



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 March 1, 2022, at Kyle City Hall, 100 W. Center Street, Kyle, TX 78640, for the purpose of discussing the following agenda.

Posted this 24th day of February, 2022, prior to 6:00 p.m.

I. Call Meeting to Order

II. 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.

III. Presentation

1. [Women's History Month Proclamation. ~ Dex Ellison, Council Member](#)
2. [International Women's Day Proclamation. ~ Yvonne Flores-Cale, Council Member](#)
3. [Proclamation Recognizing the One Year Anniversary of the Council for the Indigenous and Tejano Community. ~ Robert Rizo, Mayor Pro Tem](#)
4. [Presentation of the Kyle Police Department's 2021 Annual Racial Profiling Report. ~ Jeff Barnett, Chief of Police](#)
5. [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

- - [PIErate Treasure Hunt](#)
 - [Community Survey](#)
 - [Summer Camp registration open](#)
 - [Family Skate Night](#)
 - [Paint a Flower, Paint a Pot](#)
 - [Great Texas River Cleanup](#)
 - [Rescheduled City Council Meeting 3/22/22](#)
 - [Team Kyle News](#)

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

IV. Consent Agenda

- 7. [Approve Task Order No. 11 to LJA ENGINEERING, INC., Austin, Texas, in the amount not to exceed \\$44,945.00 for the development of plans, specifications, and estimates for the Center Street and South Street Quiet Zones. ~ Leon Barba, P.E., City Engineer](#)

- 8. [Authorize award and execution of a purchase order to BURGESS AND NIPLE, INC., Austin, Texas, in an amount not to exceed \\$41,180.00 for updating the City's water model. ~ Leon Barba, P.E., City Engineer](#)

- 9. [Approve Task Order No. 2 to COBB-FENDLEY & ASSOCIATES, INC., Austin, Texas in the amount not to exceed \\$116,494.28 to provide a Preliminary Engineering Report for the Waterleaf Subdivision Wastewater Line Upsize/Relocation. ~ Leon Barba, P.E., City Engineer](#)

- 10. [Approve a Letter of Participation and a Resolution in Support of CAPCOG's Application for Particulate Matter \(PM2.5\) Monitoring in Central Texas. ~ Robert Rizo, Mayor Pro Tem](#)

- 11. [Approve Task Order No. 5 to CP&Y, INC., Kyle, Texas in the amount not to exceed \\$54,172.50 to develop Preliminary Engineering Reports for the installation of traffic signals or roundabouts at the intersection of Kohlers Crossing and Marketplace Avenue and Kohlers Crossing and Kyle Crossing. ~ Leon Barba, P.E., City Engineer](#)

- 12. [Approve Task Order No. 6 to CP&Y, INC., Kyle, Texas in the amount not to exceed \\$56,580.00 to develop a Preliminary Engineering Report to examine the feasibility for the construction of a roundabout on Dacy Lane connecting Downing Way and Fountain Grove Drive. ~ Leon Barba, P.E., City Engineer](#)

V. Public Hearing Action Items

- 13. [\[Postponed 2/15/2022\] \(First Reading\) An ordinance amending Chapter 53 \(Zoning\) of the City of Kyle, Texas for the purpose of assigning original zoning to approximately 5.13 acres of land from 'A' Agriculture to 'W' Warehouse District for property located at 1351 Bunton Creek Rd, in Hays County, Texas. \(Abel and Linda Tenorio - Z-21-0093\) ~ Will Atkinson, Senior Planner](#)

- Planning and Zoning Commission voted 5-0 to recommend approval of the request.

- • Public Hearing (Left open on 2/15/2022).

14. Approve a Resolution of the City Council Authorizing and Creating the Savannah Ranch Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code; Providing for Related Matters; and Providing an Effective Date. ~ Paige Saenz, City Attorney

- • Public Hearing

VI. Consider and Possible Action

15. Consider and possible action to authorize an amendment (Change Order) to the contract with BRIGHTVIEW LANDSCAPE SERVICES, INC., DBA WLE, to add four additional scopes of work in an amount not to exceed \$430,669.78 for providing landscape, tree planting, and irrigation services in the City's beautification corridors. ~ Jerry Hendrix, Assistant City Manager

16. Consider and possible action to 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. ~ Todd Kaiser, BGK Architects

17. Consider and possible action on a Development Agreement by and between the City of Kyle, Texas and CSW KC II LLC, a Texas limited liability company, for the Kyle Marketplace Subdivision/Development. ~ J. Scott Sellers, City Manager

18. (Second Reading) An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas for the purpose of rezoning approximately 8.32 acres of land from Retail Service District 'RS' to Mixed-Use Development 'MXD' for property located at Kyle Marketplace Sec. 2 Lot A & 19.48 acres of land from Retail Service District 'RS' to Mixed-Use District 'MXD' for property located at Kyle Marketplace Sec. 2 Block F, in Hays County, Texas. (CSW KC II, LLC. - Z-21-0089) ~ Will Atkinson, Senior Planner

- Planning and Zoning Commission voted 5-0 to recommend approval of the request.

- City Council voted 5-2 to approve the ordinance on first reading.

19. (Second 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

- City Council voted 6-1 to approve the ordinance on first reading.

20. Consider and possible action on a Development Agreement by and between the

City of Kyle, Texas and Blanco River Ranch Properties LP and Toll Southwest, LLC, for the Savannah Development. ~ Paige Saenz, City Attorney

21. Consider and possible action to approve an agreement regarding the Dissolution of a Public Improvement District (Savannah Ranch Development). ~ Paige Saenz, City Attorney
22. (First Reading) An ordinance of the City Council of the City of Kyle, Texas, designating a contiguous geographic area within the City of Kyle, Texas as Reinvestment Zone Number Three, for the purposes of Tax Increment Financing and creating a Board of Directors ~ Paige Saenz, City Attorney
23. Consider and possible action on an Interlocal Agreement regarding City of Kyle Reinvestment Zone No. 3 by and between the City of Kyle, Texas and the County of Hays, Texas. ~ Paige Saenz, City Attorney
24. Consider and possible action on a Resolution approving and authorizing the First Amendment to the Financing Agreement for the Kyle Plum Creek North Public Improvement District. ~ Paige Saenz, City Attorney
25. Consider and possible action on a Resolution approving the form and authorizing the distribution of a Preliminary Limited Offering Memorandum for City Of Kyle, Texas Special Assessment Revenue Bonds, Series 2022 (Plum Creek North Public Improvement District Major Improvement Area Project). ~ Gregory Miller, Bickerstaff Heath Delgado Acosta LLP
26. Consider and possible action on a Resolution approving the form and authorizing the distribution of a Preliminary Limited Offering Memorandum for City Of Kyle, Texas Special Assessment Revenue Bonds, Series 2022 (Plum Creek North Public Improvement District Improvement Area #1 Project). ~ Gregory Miller, Bickerstaff Heath Delgado Acosta LLP
27. Consider and possible action on a Maintenance and Operations Agreement by and between City of Kyle, Texas and Sage Hollow Residential Community, Inc. ~ Amber Lewis, Assistant City Manager
28. Consider and possible action on a letter agreement by and between the City of Kyle, Texas and Kyle 57 Development, Inc. ~ Amber Lewis, Assistant City Manager
29. Consider and possible action on Design Add-Services totaling \$82,170 for the City's Public Safety Center project to be funded from the Design Allowance Fund Built into PGAL's existing contract with the City of Kyle and to authorize the City Manager to act on all future Design Add Service Requests for this project not to exceed the Design Contract total agreed upon with the Prime Design Consultant, PGAL. ~ Cris Ruebush, PGAL, City of Kyle Design Project Manager

VII. General Discussion and Possible Direction

30. Discussion and possible direction to support a request from the Hays CISD

Diversity Advisory Council for city support with broadcasting, promotions, and space to conduct the community book and discussion event. ~ Dex Ellison, Council Member

31. Discussion and possible direction regarding Minutes for all City of Kyle Boards, Commissions, and City Council. ~ Jennifer Holm, City Secretary

VIII. Approval of Minutes

32. City Council Workshop Meeting Minutes - February 12, 2022. ~ Jennifer Holm, City Secretary
33. City Council Workshop Meeting Minutes - February 13, 2022. ~ Jennifer Holm, City Secretary
34. City Council Special Meeting Minutes - February 15, 2022. ~ Jennifer Holm, City Secretary
35. City Council Regular Meeting Video Minutes - February 15, 2022. ~ Jennifer Holm, City Secretary
36. City Council Special Meeting Minutes - February 22, 2022. ~ Jennifer Holm, City Secretary

IX. Executive Session

37. 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.
 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 Contract
 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.
38. 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."