



**City Council Regular Meeting Agenda
Tuesday, August 20, 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, Roll Call, and Excuse Absences

II. Approval of Minutes

1. Consider approval of the City Council August 3, 2024 Special Meeting Minutes, August 6, 2024 Special Meeting Minutes, and August 6, 2024 Regular Meeting Minutes.

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

[Exhibit 1 - August 3, 2024 Draft Special Minutes](#)

[Exhibit 2 - August 6, 2024 Draft Special Minutes](#)

[Exhibit 3 - August 6, 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. Reports and Presentations

3. Receive a presentation on the Hays County Health Department updated strategic plan.
(Item Presenter: Matthew Gonzales, Department Manager, Hays County Health Department)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

4. Receive a report, hold a discussion, and provide staff direction regarding the Economic Development and Tourism Board's research into hotel occupancy revenues.
(Item Presenter: Victoria Vargas, Director of Economic Development)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

VI. Consent Agenda

5. Consider approval of a resolution acknowledging the alignment of the easement for the Claravista Water Line Project and acknowledging the project as serving a public purpose for public use.
(Item Presenter: Amber Schmeits, Assistant City Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Alignment](#)
6. Consider approval of an agreement with Thirkettle Corporation dba Aqua Metric for the purchase of Sensus water meters and associated equipment to meet the requirements of Kyle's current water metering program in the amount of \$385,695 via the Houston-Galveston Area Council cooperative contract.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
7. *(Second Reading)* Consider approval of an ordinance approving the 2024 Service and Assessment Plan Update for the Porter Country Public Improvement District.
Council voted 7-0 to approve on first reading on 8/6/2024
(Item Presenter: Stephanie Leibe, Norton Rose Fulbright, City's Bond Counsel)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
[Exhibit 4 - Porter Country SAP](#)
8. *(Second Reading)* Consider approval of an ordinance approving the 2024 Service and Assessment Plan Update for the Plum Creek North Public Improvement District.
Council voted 7-0 to approve on first reading on 8/6/2024
(Item Presenter: Stephanie Leibe, Norton Rose Fulbright, City's Bond Counsel)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
[Exhibit 4 - Plum Creek North SAP](#)
9. *(Second Reading)* Consider approval of an ordinance approving the 2024 Service and Assessment Plan Update for the 6 Creeks Public Improvement District.
Council voted 7-0 to approve on first reading on 8/6/2024
(Item Presenter: Stephanie Leibe, Norton Rose Fulbright, City's Bond Counsel)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
[Exhibit 4 - 6 Creeks SAP](#)
10. *(Second Reading)* Consider approval of an ordinance approving the 2024 Service and Assessment Plan Update for the Southwest Kyle Public Improvement District.
Council voted 7-0 to approve on first reading on 8/6/2024
(Item Presenter: Stephanie Leibe, Norton Rose Fulbright, City's Bond Counsel)
[Exhibit 1 - Staff Report](#)
[Exhibit 2 - Presentation](#)

[Exhibit 3 - Ordinance](#)
[Exhibit 4 - SW Kyle SAP](#)

11. *(Second Reading)* Consider approval of an ordinance approving the 2024 Service and Assessment Plan Update for the Kyle 57 Public Improvement District.
Council voted 7-0 to approve on first reading on 8/6/2024
(Item Presenter: Stephanie Leibe, Norton Rose Fulbright, City's Bond Counsel)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
[Exhibit 4 - Kyle 57 SAP](#)
12. *(Second Reading)* Consider approval of an ordinance amending Chapter 53 (Zoning) of the Code of Ordinances, to rezone approximately 1.5 acres of land from 'A' (Agriculture) to 'RS' (Retail Services) for property located at 1417 Bunton Creek Road. (Z-23-0124).
The Planning and Zoning Commission recommended approval of 'CC' (Community Commercial) zoning in lieu of 'RS' (Retail Services).
Council voted 6-0 to approve on first reading on 8/6/2024
(Item Presenter: Jason Lutz, Planning Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Draft Zoning Ordinance](#)
[Exhibit 4 - Legal Description](#)
[Exhibit 5 - Summary Request Letter](#)
[Exhibit 6 - Landowner Authorization Form](#)
[Exhibit 7 - Deed](#)
13. *(Second Reading)* Consider approval of an ordinance amending the sign and zoning code per Ch. 29 and Ch. 53 of the City of Kyle Code of Ordinances.
Council voted 6-0 to approve on first reading on 8/6/2024
(Item Presenter: Kaela Sharp, Senior Planner)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
14. Consider approval of Task Order No. 5 with HDR, in the amount of \$224,400 for design services to replace the City of Kyle's Supervisory Control and Data Acquisition (SCADA) system to manage water and wastewater infrastructure.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Proposal](#)
15. Consider approval of an agreement with GTS Technology Solutions, Inc. for the purchase of a security camera system for the Kyle Public Library including hardware, software, and maintenance support for a term of five years in the amount of \$94,401.42 via the Texas Department of Information Resources cooperative contract.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)

[Exhibit 3 - Agreement](#)

16. Consider approval of Task Order No. 2 to Mead and Hunt, Inc., in the amount of \$241,270 for the development and implementation of an industrial pretreatment program and a fats, oils, and grease program for wastewater treatment.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Task Order 2](#)
17. Consider approval of an interlocal agreement with the Capital Area Council of Governments for the donation of expired surplus armor supplies for use in their police academy for training purposes.
(Item Presenter: Jeff Barnett, Chief of Police)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - ILA - CAPCOG](#)
18. Consider approval of a resolution authorizing an amendment to the Lease Agreement with Hays County Emergency Services District No. 5 (formerly Kyle Volunteer Fire Department).
(Item Presenter: Aimee Alcorn-Reed, City Attorney)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Amendment to Lease](#)
19. Consider approval of an Assessment and Collection Agreement between Hays County and the City of Kyle, Texas for Porter Country Public Improvement District.
(Item Presenter: Amber Schmeits, Assistant City Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
20. Consider approval of an Assessment and Collection Agreement between Hays County and the City of Kyle, Texas for Limestone Creek Public Improvement District.
(Item Presenter: Amber Schmeits, Assistant City Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
21. Consider approval of resolution approving a contract extension to the agreement with Uber Technologies, Inc., for continued transit services within the Kyle city limits and other areas as specified in the agreement through September 2025.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Amendment](#)

22. Consider approval of an amendment to the Interlocal Agreement with Plum Creek Watershed Partnership to move the services of the Watershed Coordinator under the Guadalupe Blanco River Authority.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Amendment](#)
23. Consider approval of resolution authorizing a co-sponsorship for Hats Off For Veterans to host the Veterans Jobs and Resource Fair.
(Item Presenter: David Lopez, Director of Parks & Recreation)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)

VII. Items Pulled from Consent Agenda

VIII. Consider and Possible Action

24. *(First Reading)* Consider approval of an ordinance adopting the annual budget for all City Funds for the ensuing Fiscal Year beginning October 1, 2024 and ending September 30, 2025; appropriating revenue and expenditure amounts thereof for all City Funds, authorizing rate increase for water and wastewater service rates, increase for solid waste service charges, all other proposed fees and charges for various City services as provided for in the Fee Schedule, capital improvement plan expenditures, and for the carryover of encumbrances, all associated schedules and documents; and repealing all ordinances in conflict herewith; and providing for an effective date. (ROLL CALL VOTE REQUESTED) (RELATED AGENDA ITEM 1 OF 3)
- Public Hearing
(Item Presenter: Perwez A. Moheet, CPA, Director of Finance)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
[Exhibit 4 - Budget Amendment #1 to Proposed FY 2025 Budget Approved on 8-3-2024](#)
[Exhibit 5 - Proposed Budget for FY 2024-2025 7-27-2024](#)
[Exhibit 6 - Budget Meeting Notice #4 - 8-14-2024](#)
[Exhibit 7 - Budget Meeting Notice #3 - 8-7-2024](#)
[Exhibit 8 - Budget Meeting Notice #2 - 7-31-2024](#)
[Exhibit 9 - Budget Meeting Notice #1 - 7-17-2024](#)
[Exhibit 10 - Encumbrances Carry-Forward From FY 2024 To FY 2025](#)

25. *(First Reading)* Consider approval of an ordinance of the City of Kyle, Texas, setting the ad valorem tax rate (property tax rate) for Fiscal Year 2024-2025 (Tax Year 2024) at \$0.4693 per \$100 of taxable assessed valuation, which consists of a maintenance and operation tax rate of \$0.2889 and an interest and sinking fund tax rate of \$0.1804, each of which is separately approved; providing for the levy of ad valorem taxes for use and support of the municipal government of the City of Kyle for the Fiscal Year beginning October 1, 2024 and ending September 30, 2025; providing for apportioning each tax levy for specific purposes; and providing when ad valorem taxes shall become due and when same shall become delinquent if not paid. (ROLL CALL VOTE REQUESTED - 5 VOTES REQUIRED) (RELATED AGENDA ITEM 2 OF 3)
- Public Hearing
- (Item Presenter: Perwez A. Moheet, CPA, Director of Finance)
- [Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
[Exhibit 4 - Resolution to Record City Council's Vote to Consider Proposal to Increase Property Tax for FY 2025 Approved 8-6-2024](#)
[Exhibit 5 - 2024 Certified Tax Rate Calculations](#)
[Exhibit 6 - 2024 Certified Assessed Valuations](#)
[Exhibit 7 - Notice of Public Hearing on Tax Increase FY 2025](#)
[Exhibit 8 - Notice About 2024 Tax Rates in Kyle](#)
[Exhibit 9 - Meeting Notice #4 FY 2025 8-14-2024](#)
[Exhibit 10 - Meeting Notice #3 - 8-7-2024](#)
[Exhibit 11 - Meeting Notice #2 - 7-31-2024](#)
[Exhibit 12 - Meeting Notice #1 - 7-17-2024](#)
26. *(First Reading)* Consider approval of an ordinance ratifying the property tax increase reflected in the budget for Fiscal Year 2024-2025 that will require raising more revenue from property taxes than in the prior fiscal year. (RELATED AGENDA ITEM 3 OF 3)
- (Item Presenter: Perwez A. Moheet, CPA, Director of Finance)
- [Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance for Budget Ratification FY 2025](#)
27. Consider and possible action to direct the City Manager to conduct a study and make recommendations regarding the establishment of a Committee on Aging.
(Item Presenter: Lauralee Harris, Council Member)
28. Consider and possible action to direct staff to bring back a resolution appointing Daniela Parsley, Council Member, and Mayor Pro Tem Robert Rizo as moderators for the Celebrating Hispanic Heritage Month Dialogue for Peace and Progress Event.
(Item Presenter: Daniela Parsley, Council Member)
29. Consider and possible action to direct the City Manager to develop a Customer Assistance Program for residential utility accounts.
(Item Presenter: Bear Heiser, Council Member)
30. Consider and possible action to direct the City Manager to create a Rain Barrel rebate program to be included in the City of Kyle's Water Conservation program.
(Item Presenters: Lauralee Harris and Bear Heiser, Council Members)

31. Consider and possible action to direct the City Manager to bring forward options for a program that offers rebates for residents to convert existing landscaping to Texas native plants or drought tolerant plants and/or xeriscaping for owner occupied residential properties.
(Item Presenters: Lauralee Harris and Bear Heiser, Council Members)
32. Consider and Possible Action to direct city manager and staff to solicit for quality of life study for people with disabilities.
(Item Presenter: Miguel A. Zuniga PhD, Council Member)
33. Consider and Possible Action to direct city manager and staff to implement a municipal integrity hotline to report fraud, waste, or abuse.
(Item Presenter: Miguel A. Zuniga PhD, Council Member)
[Exhibit 1 - Model of Integrity Line](#)

IX. Staff Reports and Presentations

34. Receive a report, hold a discussion, and provide staff direction regarding the Economic Development Strategic Plan.
(Item Presenter: Victoria Vargas, Director of Economic Development)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Economic Development Strategic Plan](#)
35. Receive a report, hold discussion, and provide staff direction regarding band options for the 2024 City Fest.
(Item Presenter: Rachel Sonnier, Director of Communications)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
36. Receive a report, hold a discussion, and provide staff direction regarding relocating the oak tree on Old Stagecoach Road.
(Item Presenter: Amber Schmeits, Assistant City Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Arborvaughan](#)
[Exhibit 4 - Bartlett Tree Experts](#)
[Exhibit 5 - Austin Tree Experts](#)
[Exhibit 6 - Heritage](#)
37. Receive a report, hold a discussion, and provide staff direction regarding the City's Lean Government Initiative.
(Item Presenter: Jesse Elizondo, Assistant City Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
38. Receive a report, hold a discussion, and provide staff direction regarding the proposed 2024 Grinch Festival.
(Item Presenter: Rachel Sonnier, Director of Communications)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)

X. Executive Session

39. 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 existing, proposed, and/or amended agreement(s) with ride-share companies, including Uber, operating within the City.
 - 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 potential or proposed agreements with Michael Moore and/or other owners or interested parties regarding the property located at or near 706 Groos Street.
 - 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 Chapter 41 of City's Code of Ordinances and related fees, including adjacent street or adjacent lane mile fees.
 - 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 Chapter 41 of City's Code of Ordinances related to sidewalks and related fees, including a developer's or landowner's obligation to construct sidewalks.
40. 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 16th day of August, 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.