

SPECIAL CITY COUNCIL MEETING MINUTES

The City Council of the City of Kyle, Texas met in Special Session on November 15, 2022 at Kyle City Hall with the following persons present:

Mayor Travis Mitchell	David Wilson
Mayor Pro Tem Robert Rizo	Tracy Scheel
Council Member Yvonne Flores-Cale	Julie Snyder
Council Member Ashlee Bradshaw*	
Council Member Daniela Parsley	
Council Member Michael Tobias	
Jerry Hendrix, Interim City Manager	
Paige Saenz, City Attorney	
Rachel Sonnier, Communications Director	
Grant Bowling, Video Production Specialist	
Jennifer Holm, City Secretary	
Victoria Vargas, Economic Dev. Director	
Marco Forti, IT Director	
Michael Kaufmann-Lynch, Adult Svcs Librarian	
William Atkinson, Planning Director	
Jeff Barnett, Chief of Police	
Pedro Hernandez, Assistant Chief of Police	
Tim Griffith, Police Commander	
Philip Cleary, Police Officer	
Lacey Carnes, Police Officer	
Jacob Flemming, Police Officer	
Austin Brennan, Police Officer	
Daniel Preston, Police Officer	
David Call, Police Officer	
Mark Spencer, Police Officer	
Cody Halvorson, Police Officer	
Miguel Zuniga, District 3 Council Member-Elect	

I. Call Meeting to Order

Mayor Mitchell called the meeting to order at 6:01 p.m. Mayor Mitchell asked the city secretary to call roll.

Present were: Mayor Mitchell, Mayor Pro Tem Rizo, Council Member Flores-Cale, Council Member Bradshaw, Council Member Parsley, and Council Member Tobias. A quorum was present.

II. Citizen Comment Period with City Council

Mayor Mitchell opened citizen comments at 6:01 p.m.

David Wilson was called to speak as registered. He stated his appreciation for the Council's support of its veterans. He spoke about the emcee at the parade and how he felt the City's love for its veterans from his head to his toes. He went on to thank the Council for the Heroes Memorial Park

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

and mentioned former Council Member Becky Selbera and her support of the project. He thanked the Council for pushing the project through. He stated that the parade sent it home to him about the love of the community for veterans, their sacrifice and service. He thanked Mayor Pro Tem Rizo as he is stepping down and stated his appreciation.

Tracy Scheel was called to speak as registered. She addressed Mayor Pro Tem Rizo, stating it was an honor to work with him previously. She recognized him for his efforts with the Public Safety Center and the Heroes Memorial Park. She mentioned that when some residents lost their jobs due to the pandemic, Mayor Pro Tem Rizo stepped up to help provide food to thousands of residents. She stated that she knows Mayor Pro Tem Rizo is not done and will continue to work with the food bank, the Kyle Police Department's Citizen's Police Academy, and the Knights of Columbus.

Julie Snyder spoke on behalf of the Kyle Area Chamber of Commerce. She thanked Mayor Pro Tem Rizo for his service to the community. She stated that she hopes he will step down very proud of the accomplishments that he has shown and dedicated to this city.

With no one else wishing to speak, Mayor Mitchell closed citizen comments at 6:08 p.m.

III. Consider and Possible Action

1. A Resolution Canvassing the Returns and Declaring the Results of the November 8, 2022 General Election of the City of Kyle, Texas. ~ *Travis Mitchell, Mayor*

Mayor Mitchell brought forward Item No. 1 and read the results for the record:

There came to be considered the returns of the general election held on the 8th day of November, 2022, for the purpose of electing City Council Members for Districts 1 and 3, and it appearing from said returns duly and legally made; that each of the candidates in said election received the following votes:

For Council District 1: Marina Tupikov: early 1173, Election Day 483 for a total of 1656 votes. Neal Breen: early 446 votes and 161 votes cast on Election Day for a total of 607 votes. Marc McKinney: 1470 votes early and 581 votes cast on Election Day for a total of 2051 votes. Amanda Stark: 2275 votes early, 853 votes cast on Election Day for a total of 3128 votes. Nick Madsen: 774 votes cast early; 310 votes cast on Election Day for a total of 1084. Bear Heiser 1535 votes early, and 685 votes cast on Election Day for a total of 2220 votes.

For District 3 Council race: Miguel A. Zuniga: 4042 votes early, 1687 votes on Election Day for a total of 5729 votes. Robert Rizo: 3681 votes early, 1377 votes on Election Day for a total of 5058 votes.

It is found, determined and declared by the City Council that said election was duly called; that notice of said election was given in accordance with law, and that said election was held in accordance with law; and that Miguel A. Zuniga was duly elected to Council District 3. Said above named party is hereby declared duly elected to said office, subject to the taking of the oath of office as provided by the laws of the State of Texas.

As no candidate for the office of City Council, District 1 received more than fifty percent of the vote as required by the City Charter, the City Council will order a run-off election for the office of City Council, District 1 by separate action in accordance with state law and the City Charter.

Mayor Mitchell moved to approve a Resolution canvassing the returns and declaring the results of the November 8, 2022 General Election of the City of Kyle, Texas. Mayor Pro Tem Rizo seconded the motion. Motion carried 6-0.

2. A Resolution of the City of Kyle, Texas, Calling a Runoff Election on Tuesday, December 13, 2022, for the Purpose of Electing a Council Member District 1; Providing for Early Voting and for Notice of the Election; and Providing for Other Matters Relating to the Election and Setting an Effective Date. ~ *Travis Mitchell, Mayor*

Mayor Mitchell brought forward Item No. 2.

Mayor Mitchell moved to approve a Resolution of the City of Kyle, Texas, Calling a Runoff Election on Tuesday, December 13, 2022, for the Purpose of Electing a Council Member District 1; Providing for Early Voting and for Notice of the Election; and Providing for Other Matters Relating to the Election and Setting an Effective Date. Council Member Parsley seconded the motion. Motion carried 6-0.

3. Consideration and approval of a Resolution Canvassing the Returns and Declaring the Results of a Bond Election; and other matters in connection therewith. ~ *Travis Mitchell, Mayor*

Mayor Mitchell brought forward Item No. 3 and read the results for the record:

The issuance of bonds in the amount of \$294,000,000 for streets, bridges, and sidewalks and the levying of a tax in payment thereof

Early Votes For: 6204; Against: 3275. Election Day Votes: 2371 For; 1405 Against, for a total of 8575 For, and 4680 Against

Now, therefore, it is accordingly found, declared, and resolved by the City Council of the City of Kyle, Texas that:

The Council officially finds, determines, and declares that the election was duly and properly ordered, that proper legal notice of such election was duly given in the English language and the Spanish language, (to the extent required by law), that proper election officers were duly appointed prior to the election, that the election was duly and legally held, that all resident, qualified voters of the City were permitted to vote at the election, that due returns of the results of the election had been made and delivered, and that the City Council has duly canvassed such returns, all in accordance with the laws of the State of Texas and of the United States of America, and the order calling the election.

Mayor Mitchell moved to approve a Resolution canvassing the returns and declaring the results of a bond election. Mayor Pro Tem Rizo seconded the motion. Motion carried 6-0.

4. Recognize Outgoing Mayor Pro Tem Robert Rizo. ~ *Travis Mitchell, Mayor*

No action was taken.

IV. Adjourn

Mayor Mitchell moved to adjourn. Council Member Parsley seconded the motion. No vote was held.

With no further business to discuss, the City Council adjourned at 6:31 p.m.

Travis Mitchell, Mayor

Attest:

Jennifer Holm, City Secretary