



**City Council Regular Meeting Agenda  
Tuesday, February 20, 2024 7:00 PM  
Kyle City Hall, 100 W. Center Street, Kyle, TX 78640**

**Watch City Council Meetings at home on Spectrum 10 or  
Watch Online at [www.cityofkyle.com/kyle10](http://www.cityofkyle.com/kyle10)**

**I. Call Meeting to Order and Roll Call**

**II. Approval of Minutes**

1. Approval of the City Council February 6, 2024 Special Meeting Minutes, February 6, 2024 Regular Meeting Minutes, February 9, 2024 Workshop Meeting Minutes, February 10, 2024 Workshop Meeting Minutes, and February 11, 2024 Workshop Meeting Minutes.

(Item Presenter: Jennifer Kirkland, TRMC, City Secretary)

[Exhibit 1 - Draft Minutes February 6, 2024 City Council Special Meeting](#)

[Exhibit 2 - Draft Minutes February 6, 2024 City Council Regular Meeting](#)

[Exhibit 3 - Draft Minutes February 9, 2024 Workshop Meeting](#)

[Exhibit 4 - Draft Minutes February 10, 2024 Workshop Meeting](#)

[Exhibit 5 - Draft Minutes February 11, 2024 Workshop Meeting](#)

**III. Citizen Comment Period with City Council**

The City Council welcomes comments from Citizens early in the agenda of City Council 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. Agenda Order**

2. Agenda Order per Rules of Council Sec. B1.

(Item Presenter: Travis Mitchell, Mayor)

**V. Appointments**

3. Consider approval of a minute order appointing a new city council representative to the CAPCOG General Assembly in place of former city councilmember Yvonne Flores-Cale.

(Item Presenter: Jesse Elizondo, Assistant City Manager)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - CAPCOG Appointment Form](#)

[Exhibit 4 - General Assembly Member List](#)

**VI. Reports and Presentations**

4. Receive a report concerning the Lehman High School Navy JROTC Annual Military Inspection scheduled for Thursday, March 7th.  
(Item Presenter: Travis Mitchell, Mayor)
5. Special recognition of the Labeda Chupacabra Roller Hockey Team for winning their first NARCh Winter National Title in Men's Silver.  
(Item Presenter: Travis Mitchell, Mayor)
6. Introduction of new Director of Water Utilities, Mike Murphy.  
(Item Presenter: Amber Schmeits, Assistant City Manager)  
[Exhibit 1 - Staff Memo](#)  
[Exhibit 2 - Presentation](#)
7. Receive a report, hold a discussion, and provide staff direction on roadway conditions, preservation and capital improvements project planning.  
(Item Presenter: Leon Barba, P.E., City Engineer)  
[Exhibit 1 - Staff Memo](#)  
[Exhibit 2 - Presentation](#)  
[Exhibit 3 - 2023 Pavement Evaluation & Management Plan](#)  
[Exhibit 4 - 2023 Pavement Condition Report Maps](#)  
[Exhibit 5 - 2023 Pavement Condition Report Lists](#)  
[Exhibit 6 - Maintain Existing PCI List 24-28](#)
8. Receive a report, hold a discussion, and provide staff direction regarding the Development Services Department plan to minimize or eliminate the \$2.17 M annual expenditure for outsourced inspections.  
(Item Presenter: Kelly Stilwell, Building Official)  
[Exhibit 1 - Staff Memo](#)  
[Exhibit 2 - Presentation](#)
9. Receive a report, hold a discussion, and provide staff direction on the 2024 Special Events Calendar and options for the Kyle Fair and Pie in the Sky Festival.  
(Item Presenter: Mariana Espinoza, Director of Parks & Recreation)  
[Exhibit 1: Staff Memo](#)  
[Exhibit 2: Presentation](#)

## **VII. Consent Agenda**

10. Consider approval of an agreement between the City of Kyle and Green Flush Technologies, LLC. for a pre fabricated restroom for the Plum Creek Trail in the amount of \$198,333.  
(Item Presenter: Mariana Espinoza, Director of Parks & Recreation)  
[Exhibit 1- Staff Memo](#)  
[Exhibit 2- Presentation](#)  
[Exhibit 3- Agreement](#)
11. Consider approval of Task Order No. 3 to CP&Y, Inc. dba STV Infrastructure, in the amount of \$496,783 for the development of the City of Kyle Water Master Plan and authorize the City Manager to execute the task order.  
(Item Presenter: Tim Samford, Assistant Director of Water Utilities)  
[Exhibit 1 - Staff Memo](#)  
[Exhibit 2 - Presentation](#)

[Exhibit 3 - Contract](#)

12. Consider approval of a resolution authorizing the City Manager to reject all proposals received for RFQ-2023-40-PARD (Design Services for Kyle Sportsplex).  
(Item Presenter: Rosie Truelove, Director of Administrative Services)  
[Exhibit 1 - Staff Memo](#)  
[Exhibit 2 - Presentation](#)  
[Exhibit 3 - Resolution](#)
13. Consider approval of Task Order No. 4 to RPS Infrastructure, Inc. for design of the Vybe Trail and to revise the drainage design relating to the Marketplace Avenue project in the amount of \$225,468.25 and authorize the City Manager to execute all documents related thereto.  
(Item Presenter: Joe Cantalupo, K Friese & Associates, City's 2022 Road Bond Program Manager)  
[Exhibit 1 - Staff Memo](#)  
[Exhibit 2 - Presentation](#)  
[Exhibit 3 - Task Order](#)
14. Consider approval of a resolution authorizing the City Manager to execute documents necessary to acquire 0.023 acres of land located in Hays County, Texas from Plum Creek 2022, LP, for \$7,056 for the Marketplace Avenue roadway project.  
(Item Presenter: Amber Schmeits, Assistant City Manager)  
[Exhibit 1 - Staff Memo](#)  
[Exhibit 2 - Presentation](#)  
[Exhibit 3 - Resolution](#)
15. Consider approval of a resolution authorizing the City Manager to negotiate the purchase of an approximately 2,863 square-foot tract of land in Hays County, Texas from NP Austin Industrial 2, LLC, in an amount that the City Manager determines is fair and reasonable, but not to exceed \$25,767, for the Marketplace Avenue roadway project; and authorizing the City Manager to execute all necessary documents related thereto, in a form acceptable to the City Attorney.  
(Item Presenter: Aimee Alcorn-Reed, City Attorney)  
[Exhibit 1 - Staff Memo](#)  
[Exhibit 2 - Presentation](#)  
[Exhibit 3 - Resolution](#)

**VIII. Items Pulled from Consent Agenda**

**IX. Consider and Possible Action**

16. Consider approval of the CSW 1st Amendment development agreement; and consider approval of a resolution authorizing the City Manager to execute a Master Agreement and Task Order No. 1 with Schaumburg & Polk, Inc., Kyle, Texas, for providing engineering services on the Vybe Trail System to include preparation of design plans, providing bidding, and construction services for the construction of the Kyle Marketplace Section Two / St David connector segment in an amount of \$237,901.  
(Item Presenter: Will Atkinson, Director of Planning)  
[Exhibit 1 - Staff Memo](#)  
[Exhibit 2 - Presentation](#)  
[Exhibit 3 - Resolution](#)

[Exhibit 4 - Master Agreement](#)

[Exhibit 5 - Exhibit A, Task Order No. 1](#)

[Exhibit 6 - Resolution No. 1343](#)

[Exhibit 7 - Original CSW Development Agreement](#)

[Exhibit 8 - First Amendment to Kyle Crossing Development Agreement](#)

17. Consider approval of Task Order No. 2 to KCI Technologies, Inc. in an amount of \$110,450 for the development of a sidewalk master plan for the City.  
(Item Presenter: Harper Wilder, Director of Public Works)  
[Exhibit 1 - Staff Memo](#)  
[Exhibit 2 - Presentation](#)  
[Exhibit 3 - Task Order No. 2](#)
18. Consider approval of a resolution approving an amendment to the Preliminary Project and Finance Plan for Reinvestment Zone Number Six, City of Kyle, Texas.  
(Item Presenter: Stephanie Leibe, Norton Rose Fulbright, City's Bond Counsel)  
[Exhibit 1 - Staff Memo](#)  
[Exhibit 2 - Presentation](#)  
[Exhibit 3 - Resolution](#)
19. Consider approval of Task Order No. 20 to LJA Engineering, Inc., for PS&E design of the Kohlers to Seton (Off-System) project of the 2022 Road Bond Program in an amount of \$1,367,014.84; and authorizing the City Manager to execute all documents related thereto.  
(Item Presenter: Joe Cantalupo, K Friese & Associates, City's 2022 Road Bond Program Manager)  
[Exhibit 1 - Staff Memo](#)  
[Exhibit 2 - Presentation](#)  
[Exhibit 3 - Task Order](#)
20. Consider approval of a resolution authorizing the 2024 Team Kyle Academy.  
(Item Presenter: Rachel Sonnier, Director of Communications)  
[Exhibit 1 - Staff Memo](#)  
[Exhibit 2 - Presentation](#)  
[Exhibit 3 - Resolution](#)
21. Consider approval of a resolution approving a Franchise Agreement with Mountain City and authorizing the City Manager to execute the agreement in a final form approved by the City Attorney.  
(Item Presenter: Paige Saenz, The Knight Law Firm)  
[Exhibit 1 - Staff Memo](#)  
[Exhibit 2 - Presentation](#)  
[Exhibit 3 - Resolution](#)  
[Exhibit 4 - Mountain City Franchise Agreement](#)
22. Consider approval of a resolution approving an Interlocal Agreement with the City of Mountain City and authorizing the City Manager to execute the agreement in a final form approved by the City Attorney.  
(Item Presenter: Paige Saenz, The Knight Law Firm)  
[Exhibit 1 - Staff Memo](#)  
[Exhibit 2 - Presentation](#)  
[Exhibit 3 - Resolution](#)

Exhibit 4 - Interlocal Agreement

Exhibit 5 - Exhibit A

Exhibit 6 - Exhibit B

Exhibit 7 - Exhibit C

23. Discussion and possible action to direct city manager and staff to research a carpool option and program for residents that work inside or outside the city.  
(Item Presenter: Miguel A. Zuniga PhD, Council Member)
24. Discussion and possible action to direct the Economic Development and Tourism Board to analyze trends and best strategies for increasing hotel occupancy revenues and the development of a hotel/convention center funding plan.  
(Item Presenter: Travis Mitchell, Mayor)

#### **X. Executive Session**

25. 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.
  - a. **Executive session pursuant to Texas Government Code 551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning legal issues related to the amendment of the Development Agreement Establishing Standards for the Kyle Marketplace Subdivision/Development.
  - b. **Executive session pursuant to Texas Government Code 551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning legal issues related to the Quail Ridge Drainage Assessment.
  - c. **Executive session pursuant to Texas Government Code 551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning legal issues related to the Sledge Drainage Assessment **and pursuant to Texas Government Code §551.072** to discuss the possible purchase, exchange, lease, or value of real estate related to same.
  - d. **Executive session pursuant to Texas Government Code 551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning legal issues related to the Marketplace Avenue road project; **and pursuant to Texas Government Code §551.072** to discuss the possible purchase, exchange, lease, or value of real estate related to same.
  - e. **Executive session pursuant to Texas Government Code 551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning legal issues related to the acquisition of property for transportation improvements and related infrastructure; **and pursuant to Texas Government Code §551.072** to discuss the possible purchase, exchange, lease, or value of real estate related to same.
  - f. **Executive session pursuant to Texas Government Code 551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning legal issues related to Project Two Step; **and pursuant to Texas Government Code §551.087** to discuss and deliberate regarding potential financial or other incentives to business prospect(s) that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations relate to same.

- g. **Executive session pursuant to Texas Government Code 551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning legal issues related to Project Sahara; **and pursuant to Texas Government Code §551.087** to discuss and deliberate regarding potential financial or other incentives to business prospect(s) that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations relate to same.

26. Take action on items discussed in Executive Session.

## **XI. Adjourn**

One or more members of the board may participate in the meeting by videoconference pursuant to Section 551.127, Texas Government Code, provided that a quorum of the board will be present at Kyle City Hall.

Posted this 16th day of February, 2024, prior to 5:00 p.m.

*At any time during the City Council meeting, the City Council may elect to go into an Executive Session to discuss any item on the agenda for which state law authorizes an Executive Session to be held. If the City Council elects to go into an Executive Session regarding an agenda item, the presiding officer will first announce the section of the law authorizing a closed meeting. The description of an item in Executive Sessions constitutes the written interpretation by the City Attorney of Chapter 551 of the Texas Government Code and the legal opinion of the City Attorney that said item may be discussed in a closed meeting.*

Under the Americans with Disabilities Act, an individual with a disability must have equal opportunity for effective communication and participation in public meetings. Kyle City Hall is wheelchair accessible. Individuals who require auxiliary aids, interpretive services, and/or other services for this meeting should submit a request at <https://www.cityofkyle.com/contact> or call (512) 262-1010, 48 hours in advance of the meeting.