



**City Council Regular Meeting Agenda
Tuesday, September 17, 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**

I. Call Meeting to Order and Roll Call

II. Approval of Minutes

1. Consider approval of the City Council September 3, 2024 Special Meeting Minutes, and September 3, 2024 Regular Meeting Minutes.

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

[Exhibit 1 - September 3, 2024 Draft Special Minutes](#)

[Exhibit 2 - September 3, 2024 Draft 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. Appointments

3. Consider approval of a resolution appointing the Kyle Area Youth Advisory Council (KAYAC) members for the 2024-2025 term.

(Item Presenter: Jesse Elizondo, Assistant City Manager)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Resolution](#)

4. Consider approval of a resolution to reappoint Julia Fishback to Seat 2, Daisy Santos to Seat 4, and Julianne Orgish to Seat 6 of the Parks and Recreation Board for a two-year term expiring September 2026.

(Item Presenter: David Lopez, Director of Parks & Recreation)

[Exhibit 1 - Staff Memo](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Resolution](#)

VI. Reports and Presentations

5. Receive a report, hold a discussion, and provide staff direction regarding the initial assessment of the City's City Council districts from Bickerstaff Heath Delgado Acosta LLP.
(Item Presenter: Aimee Alcorn-Reed, City Attorney)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
6. Receive a report and hold a discussion regarding the Juvenile Behavioral Health Program with Hill Country Mental Health and Developmental Disabilities Centers.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)

VII. Consent Agenda

7. Consider approval of an amendment to contract 2024-42 with Viking Construction, LLC for additional micro surfacing services in the amount of \$453,690.32.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Amendment](#)
8. *(First Reading)* Consider approval of an Ordinance amending the Chapter 26 of the Code of Ordinances, Parks General Use, to add Section 26-92, Community Garden Rules, which authorizes the City Manager, or designee, to establish rules for the use of the Community Garden at Post Oak.
(Item Presenter: David Lopez, Director of Parks & Recreation)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
[Exhibit 4 - Community Garden Rules](#)
9. *(Second Reading)* Consider approval of an ordinance amending Chapter 17, Section 17-24, Methods of Reducing Flood Losses and Nuisance Conditions, of the City of Kyle Code of Ordinances related to stream buffer requirements.
City Council voted 6-1 to approve on first reading on 9/3/2024.
(Item Presenter: Leon Barba, P.E., City Engineer)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance](#)
10. Consider approval of Amendment No. 1 to Task Order No. 1 to BGE, Inc., in the amount of \$126,001.00 for the final design, bid, and construction phase services for the intersection improvements of Gregg Drive and Veterans Drive and rehabilitation of Gregg Drive and Ranger Drive.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Amendment 1 to Task Order 1](#)
[Exhibit 4 - Recommendation Letter](#)

11. Consider approval of Task Order No. 5 to CP&Y, Inc. dba STV Infrastructure, in the amount of \$163,944.00 for an updated Water Conservation and Drought Contingency Plan, a Public Outreach Dashboard, and Water Operations Strategy.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Task Order No. 5](#)
12. Consider approval to award RFP 2024DD-07 to Artistic Holiday Designs, LLC for seasonal decorating services of City properties in an amount not to exceed \$330,000.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
13. Consider approval of an agreement with Catalyst Consulting Group, Inc. for the development, configuration, and deployment of the Catalyst 3-1-1 Customer Relationship Management platform in the amount of \$454,700 via the Texas Department of Information Resources cooperative contract.
(Item Presenter: Jesse Elizondo, Assistant City Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
14. Consider approval of an agreement with Carahsoft Technology Corp for Salesforce software licenses for the deployment of a citywide 3-1-1 system in the amount of \$128,829.96 via the Texas Department of Information Resources cooperative contract.
(Item Presenter: Jesse Elizondo, Assistant City Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Agreement](#)
15. Consider approval of a resolution reaffirming the appointment of Judge Andrew Cable as the City Municipal Court Judge and approving an amendment to extend the contract with Judge Andrew Cable through December 2025.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Agreement](#)
[Exhibit 5 - Amendment](#)
16. Consider approval of a resolution denying the Texas Gas Services rate increase.
(Item Presenter: Aimee Alcorn-Reed, City Attorney)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)

17. Consider approval of a resolution authorizing a contract with Axon Enterprise, Inc. for Fusus software licenses for real time management of live camera footage for \$75,000 per year for years 1-5 and \$100,000 per year for years 6-8 for a total of \$675,000 via the BuyBoard cooperative contract.
(Item Presenter: Jeff Barnett, Chief of Police)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - Memorandum of Support](#)
[Exhibit 5 - Quote](#)
18. Consider approval of Amendment 1 to Task Order No. 6 to American Structurepoint, Inc. for additional detention infrastructure design for the Bebee Road (West) project of the 2022 Road Bond Program in the amount of \$201,340.00.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Task Order](#)

VIII. Items Pulled from Consent Agenda

IX. Consider and Possible Action

19. Consider approval of a resolution establishing a Property Improvement Program and authorizing an agreement with Austin Habitat for Humanity for a pilot program to implement the Property Improvement Program.
(Item Presenter: Melissa McCollum, Chief Development Officer)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
20. Consider approval of a resolution to submit the City Council's nominations to serve on the Board of Directors of the Hays Central Appraisal District.
(Item Presenter: Perwez A. Moheet, CPA, Director of Finance)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Resolution](#)
[Exhibit 4 - HaysCAD Chief Appraiser's Memorandum 8-20-2024](#)
21. *(First Reading)* Consider approval of an ordinance to extend the boundary of the City of Kyle to include approximately 101.53 acres of land located at 1000 Lehman Road, in Hays County, Kyle, Texas. (ANNX-24-0022) **(This item has been withdrawn by the applicant and will not be considered).**
 - Public Hearing(Item Presenter: Will Atkinson, Director of Planning)
22. *(First Reading)* Consider approval of an ordinance amending Chapter 53 (Zoning) of the Code of Ordinances to rezone approximately 1.54 acres of land from 'C/M' (Construction/Manufacturing) to 'CBD-2' (Central Business District-2) for property located at 505 S. Old Hwy 81 in Hays County, Texas. (Z-24-0129)
 - Public Hearing(Item Presenter: Will Atkinson, Director of Planning)

[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Zoning Ordinance](#)
[Exhibit 4 - Landowner Authorization Form](#)
[Exhibit 5 - Summary Letter](#)
[Exhibit 6 - Deed](#)
[Exhibit 7 - Franchise Tax Account Status Form](#)

23. Consider approval of an amended and restated interlocal agreement with the City of San Marcos, TX in its final form for the San Marcos Regional Animal Shelter.
(Item Presenter: Jeff Barnett, Chief of Police)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Interlocal](#)
24. Consider approval of Task Order No. 9 to Pape Dawson Consulting Engineers, LLC, for PS&E design of the Old Stagecoach Road portion of the Old Stagecoach Road project of the 2022 Road Bond Program in the amount of \$2,047,287.05.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Task Order](#)
25. Consider approval of Task Order No. 10 to Pape Dawson Consulting Engineers, LLC, for PS&E design of the Center Street portion of the Old Stagecoach Road project of the 2022 Road Bond Program in the amount of \$1,799,557.05.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Task Order](#)

X. Staff Reports and Presentations

26. Receive a report, hold a discussion, and provide staff direction regarding an overview of the Parks and Recreation department and capital projects.
(Item Presenter: David Lopez, Director of Parks & Recreation)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
27. Receive a report, hold a discussion, and provide staff direction regarding quality-of-life study for people with disabilities in Kyle.
(Item Presenter: Jesse Elizondo, Assistant City Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)
28. Receive a report, hold a discussion, and provide staff direction regarding the creation of a City Entity on Aging.
(Item Presenter: Amber Schmeits, Assistant City Manager)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)

29. Receive a report, hold a discussion, and provide staff direction regarding a new logo and branding for the Kyle Public Library.
(Item Presenter: Leslie Scott, Director of Library Services)
[Exhibit 1 - Staff Memo](#)
[Exhibit 2 - Presentation](#)

XI. City Council Requested Items

30. Consider directing the City Manager to develop a plan to enhance events at Heroes Memorial Park by collaborating with non-profit organizations in our community.
(Item Presenter: Daniela Parsley, Council Member)
31. Consider directing the City Manager to remove building permit fees associated with the construction of ADA ramps.
(Item Presenter: Lauralee Harris, Council Member)

XII. 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.
- 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 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.
 - 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 acquisition of property for park and recreation use, 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.
 - 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 downtown property for municipal purposes; **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 acquisition of property for water and wastewater utility 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.
 - e. **Executive session pursuant to Texas Government Code §551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning municipal annexation under Chapter 43 of the Texas Local Government Code and/or zoning regulations, including allowable zoning regulations under Chapter 211 of the Texas Local Government Code and/or legal issues related to expansion or contraction of Certificates of Convenience and Necessity related to the provision of water and wastewater service.

- f. **Executive session pursuant to Texas Government Code §551.071** and Texas Disciplinary Rules 1.05 to consult with attorneys concerning the City's agreement with the municipal court judge; **and pursuant to Texas Government Code §551.074** to discuss personnel issues including the appointment, reappointment, or removal of the municipal court judge.
- 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 potential commercial development of properties located at or near the intersection of Kohlers Crossing and 1626 and in Kyle Crossing between Kohlers Crossing and Kyle Parkway, including City-owned property; **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 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 the existing agreement with Caraway Cattle Company Family Partnership, LLP, Transwestern Development Company, LLC, and/or Newquest Equity, LLC, including potential amendments thereto; **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.
- i. **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 City's Request for Proposals No. 2024DD-01 and potential agreements with lobbying firms related thereto.

33. Take action on items discussed in Executive Session.

XIII. 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 13th day of September, 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.