



City Council Regular Meeting Agenda
Wednesday, June 4, 2024 7:00 PM
Kyle City Hall, 100 W. Center Street, Kyle, TX 78640

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I. Call Meeting to Order and Roll Call

II. Approval of Minutes

1. Approval of the City Council May 22, 2024 Special Meeting Minutes and May 22, 2024 Regular Meeting Minutes.
(Item Presenter: Cynthia Gonzales, Assistant City Secretary)

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. Receive a presentation of Graduates of the 2024 Team Kyle Academy.
(Item Presenter: Rachel Sonnier, Director of Communications)

VI. Consent Agenda

4. Consider approval of a resolution regarding the First Amendment to the Blanco River Ranch Development Agreement with Toll Southwest, LLC.
(Item Presenter: Amber Schmeits, Assistant City Manager)
5. Consider approval of a resolution authorizing a Letter Agreement with WZ Investments, LLC to provide a 15-year extension to the non-annexation Development Agreement.
(Item Presenter: Melissa McCollum, Chief Development Officer)
6. Consider approval of a resolution authorizing the Arts and Cultural Board to establish a Tiny Art Galleries program and to allocate approximately \$3,500 for the purchase and installation of 3 Tiny Art Galleries.
(Item Presenter: Amber Schmeits, Assistant City Manager)

7. Consider approval of a resolution authorizing the Arts and Cultural Board to establish an Artist Networking Events program and to allocate approximately \$500 to host two Networking Events in FY23-24.
(Item Presenter: Amber Schmeits, Assistant City Manager)

VII. Items Pulled from Consent Agenda

VIII. Consider and Possible Action

8. Reconsideration of the vote at the May 22, 2024 City Council Meeting to Consider approval of an ordinance amending Chapter 53 (Zoning) of the Code of Ordinance, rezoning approximately 45.3 acres of land from 'RS' (Retail Services), to 'PUD' (Planned Unit Development, approximately 29.9 acres 'RS' & approximately 15.4 acres 'R-3-3 (apartments) for property located at 22675 IH-35 in Hays County, Texas.
(Item Presenter: Miguel A. Zuniga PhD, Council Member)

9. [Reconsideration from 5/22/2024] (*First Reading*) Consider approval of an ordinance amending Chapter 53 (Zoning) of the Code of Ordinance, rezoning approximately 45.3 acres of land from 'RS' (Retail Services), to 'PUD' (Planned Unit Development, approximately 29.9 acres 'RS' & approximately 15.4 acres 'R-3-3 (apartments) for property located at 22675 IH-35 in Hays County, Texas. (Kyle Retail/Office, LLC - Z-23-0119)

- Public Hearing

City Council vote failed 3-3 on motion to approve on first reading on 5/22/2024

(Item Presenter: Jason Lutz, Planning Manager)

10. Consider approval of a resolution amending the approved moderators for the Juneteenth Dialogue for Peace and Progress Event and approving an exception to Resolution No. 1390 to allow a member of the public to serve as a moderator for the event.
(Item Presenter: Miguel A. Zuniga PhD, Council Member)
11. Consider approval of a resolution authorizing the City Manager to waive all building and permitting fees for the property located on Honey Onyx Trail for Meritage Homes Corporation as part of Operation Homefront.
(Item Presenter: Amber Schmeits, Assistant City Manager)

IX. Staff Reports and Presentations

12. Receive a report, hold a discussion and provide staff direction on the proposed compensation and benefits plan for fiscal year 2024-2025.
(Item Presenter: Rosie Truelove, Director of Administrative Services)
13. Receive a report, hold a discussion and provide staff direction on the proposed facilities plan for fiscal year 2024-2025.
(Item Presenter: Amber Schmeits, Assistant City Manager)
14. Receive a report, hold a discussion and provide staff direction on the proposed city council committees for boards and commission appointments.
(Item Presenter: Jesse Elizondo, Assistant City Manager)

15. Receive a report, hold a discussion, and provide staff direction on Placemaking, Roundabouts, Wayfinding, and Beautification of Gateways.
(Item Presenter: Melissa McCollum, Chief Development Officer)

X. Executive Session

16. 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 Project Cliffhanger; **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.
 - 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 Project Connect Four; **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.
 - 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 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.
 - 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 and/or alignment and design of water or wastewater 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 the development agreement with Continental Homes of Texas, L.P. and/or the potential amendment 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.

- 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 and/or alignment and design of park and/or recreation improvements; **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 Stars are Bright **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 Article VI of the City Charter.
- j. **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 contract with Transcend, Inc., dba SPA Skateparks.

17. 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 31st day of May, 2024, prior to 5:15 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.