



**City Council Regular Meeting Agenda
Tuesday, September 3, 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 August 15, 2024 Special Meeting Minutes, August 20, 2024 Special Meeting Minutes, and August 20, 2024 Regular Meeting Minutes.

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

[Exhibit 1 - August 15, 2024 Draft Special Minutes](#)

[Exhibit 2 - August 20, 2024 Draft Special Minutes](#)

[Exhibit 3 - August 20, 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. A proclamation recognizing Hispanic Heritage Month.
(Item Presenter: Daniela Parsley, Council Member)
4. A proclamation recognizing Hunger Action Month.
(Item Presenter: Lauralee Harris, Council Member)
5. A proclamation recognizing CAPCOG Preparedness Month.
(Item Presenter: Robert Rizo, Mayor Pro Tem)
6. Receive a report, hold a discussion, and provide staff direction regarding the intersection at Dacy Lane and Bunton Creek Road and the results of the traffic simulations performed at related intersections.
(Item Presenter: Joe Cantalupo, K Friese & Associates, City's 2022 Road Bond Program Manager)
[Exhibit 1 - Staff Memo](#)

VI. Consent Agenda

7. Consider approval of a resolution to record the annual review of the City's Investment Policy as required under the Public Funds Investment Act (PFIA) and to document findings that no significant changes to the policy or to the investment strategies are necessary in the 2024 review.
(Item Presenter: Perwez A. Moheet, CPA, Director of Finance)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Investment Policy 2024 Review & Update](#)
8. Consider approval of a Resolution to record the annual review and reaffirmation of the City's Debt Management Policy as established by City Ordinance Nos. 648 and 826.
(Item Presenter: Perwez A. Moheet, CPA, Director of Finance)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Ordinance 648 Debt Management Policy](#)
[Exhibit 5 - Ordinance 826 Repealing Debt Management Policy Section F-9](#)
9. Consider approval of an agreement for the addition of a delivery point with the Alliance Regional Water Authority (ARWA) and the City of Kyle in the amount of \$740,645.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
10. Consider approval of a contract with McGrath RentCorp, dba Mobile Modular Management Corporation for the purchase of modular office space in the amount of \$211,008 via the BuyBoard cooperative contract.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
11. Consider approval of an agreement with McGrath RentCorp, dba Mobile Modular Management Corporation, for the purchase of modular office furniture in the amount of \$36,570 via the Sourcewell cooperative contract.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)

12. Consider a resolution approving the Chapter 380 Agreement – Project Ember with M&A Kingdom Enterprises, LLC. (Hays Co. Bar-B-Que & Catering Inc) for a total amount not to exceed \$500,000, which includes a one-time grant up to \$400,000 and an amount equal to 50% of the city's real property taxes and 50% of the city's sales tax received for that site plus for the first three years up to \$100,000.
(Item Presenter: Victoria Vargas, Director of Economic Development)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - 380 Agreement](#)
13. *(First Reading)* Consider approval of an ordinance amending Chapter 17, Section 17-24, Methods of Reducing Flood Losses and Nuisance Conditions, of the City of Kyle Code of Ordinances related to stream buffer requirements.
(Item Presenter: Leon Barba, P.E., City Engineer)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
14. Consider approval of an agreement with Hays-Caldwell Women's Center in the amount of \$15,000 for services provided to adult, adolescent, and child victims of family or dating violence and to child witnesses of family violence.
(Item Presenter: Jeff Barnett, Chief of Police)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
15. Consider approval of a resolution authorizing Kyle Police Department to accept the Catalytic Converter Grant from the Motor Vehicle Crime Prevention Authority in the amount of \$131,750 with the City's share of 20% (\$26,350).
(Item Presenter: Jeff Barnett, Chief of Police)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Grant Application](#)
16. Consider approval of a contract with Flock Group, Inc for 20 automated license plate readers and 12 live view cameras in the amount of \$124,600 via a sole source exemption.
(Item Presenter: Jeff Barnett, Chief of Police)
[Exhibit 1- Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Flock Presentation](#)
[Exhibit 4 - Resolution](#)
[Exhibit 5 - Agreement](#)
17. Consider approval of a resolution adopting the City of Kyle's Strategic Plan.
(Item Presenter: Jesse Elizondo, Assistant City Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)

[Exhibit 4 - CoK Strategic Plan](#)

18. Consider approval of a resolution awarding RFQ 2024-01 for the Development Code rewrite to Freese & Nichols, Inc. and authorize the City Manager to negotiate a contract.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
19. Consider approval of a resolution selecting Mayor Pro Tem Robert Rizo and Council Member Daniela Parsley as moderators for the 2024 Dialogue for Peace and Progress - Celebrating Hispanic Heritage Month.
(Item Presenter: Rachel Sonnier, Director of Communications)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
20. Consider approval of Task Order No. 5 to Cobb, Fendley & Associates, Inc, for waterline and reclaimed waterline design along the Kyle Parkway/Lehman Road Extension project of the 2022 Road Bond Program in the amount of \$262,245.84.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Task Order](#)
21. Approve a resolution accepting a voluntary annexation petition for approximately 101.53 acres of land at 1000 Lehman Road and setting the public hearing date for September 17th, 2024 (ANNX-24-0022).
(Item Presenter: Will Atkinson, Director of Planning)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Summary Letter](#)
[Exhibit 5 - Petition](#)
[Exhibit 6 - Landowner Permission](#)
22. Consider approval of a resolution naming Carl Trim, Ret. United States Navy, as Grand Marshal for the 2024 Veterans Day Parade as recommended by the Parks and Recreation Board.
(Item Presenter: David Lopez, Director of Parks & Recreation)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
23. Consider a resolution adopting the City of Kyle Personnel Policy.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Draft Policy](#)

24. Consider approval of a contract with Granicus, LLC for software licenses in an amount not to exceed \$67,104.99 for the initial one-year contract with two one-year contract extensions for a total amount not to exceed \$215,735.84.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
25. Consider approval of an ordinance amending Chapter 38, Article IV, Division 3 - Permits related to excavations in the City right-of-way.
(Item Presenter: Mike Murphy, Director of Water Utilities)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
26. Consider approval of a real estate services agreement with Cushman Wakefield U.S., Inc. for the provision of commercial real estate services.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Brochure](#)
[Exhibit 4 - Brett Arabie Resume](#)
[Exhibit 5 - Agreement](#)
27. Consider approval of an amendment to the real estate services contract with Chris Torrey dba Elite Realty Advisors, which adds the properties located at 208-246 Republic Drive and 103 Burleson Street in Kyle.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Amendment](#)

VII. Items Pulled from Consent Agenda

VIII. Consider and Possible Action

28. Consider approval of a resolution finding Public Convenience and Necessity and authorizing the use of eminent domain to condemn if necessary, a 993 square foot permanent utility easement (as described in Exhibit “4”) from that certain 1.00 acre tract conveyed to SheNe M. Riggins-Sanderson and recorded at document number 20056354 of the official public 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](#)

29. Consider approval of a resolution finding Public Convenience and Necessity and authorizing the use of eminent domain to condemn if necessary, a 1,986 square foot permanent utility easement (as described in Exhibit “4”) from that certain remnant portion of a called 11.95 acre tract conveyed to Mary Lee Gipson Riggins and recorded at volume 719, page 89 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](#)
30. Consider approval of a resolution finding Public Convenience and Necessity and authorizing the use of eminent domain to condemn if necessary, a 1,772 square foot permanent utility easement (as described in Exhibit “4”) out of a called 1.40 acre tract conveyed to Charlene Gipson Alexandar and recorded at volume 719, page 89 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](#)
31. Consider approval of a resolution finding Public Convenience and Necessity and authorizing the use of eminent domain to condemn if necessary, a 4,522 square foot permanent utility easement (as described in Exhibit “4”) out of a called 14.01 acre tract conveyed to Jesse N. Falcon and Minerva L. Falcon in a deed recorded at volume 1160, page 421 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](#)
32. Consider approval of a resolution finding Public Convenience and Necessity and authorizing the use of eminent domain to condemn if necessary, a 5,659 square foot permanent utility easement (as described in Exhibit “4”) from that certain 3.00 acre tract conveyed to Charlene Gipson-Lawrence and recorded at document number 16008523 of the official public 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](#)

33. Consider approval of a resolution finding Public Convenience and Necessity and authorizing the use of eminent domain to condemn if necessary, a 4,044 square foot permanent utility easement (as described in Exhibit “4”) from that certain remnant portion of a called 10.55 acre tract conveyed to Charlene Gipson Alexandar and recorded at volume 719, page 89 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](#)
34. Consider approval of a resolution finding Public Convenience and Necessity and authorizing the use of eminent domain to condemn if necessary a 23,335 square foot permanent water line easement (as described in Exhibit 4) from that certain remnant portion of a 18.5754 acre tract conveyed to James Sterling Mattox and Janet Mary Kathryn Mattox by deed recorded as document number 180051238 of the official public records of Hays County, Texas, for the public use and purpose of construction of a water line and appurtenances. (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](#)
35. Consider approval of a non-exclusive public right of way License Agreement with Google Fiber Texas, LLC.
(Item Presenter: Amber Schmeits, Assistant City Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
36. *(Second 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
City Council voted 6-1 to approve on first reading on 8/20/2024
(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 Budget Approved on 8-3-2024](#)
[Exhibit 5 - Proposed Budget 7-27-2024](#)
[Exhibit 6 - Budget Meeting Notice #6 8-28-2024](#)

[Exhibit 7 - Budget Meeting Notice #5 8-21-2024](#)
[Exhibit 8 - Budget Meeting Notice #4 8-14-2024](#)
[Exhibit 9 - Budget Meeting Notice #3 8-7-2024](#)
[Exhibit 10 - Budget Meeting Notice #2 7-31-2024](#)
[Exhibit 11 - Budget Meeting Notice #1 7-17-2024](#)
[Exhibit 12 - Encumbrances Carry-Forward From FY 2024 To FY 2025](#)

37. *(Second 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

City Council voted 5-2 to approve on first reading on 8/20/2024

(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 #6 - 8-28-2024](#)

[Exhibit 10 - Meeting Notice #5 - 8-21-2024](#)

[Exhibit 11 - Meeting Notice #4 FY 2025 8-14-2024](#)

[Exhibit 12 - Meeting Notice #3 - 8-7-2024](#)

[Exhibit 13 - Meeting Notice #2 - 7-31-2024](#)

[Exhibit 14 - Meeting Notice #1 - 7-17-2024](#)

38. *(Second 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. (ROLL CALL VOTE REQUESTED) (RELATED AGENDA ITEM 3 OF 3)

City Council voted 5-2 to approve on first reading on 8/20/2024

(Item Presenter: Perwez A. Moheet, CPA, Director of Finance)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Ordinance for Budget Ratification FY 2025](#)

39. *(First Reading)* Consider approval of an ordinance reaffirming and authorizing the building permit fees as presented in the fiscal year 2024-25 budget.

- Public Hearing

(Item Presenter: Melissa McCollum, Chief Development Officer)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Ordinance](#)

40. Public Hearing concerning the expansion of the boundaries for Tax Increment Reinvestment Zone Number Four, pursuant to the provisions of Chapter 311 of the Texas Tax Code.

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

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Finance Plan](#)

[Exhibit 4 - Notice of Public Hearing for July 27, 2024](#)

[Exhibit 5 - Notice of Public Hearing for August 6, 2024](#)

41. Consider approval to award RFP 2024RB-06 to Capital Excavation Co for the Marketplace Avenue extension in an amount not to exceed \$7,704,628.40.

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

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Evaluation Matrix](#)

42. Consider approval of a resolution creating a Mosquito Surveillance and Abatement Policy for the City of Kyle.

(Item Presenter: Amber Schmeits, Assistant City Manager)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Resolution](#)

[Exhibit 4 - City of Kyle Mosquito Surveillance and Abatement Policy](#)

43. Consider approval of an agreement with Thirkettle Corporation dba Aqua Metric for the products and services to implement an Advanced Metering Infrastructure utility metering reading system in the amount of \$2,851,705.52 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](#)

IX. Staff Reports and Presentations

44. 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](#)

45. 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](#)

46. 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. City Council Requested Items

47. Consider directing the City Manager to create an emergency lockbox program for seniors and others at risk in the community.
(Item Presenter: Lauralee Harris, Council Member)

XI. Executive Session

48. 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 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.
 - 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 existing agreement with Caraway Cattle Company Family Partnership, LLP, Transwestern Development Company, LLC, and/or Newquest Equity,

LLC, including potential amendments thereto; **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 rate adjustment case for Texas Gas Service Company.
- 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 non-annexation development agreements under Sections 43.035 and 212.172 of the Texas Local Government Code, including existing agreements with Henry and Betty Armbruster, Rex and Mary Wiegand, and Patsy Sturdivant.

49. 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 30th 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.