



City Council Regular Meeting Agenda
Thursday, March 7, 2024 7:00 PM
Kyle City Hall, 100 W. Center Street, Kyle, TX 78640

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Watch Online at www.cityofkyle.com/kyle10

I. Call Meeting to Order and Roll Call

II. Approval of Minutes

1. Approval of the City Council February 20, 2024 Special Meeting Minutes, and February 20, 2024 Regular Meeting Minutes.

(Item Presenter: Cynthia Gonzales, Assistant City Secretary)

[Exhibit 1 - February 20, 2024 City Council Special Minutes](#)

[Exhibit 2 - February 20, 2024 City Council Regular Minutes](#)

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. Reports and Presentations

3. A Proclamation recognizing Women's History Month.

(Item Presenter: Daniela Parsley, Council Member)

4. A Proclamation recognizing March 8, 2024 as International Women's Day.

(Item Presenter: Daniela Parsley, Council Member)

5. Receive a report from the Kyle Area Youth Advisory Council (KAYAC) regarding their newly selected capstone project.

(Item Presenter: Jesse Elizondo, Assistant City Manager)

6. Receive a report, hold a discussion and provide staff direction regarding an update on the City's recent Mental Health Request for Proposals.

(Item Presenter: Rosie Truelove, Director of Administrative Services)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

VI. Consent Agenda

7. Consider approval of Amendment 6 to Task Order No. 6 to LJA Engineering, Inc. in the amount of \$9,823 increasing the total project amount to \$243,558 to provide general real estate negotiation and acquisition services for an easement along the Anthem to Plum Creek Waterline Project and authorize the City Manager to execute the task order.
(Item Presenter: Leon Barba, P.E., City Engineer)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Amendment](#)
8. Consider approval of a resolution authorizing the City Manager to submit a grant application to the Byrne State Crisis Intervention Program (Byrne SCIP) in the amount of \$343,586 for the purpose of establishing a Community Mental Health Response Team.
(Item Presenter: Jeff Barnett, Chief of Police)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
9. Consider approval of a resolution creating both, Kyle Public Library's Collection Development Policy and Exhibits and Displays Policy.
(Item Presenter: Jessica McCart, Interim Director of Library Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 3 - Resolution](#)
[Exhibit 2 - Presentation](#)
[Exhibit 4 - Collection Development Policy](#)
[Exhibit 5 - Exhibit and Display Policy](#)
10. Consider approval of a resolution authorizing the City Manager, or designee, to extend offers to property owners for right-of-way acquisition for 2022 Kyle Road Bond projects based on the appraised value of individual property interests; authorizing the City Manager, or designee, to execute all documents necessary for right-of-way acquisition as part of the 2022 Kyle Road Bond projects, within the bounds of the property acquisition budget for the road bond projects, for any acquisition with a cost not to exceed \$250,000; and authorizing the City Manager, or designee, to enter into possession and use agreements with incentives not to exceed \$15,000 or 10% of the appraised value of any property, whichever is less, related to right-of-way acquisition for the 2022 Kyle Road Bond projects when the City Manager determines that such agreements are in the City's best interest.
(Item Presenter: Aimee Alcorn-Reed, City Attorney)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
11. Consider approval of a resolution authorizing the City Manager to execute a Master Cooperative Purchase Agreement and join the Texas Interlocal Purchasing Cooperative.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)

12. *(First Reading)* Consider approval of an ordinance amending the City's adopted budget for Fiscal Year 2023-2024 to authorize the addition of two inspector positions and all support costs including two leased vehicles for the Building Department.
(Item Presenter: Kelly Stilwell, Building Official)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
13. Consider approval of a contract awarding plan review and inspection services to Arch Technical Services, LLC, as sole provider and authorize the City Manager to execute the contract.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
14. *(First Reading)* Consider approval of an ordinance amending the City's adopted budget for Fiscal Year 2023-2024 by discontinuing the Pie in the Sky Fair program and authorizing the reprogramming of \$180,000 in funding to be added to the Tex-Travaganza Fair program.
(Item Presenter: Mariana Espinoza, Director of Parks & Recreation)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
15. Consider approval of a resolution waiving required Board of Adjustment fees for property located at 401 Sunflower Circle in the amount of \$778.20.
(Item Presenter: Melissa McCollum, Chief Development Officer)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
16. *(First Reading)* Consider approval of an ordinance authorizing the City Manager, or designee, to execute agreements within the City Manager's authority level as set by the City's purchasing policy; authorizing the City Manager, or designee, to execute any other agreements after City Council approval; and delegating the City Council's authority to determine that an alternative procurement method provides the best value to the City, under Section 2269.056 of the Texas Government Code, to the City Manager, or designee.
(Item Presenter: Aimee Alcorn-Reed, City Attorney)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)

VII. Items Pulled from Consent Agenda

VIII. Consider and Possible Action

17. Consider approval of a resolution authorizing the methodology of the intersection improvements on Marketplace Avenue at Kyle Center Drive and Marketplace Avenue at FM 1626.
(Item Presenter: Leon Barba, P.E., City Engineer)

[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)

18. *(First Reading)* Consider approval of an ordinance amending the City's adopted budget for Fiscal Year 2023-2024 and consider approval of an Inter-Local Agreement between ESD #5 and City of Kyle to reimburse purchase of a hazmat trailer and hazmat supplies not to exceed \$59,290.04.
(Item Presenter: Jeff Barnett, Chief of Police)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
[Exhibit 4 - KFD Inter-Local Agreement](#)
19. Consider approval of Task Order No. 6 to American Structurepoint, Inc. for PS&E design of the Bebee Road (East) project of the 2022 Road Bond Program in an amount of \$730,306.13.
(Item Presenter: Joe Cantalupo, K Friese & Associates, City's 2022 Road Bond Program Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - ASI Task Order No. 6](#)
20. Consider approval of Task Order No. 7 to American Structurepoint, Inc. for PS&E design of the Bebee Road (West) project of the 2022 Road Bond Program in an amount of \$3,547,398.02; 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 - ASI Task Order No. 7](#)
21. Discussion and possible action on directing the City Manager to designate a Pride-themed Market Days event in June 2024.
(Item Presenter: Bear Heiser, Council Member)

IX. Executive Session

22. 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 Texas Commission on Environmental Quality consideration of the City's permit application number WQ0011041002, related State Office of Administrative Hearing proceedings, and/or other legal issues related to the Wastewater Treatment Plant expansion.
 - 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 acquisition of property for transportation and/or park 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.
- 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 Article III of the City Charter.
- 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 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 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 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 related 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 the acquisition of property located at or near 2400 Dacy Lane from DFLC, Inc., and/or other interested parties; **and pursuant to Texas Government Code §551.072** to discuss the possible purchase, exchange, lease, or value of real estate related to same.
- h. **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 Underground; 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 related to same.

23. Take action on items discussed in Executive Session.

X. 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 1st day of March, 2024, prior to 6:00 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.