



# CITY OF KYLE

## Notice of Regular City Council Meeting

Kyle City Hall, 100 W. Center Street, Kyle, TX 78640;  
Spectrum 10; <https://www.cityofkyle.com/kyletv/kyle-10-live>

SPECIAL NOTE: Pursuant to the March 16, 2020

proclamation issued by Governor Abbott, this meeting will be held in-person and 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. Some City Council members will be present in the chamber while others 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 January 19, 2021, at Kyle City Hall, 100 W. Center Street, Kyle, TX 78640; Spectrum 10; <https://www.cityofkyle.com/kyletv/kyle-10-live>, for the purpose of discussing the following agenda.

Posted this 14th day of January, 2021, prior to 7:00 p.m.

### **I. Call Meeting to Order**

### **II. Approval of Minutes**

1. [City Council Special Meeting Minutes - January 5, 2021. ~ Jennifer Holm, City Secretary](#)
2. [City Council Meeting Minutes - January 5, 2021. ~ 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.

3. Members of the public that wish to provide citizen comment have the following options:

1. In-Person at Kyle City Hall
2. Virtual Attendance - Submit the online registration form found at: <https://www.cityofkyle.com/council/citizen-comment-sign>. Registration must be received by 12 p.m. on the day of the meeting.

#### IV. Appointments

4. [Appoint nominee for position on City of Kyle Ethics Commission. ~ Ashlee Bradshaw, Council Member](#)
  - [Amanda McCullough](#)

#### V. Presentation

5. [MLK Day Council Proclamation. ~ Dex Ellison, Council Member](#)
6. [CIP/Road Projects and Consent Agenda Presentation. ~ Travis Mitchell, Mayor](#)

#### VI. Consent Agenda

7. [Approve a two-year service agreement with GOVERNMENTJOBS.COM, INC., DBA NEOGOV of El Segundo, California, in the amount of \\$20,181.00 for online employee onboarding solutions to include EForms for document and workflow management software subscription services. ~ Sandra Duran, Director of Human Resources](#)
8. [Authorize award and execution of a Purchase Order to T-MOBILE in an amount not to exceed \\$38,879.30 for the purchase of 70 mobile phones for the Kyle Police Department. The devices support the joining of T-Mobile's "Heroes Connected" program which provides 10 years of free service for all First Responders. ~ Jeff Barnett, Chief of Police](#)
9. [Approve a payment in the amount of \\$207,543.00 to the Hays County registry of the Court for payment of the Special Commissioner's Award related to acquisition of property from Alexander Family Trust. ~ J. Scott Sellers, City Manager](#)
10. [Approval of contract in the amount of \\$15,850 to PARALLEL, A Brand Agency for PR Services. ~ Sarah Watson, Events & Programs Coordinator](#)
11. [\(Second Reading\) An Ordinance granting Acadian Ambulance Service of Texas, LLC, D/B/A Acadian Ambulance Service, a franchise to provide non-emergency and rollover emergency ambulance services within the boundaries of the City of Kyle, Texas; providing an agreement prescribing conditions, terms, and regulations governing the operation of the non-emergency ambulance services; providing penalties for noncompliance with franchise. ~ Jerry Hendrix, Chief of Staff](#)  
- [City Council voted 7-0 to approve on first reading.](#)  
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- 12.

Approve Howerton Plum Creek - Site Plan (SD-20-0079) 2.976 acres; 1 commercial lot for property located at 4282 S. FM 1626. ~ Howard J. Koontz, Director of Planning and Community Development

- Planning and Zoning Commission voted 6-0 to approve the site plan.

13. Approve Silberberg Phase 2 - Site Plan (SD-20-0086) 2.427 acres; 1 commercial lot for property located at 4210 Benner Road. ~ Howard J. Koontz, Director of Planning and Community Development

- Planning and Zoning Commission voted 6-0 to approve the site plan.

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14. Plum Creek Phase 1, Section 11G Replat of Lot 1B, Block A (SUB-20-0156) 2.139 acres; 2 commercial lots for property located at 4600 FM 1626. ~ Howard J. Koontz, Director of Planning and Community Development

- Planning and Zoning Commission voted 6-0 to approve the Replat.

## **VII. Consider and Possible Action**

15. Owners Representative Consultant Services Contract Between the City of Kyle and AG|CM, Inc. in the amount of \$32,292.00 monthly for a period of twenty-two months. ~ J. Scott Sellers, City Manager

16. Consider and Possible action to amend the Brooks Crossing Development Agreement to accept negotiated language regarding a buffer strip between Brooks Crossing and Plum Creek HOA. ~ James R. Earp, Assistant City Manager

17. (First Reading) An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of assigning original zoning to approximately 1.4 acres of land from Agriculture 'AG' to Retail Service District 'RS' for property located at 101 Sunflower Circle, in Hays County, Texas. (Jimmy and Diana Owen - Z-20-0066) ~ Howard J. Koontz, Director of Planning and Community Development

- Planning and Zoning Commission voted 6-0 to recommend approval of the request.

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- Public Hearing

18. (First Reading) An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of assigning original zoning to approximately 5.87 acres of land from Agriculture 'AG' to Retail Service District 'RS' for property located at 1400 E. RR 150, in Hays County, Texas. (1400 E. FM 150, LLC - Z-20-0068) ~ Howard J. Koontz, Director of Planning and Community Development

- Planning and Zoning Commission voted 6-0 to recommend approval of the request.

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- Public Hearing

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19. (First Reading) An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, to rezone approximately 19.5 acres of land from Retail Service District 'RS' to Multi-Family Residential-3 'R-3-3' for property located at 5492 Kyle Center Drive, in Hays County, Texas. (DDR DB Kyle LP - Z-20-0069)~ Howard J. Koontz, Director of Planning and Community Development  
 - Planning and Zoning Commission voted 5-1 to deny the request.  
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 • Public Hearing  
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20. (First Reading) An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas for the purpose of rezoning approximately 57-acres of land from Single Family Residential-2 'R-1-2' (42.3-acres) and Retail Service District 'RS' (15-acres) to Planned Unit District 'PUD' (Single Family Attached 'R-1-A', 54-acres) and (Retail Service District 'RS', 3.3-acres) for property located at 1821 W. RR 150, in Hays County, Texas. Kyle Mortgage Investors, LLC (Z-20-0067) ~ Howard J. Koontz, Director of Planning and Community Development  
 - Planning and Zoning Commission voted 4-2 to recommend approval of the request.  
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 • Public Hearing  
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21. (Second Reading) An Ordinance of the City of Kyle, Texas annexing 29.792 acres of land, more or less, located in Hays County, including the abutting streets, roadways, and rights-of-way into the corporate limits of the City, at the request of the property owner; approving a service plan for the annexed area; making findings of fact; providing a severability clause and an effective date; and providing for open meetings and other related matters. ~ Howard J. Koontz, Director of Planning and Community Development  
 - City Council voted 6-1 to approve on first reading.  
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22. Direct staff and possibly a task force to restart the Comprehensive Plan revision process and hiring a firm to assist. ~ Dex Ellison, Council Member

## **VIII. City Manager's Report**

23. 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
- Black History Month Programming
  - National Pie Day
  - COVID Vaccine and Testing Information

## **IX. Executive Session**

24. 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.
    - o PGAL Contract
    - o Parallel Contract
    - o Workforce housing on Philomena
    - o Marketplace Development Agreement
    - o Sign Regulations
  2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
  3. Personnel matters pursuant to Section 551.074.
    - o City Manager Consulting Opportunity
  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 Goldfish
    - o Project Carnation Pink
25. 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."