



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 April 5, 2022, at Kyle City Hall, 100 W. Center Street, Kyle, TX 78640, for the purpose of discussing the following agenda.

Posted this 31st day of March, 2022, prior to 7:00 p.m.

I. Call Meeting to Order

II. Approval of Minutes

1. [City Council Special Meeting Minutes - March 22, 2022. ~ Jennifer Holm, City Secretary](#)
2. [City Council Regular Meeting Minutes - March 22, 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. Presentation

3. [Child Abuse Prevention and Awareness Month. ~ Travis Mitchell, Mayor](#)
4. [Sexual Assault Awareness and Prevention Month. ~ Travis Mitchell, Mayor](#)
5. [National Animal Control Officer Appreciation Week \(April 10th – April 16th\). ~ Dex Ellison, Council Member](#)

6. [Public Safety Telecommunicator Week \(April 10th – April 16th\). ~ Travis Mitchell, Mayor](#)
7. [Proclamation recognizing "Lights Out for Bird Safety". ~ Robert Rizo, Mayor Pro Tem](#)
8. [Proclamation recognizing April as Autism Awareness Month to including World Autism Awareness Day April 2, 2022. ~ Michael Tobias, Council Member](#)
9. [Presentation regarding an Emergency Rental Assistance Program. ~ Daniela Parsley, Council Member](#)
10. [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](#)
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 - [Financial report award](#)
 - [Board and commission vacancies and appointments](#)
 - [TIRZ workshop](#)
 - [Community Survey](#)
 - [Community Events](#)
 - [Hays CISD DAC event – One Community, One Book Saturday, April 9th](#)
 - [Kyle Area Senior Zone \(KASZ\) Senior Resource Fair Saturday, April, 9th](#)
 - [Kyle Railroad Depot and Heritage Center host Easter Bunny Saturday, April 16th](#)
 - [Tire Drive, April 23rd and April 24th](#)
 - [Parks and Recreation events and programs](#)
 - [Easter Egg-stravaganza, April 9th](#)
 - [Pickleball Tournament, April 23rd](#)
 - [Trivia Nights at Centerfield Mondays beginning April 18th](#)
 - [Movies in the Park, April 29th](#)
 - [Youth Basketball Clinic, May 7th](#)
 - [Earth Day Plant Giveaway, April 22nd](#)
 - [Kyle Public Library Earth Day event, April 23rd](#)
11. [CIP/Road Projects and Consent Agenda Presentation. ~ Travis Mitchell, Mayor](#)

V. Consent Agenda

12. [Approval of Change Order No. 7 to SKYBLUE UTILITIES, INC., Kingsland,](#)

- TX, in an additional amount of \$128,088.04, increasing the total contract amount not to exceed \$6,200,563.12 for the purpose of constructing an 8" wastewater line to serve businesses on Edwards Drive. ~ Leon Barba, P.E., City Engineer
13. Approve Amendment No. 2 to Task Order No. 6 to LJA ENGINEERING, INC., Austin, Texas, in the amount of \$11,790.00 increasing the total contract in an amount, not to exceed, \$218,263.09 for the Anthem to Kohlers Crossing Waterline Project. ~ Leon Barba, P.E., City Engineer
 14. [Postponed 3/22/2022] Approve a contract with Maruti Transportation Group, Inc. for Wheelchair Accessible Vehicle (WAV) services as part of the City of Kyle's Kyle Uber \$3.14 program, including a one time implementation fee not to exceed \$35,000, \$12.00 per trip Load Fee, and \$2.50 per mile fee. ~ Jerry Hendrix, Assistant City Manager
 15. Authorize award and execution of a purchase order to DENBOW COMPANY, INC., Dripping Springs, Texas, in an amount not to exceed \$308,828.27 which includes a five (5) percent contingency for relocation of electric lines in the downtown area. ~ Leon Barba, P.E., City Engineer
 16. Approve a professional services agreement with HDR ENGINEERING, INC., Austin, Texas, in the amount of \$28,785.00 to conduct the Water and Wastewater Impact Fee Study and update all required schedules and reports in compliance with state law. ~ Leon Barba, P.E., City Engineer
 17. Approve Amendment No. 4 to K FRIESE & ASSOCIATES, Austin, Texas, in an amount not to exceed \$99,355.00 for a total contract award of \$347,150.00 for additional services required for the design, bid, and construction services for Phase 2 of this project and the rebidding of Phase 1 for the Center Street Village Wastewater Improvements project. ~ Leon Barba, P.E., City Engineer
 18. Consider approval of Kyle Citizens on Patrol vehicle design graphics and purchase. ~ Jeff Barnett, Chief of Police

VI. Items Pulled from Consent Agenda

VII. Consider and Possible Action

19. A Resolution of the City of Kyle, Texas, approving and adopting the 2022-2026 Kyle Public Library Long Range Plan. ~ Paul Phelan, Director of Library Services
20. Consider and possible action to authorize an amendment (Change Order) to the contract with BRIGHTVIEW LANDSCAPE SERVICES, INC., DBA WLE, to add three additional scopes of work in an amount not to exceed \$16,626.77 for providing landscape services for Mary Kyle Hartson, La Verde and Heroes Memorial Park. ~ Jerry Hendrix, Assistant City Manager
21. [Postponed 3/22/2022] (First Reading) An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of assigning original zoning to approximately 201.4 acres of land from Agriculture 'A' to Single Family

Residential-1 'R-1-1' for property located at 1899 Six Creeks Blvd, in Hays County, Texas. (Blanco River Ranch Properties, LP - Z-22-0097) ~ Will Atkinson, Senior Planner

Planning and Zoning Commission voted 5-0 to recommend approval conditioned on full annexation completed first.

- Public Hearing left open on 3/22/2022

22. [Postponed 3/22/2022] Consider and possible action to approve 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

23. [Postponed 3/22/2022] (Second 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

City Council voted 6-1 to approve on first reading on 3/1/2022.

24. [Postponed 3/22/2022] Consider and possible action to approve an agreement regarding the Dissolution of a Public Improvement District (Savannah Ranch Development). ~ Paige Saenz, City Attorney

25. [Postponed 3/22/2022] Consider and possible action to 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

26. [Postponed 3/22/2022] (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 on 2/15/2022.

27. [Postponed 3/22/2022] Consider and possible action to approve 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

28. (Second Reading) An ordinance of the City of Kyle, Texas, Amending or Repealing: Part II, Chapter 2, Article III Boards, Committees and Commissions, Division 1 Generally, Subdivision I Boards, Section 2-42 Appointment and Section 2-45 Qualifications; and, Subdivision II Committees, Sec 2-60 Appointment; and, Division 2 Planning and Zoning Commission, Sec 2-70 Vacancies, Appointments and Service; and, Article V Library, Division 2 Board of Directors, Sec 2-441 (c) Membership and Officers of Board; and, Division 5 Kyle Arts Commission, Section 2-118. Qualifications for Appointment and

Membership; and, Article III Boards, Committees and Commissions, Division IV. Economic Development and Tourism Board, Sec 2-114. Qualifications for Appointment and Membership, of the City of Kyle Municipal Code and Establishing Application and Appointment Standards for Boards, Committees and Commissions; Repealing Conflicting Ordinances, and Providing for Related Matters. ~ James R. Earp, Assistant City Manager

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

29. (First Reading) An ordinance of the City of Kyle, Texas, Regulating Traffic, Authorizing and directing the installation and erection of no stopping signs for traffic control along the east side of Old Stagecoach Road, from West Center Street to Veterans Drive in the city limits of Kyle; Repealing any ordinance or resolution in conflict; Providing a severability clause; Declaring a penalty; and Providing an effective date. ~ Jeff Barnett, Chief of Police
30. Consider and possible action to approve City Manager Contract Extension. ~ Travis Mitchell, Mayor
31. [Postponed 3/22/2022] Consider and possible action regarding an ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of modifying Section 53-1230 to restrict certain uses, and amend the zoning use chart. ~ Will Atkinson, Senior Planner

Planning and Zoning Commission voted 4-1 to deny Restrictions for Gas stations. Planning and Zoning Commission voted 4-1 to deny Restrictions for Car washes. Planning and Zoning Commission voted 5-0 to approve Restrictions Self-storage. Planning and Zoning Commission voted 4-1 to deny Bar without restaurant in CBD-2.

Planning and Zoning Commission voted 5-0 to Approve Brew pub in CBD-2. Planning and Zoning Commission voted 5-0 to restrict Self-storage.

City Council voted 6-1 to deny microbreweries in CBD-2. City Council voted 5-2 to approve the recommended amendments and P&Z recommendation for self-storage on 2/15/22. City Council took no action on gas stations and car wash items.

VIII. General Discussion and Possible Direction

32. Request for staff to work with Jane Kirkham to memorialize trees planted by her father located in Mary Kyle Hartson City Square Park and by the Train Depot. ~ Yvonne Flores-Cale, Council Member
33. Discussion and Possible Direction to Broadcast and Record Board and Commission Meetings. ~ Dex Ellison, Council Member
34. Discussion and possible action directing staff to create a safety plan for mobile home subdivisions during inclement weather. ~ Yvonne Flores-Cale, Council Member
35. Discussion and possible action regarding the process of gathering information to review and research City Manager's contract renewal. ~ Yvonne Flores-Cale,

Council Member

36. Discuss a Request from the Kyle Masonic Lodge to Erect a Cornerstone at the Public Safety Center. ~ Robert Rizo, Mayor Pro Tem
37. Update regarding Pie in the Sky and Special Events. ~ Jerry Hendrix, Assistant City Manager

IX. Executive Session

38. 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 AG|CM Contract
 - o Limestone Creek Development Agreement
 - o Savannah Ranch Development Agreement
 - o ETJ Discussion
 - o American Fireworks Agreement
 - o Alexander Property Agreement Settlement
 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.
 - o Project Razz Matazz
 - o Project Light Rose
 - o Project Titanium
39. 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."