REGULAR CITY COUNCIL MEETING MINUTES

The City Council of the City of Kyle, Texas met in Regular Session on June 5, 2018 at Kyle City Hall with the following persons present:

Mayor Travis Mitchell Mayor Pro Tem Shane Arabie Council Member Dex Ellison Council Member Tracy Scheel Council Member Alex Villalobos Council Member Damon Fogley Council Member Daphne Tenorio Scott Sellers, City Manager James Earp, Assistant City Manager Paige Saenz, City Attorney Jerry Hendrix, Chief of Staff Jennifer Vetrano, City Secretary Leon Barba, City Engineer Kayleigh Soukup, IT Technician Kerry Urbanowicz, PARD Director Howard Koontz, Community Dev Director Pedro Hernandez, Police Captain Harper Wilder, Public Works Director

Madison Alexander Madalyn Raymond Kenneth Baldwin Trista Fugate Andrew Hoekzema

I. Call Meeting to Order

Mayor Mitchell called the meeting to order at 7:01 p.m. Mayor Mitchell asked the city secretary to call roll.

Present were: Mayor Mitchell, Mayor Pro Tem Arabie, Council Member Ellison, Council Member Scheel, Council Member Villalobos, Council Member Fogley, and Council Member Tenorio. A quorum was present.

II. Approval of Minutes

1. City Council Meeting Minutes - May 15, 2018. ~ Jennifer Vetrano, City Secretary

Mayor Mitchell brought forward the minutes for discussion.

Council Member Tenorio moved to approve the minutes of the May 15, 2018 Council Meeting. Council Member Villalobos seconded the motion.

All votes aye; motion carried 7-0.

III. Citizen Comment Period with City Council

Mayor Mitchell opened citizen comments at 7:02 p.m.

Kenneth Baldwin was called to speak as registered representing Combat Veterans Motorcycle Association Chapters 23-7 and 23-17. He stated that in September 2019 they are preparing to host their Meet and Greet in Buda and Kyle. He wanted to receive the Council's blessing for the anticipated 250 - 1250 attendees that will be coming to the area and visiting local establishments.

City Council Meeting Minutes June 5, 2018 – Page 2 Kyle City Hall

Trista Fugate was called to speak on behalf of Pedernales Electric Cooperative. She invited Council to attend PEC's annual meeting. She stated it will be on Saturday June 23, 2018 at Smithson Valley High School in Spring Branch. This will be the 80th birthday/anniversary of PEC. She also spoke about their election coming up and asked everyone to vote.

With no one else wishing to speak, and no objections to closing citizen comments, Mayor Mitchell closed citizen comments at 7:08 p.m.

IV. Presentation

2. Girl Scout Gold Award Day Mayoral Proclamation recognizing Madison Alexander, Anna Pulis, and Madalyn Raymond. ~ *Travis Mitchell, Mayor*

Mayor Mitchell brought forward Item No. 2 for discussion. Madison Alexander and Madalyn Raymond, who were in attendance, spoke about their projects. Mayor Mitchell presented a Mayoral Proclamation recognizing Madison Alexander, Anna Pulis, and Madalyn Raymond for the Girl Scout Gold Award. No action was taken.

3. Emerald Crown Trail Public Workshops. ~ *Kerry Urbanowicz, Director of Parks, Recreation and Facilities*

Mayor Mitchell brought forward Item No. 3 for discussion. Mr. Urbanowicz presented the item. No action was taken.

V. Consent Agenda

Mayor Mitchell asked if there were any items to be pulled from the Consent Agenda. There were none. With no objections, Mayor Mitchell brought forward Item Nos. 4, 5, 6, 7, 8, 9, and 10.

4. (Second Reading) An Ordinance of the City of Kyle, Texas, in accordance with Chapter 47, Article III Authorizing and Directing the Installation and Erection of No Parking Signs to Prohibit Parking on the north side of Wetzel (West FM 150 and Mather) in the City Limits of Kyle; fixing a penalty therefor; providing for severability; providing for repeal of conflicting ordinances; and ordaining other provisions related to the subject matter thereof. ~ *Kyle Taylor, Fire Chief*

City Council voted 6-0 to approve the ordinance on first reading.

5. (Second Reading) An Ordinance of the City of Kyle, Texas, in accordance with Chapter 47, Article III Authorizing and Directing the Installation and Erection of No Parking Signs to Prohibit Parking on the residential side of Kirby (1700-1900 blocks) and Hellman (5100-5200 blocks) in the City Limits of Kyle; fixing a penalty therefor; providing for severability; providing for repeal of conflicting ordinances; and ordaining other provisions related to the subject matter thereof. ~ *Kyle Taylor, Fire Chief*

City Council voted 6-0 to approve the ordinance on first reading.

6. Approve Majestic Industrial Park - Short Form Final Plat (SUB-18-0038) 46.24 acres; 3 commercial lots located immediately southwest of the intersection of Kohler's Crossing and Kyle Crossing. ~ *Howard J. Koontz, Director of Planning and Community Development*

Planning and Zoning Commission voted 5-0 to approve the plat.

- Approve Amendment No. 1 to Task Order No. 5 to LJA ENGINEERING, INC., Austin, Texas, in the amount of \$5,000.00, increasing the total contract amount to not exceed \$69,242.50 for additional engineering services for the Elliott Branch Phase 2 wastewater line on Old Stagecoach Road from Center St. to the Stagecoach Subdivision. ~ *Leon Barba, P.E., City Engineer*
- Approve Amendment No. 4 to LNV, INC., Austin, Texas, in an amount not to exceed \$19,620.00, increasing the total contract amount not to exceed \$282,874.00 for the purpose of providing additional acquisition services for the Southside Sewer and Related Projects (Elliott Branch Phase 1 Wastewater Interceptor Project). ~ *Leon Barba, P.E., City Engineer*
- 9. A Resolution of the City Council of the City of Kyle, Texas accepting the Stagecoach Subdivision Phase 1 subdivision improvements: finding and determining that the meeting at which this Resolution is passed was noticed and is open to the Public as required by law.~ *Leon Barba, P.E., City Engineer*
- 10. A Resolution of the City Council of the City of Kyle, Texas accepting the Stagecoach Subdivision Phase 1A subdivision improvements: finding and determining that the meeting at which this Resolution is passed was noticed and is open to the Public as required by law. ~ Leon Barba, P.E., City Engineer

Mayor Pro Tem Arabie moved to approve Consent Agenda Item Nos. 4, 5, 6, 7, 8, 9, and 10. Council Member Scheel seconded the motion. All votes aye; motion carried 7-0.

VI. Consider and Possible Action

11. Cost Participation Agreement for Public Improvements with Cool Springs. ~ James R. Earp, Assistant City Manager

Mayor Mitchell brought forward Item No. 11 for discussion. Mr. Earp presented the item and also covered Item No. 12, as the two are related.

Council Member Tenorio moved to approve the Cost Participation Agreement for Public Improvements with Cool Springs. Council Member Villalobos seconded the motion.

There was discussion on the motion. Council Member Scheel asked what size the pipe will be going through Waterleaf. Mr. Earp did not recall, but stated that they have to upsize it all the way through. Mr. Earp stated that there is a portion that has to be upgraded. Ms. Scheel asked for clarification that all upsizing would be taken care, and Mr. Earp affirmed. He stated a model was conducted to ensure all the pipe sizing is right.

All votes aye; motion carried 7-0.

12. [Postponed 3/6/2018] Agreement to oversize Cool Springs Wastewater Interceptor between City of Kyle and LaSalle Holdings Ltd. ~ *James R. Earp, Assistant City Manager*

Mayor Mitchell brought forward Item No. 12 for discussion. Mr. Earp made himself available for questions.

Council Member Tenorio moved to approve an agreement to oversize Cool Springs Wastewater Interceptor between City of Kyle and LaSalle Holdings Ltd. Council Member Fogley seconded the motion.

There was discussion on the motion. Mayor Pro Tem Arabie asked whether the reclaimed water has been discussed. Mr. Earp stated that LaSalle is paying 100% of that because it is only serving their project. Mayor Mitchell commented that this is a great project for the City of Kyle in the ETJ and he is excited to see it move forward.

All votes aye; motion carried 7-0.

13. Bunton Creek Reserve Park Land Dedication. ~ Kerry Urbanowicz, Director of Parks, Recreation and Facilities

Mayor Mitchell brought forward Item No. 13 for discussion. Mr. Urbanowicz presented the item.

Council Member Tenorio moved to approve Bunton Creek Reserve Park Land Dedication. Council Member Fogley seconded the motion. All votes aye; motion carried 7-0.

14. [Postponed 5/15/2018] (First Reading) An Ordinance of the City of Kyle, Texas, amending Sec. 53-5 "Definitions" and Sec. 53-33 "General Requirements and Limitations.", of Chapter 53 "Zoning", of the City of Kyle Code of Ordinances, by clarifying definitions and approved placement, establishing life safety separation distances, establishing maximum heights, and creating maximum square footage allowances. ~ *Howard J. Koontz, Director of Planning and Community Development*

Planning and Zoning Commission voted 3-2 to recommend approval as written.

• Public Hearing

Mayor Mitchell brought forward Item No. 14 for discussion. Mr. Koontz presented the item.

Mayor Mitchell opened the public hearing at 7:41 p.m. With no one wishing to speak, and no objections to closing the public hearing, Mayor Mitchell closed the public hearing at 7:41 p.m.

Council Member Tenorio moved to send the item back to staff to have conversations and bring it back once they have more input (table the item). Council Member Fogley seconded the motion.

There was discussion on the motion. Mayor Mitchell stated he is okay with tabling it, but believes most of Council has an opinion one way or another. Council Member Ellison asked for clarification on the motion. Council Member Tenorio stated she would like staff to meet with the mayor and anyone else who has any questions including HOA presidents or representatives to make sure that everyone is on the same page. She said the item makes all the HOAs follow the same rules and guidelines, and

City Council Meeting Minutes June 5, 2018 – Page 5 Kyle City Hall

that if the HOA has a more restrictive rule, then the City comes over and the HOA rule doesn't apply. Mayor Pro Tem Arabie commented that the more restrictive HOA rule would apply. Council Member Tenorio said it is too confusing. Council Member Scheel stated that in her HOA an accessory structure cannot be seen from the street, so corner lots are restricted on that side of the yard. Council Member Tenorio stated she doesn't think Council is ready for this yet.

Motion carried 4-3 with Mayor Mitchell, Mayor Pro Tem Arabie, and Council Member Scheel dissenting.

15. Consider and take possible action on a request from Arlene Higueros, representing Francisco Manzo, Jr., to waive City Code Section 41-142(f)(2) which requires connection to City wastewater service. ~ *Leon Barba, P.E., City Engineer*

Mayor Mitchell brought forward Item No. 15 for discussion. Mr. Barba presented the item.

Council Member Tenorio moved to approve a request from Arlene Higueros, representing Francisco Manzo, Jr., to waive City Code Section 41-142(f)(2) which requires connection to City wastewater service. Motion died for lack of second.

The presentation continued.

Council Member Tenorio moved to approve a request from Arlene Higueros, representing Francisco Manzo, Jr., to waive City Code Section 41-142(f)(2) which requires connection to City wastewater service. Mayor Pro Tem Arabie seconded the motion.

There was discussion on the motion. Mayor Mitchell stated that he will reluctantly agree, saying he still struggles with putting a septic in, and he wished the applicant were here to ask whether their preference was to receive City Wastewater Services. Mayor Mitchell continued that if the applicant wants to connect to city sewer through the easement that is rightfully there, he doesn't see a reason not to connect. He discussed his own lots with septic and the maintenance issue. He said if Mr. Barba is telling him that the applicant is fine with both and even in support of the waiver, then he can support it. Mr. Barba affirmed. Mayor Pro Tem Arabie asked the estimated cost of putting the line in, and Mr. Barba responded 150 feet at \$40 per foot is \$6,000 plus the possibility of a manhole, about \$10,000 – 15,000. Mayor Mitchell commented that that is about the price of septic. Mr. Arabie stated that that price does not include accessing homeowners' properties, taking up fences, and digging by hand/working without power tools. Mr. Arabie stated likely it would be 30% on top of the estimated costs. Mayor Mitchell stated that he understands that there is a cost associated, and that with the easement, now is his chance. He said once the money is spent on septic the applicant is disincentivized to connect to sewer.

All votes aye; motion carried 7-0.

16. (First Reading) An Ordinance of the City of Kyle, Texas, in accordance with Chapter 47, Article III authorizing and directing the installation and erection of no parking signs to prohibit parking on the north side of Brutus Drive (between Brandi Circle and Lehman Rd) in the City Limits of Kyle. ~ Daphne Tenorio, Council Member

City Council Meeting Minutes June 5, 2018 – Page 6 Kyle City Hall

Mayor Mitchell brought forward Item No. 16 for discussion and gave the floor to Council Member Tenorio. Ms. Tenorio requested to discuss Item Nos. 16 and 17 together, as they are related.

Council Member Tenorio moved to approve Item Nos. 16 and 17. Council Member Fogley seconded the motion.

There was discussion on the motion. Council Member Villalobos asked Mr. Sellers what some of the solutions were from the school to direct students into the school's parking lot. He asked whether there were any tangible solutions brought to the table by the school district to solve these issues. Council Member Tenorio stated that there really were no solutions brought back because the school district cannot force them to park in their lot. She continued that they did offer to do a sliding scale on the parking permits, which are \$50 per year at Lehman. She said they also discussed the movement of cars and facilitating getting them out quicker. Mr. Sellers added that students were asked why they were parking outside of the parking lot and one response was that it was easier to get out so they could get to work on time. Mayor Pro Tem Arabie stated that when he lived in Southlake, the main reason that students parked there is that their cars were not legal. He said many of the vehicles parking on the streets are not eligible for a school parking permit due to registrations, inspections, and/or insurance requirements. He said up until this moment there has been no effective solution, not that they are not trying, but nothing effective has been put into effect. Mr. Arabie stated that the City is being looked to for a solution to a school issue. He suggested putting the signs up, but not one side of the street, both sides of the street, pushing students back into the parking lot or making it obtrusive to park further into the neighborhood. Council Member Tenorio stated that the problem with that is Council would be hurting the people who live there. She continued that one-sided parking allows residents to have available parking for their residences for visitors, caregivers, or any reason. Ms. Tenorio continued that one sided no parking would be making them walk further. She asked whether anyone had spoken to the school board and Mr. Arabie stated that he has. Mayor Mitchell stated he thinks the school is more receptive towards finding a solution than ever before, and he thinks this attempt at a solution will be ineffective only because all the reasons given for not parking in the school lot will persist, spreading those cars into different streets within the neighborhoods. Mr. Mitchell continued that without inducing students into the parking lot, Council is just reducing the amount of space they are currently using and therefore congesting more. He agreed with Mayor Pro Tem Arabie that if there is no parking on both sides of Lake Washington, students would be required to walk a very long way and might then induce them. Council Member Tenorio stated that she has no problem prohibiting parking on both sides of Lake Washington. Mr. Arabie mentioned adding Sapphire Lake also. Ms. Tenorio agreed. She stated she has a problem with not doing something. Mayor Mitchell asked Council Member Tenorio if she would want to go to the residents with the proposal of no parking on both sides of Lake Washington and Sapphire Lake during school hours. Mayor Mitchell stated his preference of working through the summer to explore traffic control options for letting the parking lots out faster, and reevaluate at the next term. His second preference is to make it effective by doing something other than shuffling cars around in neighborhoods. His third preference is the current proposal. Mayor Pro Tem Arabie stated that Lake Washington residents will regret it because their driveways are short. Mayor Mitchell stated that residents will be parking over the sidewalk. Council Member Tenorio rescinded her motion.

Council Member Tenorio moved to approve an Ordinance of the City of Kyle, Texas, in accordance with Chapter 47, Article III authorizing and directing the installation and erection of no parking signs

City Council Meeting Minutes June 5, 2018 – Page 7 Kyle City Hall

to prohibit parking on the north side of Brutus Drive (between Brandi Circle and Lehman Rd) in the City Limits of Kyle. Council Member Fogley seconded the motion.

There was discussion on the motion. Council Member Ellison asked whether this motion is to approve as is with one side no parking. Council Member Tenorio stated that one sided no parking will allow emergency vehicles to pass through, and residents to back out of their driveways safely. Council Member Ellison stated that this issue is difficult, and he agrees with Mayor Pro Tem Arabie that this is a school district problem, but stated it is overflowing into a City problem. He supported Mayor Mitchell's preference to work with the school district to find a solution, but something needs to be done now as well. Mayor Pro Tem Arabie stated he is not against it. Council Member Villalobos stated that this is an excellent opportunity to promote collaboration with the school district. He took issue with the school district not having provided any real solutions on their behalf. He spoke about the public safety issue, and stated that he drives the road on a regular basis because his daughter attends Lehman High School, so he has seen this issue. Mr. Villalobos stated if the school district is considering the scaling of permits and all these different things, this is different than anything that has been done in the past. He stated this is not a solution but a start.

All votes aye; motion carried 7-0.

With no objections the Ordinance was finally passed.

17. *(First Reading)* An Ordinance of the City of Kyle, Texas, in accordance with Chapter 47, Article III authorizing and directing the installation and erection of no parking signs to prohibit parking on the east side of Lake Washington Dr (between Bunton Creek Rd and Town Lake Bend) in the City Limits of Kyle. ~ *Daphne Tenorio, Council Member*

Mayor Mitchell brought forward Item No. 17. Council Member Tenorio requested to table the item to meet with the Southlake Ranch HOA to discuss the option of making both sides no parking for both roads. There were no objections.

18. Discussion and possible action to join Central Texas Clean Air Coalition as a supporting or general member. ~ *Travis Mitchell, Mayor*

Mayor Mitchell brought forward Item No. 18 for discussion. Mayor Mitchell presented the item.

Council Member Tenorio moved to join Central Texas Clean Air Coalition as a supportive or general member. Mayor Mitchell seconded the motion.

There was discussion on the motion. Council Member Ellison asked for clarification on supporting or general membership. Mr. Andrew Hoekzema, Director of Regional Services for CAPCOG explained that general members are voting members, represented by a member of council, while supporting members participate in the advisory committee with a staff appointed representative. Council Member Tenorio asked the cost difference. Mr. Hoekzema stated that this is a voluntary association the state funding that was used for the program was vetoed in the last year by the Governor. He stated the members stepped up to provide emergency funding to get through the next Legislative session. Mr. Hoekzema said there is no membership fee, and it is their hope that state funding is reinstated in the next Legislative session. He stated that if the funding is not reinstated, they may ask members to donate by a prorated share, which for Kyle would likely be \$4,000 - \$7,000, as a voluntary donation.

City Council Meeting Minutes June 5, 2018 – Page 8 Kyle City Hall

Council Member Tenorio clarified her motion to join as a general member. Mayor Mitchell seconded the clarification.

Council Member Ellison asked Mr. Hoekzema to highlight one or two policies that were the result of this coalition. Mr. Hoekzema stated that there is the CAPCOG Air Quality Program, which exists only because of the Coalition. He stated that the Coalition was able to provide an analysis related to a Kyle area resident regarding whether their property may be impacted by new road pollution within Kyle. They used a new road air monitor operated by TCEQ in Travis County which measures the worst new road pollution. They used that data to compare with data collected from Kyle to evaluate the issue. He mentioned Texas Lehigh, one of the largest point sources of emissions in the region, which elected to become a Clean Air Coalition member because they recognize their ability to stay in business relies on the ability to stay complaint with Federal Air Quality Standards. He stated Lehigh operates their plant differently on Ozone Action days to reduce pollution.

All votes aye; motion carried 7-0.

Mr. Hoekzema requested the Mayor bring forward an action item at a future meeting to appoint a member of Council to be a representative, and he said the next meeting is scheduled for August.

19. A Resolution of the City of Kyle, Texas, amending Resolution Number 1086 and restating the City of Kyle Rules of City Council. ~ *Travis Mitchell, Mayor*

Mayor Mitchell brought forward Item No. 19 for discussion. Mayor Mitchell presented the item.

Mayor Mitchell moved to approve a Resolution of the City of Kyle, Texas, amending Resolution Number 1086 and restating the City of Kyle Rules of City Council. Mayor Pro Tem Arabie seconded the motion. All votes aye; motion carried 7-0.

20. A Resolution of the City of Kyle, Texas supporting the nomination of Graham Moore by the Alliance Regional Water Authority (ARWA) for a position on the South Central Texas Regional Water Planning Group (Region L) to represent water authorities. ~ *Travis Mitchell, Mayor*

Mayor Mitchell brought forward Item No. 20 for discussion. Mayor Mitchell presented the item.

Mayor Pro Tem Arabie moved to approve a Resolution of the City of Kyle, Texas supporting the nomination of Graham Moore by the Alliance Regional Water Authority (ARWA) for a position on the South Central Texas Regional Water Planning Group (Region L) to represent water authorities. Council Member Ellison seconded the motion. All votes aye; motion carried 7-0.

21. A Resolution of the City of Kyle, Texas nominating Mayor Pro Tem Shane Arabie of the City of Kyle for a position on the South Central Texas Regional Water Planning Group (Region L) to represent municipalities. ~ *Travis Mitchell, Mayor*

Mayor Mitchell brought forward Item No. 21 for discussion. Mayor Mitchell presented the item.

Mayor Mitchell moved to approve a Resolution of the City of Kyle, Texas nominating Mayor Pro Tem Shane Arabie of the City of Kyle for a position on the South Central Texas Regional Water City Council Meeting Minutes June 5, 2018 – Page 9 Kyle City Hall

Planning Group (Region L) to represent municipalities. Council Member Scheel seconded the motion. All votes aye; motion carried 7-0.

VII. City Manager's Report

- 22. 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*
 - Road Bond Projects
 - Southside Wastewater Interceptor
 - Bunton Creek Interceptor
 - Elliott Branch Interceptor

Mayor Mitchell brought forward the City Manager's Report. Mr. Sellers spoke about Road Bond Projects have reduced down to Burleson and Lehman. Burleson will have a bid opening on July 2, 2018 with construction beginning around September, 2018 and anticipated completion in 2020.

For Lehman Road, he stated that the City has received flow data from Halff & Associates related to the stormwater model. He stated those findings along with the FEMA anticipated atlas changes cause the existing design plans for Lehman Road to be in question. Mr. Sellers explained that the design was to the 100-year flood event, which with new data, that 100-year design is now at best a 25-year event. He stated one of the questions to consider is does it make sense to leave the design as original approved or redesign to the new 100 year flood plain. He mentioned the financial implications that a change to design will bring, and stated that the item will come before Council soon.

Southside Wastewater Interceptor will have a bid opening August 1, 2018. Bunton Creek Interceptor will have a bid opening July 17, 2018. The Elliott Branch Interceptor Phase along Old Stagecoach Road at KB Homes to the five-way stop, will have a bid opening August 1, 2018.

VIII. Executive Session

- 23. 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.
 - [°] Legal questions regarding annexation and related laws and procedures
 - [°] Legal advice regarding a contract related to parkland improvements
 - [°] Legal advice regarding a complaint filed with the Public Utilities Commission and related matters
 - 2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
 - [°] Property acquisition Burleson Street
 - ° Property acquisition Center Street
 - [°] Property acquisition Old Stagecoach Road

City Council Meeting Minutes June 5, 2018 – Page 10 Kyle City Hall

- 3. Personnel matters pursuant to Section 551.074.
- 4. Economic Development negotiations pursuant to Section 551.087.

Council Member Villalobos moved to convene into executive session pursuant to: pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071 - Legal questions regarding annexation and related laws and procedures, Legal advice regarding a contract related to parkland improvements, and Legal advice regarding a complaint filed with the Public Utilities Commission and related matters; possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072 - Property acquisition - Burleson Street, Property acquisition - Center Street, and Property acquisition - Old Stagecoach Road. Council Member Tenorio seconded the motion. All votes aye; motion carried 6-0. Mayor Mitchell left the dais at 9:16 p.m. and was absent for the vote.

The City Council convened into executive session at 9:17 p.m. Mayor Mitchell returned at 9:19 p.m. and entered Executive Session.

24. Take action on items discussed in Executive Session.

Mayor Mitchell moved to reconvene into open session. Council Member Scheel seconded the motion. All votes aye; motion carried 5-0. Mayor Pro Tem Arabie and Council Member Tenorio were absent for the vote.

The City Council reconvened into open session at 11:27 p.m. Mayor Mitchell announced that no action took place in Executive Session but action would be taken now.

Council Member Scheel moved to authorize the city manager to enter an agreement with Make-A-Wish Foundation for fundraising and a license agreement related to parkland improvements Council Member Villalobos seconded the motion. All votes aye; motion carried 5-0. Mayor Pro Tem Arabie and Council Member Tenorio were absent for the vote.

IX. ADJOURN

Mayor Mitchell moved to adjourn. Council Member Ellison seconded the motion. All votes aye; motion carried 5-0. Mayor Pro Tem Arabie and Council Member Tenorio were absent for the vote.

With no further business to discuss, the City Council adjourned at 11:27 p.m.

Attest:

Travis Mitchell, Mayor

Jennifer A. Vetrano, City Secretary