



City Council Regular Meeting Agenda
Tuesday, December 3, 2024 7:00 PM
Kyle City Hall, 100 W. Center Street, Kyle, TX 78640

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I. Call Meeting to Order and Roll Call

II. Approval of Minutes

1. Consider approval of the City Council November 19, 2024 4:45 p.m. Special Meeting Minutes, November 19, 2024 6:00 p.m. Special Meeting Minutes, and November 19, 2024 Regular Meeting Minutes.
(Item Presenter: Jennifer Kirkland, TRMC, City Secretary)
[Exhibit 1 - 2024 1119 445P Draft Special](#)
[Exhibit 2 - 2024 1119 6P Draft Special](#)
[Exhibit 3 - 2024 1119 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. Consent Agenda

3. Consider approval of an addendum to the interlocal agreement by and between the City of San Marcos and the City of Kyle for water sharing, which would provide the ability to adjust capacity based on the needs of each party's Edwards Aquifer Authority permit.
(Item Presenter: Mike Murphy, Director of Water Utilities)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Addendum](#)
[Exhibit 4 - Interlocal Water Sharing Agreement](#)
4. Consider approval of a five-year agreement with K-3 Resources L.P. dba K-3BMI for sludge hauling services at the wastewater treatment plant for an amount of \$275,000 for each contract year.
(Item Presenter: Rosie Truelove, Director of Administrative Services)

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

5. Consider approval of a contract with 720 Design, Inc. for consulting services for a new library master plan in the amount of \$112,625.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
6. Consider approval of an agreement with Xylem, Inc. for the purchase of a six-inch trailer mounted diesel centrifugal vacuum assist pump in the amount of \$58,364.53 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 a resolution authorizing the City Manager to execute a Master Cooperative Purchase Agreement and join the North Carolina Sheriff's Association, Inc. purchasing cooperative.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Agreement](#)
8. Consider approval of a resolution authorizing a three-year contract with Governmentjobs.com, Inc. dba NEOGOV, in the amount of \$62,185.40 for the CoreHR, Learn, Perform, and single sign-on software licenses for a total not to exceed amount of \$231,328.72.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Agreement](#)
[Exhibit 5 - NEOGOV Service Agreement](#)

VI. Items Pulled from Consent Agenda

VII. Consider and Possible Action

9. Consider approval of a resolution authorizing a purchase agreement with NP Austin Industrial 2, LLC for a tract of land of 5.110 acres, an access easement parcel of 2.121 acres and two temporary construction easement parcels for a total of 4.356 square feet in an amount of \$1,420,346 and authorizing the City Manager to execute all documents necessary to acquire the property.
(Item Presenter: Amber Schmeits, Assistant City Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)

[Exhibit 3 - Resolution](#)
[Exhibit 4 - Purchase Agreement](#)
[Exhibit 5 - PUA](#)

10. Consider approval of a resolution appointing Sara Kerr to serve as the City's ethics compliance officer, and Christina Demiers to serve as the backup ethics compliance officer, based on the recommendation of the City Attorney.
(Item Presenter: Aimee Alcorn-Reed, City Attorney)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Agreement](#)
11. Consider approval of a resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various city improvements from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date.
(Item Presenter: Stephanie Leibe, Norton Rose Fulbright, City's Bond Counsel)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Reimbursement Resolution](#)
12. Consider approval of a construction contract with Gage and Cade Construction, for \$2,930,567.31, which includes a five percent contingency, for the reconstruction of the Wastewater Treatment Plant Access Road.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
[Exhibit 4 - Recommendation](#)
[Exhibit 5 - Bid Tabulation](#)

VIII. Staff Reports and Presentations

13. Receive a report, hold a discussion, and provide staff direction regarding an overview of special event programs and strategies.
(Item Presenter: David Lopez, Director of Parks & Recreation)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
14. Receive a report, hold a discussion, and provide staff direction on the relocation of the live oak tree on Old Stagecoach Road.
(Item Presenter: Amber Schmeits, Assistant City Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Assessment Report](#)
15. Receive a report, hold a discussion and provide staff direction regarding the National Fitness Court for Lake Kyle Park.
(Item Presenter: David Lopez, Director of Parks & Recreation)
[Exhibit 1 - Staff Memo](#)

IX. City Council Items

16. Consider directing the City Manager to install a light meter on City facilities and evaluate potential improvements to ensure compliance with the dark skies initiative.
(Item Presenter: Lauralee Harris, Council Member)

X. Executive Session

17. 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, including infrastructure related to the City's purchase of water from Alliance Regional Water Authority; **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 City's water and wastewater Certificates of the Convenience and Necessity, Public Utility Commission Docket Nos. 57190 and 57189, and/or proposed agreements with FM 158 Land, LTD and/or other related entities related to drainage, water, and/or wastewater issues.
 - 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 interlocal agreement with the City of San Marcos for purchase of wholesale water and/or potential amendments or addenda thereto.
18. 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 27th day of November, 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.