



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 January 18, 2022, at Kyle City Hall, 100 W. Center Street, Kyle, TX 78640, for the purpose of discussing the following agenda.

Posted this 14th day of January, 2022, prior to 6:00 p.m.

I. Call Meeting to Order

II. Approval of Minutes

1. [City Council Special Meeting Minutes - January 4, 2021. ~ Jennifer Holm, City Secretary](#)
2. [City Council Regular Meeting Minutes - January 4, 2022. ~ 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](#)
 - [National Pie Day - Jan 23](#)
 - [Dialogue for Peace and Progress - Feb 4](#)
 - [Award for Financial Reporting](#)
 - [Team Kyle News](#)

V. Presentation

4. [Martin Luther King, Jr. Proclamation. ~ Dex Ellison, Council Member](#)
5. [A Resolution of the City Council of the City of Kyle, Texas in Support of the Hays County Master Naturalist. ~ Robert Rizo, Mayor Pro Tem](#)
6. [CIP/Road Projects and Consent Agenda Presentation. ~ Travis Mitchell, Mayor](#)

VI. Consent Agenda

7. [Approval of Underground Agreement, Utility Easement, and Work Order #147093 between PEDERNALES ELECTRIC COOPERATIVE, INC., and the City of Kyle for an amount not to exceed \\$31,480.65 for electrical service installation to Kyle Public Safety Center. ~ Bob Farmer, AGCM Project Manager](#)
8. [Authorize award and execution of a Purchase Order to McGRAY & McGRAY, LAND SURVEYORS, INC., Austin, Texas in an amount not to exceed \\$18,116.00 for topographic services for the Center Street and South Street Quiet Zone project. ~ Leon Barba, P.E., City Engineer](#)
9. [Authorize Award and Execution of a Purchase Order to SMART CHARGE AMERICA in an Amount Not to Exceed \\$26,500 for the Purchase Electric Vehicle Charging Stations and Related Installation for the Public Safety Center. ~ Jeff Barnett, Chief of Police](#)
10. [Authorize the Mayor to Execute and Enter Into a Memorandum of Understanding with Hays County in an Amount Not to Exceed \\$10,300 Due in Fiscal Year 2023 for the Purpose of Funding and Implementing Citizen Online Reporting Software Entitled Desk Officer Reporting System and Identified Herein as Coplogic Solutions Provided by LexisNexis. ~ Jeff Barnett, Chief of Police](#)
11. [Approve a contract with EASTER SEALS CENTRAL TEXAS, formerly TIBH INDUSTRIES, INC., Austin, Texas, through Workquest in an amount not to exceed \\$54,855.00, as the contractor for litter pick up and grass cutting on Interstate 35 using Easter Seals of Central Texas as the service provider. ~ Chance Padier, Environmental Services & Trades Division Manager](#)
12. [A Resolution by the City Council of the City of Kyle, Texas to approve and adopt grant procedures for the City when the City is a recipient of Federal and/or State funding. ~ James Earp, Assistant City Manager](#)
13. [Approve contract Task Order No. 4 to CP&Y, INC., Austin, Texas, in an amount not to exceed \\$95,741.00 for the purpose of providing preliminary engineering services for evaluating and recommending an alignment for the Wastewater Treatment Plant Interceptor Phase 1 and 2 ~ Leon Barba, P.E., City Engineer](#)
14. [Authorize award and execution of a Purchase Order to GLOBAL INDUSTRIAL in the amount not to exceed \\$13,480.00 for the purchase of \(1\) Floor Scrubber](#)

through Buy Board Purchasing Cooperative 657-21 for the Parks and Recreation Department. ~ Mariana Espinoza, Director of Parks & Recreation

15. Discussion and Possible Action Regarding Equipment and Services for Radio and Telephone Operations for the Kyle Public Safety Center to be Provided by the Lower Colorado River Authority (LCRA). ~ Jeff Barnett, Chief of Police
16. Right of Entry License Agreement between Mountain Plum, Ltd. and City of Kyle. ~ Paige Saenz, City Attorney

VII. Consider and Possible Action

17. (First Reading) An ordinance of the City of Kyle, Texas, adopting an amendment to the City's 2017 mid-term comprehensive plan by to amend approximately 535 acres of land from 'Farm District' to 'East FM 150 Employment District' and 42 acres of land to the 'Regional Node' for certain parcels located northwest of the intersection of SH-21 and E. FM 150. ~ William Atkinson, Senior Planner

- P&Z Commission voted 4-0 to recommend approval to expand the Regional Node (as shown in the comprehensive plan document), and 3-1 to create the E FM 150 Employment district, with an amendment to include scaling of appropriate development adjacent to the church, school and nearby single-family neighborhood.

- Public Hearing

18. (Second Reading) An ordinance of the City of Kyle, Texas annexing 102.1599 acres of land, more or less, located at the north corner of SH-21 & E FM 150, Hays County, including the abutting streets, roadways, and rights-of-way into the corporate limits of the City of Kyle. (FM Rd 812, LLC - ANNX-21-0013) ~ Will Atkinson, Senior Planner

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

19. [Postponed 1/4/2022] (First Reading) An ordinance of the City of Kyle, Texas, annexing 201.377 acres of land, more or less located at 1899 Six Creeks Blvd., Hays County, including the abutting streets, roadways, and rights-of-way into the corporate limits of the City of Kyle. (Blanco River Ranch Properties, LP - ANNX-21-0014) ~ Will Atkinson, Senior Planner

- Public Hearing (left open on 1/4/2022)

20. A Resolution of the City of Kyle, Texas accepting the petition for annexation of 176.023 acres of land, more or less, located at 5260 Hillside Terrace, in Hays County, Texas; setting annexation schedule; providing for open meetings and other related matters. (Hillside Terrace/Porter Country - ANNX-21-0015) ~ Will Atkinson, Senior Planner

21. A Resolution of the City of Kyle, Texas accepting the petition for annexation of 82.951 acres of land, more or less, located on FM 2001, approximately 500' north of Windy Hill Road, in Hays County, Texas; setting annexation schedule;

providing for open meetings and other related matters. (Hillside Terrace/Porter Country - ANNX-21-0016) ~ Will Atkinson, Senior Planner

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22. Approval of an engineering proposal from Schaumburg & Polk for preliminary engineering services for The Vybe trail network in the amount of \$397,000. ~ J. Scott Sellers, City Manager

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23. (First Reading) An ordinance amending Chapter 41 (Subdivisions) of the City of Kyle, Code of Ordinances for the purpose of modifying Sec. 41-1 Definitions (Municipal Utility Easement); Sec. 41-137 Streets, Sec. 41-139 – Crosswalks, Sec. 41-143 Sidewalks & Sec. 41-146 Streetlights, for the purpose of adding requirements for the city-wide trail system (The Vybe). ~ Will Atkinson, Senior Planner

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Planning and Zoning Commission voted 4-0 to recommend approval.

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- Public Hearing

24. (First Reading) An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Code of Ordinances for the purpose of modifying Sec. 53-33(n)(4) Parking, Sec. 53-892 Districts and Boundaries, adding Sec. 53-900, and amending Exhibit A, Plum Creek Planned Unit Development, Art. II, Section 1, for the purpose of adding requirements for the city-wide trail system (The Vybe).~ Will Atkinson, Senior Planner

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P&Z voted to approve the exhibits as written with one amendment. The amendment is to allow a maximum of 20% of the parking to be replaced with golf cart parking, with a maximum of 26 golf cart spaces.

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- Public Hearing

25. An Ordinance of the City of Kyle, Texas, Amending Chapter 47, Article I, By Amending Section 47-1 Definitions; Amending Article VI, By Amending Section 47-182 Permitted Locations of Operation, And Section 47-183 Registration Permit; And Providing For Related Matters. ~ Jeff Barnett, Chief of Police

26. (First Reading) An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas for the purpose of rezoning approximately 15.542 acres of land to 'PUD MXD' for property located at 5839 Kyle Parkway, in Hays County, Texas. CTC Residential LLC (Z-21-0091) ~ William Atkinson, Senior Planner

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Planning and Zoning Commission voted 4-0 to recommend approval of the request.

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- Public Hearing

27. (First Reading) An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas for the purpose of rezoning approximately 45.5 acres of land from 'RS' to 'PUD' (RS – 19 acres, MXD – 26.5 acres) for property located at 20139 IH-35, in

Hays County, Texas. (City of Kyle - Z-21-0092) ~ William Atkinson, Senior Planner

- Public Hearing

28. A Resolution of the City of Kyle, Texas, Amending Resolution Number 1176 And Restating the City of Kyle Rules of City Council, Providing for Meetings, Agenda, Council Proceedings, Reconsideration of Agenda Items; Parliamentary Procedure, Debate, Decorum, and Citizen Participation at Meetings; Making Findings of Fact; and Providing for Related Matters. ~ Paige Saenz, City Attorney
29. Council direction of staff to schedule joint meetings with boards/commissions to discuss visions, goals, expectations and efforts of collaboration for the year as previously discussed at May 4th 2021 council meeting (item #31). ~ Dex Ellison, Council Member
30. Discussion and possible action to adopt Boards and Commissions Policies and Procedures. ~ Yvonne Flores-Cale, Council Member
31. A Resolution of the City of Kyle, Texas, Establishing Rules and Guidelines for the Creation, Duties, and Dissolution of City Council Appointed Task Forces and Providing for General Powers and Duties, Providing for Qualifications for Appointment, Providing for the Appointment of Officers, and Providing for Other Related Matters. ~ Dex Ellison, Council Member

VIII. Executive Session

32. 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.
 - Savannah Development Agreement
 - Convenience Store Ordinance
 - Bebee PUD
 - LCRA Equipment and Services
 - CTC Residential LLC (Z-21-0091)
 - Public Safety Center
 - Mary Kyle Hartson Plaque
 2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
 3. Personnel matters pursuant to Section 551.074.
 - Position of Planning Director
 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 Wild Strawberry
 - Project Shamrock

33. [Take action on items discussed in Executive Session.](#)

IX. 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."