in the amount of \$112,926 via the BuyBoard cooperative contract.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
7. Consider approval of Task Order #4 with WGI, Inc. to determine future right of way needs for unnamed private road using current and projected traffic, drainage system demands, and the City's comprehensive plan goals and other right of way elements (landscaping, utilities, etc.) in the amount of \$61,840.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Task Order](#)
8. Consider approval of a resolution to cast all 226 total votes allocated to the City of Kyle to elect Mayor Pro Tem Robert Rizo as named on the official ballot for the election to serve on the Board of Directors of the Hays Central Appraisal District for the 2025 term of office.
(Item Presenter: Perwez A. Moheet, CPA, Director of Finance)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Hays CAD Board Election Packet](#)
9. Consider approval of a resolution reappointing Jessica Robinson to Seat 1, Joi Torres to Seat 3, Spencer Copeland to Seat 5, and Mary Landrum to Seat 7 of the Library Board with terms expiring September 2026.
(Item Presenter: Leslie Scott, Director of Library Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
10. Consider approval of a contract with Evoqua Water Technologies, LLC for the purchase of Bioxide BP71 wastewater odor control chemicals for Kyle's wastewater collection system in the amount of \$100,000 for the initial contract term for a total not to exceed amount of \$500,000.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)

11. Consider approval of an amendment to the contract with Thirkettle Corporation, dba Aqua Metric, in the amount of \$600,000 for Sensus water meters and associated equipment to meet the requirements of Kyle's current water metering program for fiscal year 2025.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Amendment](#)
[Exhibit 4 - Agreement](#)
12. Consider approval of a resolution authorizing an agreement with Doucet & Associates, Inc. for survey and engineering services of the Quail Ridge sewer system in the amount of \$86,620.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Agreement](#)
13. Consider approval of a contract with Doggett Freightliner of South Austin LLC for the purchase of a new Freightliner 114SD Keewac Septic Tank Truck in the amount of \$292,998.00 via The Interlocal Purchasing System (TIPS) cooperative purchasing contract.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
14. Consider approval of a contract with Doggett Freightliner of South Austin LLC for the purchase of a new Freightliner 3-cubic yard combination Vactor unit in the amount of \$371,216.52 via The Interlocal Purchasing System (TIPS) cooperative purchasing contract.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
15. Consider approval of an amendment to the contract with Solid Border, Inc., in the amount of \$27,964.19 for Palo Alto and Barracuda network security software licenses for a new not to exceed amount of \$52,637.59.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Amendment](#)
[Exhibit 4 - Agreement](#)
16. Consider approval of a resolution approving a policy to establish a community lockbox program within the City of Kyle, Texas.
(Item Presenter: Jeff Barnett, Chief of Police)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)

[Exhibit 3 - Resolution](#)

[Exhibit 4 - Policy](#)

17. Consider approval of a resolution approving a policy for the establishment of warming and cooling centers within the City of Kyle, Texas.
(Item Presenter: Jeff Barnett, Chief of Police)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Activation Policy](#)
18. Consider approval of a contract with E.H. Wachs for the purchase of a new Wachs water valve maintenance skid and service body in the amount of \$152,270.82 via the BuyBoard cooperative.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
19. Consider approval of a resolution authorizing an agreement with Hays County Food Bank for a food distribution program in the amount of \$15,000.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Agreement](#)
20. Consider approval of a resolution of the City of Kyle, Texas, Calling a Runoff Election on Saturday, December 14, 2024, for the purpose of electing a Council Member District 5; 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 - Runoff Resolution](#)
[Exhibit 4 - Draft Notice of Runoff Election](#)
[Exhibit 5 - Draft Order of Runoff Election](#)
21. Consider approval of Task Order No. 7 to Pape Dawson Consulting Engineers, LLC, for PS&E design of the Center Street (On-System) project of the 2022 Road Bond Program in the amount of \$1,492,833.09.
(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](#)
22. Consider approval of Task Order No. 11 to Pape Dawson Consulting Engineers, LLC, for PS&E design of the Jack C Hays Trail portion of the Center Street (On-System) project of the 2022 Road Bond Program in the amount of \$887,275.09.
(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](#)

23. Consider approval of a resolution authorizing a wholesale water agreement with Texas Water Utilities, L.P. for the take-or-pay purchase of 20,000 gallons of water per day for the property located at or near I-35 and Windy Hill.

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

[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Agreement](#)

VII. Items Pulled from Consent Agenda

VIII. Consider and Possible Action

24. Consider Approval of A Resolution Finding Public Convenience and Necessity And Authorizing The Use of Eminent Domain To Condemn If Necessary a 3,112 Square Foot Parcel of Land in Fee Simple (as described in Exhibit 4) From Certain Real Property Owned By Martha Faye Prado, For The Public Use And Purpose of Construction Of Public Roadway Improvements for Old Stagecoach Road.

(Item Presenter: Amber Schmeits, Assistant City Manager)

[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Property Description](#)

25. *(First and Final Reading)* Consider approval of an ordinance of the City of Kyle, Texas approving the Amended and Restated Project and Finance Plan for Tax Increment Reinvestment Zone Number Four, City of Kyle, approving the expansion of the TIRZ Board, adding additional projects and expanding the boundaries of the zone; approving an interlocal agreement pertaining to the zone; and other matters related thereto.

- Public Hearing

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

[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Notice of Public Hearing](#)
[Exhibit 4 - Ordinance](#)

26. Consider approval of a resolution authorizing an agreement with Diamond Communications, LLC for the lease of wireless telecommunication space on city-owned properties.

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

[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Evaluation Matrix](#)

27. Consider approval of an ordinance authorizing Amendment No. 1 to the contract with Archer Western Contractors, LLC for Phase II construction of the FM 1626 Ground Storage Tank and Pump Station Improvements project in the amount of \$19,319,167 with a new total contract amount of \$44,319,167.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
[Exhibit 4 - Agreement](#)
[Exhibit 5 - Contractor Proposal](#)
28. Consider approval of a construction contract with Prota, Inc. for the construction of the elevated storage tanks, ground storage tanks, and pump station at CR 158 in an amount not to exceed \$14,945,000.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Bid Tabulation](#)
[Exhibit 4 - Recommendation](#)
[Exhibit 5 - Agreement](#)
29. Consider approval of a resolution authorizing the City's cost participation in the construction of the Hoover Drive Elevated Storage Tank in the amount of \$2,181,183.77 in accordance with the FM 150 Water Facilities Service, Financing, and Construction Agreement
(Item Presenter: Mike Murphy, Director of Water Utilities)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - FM 150 Agreement](#)
[Exhibit 5 - Blanco River Ranch Agreement](#)
30. Consider approval of a resolution authorizing an agreement with Taknek, LLC for the construction of a non-potable water pump station and all appurtenances at the City of Kyle wastewater treatment plant in an amount not to exceed \$4,154,449.20, and rejecting the low bidder, CivCon, as non-responsible.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Agreement](#)
[Exhibit 5 - Bid Tabulation](#)
31. Consider approval of a resolution adopting criteria for use in the redistricting process and provide feedback on example Plan A provided by Bickerstaff Heath Delgado Acosta LLP.
(Item Presenter: Aimee Alcorn-Reed, City Attorney)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Example Plan A](#)

32. Consider approval of a resolution authorizing the City Manager or designee to execute an Agreement Regarding Water Service Area Transfer with Texas Water Utilities, L.P. for service of the Newquest development.
 - Public Hearing
(Item Presenter: Mike Murphy, Director of Water Utilities)
[Exhibit 1 - CCN Transfer](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Agreement](#)
33. Consider directing the City Manager to evaluate the needs and advantages of implementing a K-9 unit within the Kyle Police Department, and possible actions to propose a budget amendment to initiate the program.
(Item Presenter: Daniela Parsley, Council Member)
34. Consider directing the City Manager to develop a housing strategy for the city of Kyle that creates a summary of our current housing inventory, affordability gaps, and strategies for diversifying our housing options moving forward.
(Item Presenter: Bear Heiser, Council Member)

IX. Staff Reports and Presentations

35. 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](#)
36. Receive a report, hold a discussion, and provide staff direction on the creation of a Customer Assistance Program for residential utility accounts.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Draft Policy](#)

X. Executive Session

37. 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 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.
- 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 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 water and wastewater Certificates of Convenience and Necessity for the City of Kyle and related to the existing agreement with Caraway Cattle Company Family Partnership, LLP, Transwestern Development Company, LLC, and/or Newquest Equity, LLC, and/or issues related to the Public Utility Commission review of petitions for removal from the City's CCN.
- 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 the City's agreement with the City of San Marcos for animal shelter services and/or the construction and staffing of a City-owned animal shelter; **and pursuant to Texas Government Code §551.072** to discuss the possible purchase, exchange, lease, or value of real estate related to same.

38. 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 November, 2024, prior to 5:15 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.