



CITY OF KYLE

Notice of Regular City Council Meeting

<https://www.cityofkyle.com/kyletv/kyle-10-live> OR
Spectrum10

SPECIAL NOTE: Pursuant to the March 16, 2020 proclamation issued by Governor Abbott, this meeting will be held by videoconference in order to advance the public health goal of limiting face-to-face meetings (also called 'social distancing') to slow the spread of COVID-19. City Council members will attend the meeting via videoconferencing. This meeting can be viewed live online at

<https://www.cityofkyle.com/kyletv/kyle-10-live> OR
Spectrum10.

Notice is hereby given that the governing body of the City of Kyle, Texas will meet at 7:00 PM on September 15, 2020, at <https://www.cityofkyle.com/kyletv/kyle-10-live> OR Spectrum10, for the purpose of discussing the following agenda.

Posted this 10th day of September, 2020, prior to 7:30 p.m.

I. Call Meeting to Order

II. Approval of Minutes

1. [City Council Special Meeting Minutes - August 25, 2020. ~ Jennifer Holm, City Secretary](#)
2. [City Council Special Meeting Minutes - September 1, 2020. ~ Jennifer Holm, City Secretary](#)
3. [City Council Meeting Minutes - September 1, 2020. ~ Jennifer Holm, City Secretary](#)

III. Citizen Comment Period with City Council

The City Council welcomes comments from Citizens early in the agenda of regular 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.

4. Members of the public that wish to provide citizen comment must submit the online registration form found at: <https://www.cityofkyle.com/council/citizen-comment-sign> to attend virtually. Registration must be received by 12 p.m. on the day of the meeting.

IV. Appointments

5. [Consideration of nominations for appointment to the Kyle Public Library Advisory Board to fill vacancies. ~ Paul Phelan, Library Director](#)
 - - [Jessie Ramirez](#)
 - [Henry Siller](#)
6. [Selection of naming committee for West RM 150. ~ Samantha Armbruster, Communications Director](#)

V. Presentation

7. [Hispanic Heritage City Council Proclamation. ~ Alex Villalobos, Council Member](#)
8. [September 11th City Council Proclamation. ~ Robert Rizo, Council Member](#)
9. [Selection of Labor Day Photo Contest Winners. ~ Tracy Scheel, Council Member](#)
10. [Discussion by ReOpen Task Force regarding opening of City Hall and other operational changes. ~ J. Scott Sellers, City Manager](#)
11. [Presentation on LinkedIn Learning at Kyle Public Library. ~ Dex Ellison, Council Member](#)
12. [Presentation regarding launch of Uber Kyle \\$3.14 program. ~ Rick Koch, Mayor Pro Tem](#)
13. [Presentation on creation of a new division focused on the maintenance and upkeep of Kyle's rights-of-ways and green spaces. ~ James R. Earp, Assistant City Manager](#)
14. [CIP/Road Projects and Consent Agenda Presentation. ~ Travis Mitchell, Mayor](#)

VI. Consent Agenda

15. [Waiver to the City's 100 year flood design for Heroes Memorial Park. ~ J. Scott Sellers, City Manager](#)
16. [Approve the conveyance of a water line easement to the City of Kyle from Mountain Plum, Ltd. ~ Leon Barba, P.E., City Engineer](#)

17. A Resolution of the City Council of the City of Kyle, Texas accepting the Bunton Creek, Phase 3 subdivision improvements; finding and determining that the meeting at which this Resolution is passed was noticed and is open to the Public as required by law. ~ Leon Barba, P.E., City Engineer
18. Approve a resolution authorizing the City Manager to execute separate agreements with the following five (5) firms to provide consulting services for general civil engineering projects for all city departments: CP&Y, INC., Austin, Texas, K FRIESE & ASSOCIATES, Austin, Texas, COBB, FENDLEY & ASSOCIATES, INC., San Marcos, Texas, PAPE-DAWSON ENGINEERS, INC., San Antonio, Texas, and LJA ENGINEERING, INC., Austin, Texas providing that the meeting at which this Resolution is passed is open to the public in compliance with the Open Meetings Act; providing an effective date; making findings of fact; and providing for related matters herein. ~ Leon Barba, P.E., City Engineer
19. Authorize the Police Department to sell surplus equipment, namely one Kawasaki Mule. ~ Jeff Barnett, Chief of Police
20. Authorize award and execution of a Purchase Order to NUECES POWER EQUIPMENT in an amount not to exceed \$123,060.56 for the purchase of one (1) new Hamm HD-70V V Dual Drum Roller through the BuyBoard Purchasing Cooperative for the Street Department in Public Works Department. ~ Harper Wilder, Director of Public Works
21. Authorize award and execution of a Purchase Order to SANTEX TRUCK CENTERS LTD., in an amount not to exceed \$161,445.00 for the purchase of one (1) new International HX620 6X4 Haul Truck through the HGAC Purchasing Cooperative for the Street Department in Public Works Department. ~ Harper Wilder, Director of Public Works
22. Authorize award and execution of a Purchase Order to PUMP SOLUTIONS, INC., Hutto, Texas in an amount not to exceed \$17,402.00 for the purchase and installation of one new (1) KSB 30 HP lift station pumps located at the wastewater treatment plant for the Public Works Department. ~ Tim Samford, Division Manager Treatment Operations
23. Authorize award and execution of a Purchase Order to DERKSEN PORTABLE BUILDINGS, Blanco, TX in an amount not to exceed \$25,548.00 for the purchase, delivery and setup of a portable building to be located at the Public Works Facility for the Public Works Department. ~ Tim Samford, Division Manager Treatment Operations
24. Authorize award and execution of a Purchase Order to RDO EQUIPMENT CO., Pflugerville, Texas in an amount not to exceed \$48,109.27 for the purchase of one new (1) 2020 John Deere 324G skid steer, one new (1) 2020 JRB FORKS48 through the BuyBoard Purchasing Cooperative for the Treatment Operations Department in Public Works Department. ~ Tim Samford, Division Manager Treatment Operations
25. Authorize the expenditure of previously approved contingency funds for the Buie contract. ~ Robert Rizo, Council Member

VII. Consider and Possible Action

26. *(First and Final Reading)* Approve an Ordinance authorizing the issuance in a principal amount not to exceed \$4,590,000 of “City of Kyle, Texas, General Obligation Refunding Bonds, Series 2020”; the refunding of approximately \$4.6 million of certain outstanding obligations; levying a continuing direct ad valorem tax on all taxable property within the City to pay the interest on said bonds and to create a sinking fund for the redemption thereof and the assessment and collection of such taxes; the delivery of an escrow agreement; the sale of such bonds; and enacting provisions incident and related to the issuance of said bonds. ~ *Perwez A. Moheet, CPA, Director of Finance*
- - Public Hearing
 -
27. *(First Reading)* An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of assigning original zoning to approximately 128.58 acres of land from Agriculture ‘AG’ to Single Family Residential-3 ‘R-1-3’ and approximately 30.27 acres of land to Residential Townhome ‘R-1-T’ and approximately 20.37 acres of land to Community Commercial ‘CC’ for property located off of E. Post Road, just north of Quail Ridge Subdivision, in Hays County, Texas. John H. Spooner Revocable Trust - Z-20-0061) ~ *Howard J. Koontz, Director of Planning and Community Development*
- - Planning and Zoning Commission voted 6-0 to recommend approval of the request.*
 -
 - Public Hearing
 -
28. *(First Reading)* An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of rezoning approximately 4.66 acres of land from Retail Service District ‘RS’ to Residential Condominium District ‘R-1-C’ for property located on Bebee Road, just west of Dacy Lane, in Hays County, Texas. (Dacy Lane LLC - Z-20-0062) ~ *Howard J. Koontz, Director of Planning and Community Development*
- - Planning and Zoning voted 6-0 to recommend approval of the request.*
 -
 - Public Hearing
 -
29. Consider a request by Shrenik Shah to not construct additional parking for Phase Two of the Kyle Parkway expansion project (SD-20-0077). ~ *Howard J. Koontz, Director of Planning and Community Development*
30. *(Second Reading)* An Ordinance of the City of Kyle, Texas, Amending Chapter 23 – Miscellaneous Offenses, Chapter 29 – Sign Standards and Permits, and Chapter 47 – Local Traffic Regulations, of the Code of Ordinances; Providing for Property Maintenance Requirements and the Right to Inspect and Abate Noncompliant Conditions, Assessment of the City’s Costs related to Abatement, Collection of Costs, and the Ability to Appeal City’s Determination regarding Noncompliance; Amending Procedures related to the Abatement of Junk Vehicles; Permitting the

use of Certain Moving Signs; Prohibiting the Parking of Trailers on Public Streets unless official work is being performed or a delivery is being made at the location of the parked trailer; Providing for repeal of conflicting ordinances; Providing for an effective date, savings clause and an open meetings clauses; and Providing for related matters. ~ Gary Bickford, Code Enforcement Officer

City Council voted 7-0 to approve on first reading with amendments.

31. Approve award and execution of a 1-year landscape maintenance services contract with WLE, LLC in an amount of \$234,504.13 of a total contract amount of \$597,197.71 with two optional annual extensions subject to future appropriations. ~ James R. Earp, Assistant City Manager
32. An Amendment to the Meet and Confer Agreement between the City of Kyle and Kyle Law Enforcement Association to adopt physical fitness standards in accordance with the conditional approval of the agreement. ~ James R. Earp, Assistant City Manager

VIII. City Manager's Report

33. Update on various capital improvement projects, road projects, building program, and/or general operational activities where no action is required. ~ J. Scott Sellers, City Manager
 - 2021 Legislative Agenda
 - Proposition A Bond Open Houses
 - Ash Pavilion

IX. Executive Session

34. 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.
 1. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071.
 - Heroes Memorial Park Base Flood Elevation
 - Development Standards
 - Rough proportionality determination for Paramount Section 1
 - Coronavirus Relief Fund and Subrecipient Agreements
 - 104 S. Burlison
 - Bunton Lane Development Agreement
 - Anthem Electrical
 - Buie Contract
 - West RM 150 Access
 - Prairie Lakes
 - Marketplace Avenue
 - Landscape Maintenance Contract
 2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
 3. Personnel matters pursuant to Section 551.074.

4. Convene into executive session pursuant to Section 551.087, Texas Government Code, to deliberate regarding the offer of economic incentives to one or more business prospects that the City seeks to have locate, stay, or expand in or near the City.
 - o Project Indigo
 - o Project Cranberry
 - o Project Shamrock
 - o Project Candy Cane
 - o Project Wild Blue
 - o 104 S. Burluson

35. Take action on items discussed in Executive Session.

X. Adjourn

At any time during the Regular City Council Meeting, the City Council may adjourn into an Executive Session, as needed, on any item listed on the agenda for which state law authorizes Executive Session to be held

*Per Texas Attorney General Opinion No. JC-0169; Open Meeting & Agenda Requirements, Dated January 24, 2000: The permissible responses to a general member communication at the meeting are limited by 551.042, as follows: "SEC. 551.042. Inquiry Made at Meeting. (a) If, at a meeting of a government body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by the subchapter, the notice provisions of this subchapter, do not apply to:(1) a statement of specific factual information given in response to the inquiry; or (2) a recitation of existing policy in response to the inquiry. (b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting."