



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 October 19, 2021, at Kyle City Hall, 100 W. Center Street, Kyle, TX 78640, for the purpose of discussing the following agenda.

Posted this 14th day of October, 2021, prior to 7:30 p.m.

I. Call Meeting to Order

II. Approval of Minutes

1. [City Council Special Meeting Minutes - October 4, 2021. ~ Jennifer Holm, City Secretary](#)
2. [City Council Meeting Minutes - October 4, 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. Appointments

3. [Consideration of the reappointment of Anne Duhon to Seat 7 of the Park and Recreation Board for a two-year term to expire September 30, 2023. ~ Mariana Espinoza, Director of Parks & Recreation](#)

V. City Manager's Report

- 4.

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

-
- Center Street Trick or Treat event
- Veterans Day Parade
- Rescheduled City Council meeting Nov 1
- Election Info
- Team Kyle News

VI. Presentation

5. CIP/Road Projects and Consent Agenda Presentation. ~ Travis Mitchell, Mayor

VII. Consent Agenda

6. (First Reading) Approve an Ordinance amending the City's Approved Budget for Fiscal Year 2021-2022 by reallocating \$215,000.00 from the \$1,100,000.00 approved for the LGC Property Acquisition/Downtown Revitalization Program capital improvement project (CIP #19) and appropriating \$215,000.00 for the new Downtown Master Plan & Citywide Design Standards capital improvements project expenditures. This budget amendment was requested by City Council on September 7, 2021. ~ Perwez A. Moheet, CPA, Director of Finance
7. Approve Task Order No. 7 to LJA ENGINEERING, INC., Austin, Texas, in the amount not exceed \$123,697.00 for the Schlemmer St./Porter St Wastewater Phase 2 Project. ~ Leon Barba, P.E., City Engineer
8. Approve Change Order # 7 to M.A. SMITH CONTRACTING CO., INC., Austin, Texas, in an amount for \$6,304.92, increasing the total contract amount to not exceed \$2,615,746.57 for electrical and drainage improvements on Windy Hill Street. ~ Leon Barba, P.E., City Engineer
9. Authorize award and execution of a Purchase Order to NAPCO CHEMICAL COMPANY, Spring, TX in an amount not to exceed \$93,247.75 which includes a fifteen (15) percent contingency for the delivery of sodium hypochlorite and sodium bisulfite to the City of Kyle wastewater treatment plant for the Public Works Department. ~ Harper Wilder, Director of Public Works
10. Authorize the City Manager to execute a 60-month lease with BIZDOC, INC., San Antonio, Texas, for a Kyocera Model 5053ci photocopier for the Kyle Public Library, in an amount not to exceed \$126.73 per month, plus a per copy charge. ~ Paul Phelan, Director of Library
11. Approve the purchase of furniture, fixtures, and equipment for the Kyle Public Safety Center, payable to SOUTHWEST SOLUTIONS, Round Rock, Texas, in an amount not to exceed \$805,880.00. ~ Bob Farmer, AG|CM
12. Consider approval of an Interlocal Funding Agreement for Testing of Seized Drug Evidence with Hays County. ~ Jeff Barnett, Chief of Police

13. Authorize the Police Department to Purchase the Pace Scheduler Software Subscription from Pace Scheduler in an amount not to exceed \$6,400. ~ Jeff Barnett, Chief of Police
14. Authorize the Police Department to Purchase the Shield Suite and Command Center Software from International Business Information Technologies, Inc. d.b.a. LEFTA Systems in an amount not to exceed \$8,200. ~ Jeff Barnett, Chief of Police
15. Authorize the Police Department to execute the License Agreement and Purchase Order from Veritone for Redaction Software in an amount not to exceed \$9,500. ~ Jeff Barnett, Chief of Police
16. Authorize the Police Department to Purchase Additional System Modules Entitled Payments, Invoicing, and Inter-Agency Communications from GovQA in an amount not to exceed \$10,000. ~ Jeff Barnett, Chief of Police

VIII. Consider and Possible Action

17. (First and Final Reading) An Ordinance of the City of Kyle Making a Finding of Special Benefit to the Property in the 6 Creeks Public Improvement District; Providing for the Method of Assessment of Special Assessments Against Property in Improvement Area #3 of the District; Approving an Assessment Roll for Improvement Area #3 of the District; Levying Assessments Against Property within Improvement Area #3 of the District; Providing for Payment of the Assessments; Providing for Penalties and Interest on Delinquent Assessments; Establishing a Lien on Property within Improvement Area #3 of the District; Approving a Service and Assessment Plan; Providing for Related Matters in Accordance with Chapter 372, Texas Local Government Code; Providing an Effective Date; and Providing for Severability. ~ Jon Snyder, P3Works, LLC, City's PID Administrator
 - Public Hearing
18. (First and Final Reading) An Ordinance Authorizing the Issuance of the City of Kyle, Texas Special Assessment Revenue Bonds, Series 2021 (6 Creeks Public Improvement District Improvement Area #3 Project); Approving and Authorizing an Indenture of Trust, a Bond Purchase Agreement, a Limited Offering Memorandum, a Continuing Disclosure Agreement, and Other Agreements and Documents in Connection Therewith; Making Findings with Respect to the Issuance of such Bonds; Providing an Effective Date. ~ Jon Snyder, P3Works, LLC, City's PID Administrator
 - Public Hearing
19. (First Reading) An ordinance of the City of Kyle, Texas annexing 2.548 of land, more or less, located at 4750 Dacy Lane, 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. (ANNX-21-0011) ~ Will Atkinson, City Planner

- Public Hearing

20. Consider a request for a comprehensive plan amendment to add Warehouse 'W' and Construction Manufacturing 'CM' Zoning Districts to the 'Regional Node' Land Use District in the Comprehensive Plan, in the City of Kyle, Texas. (Caraway Cattle Co. Family Partnership – Z-21-0087) ~ Will Atkinson, City Planner

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

- Public Hearing

21. (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

- P&Z voted 6-0 to recommend approval of the request.

22. Consider and possible action on a First Year on Us Incentive Application. ~ Victoria Vargas, Economic Development Specialist

- Feras Abuhweij, Conoco at 1203 N. Old Hwy 81- Landowner/Landlord application, rebate not to exceed \$5,000.

23. Consider approving an Interlocal Agreement (ILA) between the City of Kyle and Hays County for the City's funding obligations of each entity for the Center Street Union Pacific Rail Siding Project. The City's total funding obligation shall not exceed \$1,230,000.00 under this ILA. ~ Paula Gruber, HNTB

24. Approve an agreement with K FRIESE & ASSOCIATES, Austin, Texas, a civil engineering consulting firm, to provide project management services for the design and construction of specific road projects throughout the City to be funded under the 2022 Road Bond Program. ~ Leon Barba, P.E., City Engineer

25. Discussion and Possible Action regarding the possibility of creating a community garden. ~ Mariana Espinoza, Director of Parks & Recreation

26. Memorandum of Understanding for the City Lights and Kyle Marketplace Subdivision/Development Between the City of Kyle, Texas, a Texas Home Rule Municipal Corporation (The "City"), and Central Southwest Texas Development, L.L.C. ~ James R. Earp, Assistant City Manager

27. Consideration of Council to borrow the City's trailer to create a float for Veterans Day Parade. ~ Yvonne Flores-Cale, Council Member

IX. Executive Session

28. 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.
 - Dacy Lane Development Agreement
 2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
 - Transportation Master Plan 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.
 - Project Shamrock
29. 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."