



CITY OF KYLE

Notice of Regular City Council Meeting

Kyle City Hall, 100 W. Center Street, Kyle, TX 78640

The public can watch remotely at: Spectrum 10;

<https://www.cityofkyle.com/kyletv/kyle-10-live>. One or more members of the governing body may participate in the meeting by videoconference pursuant to Section 551.127, Texas Government Code, provided that a quorum of the governing body will be present at Kyle City Hall.

Notice is hereby given that the governing body of the City of Kyle, Texas will meet at 7:00 PM on September 21, 2021, at Kyle City Hall, 100 W. Center Street, Kyle, TX 78640, for the purpose of discussing the following agenda.

Posted this 16th day of September, 2021, prior to 7:30 p.m.

I. Call Meeting to Order

II. Approval of Minutes

1. [City Council Special Meeting Minutes - September 7, 2021. ~ Jennifer Holm, City Secretary](#)
2. [City Council Meeting Minutes - September 7, 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.

IV. City Manager's Report

3. [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](#)
 - [Public Safety Center Groundbreaking recap](#)
 - [Founders and Veterans Day Parade](#)
 - [Team Kyle News](#)

- [Hispanic Heritage Month Events](#)

V. Presentation

4. [National Hispanic Heritage Month Proclamation. ~ Dex Ellison, Council Member](#)

VI. Appointments

5. [Consider nomination and take action to reappointment to the Planning and Zoning Commission to fill expired terms. ~ Travis Mitchell, Mayor](#)
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 - [Patricia Snidow](#)
 - [Matthew Chase](#)
 - [Alex Guerra](#)
6. [Appoint nominee for position on City of Kyle Ethics Commission. ~ Ashlee Bradshaw, Council Member](#)
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 - [Krista Piferrer](#)

VII. Presentation

7. [CIP/Road Projects and Consent Agenda Presentation. ~ Travis Mitchell, Mayor](#)

VIII. Consent Agenda

8. [Discussion and approval of a Third Addendum to Biosolids Hauling Services Agreement with Sheridan Environmental dba Sheridan Clearwater, LLC. ~ Harper Wilder, Director of Public Works](#)
9. [Approve a Change Order in the amount of \\$126,065.65 to T. F. Harper & Associates, LP, for Additional Electrical Required at Mary Kyle Hartson Park. ~ James R. Earp, Assistant City Manager](#)
10. [Approval of a citywide trail master plan. ~ J. Scott Sellers, City Manager](#)
11. [Approve Plum Creek Phase 2, Section 3 & 4 Preliminary Plan \(SUB-21-0183\). 155.04 acres; 399 single family lots and 24 open space lots for property located off of FM 2770 and Kohler's Crossing. ~ William Atkinson, City Planner](#)
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 - [Planning and Zoning Commission voted 6-0 to approve the preliminary plan.](#)
12. [Authorize the City Manager to execute documents as necessary to evidence the City Council's approval of the settlement agreement with certain opioid distributors and manufacturers negotiated by the Texas Attorney General's Office and approval of the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet \(known as the Texas Term Sheet\). ~ Paige Saenz, City Attorney](#)

IX. Consider and Possible Action

13. (First Reading) An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of assigning original zoning to approximately 318 total acres (PUD Zoning - 256 acres to Single Family Attached 'R-1-A') (43.92 to Apartments Residential-3 'R-3-3') (18.38 acres to Retail Service District 'RS') for property located at 700 Bunton Lane and 800 Bunton Lane, in Hays County, Texas. (RPC Kyle, LLC and Kyle 120 LLC - Z-21-0088) ~ William Atkinson, City Planner
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- P&Z voted 6-0 to recommend approval of the request.
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- Public Hearing
14. Approve a contract with UBER TECHNOLOGIES, INC., to provide public transit services within the Kyle city limits and other areas as specified in the agreement. ~ Jerry Hendrix, Assistant City Manager
15. Consideration and Possible Action on Request to Waive the Value to Lien Ratio in the City's PID Policy for the Kyle 57 Project. ~ James R. Earp, Assistant City Manager
16. Authorize execution of a 12-month professional services agreement with CATALYST COMMERCIAL, INC., Dallas, Texas, for consulting fees not to exceed the amount of \$25,000.00 to provide services related to the activation of key mixed use ("Catalyst" areas or "Vybe" areas) within the City of Kyle for the period September 1, 2021 through August 30, 2022. ~ Diana Torres, Director of Economic Development
17. Approve a proposal by T.F. Harper & Associates, LP, in an amount of \$112,361.86 for Additional Site Improvements at Mary Kyle Hartson Park. ~ James R. Earp, Assistant City Manager
18. Discussion regarding proposed code changes to Sec. 11-176, Sec. 11-177, Sec. 41-136, Sec. 53-143 and provide direction to staff to pursue code amendments. ~ Will Atkinson, City Planner
19. Consideration and possible action on the termination of the Non-Standard Form of Agreement Between the City and Cadence McShane Construction Company, LLC for the Multi-Story Commercial Building & Mary Kyle Hartson Park Landscaping. ~ James R. Earp, Assistant City Manager
20. Approve a proposal from BARNES GROMATZKY KOSAREK ARCHITECTS (BGK Architects) in an amount not to exceed \$603,000.00 for a 15,000 Square Foot Building for design services for the City's 104 S. Burleson capital improvement project. ~ J. Scott Sellers, City Manager
21. A Resolution of the City of Kyle, Texas accepting the petition for annexation of 2.548 acres of land, more or less, located at 4750 Dacy Lane, in Hays County, Texas; setting annexation schedule; providing for open meetings and other related matters. (ANNX-21-0011) ~ Will Atkinson, City Planner
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22. [A Resolution of the City of Kyle, Texas accepting the petition for annexation of 37.99 acres, more or less, of land located in Hays County, Texas; setting annexation schedule; providing for open meetings and other related matters. \(ANNX-21-0012\) ~ Will Atkinson, City Planner](#)
23. [Consider a request from the Southlake Ranch HOA to remove no parking signs on Granite Shoals Dr. ~ Dex Ellison, Council Member](#)
24. [Discussion and possible action on implementing a process to create a Human Services Board/Commission to review, advise, and create an equitable and fair process for allocating grant funding to non-profits organizations serving in the Kyle area. ~ Dex Ellison, Council Member](#)
25. [Evaluation of expectations, from City Council and City Manager, when presenting direction of council, to staff. ~ Yvonne Flores-Cale, Council Member](#)
26. [Discussion and possible action to restructure official City task forces. ~ Travis Mitchell, Mayor](#)

X. Executive Session

27. [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 [Alexander Mediation](#)
 - o [W FM 150 CCN](#)
 - o [Homestead exemptions and other tax rate “freezes” and exemptions](#)
 - o [Heroes Memorial Park Construction Project](#)
 - o [Nance/Bradshaw Development Agreement](#)
 - o [City Lights and Kyle Marketplace Subdivision/Development MOU](#)
 - o [Opioid Settlements Negotiated by the Texas Attorney General](#)
 - o [Uber Kyle 3.14](#)
 2. [Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.](#)
 - o [TMP property acquisition](#)
 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 SUFC](#)
 - o [Project Big Red](#)
 - o [Project Deep Golden](#)
 - o [Project Just Peachy](#)
28. [Take action on items discussed in Executive Session.](#)

XI. 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."