

CITY OF KYLE



Notice of Regular City Council Meeting

KYLE CITY HALL
100 W. Center Street

Notice is hereby given that the governing body of the City of Kyle, Texas will meet at 7:00 PM on 5/17/2011, at Kyle City Hall, 100 West Center, Kyle, Texas for the purpose of discussing the following agenda.

Posted this 12th day of May, 2011 prior to 7:00 pm.

I. Call Meeting To Order

II. Approval of Minutes

1. City Council Special Meeting - April 28, 2011 ~ *Amelia Sanchez, City Secretary*

[Attachments](#)

2. City Council Regular Meeting - May 3, 2011 ~ *Amelia Sanchez, City Secretary*

[Attachments](#)

III. Citizen Comment Period With City Council

The City Council welcomes comments from Citizens early in the agenda of regular meetings. Those wishing to speak must sign in before the meeting begins at the Kyle City Hall. Speakers may be provided with an opportunity to speak during this time period, and they must observe the three-minute time limit.

IV. Presentation

3. Presentation of FY 10 Audit by Atchley and Associates ~ *Dan Shaner, CPA, Atchley and Associates*

[Attachments](#)

4. Presentation of First Runner-up Plaque for the 2009-2010 Miss Kyle Pageant to Ms. Kim Pastrano ~ *Council Member David Wilson*

[Attachments](#)

V. Consent Agenda

5. (*Second Reading*) AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING THE CORE AREA TRANSITION DISTRICT OF THE COMPREHENSIVE PLAN TO ALLOW RETAIL SERVICES DISTRICT 'RS' AS A RECOMMENDED USE; PROVIDING FOR THE AMENDMENT OF THE PLAN; PROVIDING FOR RELATED MATTERS ~ *Shira Rodgers, Director of Planning*

Planning and Zoning Commission voted 7-0 to recommend approval of the amendment to the Comprehensive Plan.

[Attachments](#)

6. (*Second Reading*) AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF ASSIGNING

ORIGINAL ZONING OF 'RS' RETAIL SERVICES DISTRICT TO APPROXIMATELY 1.00 ACRE, ON PROPERTY LOCATED AT 1501 E.FM 150 IN HAYS COUNTY, TEXAS. (ARTURO AND LINDA GONZALES Z-11-003); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW ~ *Shira Rodgers, Director of Planning*

Planning and Zoning Commission voted 7-0 to recommend approval of the zoning request.

 [Attachments](#)

7. (*Second Reading*) AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF ASSIGNING ORIGINAL ZONING OF 'RS' RETAIL SERVICES DISTRICT TO APPROXIMATELY 1.00 ACRE, ON PROPERTY LOCATED AT 1601 E.FM 150 IN HAYS COUNTY, TEXAS. (DANNY AND AMADA PAVIA Z-11-004); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW ~ *Shira Rodgers, Director of Planning*

Planning and Zoning Commission voted 7-0 to recommend approval of the zoning request.

 [Attachments](#)

8. Authorize the Dedication of City-owned land as Public Right-of-Way and Authorize the Mayor to execute the donation instrument ~ *Shira Rodgers, Director of Planning*

 [Attachments](#)

9. Authorize the Mayor to Accept the Conveyance of Land by Special Warranty Deed to the City from Plum Creek Development Partners, Ltd. ~ *Shira Rodgers, Director of Planning*

 [Attachments](#)

10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, ACCEPTING IH-35 CORRIDOR CORNER 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 ~ *Shira Rodgers, Director of Planning*

 [Attachments](#)

11. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS AUTHORIZING THE MAYOR TO SIGN A RELEASE AND TERMINATION OF A WASTEWATER LINE

UTILITY EASEMENT (PLUM CREEK PHASE I SECTION 6A); PROVIDING FOR OPEN MEETINGS AND RELATED MATTERS ~ *Shira Rodgers, Director of Planning*

 [Attachments](#)

12. (*Second Reading*) AN ORDINANCE OF THE CITY OF KYLE, TEXAS AMENDING CHAPTER 26 OF THE CITY CODE PERTAINING TO PARKS AND RECREATION; ESTABLISHING RULES FOR LAKE KYLE PARK; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING A PENALTY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW ~ *Kerry Urbanowicz, Director of Parks, Recreation & Facilities*

 [Attachments](#)

13. Authorizing City Staff to Execute Agreement with Broadcast Music Inc (BMI) for License Agreement to permit music in public parks and facilities ~ *Kerry Urbanowicz, Director of Parks, Recreation & Facilities*

 [Attachments](#)

14. Authorize Kyle Area Senior Zone (KASZ) to Execute an Agreement with Time Warner Cable to install and provide cable TV service and internet to Historic Kyle City Hall ~ *Kerry Urbanowicz, Director of Parks, Recreation & Facilities*

 [Attachments](#)

15. (*Second Reading*) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, (“CITY”) APPROVING IMPLEMENTATION OF THE FEBRUARY 10, 2011 INTERIM RATE ADJUSTMENT FILING PURSUANT TO THE TEXAS UTILITIES CODE § 104.301 OF TEXAS GAS SERVICE COMPANY, A DIVISION OF ONEOK, INC. (“TGS” OR “COMPANY”); AND DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; AND DECLARING AN EFFECTIVE DATE ~ *Jerry Hendrix, Acting Assistant City Manager*

 [Attachments](#)

VI. Consider and Possible Action

16. INTERLOCAL AGREEMENT AMONG HAYS COUNTY, CALDWELL COUNTY, CITY OF LULING, CITY OF KYLE, CITY OF BUDA, CITY OF LOCKHART, GUADALUPE-BLANCO RIVER AUTHORITY, PLUM CREEK CONSERVATION DISTRICT, CALDWELL-TRAVIS SOIL AND WATER CONSERVATION DISTRICT #304, AND HAYS COUNTY SOIL AND WATER CONSERVATION DISTRICT #351, REGARDING IMPLEMENTATION OF THE PLUM CREEK WATERSHED PROTECTION PLAN ~ *Jerry Hendrix, Acting Assistant City Manager*

 [Attachments](#)

17. Consideration and Possible Action for Approval of Contract for New City Attorney Services with Davidson & Troilo of San Antonio, Texas ~ *Council Member Diane Hervol*

 [Attachments](#)

18. (*First Reading*) AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING ORDINANCE NO. 633 ADOPTED ON SEPTEMBER 7, 2010 MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY FOR FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011; BY AMENDING THE AMOUNT OF APPROPRIATIONS FOR THE GENERAL FUND AS WELL AS OTHER FUNDS THAT PROVIDE FOR THE PAYMENT OF OPERATING AND CAPITAL EXPENDITURES AND BY CHANGING THE AMOUNT

 [Attachments](#)

VII. City Managers Report

19. Update on Various Capital Improvement Projects, Road Projects, Building Program, and/or General Operational Activities ~ *Lanny Lambert, City Manager*

- Update on Bond Funded Capital Improvement Projects

 [Attachments](#)

VIII. ADJOURN

At any time during the Regular City Council Meeting, the City Council may adjourn into an Executive Session, as needed, on any item listed on the agenda for which state law authorizes Executive Session to be held

*Per Texas Attorney General Opinion No. JC-0169; Open Meeting & Agenda Requirements, Dated January 24, 2000: The permissible responses to a general member communication at the meeting are limited by 551.042, as follows: "SEC.551.042. Inquiry Made at Meeting. (a) If, at a meeting of a government body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by the subchapter, the notice provisions of this subchapter, do not apply to:(1) a statement of specific factual information given in response to the inquiry; or (2) a recitation of existing policy in response to the inquiry. (b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.



CITY OF KYLE, TEXAS

City Council Special Meeting - April 28, 2011

Meeting Date: 5/17/2011
Date time: 7:00 PM

Subject/Recommendation: City Council Special Meeting - April 28, 2011 ~ *Amelia Sanchez, City Secretary*

Other Information: This item is for formal approval of the minutes from the April 28th Special Meeting of the City Council, a copy of which is included with the meeting packet.

Budget Information: N/A

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Attachments / click to download

[City Council Special Meeting - April 28, 2011](#)

REGULAR CITY COUNCIL MEETING

The City Council of the City of Kyle, Texas met in Special Session on April 28, 2011 at 7:00 pm at Kyle City Hall, with the following persons present:

Mayor Lucy Johnson	Wayne Vincent
Mayor Pro Tem Russ Huebner	Patsy Oaks
Council Member Diane Hervol	Jesse Espinoza
Council Member Jaime Sanchez	Daniel Arredondo
Council Member Becky Selbera	Tracy Vrana
Council Member Brad Pickett	Hank Moreno
Council Member David Wilson	Daniel Navarro
Lanny Lambert, City Manager	Lydia Serna
James Earp, Asst. City Manager	Alex Villalobos
Kerry Urbanowicz, Director of Parks & Rec	Jesus Carrillo
Pedro Hernandez, Captain Police Department	
Perwez Moheet, Director of Finance	
Robert Olvera, IT	
Sandra Duran, HR Director	

CALL MEETING TO ORDER

Mayor Johnson called the meeting to order at 7:02 pm.

ROLL CALL

Mayor Johnson called for roll call. Present were Mayor Johnson, Mayor Pro Tem Huebner, Council Members Hervol, Sanchez, Pickett and Wilson

CITIZEN COMMENT PERIOD WITH CITY COUNCIL

Mayor Johnson opened the citizens comment period at 7:04 pm and called for comments on items not on the agenda or posted for public hearing. Wayne Vincent a resident of Kyle and President of the Austin Police Association spoke to lend his support to Joe Munoz. He stated that he has known Joe Munoz for 26 years and he is a well rounded and experienced individual who has worked with the Police Association in a Meet and Confer environment. He strongly recommends Joe Munoz for Kyle Police Chief. Patsy Oaks, a Sergeant with the Kyle Police Department stated that she had been closely following the search for a Chief. She stated that the City Managers choice Jeff Barnett, led the committee to believe he was still the Police Chief in Princeton, TX but that he had resigned in January 2011 to get his PHD. She stated that the person selected for Chief of Police needed experience in Civil Service Labor Contract negotiations and patrol of a diverse population. Sgt. Oaks states that Joe Munoz would fit the needs of the Kyle Police Department the best. Jesse Espinoza stated that he was on the search committee and had concerns with the City Mangers choice. He states that the City Manager is proposing the committee's #1 pick and that his concern is that Jeff Barnett did not inform

CITY COUNCIL MEETING

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the committee that he had resigned as Police Chief from Princeton, TX. He states that Austin Police Chief Acevedo stated that he felt that Jeff Barnett was not honest with the committee. He states that Joe Munoz would be the best choice for the Kyle Police Department. Daniel Arredondo President of the San Marcos Police Association speaks in support of Joe Munoz. He states that he has worked with Joe Munoz on the national and state levels. Tracy Vrana of the Kyle Police Department and a resident of Kyle states that he was on the committee as well and that the committee had a good scoring system and came up with a high scoring candidate who has the background and education. He states that Jeff Barnett is the best candidate. Hank Moreno President of the Austin Hispanic Police Association states that Joe Munoz would be a tremendous asset to the community and would represent the City and Police Department well. Daniel Navarro a friend of Joe Munoz states that Joe is involved in the community and that he is a bridge to the community and can bring many assets to the community. Lydia Serna speaks in support of Joe Munoz and that he is all about unity not only in our community but in surrounding communities and around the state. She states that his family already lives here and also considers Kyle residents family. Alex Villalobos an investigator with University Police and Chairman of Kyle Board of Adjustments spoke in support of Joe Munoz stating that he will bring Civil Service experience and the support from other law enforcement agencies. He states that in building relationships and bringing them here, he is going to represent this City, the region and the law enforcement community. Jesus Carrillo Austin Police Officer speaks in support Joe Munoz and states that he has worked with him in Mexico for training with a SWAT team. He supports Joe Munoz for the Kyle Police Chief position. With no one else wishing to speak Mayor Johnson closes citizen's comments at 7:30 pm.

Council Member Selbera arrived at 7:14 pm.

CONSIDER AND POSSIBLE ACTION

CONFIRMATION OF THE CITY MANAGER'S APPOINTMENT OF CHIEF OF POLICE ~ *LANNY LAMBERT, CITY MANAGER*

City Manager Lanny Lambert states that according to the City Charter the Police Chief appointment is made by the City Manager. He states that when the City chose to go to Chapter 143 Civil Service Legislation, the law says that each Department Head is appointed by the Municipality's Chief Executive and confirmed by the Municipality's Governing body and the for the first time in the Chief selection process in the history of the City of Kyle the Council will be asked to confirm an appointment made by the City Manager.

Council Member Hervol moves to approve the appointment of Jeff Barnett. Council Member Selbera seconds the motion. Mayor Johnson calls for a roll call vote. Council

Members Hervol, Selbera, Wilson and Mayor Johnson vote aye. Council Members Sanchez, Pickett and Mayor Pro Tem Huebner vote nay. Motion carried 4-3.

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Mayor Johnson called for a 5 minute break at 8:17 pm, and resumed the meeting at 8:25 pm.

RESOLUTION AUTHORIZING THE CREATION OF THE LASALLE MUNICIPAL UTILITY DISTRICT ~ *LANNY LAMBERT, CITY MANAGE*

Council Member Sanchez moves to take no action. Council Member Pickett seconds the motion. Council Members Hervol, Sanchez, Pickett, Wilson, Mayor Johnson and Mayor Pro Tem Huebner vote aye. Council Member Selbera votes nay. Motion carried 6-1.

CONSIDERATION OF A CONSENT AND DEVELOPMENT AGREEMENT FOR THE LASALLE MUNICIPAL UTILITY DISTRICT ~ *LANNY LAMBERT, CITY MANAGER*

Council Member Sanchez moves to take no action. Council Member Pickett seconds the motion. Council Members Hervol, Sanchez, Pickett, Wilson, Mayor Johnson and Mayor Pro Tem Huebner vote aye. Council Member Selbera votes nay. Motion carried 6-1.

ADJOURN

With no further business to discuss Mayor Pro Tem Huebner moves to adjourn. Council Member Selbera seconds the motion. All votes aye. Motion carries.

The City Council meeting adjourned at 9:20 PM.

Lucy Johnson, Mayor

Amelia Sanchez, City Secretary



CITY OF KYLE, TEXAS
City Council Regular Meeting - May 3,
2011

Meeting Date: 5/17/2011
Date time: 7:00 PM

Subject/Recommendation: City Council Regular Meeting - May 3, 2011 ~ *Amelia Sanchez, City Secretary*

Other Information: This item is for formal approval of the minutes from the May 3rd Regular Meeting of the City Council, a copy of which is included with the meeting packet.

Budget Information: N/A

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Attachments / click to download

[City Council Regular Meeting - May 3, 2011](#)

REGULAR CITY COUNCIL MEETING

The City Council of the City of Kyle, Texas met in Regular Session on May 3, 2011 at 7:00 pm at Kyle City Hall, with the following persons present:

Mayor Lucy Johnson	Graham Mendel
Mayor Pro Tem Russ Huebner	John Adkins
Council Member Diane Hervol	Lydia
Council Member Jaime Sanchez	Joan Miller
Council Member Becky Selbera	Vanessa Harris
Council Member David Wilson	Mike Fulton
Lanny Lambert, City Manager	Pat
Jerry Hendrix, Acting Assistant City Manager	Lou Zimmerle
Mario Perez, Building Official	Sherri
Kerry Urbanowicz, Director of Parks & Rec	Ron Sherman
Pedro Hernandez, Captain Police Department	
Shira Rodgers, Director of Planning	
Harper Wilder, Director of Public Works	
Perwez Moheet, Director of Finance	
Mark Shellard, IT	
Sandra Duran, HR Director	
Diana Blank, Director of Economic Development	
Connie Brooks, Library Director	

CALL MEETING TO ORDER

Mayor Johnson called the meeting to order at 7:05 pm.

ROLL CALL

Mayor Johnson called for roll call. Present were Mayor Johnson, Mayor Pro Tem Huebner, Council Members Hervol, Sanchez, Selbera, and Wilson

Council Member Pickett was absent.

Mayor Johnson moves to excuse Council Member Pickett due to illness. Council Member Wilson seconds the motion. All votes aye. Motion carried.

APPROVAL OF MINUTES

CITY COUNCIL SPECIAL MEETING – APRIL 11, 2011 ~ *AMELIA SANCHEZ, CITY SECRETARY*

Council Member Hervol moves to approve. Mayor Pro Tem Huebner seconds the motion. All votes aye. Motion carried.

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CITY COUNCIL SPECIAL MEETING - APRIL 18, 2011 ~ *AMELIA SANCHEZ, CITY SECRETARY*

Council Member Hervol moves to approve. Mayor Pro Tem Huebner seconds the motion. All votes aye. Motion carried.

CITY COUNCIL REGULAR MEETING - APRIL 19, 2011 ~ *AMELIA SANCHEZ, CITY SECRETARY*

Council Member Hervol moves to approve. Mayor Pro Tem Huebner seconds the motion. All votes aye. Motion carried.

CITIZEN COMMENT PERIOD WITH CITY COUNCIL

Mayor Johnson opened the citizens comment period at 7:02 pm and called for comments on items not on the agenda or posted for public hearing. Graham Mendel states that he is speaking on item # 7 regarding the purchasing of 3 more police vehicles and supports it so that the Police Department will have the tools needed to do their jobs. John Atkins supports the no tethering and no chaining Ordinance and says that if people have animals they should take care of them. Lydia Z of Austin, President of an organization called Loveable spoke on the effects of chaining of dogs. She stated it makes them aggressive and territorial of their surroundings and that if people cannot be responsible for their dogs they shouldn't have them. Joan Miller a dog trainer spoke of the problems created by chaining of dogs. She stated that dogs become depressed and won't eat, they lay on hard surfaces and without proper exercise their muscles atrophy and aggression is increased. Vanessa Harris states she is here again on behalf of speechless and perpetually penned outside dogs. She thanks the 4 Council Members that voted yes to the Ordinance prohibiting chaining or tethering of dogs at the last meeting and asked the three that voted against it to reconsider because the majority of the community is in favor of this Ordinance. She states that owning a pet has responsibilities. Mike Fulton states that he will take note from Ms. Harris that most of the City of Kyle is against this Ordinance, and that she doesn't have evidence of her claim that residents are for it and he has no evidence that residents are against it. He states that he would like to address the Ordinance before Council for second reading. He states he loves dogs but sometimes they need to be chained, such as when people are outside doing chores and cannot keep constant watch on a dog. He says that we already have a state law in place for chaining of dogs. Pat Nordike an Executive Director of Texas Federation of Animal Care Society states that this organization provides supplies, support services and counseling for all animal control facilities and animal agencies and would like to point out that the Center for Disease Control did a study and found that chained dogs are 2.8 times more likely to bite, and that most chained dogs that are male and not neutered are more aggressive. Lou Zimmerle with the Avalon Group spoke to the Council requesting that the City consider

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developing and building an expanded waste water line to open and enhance development along E FM 150 and S of CR 158. Sherri Boyett states that she has been involved in animal welfare and rescue for 20 years and wanted to remind people that there programs in place to spay or neuter their animals. She states that she is a grant writer and would be willing to develop resources for people and that Animal Control Officers need to be given enforcement capabilities to do what is right and what the state law requires. Ron Sherman a resident of Kyle spoke against the no chaining Ordinance and stated that he loved animals and asked why people from the City of Austin were here to try to manipulate our laws. He stated that chaining a dog is not abuse and that the cases being presented to Council are dogs that are chained 365 days a year 24 hours a day. He asks the Council not to punish the whole City for the conduct of a few. With no one else wishing to speak Mayor Johnson closed the public hearing at 7:40 pm.

PRESENTATION

RECOGNITION OF EMPLOYEE OF THE MONTH FOR THE MONTH OF APRIL ~
LANNY LAMBERT, CITY MANAGER

City Manager Lanny Lambert announced that Debbie Guerra of the Planning Department is the employee of the month of April, but she could not attend the meeting due to a previous engagement.

APPOINTMENTS

CONSIDERATION OF NOMINATION FOR APPOINTMENT TO THE LONG
RANGE PLANNING COMMITTEE ~ *SHIRA RODGERS, DIRECTOR OF PLANNING*

SAMANTHA BELLOWS

Mayor Pro Tem Huebner moves to appoint Samantha Bellows to the Long Range Planning Committee. Council Member Sanchez seconds the motion. All votes aye. Motion carried.

CONSENT AGENDA

(Second Reading) AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING CHAPTER 5, CODE OF ORDINANCES, TO PROHIBIT CHAINING AND TETHERING OF DOGS AS A METHOD OF RESTRAINT; PROVIDING STANDARDS FOR ENCLOSURES; PROVIDING EXCEPTIONS; AND PROVIDING FOR RELATED MATTERS ~ *Mayor Lucy Johnson*

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AUTHORIZE AWARD AND EXECUTION OF A 36-MONTH LEASE-PURCHASE CONTRACT THROUGH THE TEXAS MULTIPLE AWARD SCHEDULE (TXMAS) WITH ACME AUTO LEASING, LLC, OXON HILL, MD, FOR THREE (3) POLICE PATROL SUVS IN AN AMOUNT NOT TO EXCEED \$169,131.00 INCLUDING BUY-OUT COST ~ *JAMES EARP, ASSISTANT CITY MANAGER*

ACCEPTANCE OF APPROXIMATELY 9.512 ACRES OF PARKLAND FROM SCC DEVELOPMENT LOCATED NORTH AND ADJACENT TO SETON PARKWAY AND WEST OF DACY LANE AND AUTHORIZING THE MAYOR TO EXECUTE ASSOCIATED DOCUMENTS ~ *KERRY URBANOWICZ, DIRECTOR OF PARKS & RECREATION*

APPROVAL OF LETTER OF AGREEMENT BETWEEN THE CITY OF KYLE AND PLUM CREEK CONSERVATION DISTRICT REGARDING THE CONSTRUCTION AND DEVELOPMENT OF LAKE KYLE PARK WITHIN THE PLUM CREEK CONSERVATION DISTRICT EASEMENT OF FLOODWATER RETARDING STRUCTURE # 2 AND AUTHORIZING THE MAYOR TO EXECUTE THE LETTER ~ *KERRY URBANOWICZ, DIRECTOR OF PARKS & RECREATION*

Council Member Sanchez asks for items # 6 (*Second Reading*) An Ordinance of the City of Kyle, Texas, amending Chapter 5, Code of Ordinances, to Prohibit Chaining and Tethering of dogs as a Method of Restraint, Providing Exceptions, and Providing for Related Matters. and # 8 Acceptance of Approximately 9.512 acres of parkland from SCC Development located north and adjacent to Seton Parkway and West of Dacy Lane and Authorizing the Mayor to Execute Associated Documents be pulled from consent agenda.

Mayor Pro Tem Huebner moves to approve Item #-7- Authorize Award and Execution of a 36-Month Lease-Purchase Contract through the Texas Multiple Award Schedule (TXMAS) with ACME Auto Leasing, LLC, Oxon Hill, MD, for three (3) police patrol SUVs in an amount Not to Exceed \$169,131.00 including Buy-Out Cost and Item # - 9 Approval of Letter of Agreement between the City of Kyle and Plum Creek Conservation District regarding the Construction and Development of Lake Kyle Park within the Plum Creek Conservation District easement of floodwater retarding structure # 2 and Authorizing the Mayor to Execute the Letter. Council Member Selbera seconds the motion. All votes aye. Motion carried.

(*Second Reading*) AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING CHAPTER 5, CODE OF ORDINANCES, TO PROHIBIT CHAINING AND TETHERING OF DOGS AS A METHOD OF RESTRAINT; PROVIDING STANDARDS FOR ENCLOSURES; PROVIDING EXCEPTIONS; AND PROVIDING FOR RELATED MATTERS ~ *Mayor Lucy Johnson*

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Mayor Johnson moves to approve Item #-6- An Ordinance of the City of Kyle, Texas, amending Chapter 5, Code of Ordinances, to Prohibit Chaining and Tethering of dogs as a Method of Restraint, Providing Exceptions, and Providing for Related Matters. Council Member Hervol seconds the motion. Mayor Johnson asks for a roll call vote. Mayor Johnson, Council Members Hervol and Wilson vote aye. Mayor Pro Tem Huebner, Council Members Selbera and Sanchez vote nay. Motion fails 3-3.

ACCEPTANCE OF APPROXIMATELY 9.512 ACRES OF PARKLAND FROM SCC DEVELOPMENT LOCATED NORTH AND ADJACENT TO SETON PARKWAY AND WEST OF DACY LANE AND AUTHORIZING THE MAYOR TO EXECUTE ASSOCIATED DOCUMENTS ~ *KERRY URBANOWICZ, DIRECTOR OF PARKS & RECREATION*

Mayor Johnson moves to approve Acceptance of Approximately 9.512 acres of parkland from SCC Development located north and adjacent to Seton Parkway and west of Dacy Lane and Authorizing the Mayor to Execute Associated Documents. Council Member Hervol seconds the motion. All votes aye. Motion carried.

CONSIDER AND POSSIBLE ACTION

(First Reading) AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING THE CORE AREA TRANSITION DISTRICT OF THE COMPREHENSIVE PLAN TO ALLOW RETAIL SERVICES DISTRICT 'RS' AS A RECOMMENDED USE; PROVIDING FOR THE AMENDMENT OF THE PLAN; PROVIDING FOR RELATED MATTERS ~ *Shira Rodgers, Director of Planning*

Planning and Zoning Commission voted 7-0 to recommend approval of the amendment to the Comprehensive Plan.

PUBLIC HEARING

Mayor Johnson opens the Public Hearing at 8:10 pm on An Ordinance of the City of Kyle, Texas, Amending the Core Area Transition District of the Comprehensive Plan to allow Retail Services District 'RS' as a Recommended use, Providing for the Amendment of the Plan, Providing for Related Matters. With no one wishing to speak Mayor Johnson closes the Public Hearing at 8:10 pm.

Mayor Pro Tem Huebner moves to approve An Ordinance of the City of Kyle, Texas, Amending the Core Area Transition District of the Comprehensive Plan to allow Retail Services District 'RS' as a Recommended use, Providing for the Amendment of the Plan, Providing for Related Matters. Council Member Selbera seconds the motion. All votes aye. Motion carried.

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A RESOLUTION OF THE CITY OF KYLE, TEXAS, AFFIRMING THE ABANDONMENT OF THE WATER WELLS LOCATED ON PROPERTY DESCRIBED HEREIN AND AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM DEED; AND PROVIDING FOR RELATED MATTERS ~ *Harper Wilder, Director of Public Works*

Mayor Pro Tem Huebner moves to approve A Resolution of the City of Kyle, Texas, Affirming the Abandonment of the Water Wells located on Property described herein and Authorizing the Mayor to Execute a Quit Claim Deed; and Providing for Related Matters. Council Member Wilson seconds the motion. All votes aye. Motion carried.

A RESOLUTION OF THE CITY OF KYLE, TEXAS, AUTHORIZING THE CITY MANAGER EXECUTE A LICENSE AGREEMENT WITH THE BARTON HOMESTEAD PLACE PARTNERSHIP, TO ALLOW FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, REPAIR, REPLACEMENT, AND USE OF THE FOLLOWING IMPROVEMENTS: BALCONIES ATTACHED TO TWO SECOND FLOOR APARTMENTS, TO EXTEND BEYOND THE PROPERTY LINE APPROXIMATELY 4.5 FEET ALONG FRONT STREET, WITHIN THE CITY RIGHT-OF-WAY AND APPROXIMATELY 11.5 FEET ABOVE EXISTING OR PROPOSED CITY SIDEWALKS, LOCATED AT 113 W. CENTER STREET; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS ~ *SHIRA RODGERS, DIRECTOR OF PLANNING*

Mayor Pro Tem states that he would need to reclude himself from Items 12 and 13, as the company he works for is involved in those projects. Mayor Johnson asks Council if they would like to do items 12 and 13 and then skip to items 26 and 28 and that would take care of all Barton Agenda items.

Council Member Selbera moves to approve A Resolution of The City Of Kyle, Texas, Authorizing The City Manager Execute A License Agreement With The Barton Homestead Place Partnership, To Allow For The Construction, Installation, Maintenance, Repair, Replacement, And Use Of The Following Improvements: Balconies Attached To Two Second Floor Apartments, To Extend Beyond The Property Line Approximately 4.5 feet Along Front Street, Within The City Right-Of-Way And Approximately 11.5 Feet Above Existing or Proposed City Sidewalks, Located At 113 W. Center Street; Making Findings Of Fact; And Providing For Related Matters. Council Member Wilson seconds the motion. All votes aye. Motion carried.

CONSIDER DIRECTING THE CITY MANAGER TO INCLUDE IN THE BUDGET AMENDMENT FOR FY 2010-11 AN AMOUNT NOT TO EXCEED \$25,000 FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS SUCH AS SIDEWALK,

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PARKING AND PAVING OF THE ADJACENT ALLEY FOR THE BARTON WORD PROJECT ~ *SHIRA RODGERS, DIRECTOR OF PLANNING*

Council Member Selbera moves to direct the City Manager to include in the Budget Amendment for FY 2010-11 an amount Not to Exceed \$25,000 for the Construction of Public Improvements such as sidewalk, parking and paving of the adjacent alley for the Barton Word Project. Council Member Wilson seconds the motion. All votes aye. Motion carried.

PLANNING AND ZONING

SITE DEVELOPMENT PLAN

BARTON WORD BUILDING (SD-10-015) 0.067 ACRES; 5,012 SQUARE FOOT TWO STORY BUILDING LOCATED AT 113 W. CENTER ST. APPLICANT: BARTON HOMESTEAD PLACE PARTNERSHIP
~ *SHIRA RODGERS, DIRECTOR OF PLANNING*

Planning and Zoning Commission voted 7-0 to approve the site plan and approve both variance requests

PUBLIC HEARING

Mayor Johnson opens the Public Hearing at 8:25pm on the Barton Word Building (SD-10-015) 0.067 acres; 5,012 square foot two story building; Located at 113 W. Center St.. Jeff and Cindy Barton thank the City staff for the help provided as they work through with this project. The site has been in their family for many generations and they are looking forward to getting started. Cindy Barton states that the design they chose for the building sort of mirrors and will have many accents and colors from the City of Kyle building. They also have pictures of the old Teddlie building. They will be using some of the old bricks that will have to come down providing a historical touch. With no one wishing to speak Mayor Johnson closes the Public Hearing at 8:28 pm.

Council Member Selbera moves to approve the Site Development Plan for the Barton Word Building (SD-10-015) 0.067 acres; 5,012 square foot two story building; Located at 113 W. Center St. to include the 2 variances requested; A variance to maximum building coverage ratio of 60 percent and Approval to use Public on-Street Parking to qualify the Project under Parking Requirements. Council Member Wilson seconds the motion. All votes aye. Motion carried.

CONDITIONAL USE PERMIT/CONDITIONAL USE OVERLAY DISTRICT

CITY COUNCIL MEETING
May 3, 2011 – Page 8
Kyle City Hall

CONSIDER A REQUEST BY BARTON HOMESTEAD PLACE PARTNERSHIP (BARTON WORD BUILDING) FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A 5,012 SQ FT TWO STORY BUILDING LOCATED WITHIN THE CENTER STREET CORRIDOR DISTRICT. 0.067 ACRES; 5,012 SQUARE FOOT TWO STORY BUILDING LOCATED AT 113 W. CENTER ST.
APPLICANT: BARTON HOMESTEAD PLACE PARTNERSHIP
~ SHIRA RODGERS, DIRECTOR OF PLANNING

Planning and Zoning Commission voted 7-0 to recommend approval of the conditional use permit.

PUBLIC HEARING

Mayor Johnson opens the Public Hearing at 8:32pm on a request by Barton Homestead Place Partnership (Barton Word Building) for a Conditional Use Permit to construct a 5,012 sq ft two story building located within the Center Street Corridor District. With no one wishing to speak Mayor Johnson closes the public hearing at 8:32 pm.

Council Member Sanchez moves to approve a request by Barton Homestead Place Partnership (Barton Word Building) for a Conditional Use Permit to construct a 5,012 sq ft two story building located within the Center Street Corridor District. 0.067 acres; 5,012 square foot two story building Located at 113 W. Center St. Council Member Hervol seconds the motion. All votes aye. Motion carried.

PLANNING AND ZONING

ZONING

(First Reading) AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF ASSIGNING ORIGINAL ZONING OF 'RS' RETAIL SERVICES DISTRICT TO APPROXIMATELY 1.00 ACRE, ON PROPERTY LOCATED AT 1501 E.FM 150 IN HAYS COUNTY, TEXAS. (ARTURO AND LINDA GONZALES Z-11-003); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW ~ Shira Rodgers, Director of Planning

CITY COUNCIL MEETING

May 3, 2011 – Page 9

Kyle City Hall

Planning and Zoning Commission voted 7-0 to recommend approval of the zoning request

Public Hearing

Mayor Johnson moves to open the public hearing at 8:35 pm on an Ordinance Amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the Purpose of Assigning Original Zoning of 'RS' Retail Services District to Approximately 1.00 Acre, on Property located at 1501 E. FM 150 in Hays County, Texas (Arturo and Linda Gonzales Z-11-003); Authorizing the City Secretary to Amend the Zoning Map of the City of Kyle so as to Reflect this Change; Providing for Publication and Effective Date: providing for Severability; and Ordaining other Provisions Related to the Subject Matter Hereof; Finding and Determining that the Meeting at Which this was Passed was open to the Public as Required by Law. Lou Zimmerle asked the Council to approve this zoning change as there is already RS Zoning across the street and would be good for the community. With no one else wishing to speak Mayor Johnson closed the public hearing at 8:39 pm.

Council Member Sanchez moves to approve An Ordinance Amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the Purpose of Assigning Original Zoning of 'RS' Retail Services District to Approximately 1.00 Acre, on Property located at 1501 E. FM 150 in Hays County, Texas (Arturo and Linda Gonzales Z-11-003); Authorizing the City Secretary to Amend the Zoning Map of the City of Kyle so as to Reflect this Change; Providing for Publication and Effective Date: providing for Severability; and Ordaining other Provisions Related to the Subject Matter Hereof; Finding and Determining that the Meeting at Which this was Passed was open to the Public as Required by Law. Mayor Pro Tem Huebner seconds the motion. All votes aye. Motion carried.

(First Reading) AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF ASSIGNING ORIGINAL ZONING OF 'RS' RETAIL SERVICES DISTRICT TO APPROXIMATELY 1.00 ACRE, ON PROPERTY LOCATED AT 1601 E. FM 150 IN HAYS COUNTY, TEXAS. (DANNY AND AMADA PAVIA Z-11-004); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW ~ *Shira Rodgers, Director of Planning*

CITY COUNCIL MEETING

May 3, 2011 – Page 10

Kyle City Hall

Planning and Zoning Commission voted 7-0 to recommend approval of the zoning request.

PUBLIC HEARING

Mayor Johnson opens the Public Hearing at 8:43 pm on An Ordinance Amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the Purpose of Assigning Original Zoning of 'RS' Retail Services District to Approximately 1.00 Acre, on Property located at 1601 E. FM 150 in Hays County, Texas (Danny and Amada Pavia Z-11-004); Authorizing the City Secretary to Amend the Zoning Map of the City of Kyle so as to Reflect this Change; Providing for Publication and Effective Date: providing for Severability; and Ordaining other Provisions Related to the Subject Matter Hereof; Finding and Determining that the Meeting at Which this was Passed was open to the Public as Required by Law. With no one wishing to speak Mayor Johnson closes the Public Hearing at 8:43 pm.

Council Member Selbera moves to approve An Ordinance Amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the Purpose of Assigning Original Zoning of 'RS' Retail Services District to Approximately 1.00 Acre, on Property located at 1601 E. FM 150 in Hays County, Texas (Danny and Amada Pavia Z-11-004); Authorizing the City Secretary to Amend the Zoning Map of the City of Kyle so as to Reflect this Change; Providing for Publication and Effective Date: providing for Severability; and Ordaining other Provisions Related to the Subject Matter Hereof; Finding and Determining that the Meeting at Which this was Passed was open to the Public as Required by Law. Council Member Wilson seconds the motion. All votes aye. Motion carried.

CONSIDER AND POSSIBLE ACTION

A RESOLUTION OF THE CITY OF KYLE, TEXAS, AUTHORIZING CYPRESS CREEK AT FOUR SEASONS LP TO ACT ON THE CITY'S BEHALF IN APPLYING FOR TDHCA HOME FUNDS FOR CYPRESS CREEK AT FOUR SEASONS APARTMENT HOMES; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS ~ *Mayor Pro Tem Russ Huebne*

Mayor Pro Tem moves to approve A Resolution of the City of Kyle, Texas, Authorizing Cypress Creek at Four Seasons LP to act on the City's behalf in Applying for TDHCA Home Funds for Cypress Creek at Four Seasons Apartment Homes; Making findings of Fact and Providing for Related Matters. Council Member Sanchez seconds the motion. All votes aye. Motion carried.

CITY COUNCIL MEETING

May 3, 2011 – Page 11

Kyle City Hall

CONSIDERATION AND POSSIBLE ACTION ON RENAMING CITY SQUARE PARK TO MARY KYLE HARTSON PARK ~ *KERRY URBANOWICZ, DIRECTOR OF PARKS & RECREATIO*

Council Member Sanchez moves to approve Renaming City Square Park to Mary Kyle Hartson Park. Council Member Wilson seconds the motion. All votes aye. Motion carried.

CONSIDERATION AND POSSIBLE ACTION ON APPROVAL TO VERIZON WIRELESS ON BEHALF OF THE CITY OF KYLE FOR VERIZON TO USE THE 15-FOOT WIDE PUBLIC UTILITY EASEMENT (PUE) GENERALLY LOCATED ON THE WESTERN BOUNDARY OF DACY LANE ~ *JAMES EARP, ASSISTANT CITY MANAGER*

Mayor Pro Tem Huebner moves for Approval to Verizon Wireless on behalf of the City of Kyle for Verizon to use the 15-foot wide Public Utility Easement (PUE) generally located on the western boundary of Dacy Lane. Council Member Hervol seconds the motion. All votes aye. Motion carried.

CONSIDERATION AND POSSIBLE ACTION ON APPROVAL OF A TEMPORARY CONSTRUCTION EASEMENT FOR PLUM CREEK FLOODWATER RETARDING STRUCTURE #5 ACROSS CITY OF KYLE PARKLAND AND AUTHORIZING THE MAYOR TO EXECUTE THE EASEMENT ~ *KERRY URBANOWICZ, DIRECTOR OF PARKS & RECREATION*

Mayor Pro Tem Huebner moves to Approve a Temporary Construction Easement for Plum Creek Floodwater Retarding Structure #5 across City of Kyle Parkland and Authorizing the Mayor to Execute the Easement with 2 conditions; That the Easement not be Recorded until Construction is Ready to begin and that the \$24,000.00 be placed in the Parks and Rec Fund. Council Member Wilson seconds the motion. All votes aye. Motion carried.

CONSIDERATION AND POSSIBLE ACTION TO APPROVE DRAINAGE EASEMENT FOR PLUM CREEK FLOODWATER RETARDING STRUCTURE #5 AND AUTHORIZE THE MAYOR TO EXECUTE THE EASEMENT ~ *KERRY URBANOWICZ, DIRECTOR OF PARKS & RECREATION*

Mayor Pro Tem Huebner moves to to Approve Drainage Easement for Plum Creek Floodwater Retarding Structure #5 and Authorize the Mayor to Execute the Easement with 2 conditions; That the Easement not be Recorded until Construction is Ready to begin and that the \$24,000.00 be placed in the Parks and Rec Fund. Council Member Wilson seconds the motion. All votes aye. Motion carried.

CITY COUNCIL MEETING
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Kyle City Hall

(First Reading) AN ORDINANCE OF THE CITY OF KYLE, TEXAS AMENDING CHAPTER 26 OF THE CITY CODE PERTAINING TO PARKS AND RECREATION; ESTABLISHING RULES FOR LAKE KYLE PARK; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING A PENALTY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW ~ *Kerry Urbanowicz, Director of Parks & Recreation*

Mayor Pro Tem Huebner moves to approve An Ordinance of the City of Kyle, Texas, Amending Chapter 26 of the City Code Pertaining to Parks and Recreation; Establishing Rules for Lake Kyle Park; Providing for Conflicting Ordinances; Providing a Penalty Clause; Finding and Determining that the Meeting at Which this Ordinance is Passed is Open to the Public as Required by Law. Council Member Hervol seconds the motion. All votes aye. Motion carried.

CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH J. STOWE & CO IN AN AMOUNT NOT TO EXCEED \$4,333.33 PLUS OUT-OF-POCKET EXPENSES TO CONDUCT A REVIEW OF THE BOOKS AND RECORDS OF PEDERNALES ELECTRIC COOPERATIVE (PEC) TO ANALYZE FRANCHISE FEE PAYMENTS MADE TO THE CITY OF KYLE ARE ACCURATE AND FOR THE CORRECT AMOUNTS DUE TO THE CITY ~ *JAMES EARP, ASSISTANT CITY MANAGER*

Council Member Wilson moves to Authorize the Execution of a Professional Services Agreement with J. STOWE & CO in an amount Not to Exceed \$4,333.33 plus out-of-pocket expenses to Conduct a Review of the books and records of Pedernales Electric Cooperative (PEC) to Analyze Franchise Fee Payments made to the City of Kyle are Accurate and for the Correct Amounts due to the City. Mayor Pro Tem Huebner seconds the motion. All votes aye. Motion carried.

(First Reading) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, (“CITY”) APPROVING IMPLEMENTATION OF THE FEBRUARY 10, 2011 INTERIM RATE ADJUSTMENT FILING PURSUANT TO THE TEXAS UTILITIES CODE § 104.301 OF TEXAS GAS SERVICE COMPANY, A DIVISION OF ONEOK, INC. (“TGS” OR “COMPANY”); AND DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; AND DECLARING AN EFFECTIVE DATE ~ *Jerry Hendrix, Acting Assistant City Manager*

Mayor Pro Tem Huebner moves to approve An Ordinance of the City of Kyle, Texas, (City) Approving the Implementation of the February 10, 2011 Interim Rate Adjustment Filing Pursuant to the Texas Utilities Code 104.301 of Texas Gas Service Company, A

CITY COUNCIL MEETING
May 3, 2011 – Page 13
Kyle City Hall

Division of ONEOK, Inc. (“TGS” or “Company”); And Determining that this Ordinance was Passed in Accordance with the Requirements of the Texas Open Meetings Act; and Declaring and Effective Date. Mayor Johnson seconds the motion. All votes aye. Motion carried.

(TABLED) CONSIDERATION AND POSSIBLE ACTION REGARDING REWORKING AND PAVING THIRD STREET FROM SLEDGE TO SEWELL WITH NEW TOPPING AND RIBBON CURBS ~ *JERRY HENDRIX, ACTING ASSISTANT CITY MANAGER*

Mayor Pro Tem Huebner moves to table Consideration and Possible Action regarding Reworking and Paving Third Street from Sledge to Sewell with new Topping and Ribbon Curbs. Mayor Pro Tem Huebner amends the motion to include tabling until the first meeting in June. Council Member Hervol seconds the motion. All votes aye. Motion carried.

GENERAL DISCUSSION AND POSSIBLE ACTION

GENERAL DISCUSSION AND POSSIBLE ACTION REGARDING AN EXTENDED USE OF ACCRUED LEAVE (LEAVE DONATION) POLICY ~ LANNY LAMBERT, CITY MANAGER

City Manager Lanny Lambert states that the City has an employee with a sick child who requires a lot of medical attention and the employee has used up all their sick and vacation leave. The employee asked if the City would consider a creation of a leave bank policy. Employees could donate unused sick leave to employee in need. The HR Director Sandra Duran got a copy of the City of Austin policy and provided to a copy to Council along with a short explanation on some of the restrictions and approved uses for this type of sick leave use and donation requirements.

Mayor Pro Tem Huebner moves to approve Extended Use of Accrued Leave (Leave Donation) Policy. Council Member Wilson seconds the motion. All votes aye, with Council Member Sanchez off dais. Motion Carried.

CONDITIONAL USE PERMIT/CONDITIONAL USE OVERLAY DISTRICT

CONSIDER A REQUEST BY ERNIE AND BERNICE VALDEZ (216 E. MOORE ST) FOR A CONDITIONAL USE PERMIT TO OCCUPY A 548 SQ FT BUILDING LOCATED WITHIN THE INTERSTATE HIGHWAY 35 CORRIDOR DISTRICT. 0.35 ACRES; 548 SQUARE FOOT BUILDING LOCATED AT THE CORNER OF E. MOORE ST AND THE IH-35 ACCESS ROAD. APPLICANT: ERNIE AND BERNICE VALDEZ ~ *SHIRA RODGERS, DIRECTOR OF PLANNING*

CITY COUNCIL MEETING

May 3, 2011 – Page 14

Kyle City Hall

Planning and Zoning Commission voted 7-0 to recommend approval of the conditional use permit.

PUBLIC HEARING

Mayor Johnson opens the Public Hearing at 9:40 pm on a request by Ernie and Bernice Valdez (216 E. Moore St) for a Conditional Use Permit to occupy a 548 sq ft building located within the Interstate Highway 35 Corridor District. 0.35 acres; 548 square foot building, located at the corner of E. Moore St and the IH-35 Access Road. With no one wishing to speak Mayor Johnson closes the Public Hearing at 9:40 pm.

Mayor Pro Tem Huebner moves to approve a request by Ernie and Bernice Valdez (216 E. Moore St) for a Conditional Use Permit to occupy a 548 sq ft building located within the Interstate Highway 35 Corridor District. 0.35 acres; 548 square foot building, located at the corner of E. Moore St and the IH-35 Access Road. Council Member Hervol seconds the motion. All votes aye. Motion carried.

CONSIDER A REQUEST BY ASIFALI KAROWALLA (CREEKSID COMMERCIAL) FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A 6,000 SQ FT CONVENIENT STORE/MEAT MARKET LOCATED WITHIN THE FM 150 EAST CORRIDOR DISTRICT. 1.597 ACRES; 6,000 SQUARE FOOT BUILDING LOCATED AT THE CORNER OF CREEKSIDE TRAIL AND FM 150.

APPLICANT: ASIFALI KAROWALLA

~ SHIRA RODGERS, DIRECTOR OF PLANNING

Planning and Zoning Commission voted 7-0 to recommend approval of the conditional use permit.

PUBLIC HEARING

Mayor Johnson opens the Public Hearing at 9:43 pm to Consider a request by Asifali Karowalla (Creekside Commercial) for a Conditional Use Permit to construct a 6,000 sq ft convenient store/meat market located within the FM 150 East Corridor District. 1.597 acres; 6,000 square foot building, Located at the corner of Creekside Trail and FM 150. Lou Zimmerle states that he is in favor of the Commercial Zoning and requested City support to try to get a lighted intersection at 150 and New Country. With no one else wishing to speak Mayor Johnson closes the Public Hearing at 9:44 pm.

Mayor Pro Tem Huebner moves to approve a request by Asifali Karowalla (Creekside Commercial) for a Conditional Use Permit to construct a 6,000 sq ft convenient store/meat market located within the FM 150 East Corridor District. 1.597 acres; 6,000

square foot building, Located at the corner of Creekside Trail and FM 150. Council Member Wilson seconds the motion. All votes aye. Motion carried.

CITY COUNCIL MEETING

May 3, 2011 – Page 15

Kyle City Hall

CITY MANAGERS REPORT

UPDATE ON VARIOUS CAPITAL IMPROVEMENT PROJECTS, ROAD PROJECTS, BUILDING PROGRAM, AND/OR GENERAL OPERATIONAL ACTIVITIES ~ *LANNY LAMBERT, CITY MANAGER*

City Manager Lanny Lamber gives Council and update on the 2009 Bond Funded Capital Improvement Projects.

EXECUTIVE SESSION

CONVENE INTO EXECUTIVE SESSION PURSUANT TO SECTION 551.087, TEX. GOV'T CODE TO DELIBERATE ECONOMIC DEVELOPMENT INCENTIVES FOR A BUSINESS PROSPECT THAT THE CITY SEEKS TO HAVE LOCATE, STAY OR EXPAND WITHIN THE CITY'S JURISDICTION AND WITH WHICH THE CITY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS

Mayor Johnson moves to Convene into Executive Session at 9:53 pm pursuant to Section 551.087, Tex. Gov't Code to deliberate Economic Development Incentives for a business prospect that the City seeks to have locate, stay or expand within the City's jurisdiction and with which the City is conducting Economic Development Negotiations. Mayor Pro Tem Huebner seconds the motion. All votes aye. Motion carried.

RECONVENE INTO OPEN SESSION TO TAKE ACTION AS DEEMED APPROPRIATE REGARDING ECONOMIC DEVELOPMENT INCENTIVES FOR A BUSINESS PROSPECT THAT THE CITY SEEKS TO HAVE LOCATE, STAY OR EXPAND WITHIN THE CITY'S JURISDICTION AND WITH WHICH THE CITY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS

Mayor Johnson moves to Reconvene into Open Session at 10:12 pm to take action as deemed appropriate regarding Economic Development Incentives for a business prospect that the City seeks to have locate, stay or expand within the City's jurisdiction and with which the City is conducting Economic Development Negotiations. Mayor Pro Tem Huebner seconds the motion. All votes aye. Motion carried.

Mayor Johnson state that No action was taken during Executive Session but that action will be taken now.

CITY COUNCIL MEETING
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Kyle City Hall

Mayor Johnson moves to direct staff to continue negotiations and further their calculations on the Economic Development Incentive or propose Economic Development Incentive Agreement with the Developer pursuant to the directives and wishes of the Council in Executive Session. Mayor Pro Tem Huebner seconds the motion. All votes aye. Motion carried.

ADJOURN

With no further business to discuss Mayor Pro Tem Huebner moves to adjourn. Council Member Hervol seconds the motion. All votes aye. Motion carries.

The City Council meeting adjourned at 10:13 PM.

Lucy Johnson, Mayor

Amelia Sanchez, City Secretary



CITY OF KYLE, TEXAS

FY 10 Audit Presentation

Meeting Date: 5/17/2011
Date time: 7:00 PM

Subject/Recommendation: Presentation of FY 10 Audit by Atchley and Associates ~ *Dan Shaner, CPA, Atchley and Associates*

Other Information:

Budget Information:

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

[City of Kyle Annual Financial Report](#)

CITY OF KYLE, TEXAS
ANNUAL FINANCIAL REPORT
FOR THE YEAR ENDED
SEPTEMBER 30, 2010

CITY OF KYLE
ANNUAL FINANCIAL REPORT
FOR THE YEAR ENDED SEPTEMBER 30, 2010

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**INTRODUCTORY
SECTION**



CITY OF KYLE

100 W. Center Street
(512) 262-1010

P.O. Box 40
FAX (512) 262-3800

Kyle, Texas 78640

March 31, 2011

The Honorable Mayor and Members of the City Council
City of Kyle, Texas

This letter transmits the annual financial report of the City of Kyle, Texas (the City) for the year ended September 30, 2010. The financial statements are presented in conformity with accounting principles generally accepted in the United States of America (GAAP) as set forth by the Governmental Accounting Standards Board (GASB) and have been audited by independent auditors in accordance with auditing standards generally accepted in the United States. The purpose of this report is to provide the City Council, management, staff, the public and other interested parties with detailed information reflecting the City's financial condition.

Management Responsibility for Financial Information

This report consists of management's representations concerning the finances of the City and consequently, management assumes full responsibility for the completeness and reliability of all of the information presented in this report, including all disclosures. To provide a reasonable basis for making these representations, the City's staff in the Department of Finance has established an internal control framework that is designed both to protect the government's assets from loss, theft, or misuse and to compile sufficiently reliable information for the preparation of the City's financial statements in conformity with GAAP. Because the cost of internal controls should not outweigh their benefits, the City's framework of internal controls has been designed to provide reasonable rather than absolute assurance that the financial statements will be free from material misstatement. As management, we assert that, to the best of our knowledge and belief, this financial report is complete and reliable in all material respects.

Financial Statement Presentation

The *Annual Financial Report* is divided into five sections. The **Introductory Section** includes the transmittal letter, an organizational chart and a list of elected and appointed officials. The **Financial Section** includes the independent auditor's opinion, management's discussion and analysis (MD&A), basic financial statements, and notes to financial statements. Management's discussion and analysis follows the independent auditors' report and provides a narrative introduction, overview and analysis of the basic financial statements. MD&A complements this letter and should be read in conjunction with it. The **Required Supplementary Information Section** includes any required supplementary information. The **Combining Schedules Section** includes the combining fund statements. The **Compliance Section** includes a report on internal control over financial reporting, a schedule of findings and responses and a schedule of prior audit findings.

Reporting Scope

This report includes all of the City's funds. The City provides almost all of the services typically provided by cities in Texas including police protection; construction, rehabilitation and maintenance of streets, drains and other infrastructure; recreational sites and activities and cultural events; and a municipal library. In addition to general governmental activities the City provides water, wastewater, sanitation and storm drainage services which are included in the reporting entity.

Independent Audit

The City's financial statements have been audited by Atchley & Associates, L.L.P., a licensed certified public accounting firm. The goal of the independent audit is to provide reasonable assurance that the financial statements of the City for the fiscal year ended September 30, 2010, are free of material misstatement. The independent audit involved examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; assessing the accounting principles used and significant estimates made by management; and evaluating the overall financial statement presentation. The independent auditor concluded, based upon the audit, that the City's financial statements for the fiscal year ended September 30, 2010, are fairly presented in conformity with GAAP. The independent auditor's report is presented as the first component of the financial section of this report.

Accounting system and budgetary control

In developing and evaluating the City's accounting system, consideration is given to the adequacy of internal controls. These controls are designed to provide reasonable assurance regarding:

1. the safeguarding of assets against loss from unauthorized use or disposition; and
2. the reliability of financial records for preparing financial statements and maintaining accountability of assets.

The concept of reasonable assurance recognizes that:

1. the cost of control should not exceed the benefits likely to be derived; and
2. evaluation of costs and benefits requires estimates and judgment by management.

All internal control evaluations occur within the above framework. We believe that the City's internal accounting controls adequately safeguard assets and provide reasonable assurance of proper recording of financial transactions. Initiatives have been made however to attempt to improve upon the financial applications by switching to newer more modern software packages.

Cash management policies and practices

Cash temporarily idle during the year was invested in interest bearing checking accounts, investment pools, and agency instruments. During FY 09-10, the City for the first time began to invest in United States Government backed securities. Due to the fact that investment pool rates fell dramatically between early 2008 until now, investment income was significantly lower during the reporting period compared to past years.

Risk management

The City is a member of the Texas Municipal League's Intergovernmental Risk Pool. The Pool was created for the purpose of providing coverage against risks, which are inherent in operating a municipal

government. The City pays annual premiums to the Pool for liability, property and worker's compensation coverage. A local insurance broker underwrites surety bonds for selected city officials and staff.

Pension and other post employment benefits

The City provides a defined benefit pension plan through TMRS for all of its permanent employees. Each year, an independent actuary engaged by the pension plan calculates the amount of the annual contribution that the City must make to the pension plan to ensure that the plan will be able to fully meet its obligations to retired employees on a timely basis. As a matter of policy, the City fully funds each year's annual required contribution to the pension plan as determined by the actuary. The City has succeeded, in funding 67.5% of the present value of the projected benefits earned by employees as of the Actuarial Valuation Date of December 31, 2009. The remaining unfunded amount of \$1,911,610 is being systematically funded over 24 years as part of the annual required contribution calculated by the actuary.

Prior to October 1, 2007, the City's policy relating to payment of medical benefits for its retirees was on a pay as you go basis. Beginning with the reporting period ending September 30, 2008, cities such as Kyle are required to account for the contingent liability created by future costs of premiums. In a move to significantly reduce the financial impact, the City Council adopted a greatly reduced program. Under the new policy only a total of 17 current employees are eligible for future benefits at the former level, if they reach 25 years of continuous service with the City. All other current employees hired by April 1, 2009 would be eligible for payment of a fixed rate beginning at \$300 per month which is approximately 50% of the current rate for retirees. Anyone hired after April 1, 2009 would not be eligible for any post retirement medical benefits.

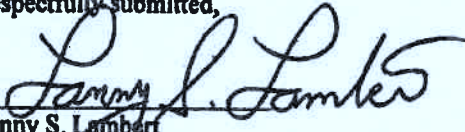
After careful analysis of potential future beneficiaries of this policy and making certain conservative assumptions concerning anticipated increases in rates, numbers of new retirees added each year, mortality rates, etc., the present value of future annual costs were determined. An amount sufficient to cover this amount is placed in a reserve fund each year. Inasmuch as the City has only one retiree drawing benefits at this time and the pool of current employees that may receive benefits in the future has been severely limited, we are confident that the current methodology employed to determine the annual reserve requirement to satisfy this contingent liability are sufficient.


Additional information on the City's pension plan benefits and other post employment benefits can be found in the notes to the financial statements on pages 50 through 54.

Acknowledgements

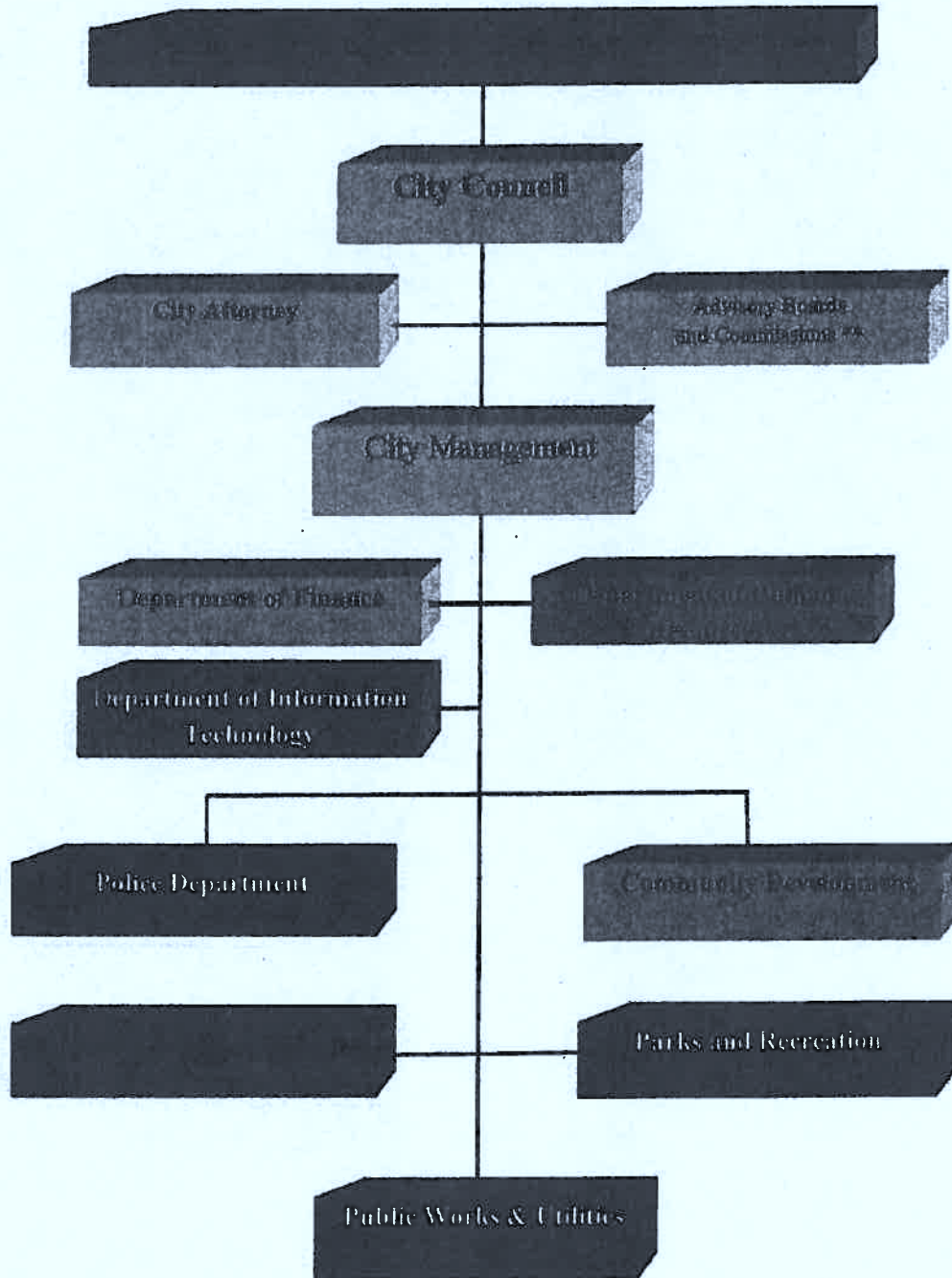
Preparation of this report would not have been possible without the contributions of the entire staff of the Financial Services Department. We would like to express our appreciation to all members of the department who assisted and contributed to the preparation of this report. We appreciate the guidance, policy directives, and the support provided by the Mayor and City Council in the management of the City's finances.

Respectfully submitted,


Lanny S. Lambert
City Manager


Pervez A. Moheet, CPA
Director of Finance

City of Kyle - Organizational Chart



**** Planning and Zoning Commission
Economic Development Committee
Strategic Planning and Finance Comm.
Community Relations Committee
Parks and Recreation Committee**

**Public Works & Service Committee
Mobility Committee
Safety and Emergency Services Committee
Community Library Board Members
Water Development Citizens Advisory Committee**



Elected Officials and Administrative Staff March 31, 2011

City Council

Lucy Johnson..... Mayor
Russ Huebner..... Mayor Pro-Tem
Diane Hervol..... District 1
Becky Selbera..... District 2
Bradley Pickett..... District 3
David Wilson..... District 4
Jaime Sanchez..... District 5

City Staff:

Lanny Lambert..... City Manager
James Earp..... Assistant City Manager
Amelia Sanchez..... City Secretary
Jeff Barnett..... Chief of Police
Diana Blank..... Director of Economic Development
Connie Brooks..... Library Director
Sandra Duran..... Director of Human Resources
Gerald Hendrix..... Director of Communications
Perwez Moheet..... Director of Finance
Mario Perez..... Building Official
Shira Rodgers..... Director of Planning
Mark Shellard..... Director of Information Technology
Kerry Urbanowicz..... Director of Parks and Recreation
Harper Wilder..... Director of Public Works
Knight & Partners..... City Attorney
Neptune Wilkinson..... City Engineer
Sundra Spears..... Municipal Court Judge

**FINANCIAL
SECTION**



Independent Auditors' Report

Honorable Mayor and Members of the City Council
City of Kyle, Texas

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Kyle, Texas (the City) as of and for the year ended September 30, 2010, which collectively comprise the City's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the City's administrators. Our responsibility is to express opinions on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over financial reporting. Accordingly, we express no such opinion. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Kyle, Texas as of September 30, 2010, and the respective changes in financial position and cash flows, where applicable, thereof, for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated March 31, 2011, on our consideration of the City's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be read in conjunction with this report in considering the results of our audit.

Management's discussion and analysis and the budgetary comparison for the general fund on pages 3 through 16 and 56 are not a required part of the basic financial statements but are supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

Our audit was performed for the purpose of forming an opinion on the financial statements that collectively comprise the City of Kyle, Texas' basic financial statements. The introductory section and combining statements are presented for purposes of additional analysis and are not a required part of the basic financial statements. The combining statements have been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, are fairly stated in all material respects in relation to the basic financial statements taken as a whole. The introductory section has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly we express no opinion on it.

Atebley & Associates, LLP

Austin, Texas
March 31, 2011

City of Kyle, Texas
MD&A September 30, 2010

**City of Kyle, Texas
Management's Discussion and Analysis
of Financial Condition and Results of Operation**

As management of the City of Kyle (the City), we offer readers of the City's financial statements this narrative overview and analysis of the financial activities of the City for the fiscal year ended September 30, 2010. Readers are encouraged to consider the information presented here in conjunction with additional information that has been furnished in the letter of transmittal, which can be found on pages i-iii of this report.

FINANCIAL HIGHLIGHTS

Government-wide

- On September 30, 2010, the assets of the City exceeded its liabilities at the close of the most recent fiscal year by \$89,659,279 (net assets). Of this amount, \$8,264,892 (unrestricted net assets) may be used to meet the government's obligations to its citizens and creditors within each of the City's designated funds.
- The government's total net assets decreased overall by a total of \$3,986,859 or 4.3% from the previous year. Current and Other Assets increased by a net amount of approximately \$187 thousand and capital assets increased by approximately \$4.59 million for a total increase of \$4.78 million. Total liabilities increased by \$8.76 million. Therefore the decrease in net assets was mainly due to the issuance of the \$11 million SIB II loan.

Fund Based

- At the close of the fiscal year being reported, the City's governmental funds reported combined ending fund balances of \$9,613,856, which represents a decrease of \$8,228,343 in comparison with the prior year. This was mainly due to the issuance of the \$11 million SIB II loan.
- At the end of fiscal year 2009-10, the fund balance for the General Fund was \$2,395,901 or 24.92% of total fund balance. This is a decrease of approximately 25.5% from the prior year.
- At the close of fiscal year 2009-10, the General Fund "budget to actual" report shows a decrease in the amount of revenue received versus the amount in the original budget by \$293,903. This decrease is due to a one-time change in accounting methods regarding revenue accruals.

City of Kyle, Texas
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- For fiscal year 2009-10, the City's Utility Fund had an operating loss of \$464,484. See below for an explanation of the loss:
 - Operating revenue did decrease by \$597,363. Please note a portion of this decrease (\$72,358) is due to reporting investment earnings as non-operating revenue while in prior years it was reported as operating revenue. While Central Texas was still in a drought stage the drought was not as severe as the prior year.
 - Operating expenses decreased by approximately \$477,473. This decrease was mainly due to the cost to provide water and wastewater service was lower primarily due to usage volumes below forecast.

OVERVIEW OF THE FINANCIAL STATEMENTS

The discussion and analysis are intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-wide financial statements

The *government-wide financial statements* are designed to provide readers with a broad overview of the City's finances, in a manner similar to a private-sector business.

The *statement of net assets* presents information on all of the City's assets and liabilities, with the difference between the two reported as *net assets*. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The *statement of activities* presents information showing how the government's net assets changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related *cash flows*. Thus, revenue and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave).

Both of the government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenue (*governmental activities*) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (*business-type activities*). The governmental activities of the City include general government, public safety, public works and culture and recreation. The business-type activities of the City include the water/wastewater system.

The government-wide financial statements can be found on pages 17 through 19 of this report.

City of Kyle, Texas
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Fund financial statements

The fund financial statements are intended to provide information about the City's most significant funds. They represent the more familiar types of reporting for those users of governmental financial statements. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City can be divided into three categories: governmental funds, proprietary funds and fiduciary funds.

Governmental funds - are used to account for essentially the same functions reported as *governmental activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near-term inflows and outflows of available resources*, as well as on *balances of resources* available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenue, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between *governmental funds* and *governmental activities*.

The City maintains four major governmental funds and nine non-major individual governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenue, expenditures, and changes in fund balances for each major fund.

Data from each of the major governmental funds is presented separately in these statements. A budgetary comparison schedule has been provided for the General Fund to demonstrate compliance with the annual appropriated budget and is presented as required supplementary information beginning on page 56. Individual fund data for each of the non-major governmental funds is provided in the form of combining statements elsewhere in this report.

Proprietary funds - The City maintains one type of proprietary fund. *Enterprise funds* are used to report the same functions presented as *business-type activities* in the government-wide financial statements. The City uses one enterprise fund to account for its water/wastewater operations. Proprietary funds provide the same type of information as the government-wide financial statements, only in more detail. The proprietary fund financial statements provide separate information for the utility system which is considered to be a major fund of the City. The basic proprietary fund financial statements can be found on pages 27 through 30 of this report.

City of Kyle, Texas
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Fiduciary Funds – The City created a Fiduciary Fund in fiscal year 2007-08. The purpose of a *fiduciary fund* is to report assets that are held in a trust or agency capacity; these funds cannot be used to support governmental activities. The City uses an Other Post Employment Benefit Trust Fund to account for and report resources that are required to be held in trust for members of the city-paid retiree health insurance benefit plan. The basic fiduciary fund financial statement can be found on page 31 of this report.

Notes to the financial statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found on pages 33 through 54 of this report.

Other Information

In addition to the basic financial statements and accompanying notes, this report also presents combining fund statements and schedules that further support the information in the financial statements.

Combining statements for non-major governmental funds are presented immediately following the required supplementary information. Combining financial statements and schedules can be found on pages 58 through 61 of this report.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

Statement of Net Assets

As noted earlier, net assets may serve over time as a useful indicator of the government's financial position. In the case of the City, for the period ending September 30, 2010, assets exceeded liabilities by \$89,659,279.

The largest portion of the City's net assets (77.3%) reflects its investment in capital assets (e.g., land, buildings, machinery, and equipment); less any related debt used to acquire those assets that is still outstanding. The City uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

Another portion of the City's net assets equaling \$11,855,455 (13.2%) represents sources that are subject to designation to be used for Capital Improvements. A small portion of the City's net assets equaling \$211,753 (0.2%) is restricted to pay for debt service due to the refunding the City issued in 2010. The remaining balance of unrestricted net assets representing 9.2% of the total may be used to meet ongoing financial obligations of the City.

City of Kyle, Texas
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The following Table reflects a condensed Statement of Net Assets:

City of Kyle's Net Assets						
	Governmental activities		Business-type activities		Totals	
	2010	2009	2010	2009	2010	2009
Current & other assets	\$24,446,565	\$22,222,253	\$10,531,949	\$12,569,327	\$34,978,514	\$34,791,580
Capital assets	78,430,260	74,466,456	50,710,149	50,085,887	129,140,409	124,547,463
Total assets	102,876,825	96,688,709	61,242,098	62,655,214	164,117,223	159,238,973
Liabilities	2,742,918	3,271,048	630,128	837,540	3,373,046	4,108,588
Non-current liabilities	67,538,368	57,885,169	3,548,230	3,704,028	71,086,608	61,589,197
Total liabilities	70,281,286	61,156,217	4,178,358	4,541,568	71,457,894	63,097,785
Net assets:						
Invested in capital assets, net of related debt	22,165,260	22,793,304	47,161,919	46,381,859	69,327,179	69,175,163
Restricted/Designated	7,675,097	14,885,094	4,392,111	5,172,176	12,067,208	19,957,270
Unrestricted	2,755,182	(2,143,906)	5,509,710	6,559,611	2,164,882	4,113,705
Total Net Assets	\$32,595,539	\$35,532,492	\$7,063,740	\$58,113,646	\$39,659,279	\$59,246,134

Governmental activity's Capital Assets increased by 5.32% due to the completion of the Public Works building and infrastructure projects. Contributed capital was smaller than in prior years. Governmental Liabilities increased by 14.92% due to the issuance of the SIB II loan less paydown of existing debt. Business-type activity's Current and Other Assets decreased by 16.21% while Capital Assets increased by 1.25%. These changes were a result of payments for capital projects and use of cash and investments to fund day to day operations (reduction in current assets) and the capitalization as fixed assets (capital assets) plus contributed capital from developers.

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Statement of Activities

The statement of activities shows how the City's net assets changed during the fiscal year 2009-10. Provided below is a chart showing changes in net assets.

City of Kyle's Changes in Net Assets – Statement of Activities						
	Governmental activities		Business-type activities		Total	
	2010	2009	2010	2009	2010	2009
Revenue:						
Program revenue:						
Charges for services	\$2,664,236	\$2,980,448	\$6,092,391	\$6,403,308	\$8,756,627	\$9,383,756
Operating grants and contributions	73,623	7,972	-	-	73,623	7,972
Capital grants and contributions	1,225,852	6,661,522	1,117,699	3,249,687	2,343,551	9,911,209
General revenue:						
Property taxes	6,020,859	4,740,009	-	-	6,020,859	4,740,009
Sales tax	2,426,043	2,641,752	-	-	2,426,043	2,641,752
Franchise tax	701,786	636,961	-	-	701,786	636,961
Other taxes	95,351	131,950	-	-	95,351	131,950
Investment earnings	258,120	472,503	72,358	297,500	330,478	770,003
Miscellaneous	261,351	387,510	11,054	-	272,405	387,510
Total Revenue	11,727,221	18,660,627	7,293,502	9,950,495	18,020,723	28,611,122
Expenses:						
General government	4,394,186	3,908,523	-	-	4,394,186	3,908,523
Public safety	3,351,788	3,002,585	-	-	3,351,788	3,002,585
Public works	4,571,021	3,781,337	-	-	4,571,021	3,781,337
Transportation	14,456	11,792	-	-	14,456	11,792
Culture/Recreation	1,613,611	1,618,947	-	-	1,613,611	1,618,947
Interest on long term debt	2,900,787	2,648,190	-	-	2,900,787	2,648,190
Other Debt Service Expenses	150,630	60,525	-	-	150,630	60,525
Water/Wastewater	-	-	7,709,085	7,164,119	7,709,085	7,164,119
Total Expenses	17,196,579	15,031,899	7,709,085	7,164,119	24,905,664	22,195,618
Changes in net assets before transfers	(3,469,358)	3,628,728	(415,583)	2,786,376	(3,884,941)	6,415,504
Transfers	634,323	1,046,255	(634,323)	(1,046,255)	-	-
Change in net assets	(2,835,035)	4,674,983	(1,049,906)	1,740,121	(3,884,941)	6,415,504
Net assets - beginning	35,532,492	8,115,866	58,113,646	34,565,007	93,646,138	42,680,871
Prior period adjustment	(101,918)	22,741,643	-	21,808,518	(101,918)	44,550,161
Net assets - ending	\$32,595,539	\$35,532,492	\$57,063,740	\$58,113,646	\$89,379,179	\$91,841,536

The City's net assets in the government-wide statements decreased overall by \$3,986,859 during the fiscal year 2009-10.

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Governmental Activities

Governmental activities decreased the City's net assets by \$2,936,953. Key elements of this change in net assets are explained as follows:

Program Revenue. Total program revenue, which are charges for services, operating grants/contributions and capital grants/contributions decreased by approximately \$5.7 million from the prior year due mainly to a decrease in capital grants and reductions in charges for services and operating grants.

General Revenue. Property taxes and franchise fees increased by 27% and 10% respectively over the prior fiscal year. The increase in property tax was due to the receipt of TIF property tax from the County and the increase in franchise fee is due to the new residential garbage franchise. Sales tax decreased by 8% but this was due to a one time change in accounting method related to revenue accruals. Investment earnings decreased by 45% over the previous year due to the use of cash and investments to pay for day to day operations and lower interest rates that have resulted from the declining economy.

Expenses. Governmental expenses showed an overall increase of \$2,164,680 or 14%. Following are the main reasons for the increase in expenditures:

- Bond interest payments increased 10%.
- Bond issuance costs and fiscal agent fees were 149% higher than the previous year due to the issuance of the SIB II Loan and the 2010 Refunding CO and increased administration costs.
- Public Works increased by 21% due to increases in staff and construction costs. Starting in fiscal year 2008-09 the Public Works staff started handling more construction projects in house.
- General Government and Public Safety increased by 12% and 18% respectively mainly due to new positions and increased operational costs.

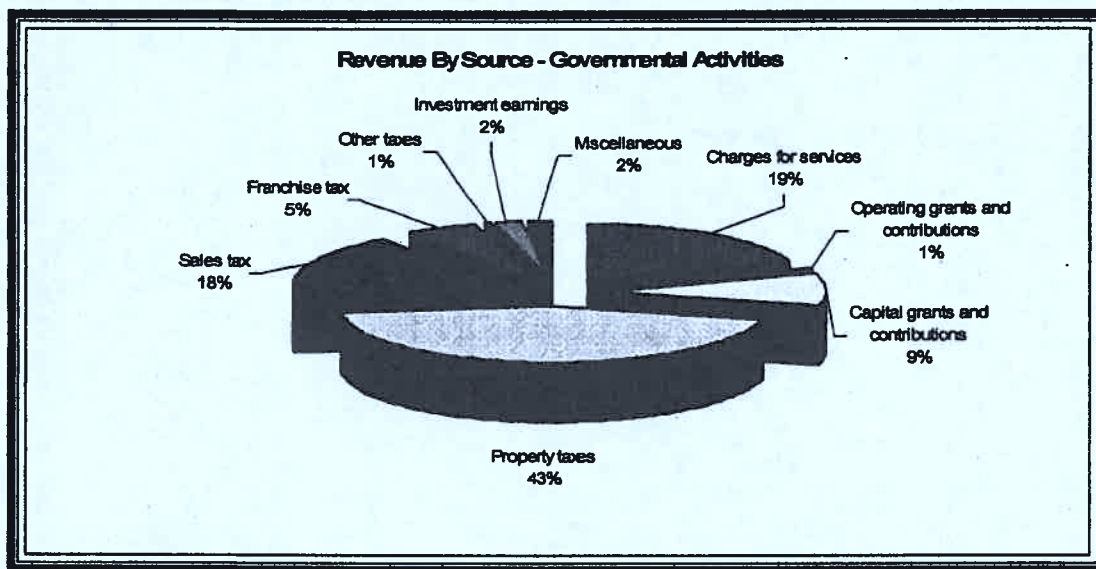
Budget Variances. Actual expenses are shown to exceed budgeted expenses by \$69,411. Brief descriptions of the reasons for the under budgeted amounts by function are shown below:

- General Government – Total under budgeted \$19,898.
 - The Other Post Employment Benefit to fund retiree health care was not accounted for in the amended budget.
- Public Safety – Total under budgeted \$143,417.
 - This was the first year the civil service officers' sick leave required accrual but it was not accounted for in the amended budget - \$106,871.
 - Legal/litigation expenses were higher than expected - \$22,276.

City of Kyle, Texas
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- The difference is due to employees' vacation leave accrual that was budgeted less the departments other line items that came in under budget.
- The following functions' expenses came in less than their budgeted allocation:
 - Public Works - \$2,262
 - Culture and Recreation - \$74,257
 - Capital Outlay - \$17,385

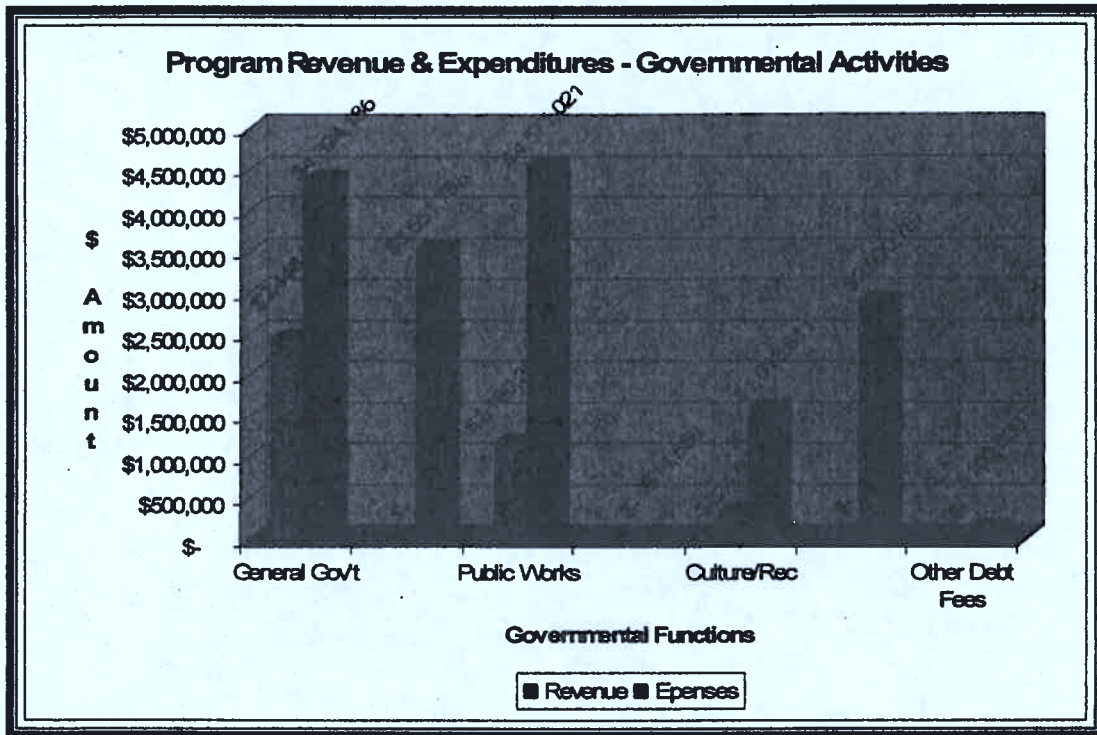
The following two charts illustrate a breakdown of **general governmental activity** revenue by source and a comparison of program revenue by function and corresponding revenue by source.



- As shown on the above chart, the bulk of revenue for governmental activities comes from property taxes, sales taxes and charges for services (80%). The two highest percentages of revenue come from property taxes (43%) and charges for services (19%).
- Charges for services include revenue sources such as fees for building inspections, plan review, recreational program fees, trash collection charges, etc.
- Revenue from property taxes increased by 27% between 2009 and 2010. This increase was a reflection of an increase in the net taxable assessed value of property from \$1,207,430,859 in 2009 to \$1,340,124,250 in 2010. The property tax rate for 2010 was \$.4240 per \$100 of assessed valuation which is an increase of \$.0509 from the previous year.
- Sales taxes which represented 18% of total revenue for governmental activities also increased significantly over the prior year. Sales tax revenue decreased by

City of Kyle, Texas
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8.2% between 2009 and 2010 due to a one-time change in accounting methods regarding revenue accruals.



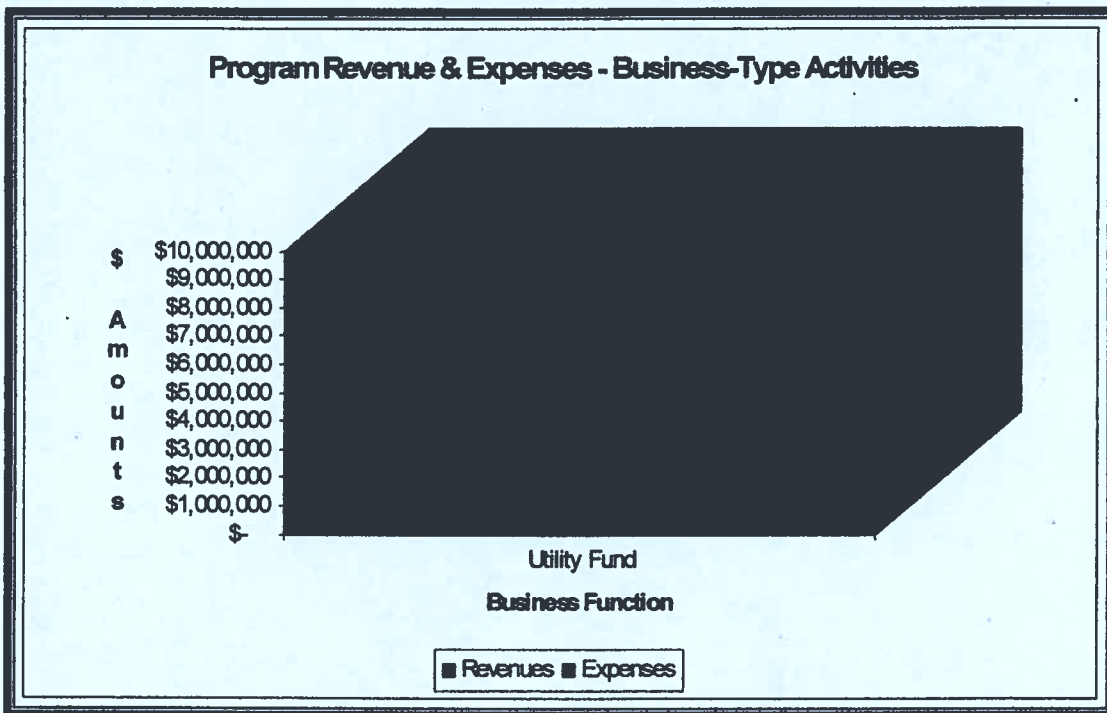
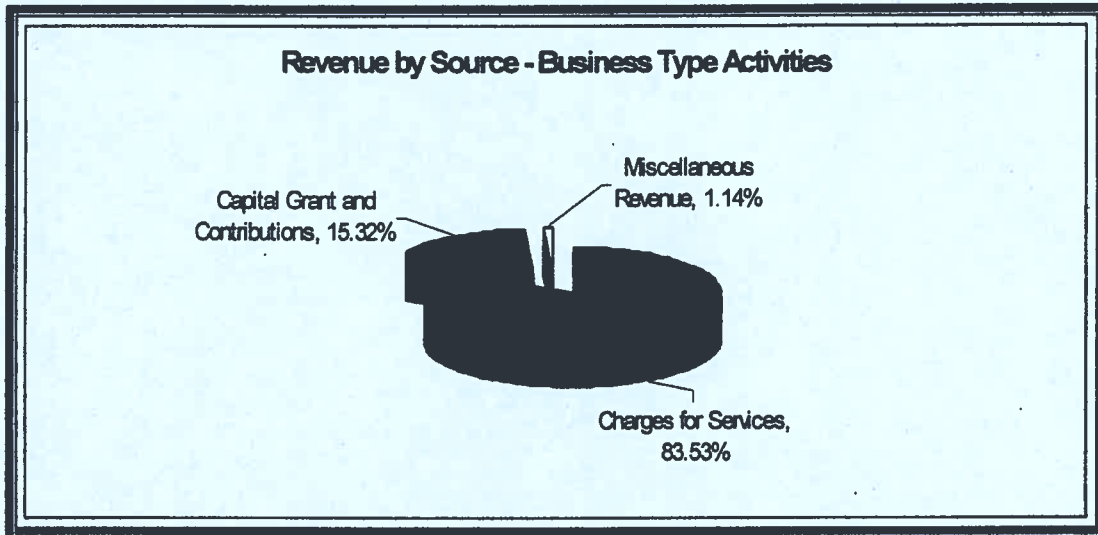
- Based on the chart above Public Works is the largest expense function (26.7%) surpassing General Government, which includes all administrative offices as well as Community Development and non-departmental expenses, closely followed by General Government (25.6%), then Public Safety (20.7%), and Culture/Recreation (9.4%).
- Interest on Debt and Other Debt Fees do not have a source of program revenue. The balance of funding for all of the above activities comes from property, sales and other taxes, investment income and transfers from other funds.

Business-type activities

Business-type activities decreased the City's net assets by \$1,049,906 in fiscal year 2009-10. This was the result of \$7,293,502 in revenue, \$7,709,085 in expenses, and \$634,323 in transfers out.

The two charts on the following page provide similar information as shown previously, only for business-type activities instead of governmental activities.

City of Kyle, Texas
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“Charges for services” revenue for business-type activities (Utilities) had a slight decrease from the prior year.

General Revenue. Revenue from charges for services decreased 4.86% from the prior year. Contributions for capital grants decreased by 65.61% compared to the previous year due to significant decrease in contributed capital from developers. Investment earnings decreased by 75.68% due to the use of cash and investments

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to pay for operating activities, the use of CIP funds for water capital improvement projects, and the still low interest rates.

Expenses. Business-type expenses showed an overall increase of about 7.61% to \$7,709,085. This increase was mainly due to the increase in staff and the increase in capital improvement projects during the year.

FINANCIAL ANALYSIS OF THE CITY'S FUNDS

As noted earlier, the City uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds

The focus of the City's governmental funds is to provide information on near-term inflows, outflows and the balance of fiscal resources. Such information is useful in assessing the City's financing requirements. In particular, unreserved fund balance may serve as a useful measure of government's net resources available at the end of the fiscal year.

As of September 30, 2010, the City's governmental funds reported combined ending fund balances of \$9,613,856. This entire amount constitutes unreserved fund balance.

General Fund – The General Fund is the chief operating fund of the City. On September 30, 2010 the unreserved fund balance was \$2,395,901. The unreserved General Fund Balance decreased by \$820,055 between 2009 and 2010 due to the use of cash and investments to pay for operations and an increase in accounts payable and compensated absences payable. Property tax, franchise tax, and other revenue increased during the year. There was a slight decrease in sales tax due to a one time change in accounting method regarding revenue accruals. The property tax base increased \$132,693,391, due to construction of new residences and new businesses. The current year tax collection rate was 99% of the levy.

Overall, general fund expenditures increased approximately 5.97% between 2009 and 2010. General government functions, which serves as a catchall for non-specific activities, decreased by approximately 5.9% over the prior year. Public Safety increased 18.9%, Public Works increased by 10.95% and Culture/Recreation increased by 0.2%. The increases were mainly due to increased personnel expenses and increased operational costs. A total of 10.5 new positions were added: 4.5 in Public Safety, 1 in Management, and 5 Clerical/Laborer positions.

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Proprietary Funds – The City’s proprietary funds provide the same type of information found in the government-wide financial statements, but in more detail.

Operating revenue for the Utility Fund showed a decrease of about 8.9% from the prior year. While we were still in drought conditions they weren’t as significant as the prior year and therefore had a negative impact on water sales. The volume of rain received and the volume of water sold have an inverse relationship. When there is less rainfall, the volume of water sold will increase.

CAPITAL ASSET AND DEBT ADMINISTRATION

Capital assets

The City of Kyle’s investment in capital assets for its governmental and business type activities as of September 30, 2010, amounts to \$129,140,409 (net of accumulated depreciation). This investment in capital assets includes land, buildings and system improvements, machinery and equipment, park facilities, roads, highways and bridges. The total increase in the City of Kyle’s investment in capital assets for the current fiscal year was \$4,588,066 or 3.68%. Additional information on the City’s capital assets can be found on pages 43 and 44.

The following chart summarizes the City of Kyle’s Capital Assets:

CITY OF KYLE’S CAPITAL ASSETS AT YEAR-END						
(net of depreciation)						
	Governmental Activities		Business-type activities		Total	
	2010	2009	2010	2009	2010	2009
Land	\$3,022,518	\$2,644,237	\$467,400	\$467,400	\$3,489,918	\$3,111,637
Easement	-	-	224,535	224,535	224,535	224,535
Buildings	10,793,871	7,116,357	5,420,371	5,324,913	16,214,242	12,441,270
Improvements other than buildings	1,429,418	1,244,615	54,338,577	50,931,899	55,767,995	52,176,514
Machinery and equipment	2,265,636	1,800,710	1,397,646	1,199,408	3,663,282	3,000,118
Infrastructure	74,071,984	65,398,612	-	-	74,071,984	65,398,612
Construction in progress	2,474,641	9,123,964	1,610,636	2,935,576	4,085,277	12,059,540
Less: accumulated depreciation	(15,627,808)	(12,862,039)	(12,749,016)	(10,997,844)	(28,376,824)	(23,859,883)
Total	\$78,430,260	\$74,466,456	\$50,710,149	\$50,085,887	\$129,140,409	\$124,573,343

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Major capital asset events occurring during the fiscal year included the following:

- The Public Works projects that were completed this year included a 12” Plum Creek water line, one 750,000-gallon elevated storage water tank, two 500,000-gallon ground storage water tanks, improvements to two pump stations, and extensions of water and wastewater lines to the Seton Development/Villages at Kyle.
- Road improvements added in FY 2010 were in excess of \$8.6 million.
- Water and wastewater improvements totaled over \$3.4 million.

Long-term debt

At the end of the current fiscal year, the City had total debt outstanding of \$71,086,598. The increase of approximately \$9.5 million in additional debt was due mainly to the issuance on the \$11 million SIB II Loan less the principal pay-down from previously issued debt.

The City has no special assessment debt for which the government is liable in the event of default by the property owners subject to the assessment.

The chart shown below summarizes the status of the City’s outstanding debt as of September 30, 2010, with a comparison of outstanding debt from the prior year.

Outstanding Debt						
	Governmental activities		Business-type activities			
	2010	2009	2010	2009	2010	2009
Debt Obligations	\$40,975,000	\$44,160,000	\$-	\$-	\$40,975,000	\$44,160,000
Premium on Bond	98,068	103,475	-	-	98,068	103,475
Refunding bonds	15,290,000	-	-	-	15,290,000	-
State infrastructure loan	11,000,000	12,867,693	-	-	11,000,000	12,867,693
Deferred interest payable	175,300	754,001	-	-	175,300	754,001
Capital Lease	-	-	3,548,230	3,704,028	3,548,230	3,704,028
Total	\$67,538,368	\$57,885,169	\$3,548,230	\$3,704,028	\$71,086,598	\$61,589,197

The City of Kyle and its Water/Wastewater Utility continues to have a bond rating of “A+” from Standard & Poor’s for Certificate of Obligation Bond debt.

City of Kyle, Texas
MD&A September 30, 2010

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES

Although the focus of this annual report is the economic condition of the City, as of September 30, 2010, there are always state and local issues that require some consideration because of their future economic impact on the City. These factors always play a role in preparation of the budget for next fiscal year.

Preparation of the 2010-11 budget was done considering only a modest increase in revenue over the previous year. Retail developments continue to expand which has a positive increase on sales tax.

The 2010-11 operating budget for the City provided for an additional 10.5 full-time positions bringing the total authorized positions to 202. Please see below for a breakdown of the new positions:

- 1 in Management
- 4.5 in Public Safety
- 5 Clerical/Labor positions

Revenue for local government purposes is mostly a function of established rates, fees or charges applied to specific items such as real or personal property owned (property tax), goods purchased (sales tax), types of services provided (inspections), penalties for unlawful conduct (fines), quantities of goods sold (water sales), etc. For the Adopted 2009-10 Fiscal Year Budget, there was a slight increase in some rates, fees or charges for the City and a decrease of \$.008601 from the existing ad valorem property tax rate. This decrease brought the property tax rate to \$.415399 per \$100 valuation.

Requests for Information

This financial report is designed to provide a general overview of the City of Kyle's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the City of Kyle Finance Director, P.O. Box 40, 100 W. Center St., Kyle, Texas 78640.

**BASIC FINANCIAL
STATEMENTS**

CITY OF KYLE
STATEMENT OF NET ASSETS
SEPTEMBER 30, 2010

EXHIBIT A-1

	Primary Government		
	Governmental Activities	Business Type Activities	Total
ASSETS			
Cash and Cash Equivalents	\$ 10,264,511	\$ 4,220,338	\$ 14,484,849
Receivables (net of allowance for uncollectibles)	1,905,628	681,457	2,587,085
Deposit for TxDOT Construction	11,000,000	-	11,000,000
Capitalized Debt Issuance Costs	1,276,426	-	1,276,426
Restricted Assets:			
Temporarily Restricted:			
Restricted Cash	-	5,630,154	5,630,154
Capital Assets:			
Land	3,022,518	691,935	3,714,453
Infrastructure, net	60,658,995	-	60,658,995
Buildings, net	9,946,769	4,219,600	14,166,369
Improvements other than Buildings, net	946,755	43,454,544	44,401,299
Machinery and Equipment, net	1,380,582	733,433	2,114,015
Construction in Progress	2,474,641	1,610,637	4,085,278
Total Assets	<u>102,876,825</u>	<u>61,242,098</u>	<u>164,118,923</u>
LIABILITIES			
Accounts Payable	2,651,027	168,374	2,819,401
Due to Other Funds	91,487	-	91,487
Customer Deposits	404	461,754	462,158
Noncurrent Liabilities			
Due Within One Year	2,470,000	165,407	2,635,407
Due in More Than One Year	65,068,368	3,382,823	68,451,191
Total Liabilities	<u>70,281,286</u>	<u>4,178,358</u>	<u>74,459,644</u>
NET ASSETS			
Invested in Capital Assets, Net of Related Debt	22,165,260	47,161,919	69,327,179
Restricted for:			
Restricted for Capital Improvements	7,463,344	4,392,111	11,855,455
Restricted for Debt Service	211,753	-	211,753
Unrestricted Net Assets	2,755,182	5,509,710	8,264,892
Total Net Assets	<u>\$ 32,595,539</u>	<u>\$ 57,063,740</u>	<u>\$ 89,659,279</u>

The notes to the Financial Statements are an integral part of this statement.

**CITY OF KYLE
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER 30, 2010**

	Program Revenues			
	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions
Primary Government:				
GOVERNMENTAL ACTIVITIES:				
General Government	\$ 4,394,186	\$ 2,366,033	\$ 47,301	\$ 35,500
Public Safety	3,551,788	-	-	-
Public Works	4,571,021	-	-	1,190,352
Transportation	14,556	-	-	-
Culture and Recreation	1,613,611	298,203	26,322	-
Bond Interest	2,900,787	-	-	-
Fiscal Agent's Fees	85,300	-	-	-
Issuance Costs	65,330	-	-	-
Total Governmental Activities:	17,196,579	2,664,236	73,623	1,225,852
BUSINESS-TYPE ACTIVITIES:				
Water and Sewer	7,709,085	6,092,391	-	1,117,699
Total Business-Type Activities:	7,709,085	6,092,391	-	1,117,699
TOTAL PRIMARY GOVERNMENT:	\$ 24,905,664	\$ 8,756,627	\$ 73,623	\$ 2,343,551

General Revenues:

Taxes:

Property Taxes, Levied for General Purposes

Property Taxes, Levied for Debt Service

Sales Taxes

Franchise Taxes

Other Taxes

Miscellaneous Revenue

Investment Earnings

Transfers In (Out)

Total General Revenues and Transfers

Change in Net Assets

Net Assets--Beginning

Prior Period Adjustment

Net Assets--Ending

The notes to the Financial Statements are an integral part of this statement.

EXHIBIT B-1

Net (Expense) Revenue and Changes in Net Assets		
Primary Government		
Governmental Activities	Business-type Activities	Total
\$ (1,945,352)	\$ -	\$ (1,945,352)
(3,551,788)	-	(3,551,788)
(3,380,669)	-	(3,380,669)
(14,556)	-	(14,556)
(1,289,086)	-	(1,289,086)
(2,900,787)	-	(2,900,787)
(85,300)	-	(85,300)
(65,330)	-	(65,330)
<u>(13,232,868)</u>	<u>-</u>	<u>(13,232,868)</u>
-	(498,995)	(498,995)
-	(498,995)	(498,995)
<u>(13,232,868)</u>	<u>(498,995)</u>	<u>(13,731,863)</u>
2,381,494	-	2,381,494
3,639,365	-	3,639,365
2,426,043	-	2,426,043
701,786	-	701,786
95,351	-	95,351
261,351	11,054	272,405
258,120	72,358	330,478
634,323	(634,323)	-
<u>10,397,833</u>	<u>(550,911)</u>	<u>9,846,922</u>
(2,835,035)	(1,049,906)	(3,884,941)
35,532,492	58,113,646	93,646,138
(101,918)	-	(101,918)
<u>\$ 32,595,539</u>	<u>\$ 57,063,740</u>	<u>\$ 89,659,279</u>

CITY OF KYLE
BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2010

	General Fund	Debt Service Fund	2008 CO Bond Fund
ASSETS			
Cash and Cash Equivalents	\$ 1,713,391	\$ 211,753	\$ 5,872,933
Receivables (Net)	1,559,744	-	-
Developer Receivable	345,884	-	-
Total Assets	\$ 3,619,019	\$ 211,753	\$ 5,872,933
LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts Payable	\$ 407,535	\$ -	\$ 11,460
Wages and Salaries Payable	142,325	-	-
Compensated Absences Payable	502,788	-	-
Retainage Payable	78,579	-	-
Due to Other Funds	91,487	-	-
Customer Deposits	404	-	-
Total Liabilities	1,223,118	-	11,460
Fund Balances:			
Unreserved and Undesignated:			
Reported in the General Fund	2,395,901	-	-
Reported in the Special Revenue Fund	-	-	-
Reported in the Debt Service Fund	-	211,753	-
Reported in the Capital Projects Fund	-	-	5,861,473
Total Fund Balances	2,395,901	211,753	5,861,473
Total Liabilities and Fund Balances	\$ 3,619,019	\$ 211,753	\$ 5,872,933

The notes to the Financial Statements are an integral part of this statement.

EXHIBIT C-1

2009 Tax Notes Fund	Other Funds	Total Governmental Funds
\$ 1,272,794	\$ 1,193,640	\$ 10,264,511
-	-	1,559,744
-	-	345,884
<u>\$ 1,272,794</u>	<u>\$ 1,193,640</u>	<u>\$ 12,170,139</u>
\$ 90,202	\$ 50,917	\$ 560,114
-	1,180,586	1,322,911
-	-	502,788
-	-	78,579
-	-	91,487
-	-	404
<u>90,202</u>	<u>1,231,503</u>	<u>2,556,283</u>
-	-	2,395,901
-	(457,142)	(457,142)
-	-	211,753
<u>1,182,592</u>	<u>419,279</u>	<u>7,463,344</u>
<u>1,182,592</u>	<u>(37,863)</u>	<u>9,613,856</u>
<u>\$ 1,272,794</u>	<u>\$ 1,193,640</u>	<u>\$ 12,170,139</u>

EXHIBIT C-2

CITY OF KYLE
RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET TO THE
STATEMENT OF NET ASSETS
SEPTEMBER 30, 2010

Total Fund Balances - Governmental Funds	\$	9,613,856
Capital assets used in governmental activities are not financial resources and therefore are not reported in governmental funds. At the beginning of the year, the cost of these assets was \$87,328,495 and the accumulated depreciation was \$12,862,039. In addition, long-term liabilities, including bonds payable, are not due and payable in the current period, and, therefore are not reported as liabilities in the funds. The net effect of including the beginning balances for capital assets (net of depreciation) and long-term debt in the governmental activities is to increase net assets.		17,622,561
Current year capital outlays and long-term debt principal payments are expenditures in the fund financial statements, but they should be shown as increases in capital assets and reductions in long-term debt in the government-wide financial statements. The net effect of including the 2010 capital outlays and debt principal payments is to increase net assets.		22,607,717
The 2010 depreciation expense increases accumulated depreciation. The net effect of the current year's depreciation is to decrease net assets.		(2,870,109)
Various other reclassifications and eliminations are necessary to convert from the modified accrual basis of accounting to accrual basis of accounting. These include recognizing deferred revenue as revenue, eliminating interfund transactions, reclassifying the proceeds of bond sales as an increase in bonds payable, and recognizing the liabilities associated with maturing long-term debt and interest. The net effect of these reclassifications and recognitions is to increase net assets.		(14,378,486)
Net Assets of Governmental Activities	\$	<u>32,595,539</u>

The notes to the Financial Statements are an integral part of this statement.

CITY OF KYLE
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2010

	General Fund	Debt Service Fund	2008 CO Bond Fund
REVENUES:			
Taxes:			
Property Taxes	\$ 2,462,259	\$ 3,639,365	\$ -
Sales Taxes	2,426,043	-	-
Franchise Tax	701,786	-	-
Other Taxes	-	-	-
Licenses and Permits	385,522	-	-
Intergovernmental Revenue and Grants	39,685	-	-
Charges for Services	1,672,470	-	-
Fines	606,244	-	-
Investment Earnings	18,388	55,735	112,543
Rents and Royalties	55,964	-	-
Contributions & Donations from Private Sources	26,322	-	-
Other Revenue	94,228	-	-
Total Revenues	<u>8,488,911</u>	<u>3,695,100</u>	<u>112,543</u>
EXPENDITURES:			
Current:			
General Government	3,292,654	-	586,674
Public Safety	3,381,478	-	-
Public Works	2,277,370	-	-
Transportation	-	-	-
Culture and Recreation	1,334,782	-	-
Debt Service:			
Bond Principal	-	2,145,000	-
Bond Interest	-	2,225,634	-
Fiscal Agent's Fees	-	85,300	-
Capital Outlay:			
Capital Outlay	434,335	-	3,841,209
Total Expenditures	<u>10,720,619</u>	<u>4,455,934</u>	<u>4,427,883</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>(2,231,708)</u>	<u>(760,834)</u>	<u>(4,315,340)</u>
OTHER FINANCING SOURCES (USES):			
Transfers In	2,427,680	1,245,352	-
Transfers Out (Use)	(947,724)	(228,286)	-
Total Other Financing Sources (Uses)	<u>1,479,956</u>	<u>1,017,066</u>	<u>-</u>
Net Change in Fund Balances	(751,752)	256,232	(4,315,340)
Fund Balance - October 1 (Beginning)	3,215,956	(10,864)	10,176,813
Prior Period Adjustment	(68,303)	(33,615)	-
Fund Balance - September 30 (Ending)	<u>\$ 2,395,901</u>	<u>\$ 211,753</u>	<u>\$ 5,861,473</u>

The notes to the Financial Statements are an integral part of this statement.

EXHIBIT C-3

2009 Tax Notes Fund	Other Funds	Total Governmental Funds
\$ -	\$ -	\$ 6,101,624
-	-	2,426,043
-	-	701,786
-	95,351	95,351
-	-	385,522
-	7,616	47,301
-	-	1,672,470
-	-	606,244
10,913	60,541	258,120
-	-	55,964
-	-	26,322
10,000	101,159	205,387
<u>20,913</u>	<u>264,667</u>	<u>12,582,134</u>
208,003	41,346	4,128,677
-	-	3,381,478
-	-	2,277,370
-	14,556	14,556
-	134,639	1,469,421
-	-	2,145,000
-	-	2,225,634
-	-	85,300
<u>2,700,826</u>	<u>465,657</u>	<u>7,442,027</u>
<u>2,908,829</u>	<u>656,198</u>	<u>23,169,463</u>
<u>(2,887,916)</u>	<u>(391,531)</u>	<u>(10,587,329)</u>
-	-	3,673,032
-	(36,118)	(1,212,128)
-	(36,118)	2,460,904
(2,887,916)	(427,649)	(8,126,425)
4,070,508	389,786	17,842,199
-	-	(101,918)
<u>\$ 1,182,592</u>	<u>\$ (37,863)</u>	<u>\$ 9,613,856</u>

EXHIBIT C-4

CITY OF KYLE
RECONCILIATION OF THE GOVERNMENTAL FUNDS STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES TO THE STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER 30, 2010

Total Net Change in Fund Balances - Governmental Funds	\$	(8,126,425)
Current year capital outlays and long-term debt principal payments are expenditures in the fund financial statements, but they should be shown as increases in capital assets and reductions in long-term debt in the government-wide financial statements. The net effect of removing the 2010 capital outlays and debt principal payments is to increase net assets.		22,607,717
Depreciation is not recognized as an expense in governmental funds since it does not require the use of current financial resources. The net effect of the current year's depreciation is to decrease net assets.		(2,870,109)
Various other reclassifications and eliminations are necessary to convert from the modified accrual basis of accounting to accrual basis of accounting. These include recognizing deferred revenue as revenue, adjusting current year revenue to show the revenue earned from the current year's tax levy, eliminating interfund transactions, reclassifying the proceeds of bond sales, and recognizing the liabilities associated with maturing long-term debt and interest. The net effect of these reclassifications and recognitions is to decrease net assets.		(14,446,218)
Change in Net Assets of Governmental Activities	\$	<u>(2,835,035)</u>

The notes to the Financial Statements are an integral part of this statement.

EXHIBIT D-1

CITY OF KYLE
STATEMENT OF NET ASSETS
PROPRIETARY FUNDS
SEPTEMBER 30, 2010

	Business Type Activities
	Water & Wastewater Fund
ASSETS	
Current Assets:	
Cash and Cash Equivalents	\$ 4,220,338
Restricted Assets - Current:	
Restricted Cash	5,630,154
Accounts Receivable-Net of Uncollectible Allowance	681,457
Total Current Assets	<u>10,531,949</u>
Noncurrent Assets:	
Capital Assets:	
Land Purchase and Improvements	691,935
Buildings	5,420,371
Accumulated Depreciation - Buildings	(1,200,771)
Improvements other than Buildings	54,338,577
Accumulated Depreciation - Other Improvements	(10,884,033)
Machinery and Equipment	1,397,646
Accumulated Depreciation - Machinery & Equipment	(664,213)
Construction in Progress	1,610,637
Total Noncurrent Assets	<u>50,710,149</u>
Total Assets	<u>61,242,098</u>
LIABILITIES	
Current Liabilities:	
Accounts Payable	65,888
Wages and Salaries Payable	5,763
Compensated Absences Payable	96,723
Customer Deposits	461,754
Capital Leases Payable - Current	165,407
Total Current Liabilities	<u>795,535</u>
NonCurrent Liabilities:	
Capital Lease Payable - Noncurrent	3,382,823
Total Noncurrent Liabilities	<u>3,382,823</u>
Total Liabilities	<u>4,178,358</u>
NET ASSETS	
Investments in Capital Assets, Net of Debt	47,161,919
Restricted for Capital Improvements	4,392,111
Unrestricted Net Assets	5,509,710
Total Net Assets	<u>\$ 57,063,740</u>

The notes to the Financial Statements are an integral part of this statement.

EXHIBIT D-2

CITY OF KYLE
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET ASSETS
PROPRIETARY FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2010

	Business Type Activities Water & Wastewater Fund
OPERATING REVENUES:	
Charges for Water Services	\$ 3,852,873
Charges for Sewerage Service	2,239,518
Other Revenue	11,054
Total Operating Revenues	<u>6,103,445</u>
OPERATING EXPENSES:	
Personnel Services - Salaries and Wages	
Water Costs	312,383
Wastewater Costs	302,777
Administrative Costs	801,999
Total Personnel Services - Salaries and Wages	<u>1,417,159</u>
Purchased Professional & Technical Services	
Water Costs	1,354,952
Wastewater Costs	1,260,621
Administrative Costs	100,528
Total Purchased Professional & Technical Services	<u>2,716,101</u>
Other Operating Expenses	
Water Costs	325,670
Wastewater Costs	113,490
Administrative Costs	191,979
Total Other Operating Expenses	<u>631,139</u>
Depreciation	1,803,530
Total Operating Expenses	<u>6,567,929</u>
Operating Income (Loss)	<u>(464,484)</u>
NON-OPERATING REVENUES (EXPENSES):	
Investment Earnings	72,358
Interest Expense - Non-Operating	(1,141,156)
Total Non-operating Revenue (Expenses)	<u>(1,068,798)</u>
Income (Loss) Before Contributions & Transfers	(1,533,282)
Capital Contributions	1,117,699
Non-Operating Transfer In	1,912,908
Transfers Out	(2,547,231)
Change in Net Assets	<u>(1,049,906)</u>
Total Net Assets - October 1 (Beginning)	<u>58,113,646</u>
 Total Net Assets - September 30 (Ending)	 <u>\$ 57,063,740</u>

The notes to the Financial Statements are an integral part of this statement.

CITY OF KYLE
STATEMENT OF CASH FLOWS
PROPRIETARY FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2010

	Business Type Activities Water & Wastewater Fund
CASH FLOWS FROM OPERATING ACTIVITIES	
Receipts from customers	\$ 6,196,785
Payments to suppliers	(3,560,362)
Payments to employees	<u>(1,424,121)</u>
Net cash provided (used) by operating activities	1,212,302
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES	
Purchases of capital assets	(2,427,792)
Capital contributed by others	1,117,699
Operating transfers (net)	(634,323)
Interest payments on outstanding debt	(1,141,156)
Principal payments on outstanding debt	<u>(155,798)</u>
Net cash provided (used) by capital and related financing activities	(3,241,370)
CASH FLOWS FROM INVESTING ACTIVITIES	
Interest and investment revenue received	72,358
Net purchases of investments	<u>-</u>
Net cash provided (used) by investing activities	<u>72,358</u>
Net increase in cash and cash equivalents	(1,956,710)
Cash and cash equivalents - beginning of year	<u>11,807,202</u>
Cash and cash equivalents - end of year	<u><u>\$ 9,850,492</u></u>

The notes to the Financial Statements are an integral part of this statement

EXHIBIT D-3

CITY OF KYLE
STATEMENT OF CASH FLOWS - Continued
PROPRIETARY FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2010

	Business Type Activities
	Water & Wastewater Fund
Reconciliation of operating income (loss) to net cash provided (used) by operating activities	
Operating income (loss)	\$ (464,484)
Adjustments to reconcile operating income to net cash provided by operating activities	
Depreciation	1,803,530
Changes in assets and liabilities	
Accounts receivable	80,668
Accounts payable	(213,122)
Wages and salaries payable	(6,962)
Customer deposits	12,672
Net cash provided (used) by operating activities	<u>\$ 1,212,302</u>

The notes to the Financial Statements are an integral part of this statement.

EXHIBIT E-1

CITY OF KYLE
STATEMENT OF FIDUCIARY NET ASSETS
FIDUCIARY FUNDS
SEPTEMBER 30, 2010

	Agency Fund
<hr/>	
ASSETS	
Cash and Cash Equivalents	\$ 218,906
Total Assets	<u>\$ 218,906</u>
LIABILITIES	
Compensated Absences Payable	\$ 218,906
Total Liabilities	<u>\$ 218,906</u>

The accompanying notes are an integral part of this statement.

CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The City of Kyle, Texas (the City) adopted a City Charter in October 2000. As a home rule form of government, the City Council determines policy. The City Manager is the Chief Administrator of the City and is appointed by the City Council. The City provides the following services: Public Safety, Street Maintenance, Refuse Collection, Recreation Programs, Municipal Court, Community Development, Public Improvements, Transportation, Water and Wastewater Services and General Administrative Services.

A. Reporting Entity

The Mayor and Council are elected by the public and they have the authority to make decision, appoint administrators and managers, and significantly influence operations. They also have the primary accountability for fiscal matters. Therefore, the City is a financial reporting entity as defined by the Governmental Accounting Standards Board ("GASB") in its Statements No. 14, "The Financial Reporting Entity." The accompanying financial statements comply with the provisions of GASB Statements No. 14. There are no component units which satisfy requirements for blending within the City's financial statements or for discrete presentation.

B. Government-wide and Fund Financial Statements

The government-wide financial statements (i.e., the statement of net assets and the statement of activities) report information on all of the nonfiduciary activities of the primary government. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities, which normally are supported by taxes and intergovernmental revenue, are reported separately from business-type activities, which rely to a significant extent on fees and charges for support.

The statement of activities demonstrates how other entities that participate in programs the City operates have shared in the payment of the direct costs. The "charges for services" column includes payments made by parties that purchase, use, or directly benefit from goods or services provided by a given function or segment of the City. The "grants and contributions" columns include amounts paid by organizations outside the city to help meet the operational or capital requirements of a given function. If a revenue is not a program revenue, it is a general revenue used to support all of the City's functions. Taxes are always general revenues. Direct expenses are those that are clearly identifiable with a specific function or segment.

Interfund activities between governmental funds and between governmental funds and proprietary funds appear as due to/due froms on the Governmental Fund Balance Sheet and Proprietary Fund Statement of Net Assets and as other resources and other uses on the governmental fund Statement of Revenues, Expenditures and Changes in Fund Balance and on the Proprietary Fund Statement of Revenues, Expenses and Changes in Fund Net Assets. All interfund transactions between governmental funds are eliminated on the government-wide statements. Interfund activities between governmental funds and enterprise funds remain on the government-wide statements and appear on the government-wide Statement of Net Assets as internal balances and on the Statement of Activities as interfund transfers. Interfund activities between governmental and fiduciary funds and between proprietary funds and fiduciary funds remain as due to/due froms on the government-wide Statement of Activities.

The fund financial statements provide reports on the financial condition and results of operations for three fund categories - governmental, proprietary, and fiduciary. Since the resources in the fiduciary funds cannot be used for City operations, they are not included in the government-wide statements. The City considers some governmental and enterprise funds major and reports their financial condition and results of operations in a separate column.

CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Proprietary funds distinguish operating revenues and expenses from non-operating items. Operating revenues result from providing goods and services in connection with a proprietary fund's principal ongoing operations; they usually come from exchange or exchange-like transactions. All other revenues are non-operating. Operating expenses can be tied specifically to the production of the goods and services, such as materials and labor and direct overhead. Other expenses are non-operating.

C. Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the proprietary fund and fiduciary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenue in the year for which they are collected. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. With this measurement focus, only current assets, current liabilities and fund balances are included on the balance sheet. Operating statements of these funds present net increases and decreases in current assets (i.e. revenues and other financing sources and expenditures and other financing uses.

The modified accrual basis of accounting recognizes revenues as soon as they are both measurable and available. Revenues are considered to be available by the City when they are received and thus available to pay liabilities of the current period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

Revenues from local sources consist primarily of property taxes and sales taxes. Property tax revenues and revenues received from the State are recognized under the "susceptible to accrual" concept, that is, when they are both measurable and available. The City considers them "available" when received. Miscellaneous revenues are recorded as revenue when received in cash because they are generally not measurable until actually received. Investment earnings are recorded as earned, since they are both measurable and available.

The Proprietary Fund Types and Fiduciary Funds are accounted for on a flow of economic resources measurement focus and utilize the accrual basis of accounting. This basis of accounting recognizes revenues in the accounting period in which they are earned and become measurable and expenses in the accounting period in which they are incurred and become measurable. The City applies all GASB pronouncements as well as the Financial Accounting Standards Board pronouncements issued on or before November 30, 1989, unless these pronouncements conflict or contradict GASB pronouncements. With this measurement focus, all assets and all liabilities associated with the operation of these funds are included on the fund Statement of Net Assets. The fund equity is segregated into invested in capital assets net of related debt, restricted for capital improvements, and unrestricted net assets.

**CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010**

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

D. Fund Accounting

The City reports the following major governmental funds:

The General Fund - is the general operating fund of the City. It is used to account for all financial resources except those required to be accounted for in another fund.

The Debt Service Fund - is used to account for debt service on bonded obligations of the city.

The 2008 Certificate of Obligation Fund - is used to account for purchase and renovation of public facilities that are funded by issuance of 2008 Certificates of Obligation.

The 2009 Tax Notes Fund - is used to account for purchase and renovation of public facilities that are funded by issuance of 2009 Tax Notes

The City reports the following major proprietary fund:

The Water and Wastewater Fund - is used to account for the activities necessary for the provision of water and wastewater services.

In addition, the City reports the following fund types:

Governmental Funds:

Special Revenue Funds - are used to account for funds restricted to, or designated for, special purposes by the city or a grantor.

Agency Funds - are used to account for resources held for others in a custodial capacity. The City's agency fund is the Retiree Health Insurance Fund.

E. Assets, Liabilities and Net Assets or Equity

Cash and Cash Equivalents

For purpose of presenting the proprietary fund cash flow statement, cash and cash equivalents include cash demand and time deposits and investments with a maturity date within three months of the date acquired by the City.

**CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010**

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

E. Assets, Liabilities and Net Assets or Equity (Continued)

Investments

State statutes authorize the City to invest in (1) obligations of the United States or its agencies and instrumentalities; (2) direct obligations of the State of Texas or its agencies; (3) other obligations, the principal of and interest on which are unconditionally guaranteed or insured by the State of Texas or the United States; (4) obligations of states, agencies, counties, cities, and other political subdivisions of any state having been rated as to investment quality by a nationally recognized investment rating firm and having received a rating of not less than "A" or its equivalent; (5) certificates of deposit issued by state and national banks domiciled in this state that are (a) guaranteed or insured by the Federal Deposit Insurance Corporation, or its successor or, (b) secured by obligations that are described by (1); (4); or, (6) fully collateralized direct repurchase agreements having a defined termination date, secured by obligations described by (1), pledged with a third-party selected or approved by the City, and placed through a primary government securities dealer. Investments maturing within one year of date of purchase are stated at cost or amortized cost, all other investments are stated at fair value, which is based on quoted market prices.

Short-term Interfund Receivables/Payables

During the course of operations, numerous transactions occur between individual funds for goods provided or services rendered. These receivables and payables are classified as "due from other funds" or "due to other funds" on the balance sheet.

Restricted Assets

Certain assets of the Enterprise Fund are classified as restricted assets because their use is restricted for capital improvements.

Capital Assets

Capital assets, which include property, plant, equipment and infrastructure assets (e.g. roads, bridges, sidewalks and similar items) are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. The City defines capital assets as assets with an initial, individual cost of more than \$5,000 (amount not rounded) and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets' lives are not capitalized.

Major outlays for capital assets and improvements are capitalized as projects are constructed.

**CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010**

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Property, plant and equipment is depreciated using the straight-line method over the following estimated useful lives:

<u>Assets</u>	<u>Years</u>
Buildings and improvements	25 to 40
Waterworks and sanitation systems	10 to 50
Infrastructure	20 to 33
Machinery and equipment	5 to 10

Compensated Absences

The City permits employees to accumulate earned but unused vacation pay benefits. Certain employees have carried forward unused sick leave benefits. Unused sick leave shall be not paid upon termination of employment, except as specifically provided as follows:

1. An employee that terminates employment for any reason other than death, or being granted a retirement or disability allowance by the Texas Municipal Retirement System (TMRS) or the Social Security Administration (SSA), shall not be paid for unused sick leave;
2. An employee having at least 10 years of service with the City who is granted a retirement or a disability allowance by TMRS or SSA, or who dies, is entitled to a partial payment for up to 480 hours of unused sick leave accrued to such employee. The partial payment to the employee or the employee's beneficiary shall be as follows: (A) an amount equal to thirty percent (30%) of the value of such accrued, unused sick leave will be paid for 10 years of service; and (B) the amount to be paid for such unused sick leave shall increase by 2% for each year of service as an employee of the City, if any, in excess of 10 years.
3. An employee covered under the agreement between the City of Kyle and the Kyle Police Association may be paid for their unused sick leave, in accordance with the agreement.

No liability is reported for unpaid accumulated sick leave for the remaining employees. Vacation pay and certain sick leave benefits are accrued when incurred in the applicable governmental activities, business-type activities, or proprietary fund type statement of net assets. A liability for these amounts is reported in governmental funds only if they have matured, for example, as a result of employee resignations and retirements.

Long-term Obligations

In the government-wide financial statements and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type statement of net assets. Bond premiums and discounts, as well as issuance costs, are deferred and amortized over the life of the bonds using the straight-line method, which approximates the effective interest method. Bonds payable are reported net of the applicable bond premium or discount. Bond issuance costs are reported as deferred charges and amortized over the term of the related debt.

**CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010**

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as issuance costs during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts are reported as other financing uses. Issuance costs, even if withheld from the actual net proceeds received, are reported as expenditures.

Fund Equity

In the fund financial statements, governmental funds report reservations of fund balance for amounts that are not available for appropriation or are legally restricted by outside parties for use for a specific purpose.

Net Assets

Net assets represent the difference between assets and liabilities. Net assets invested in capital assets, net of related debt consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition, construction or improvements of those assets, and adding back unspent proceeds. Net assets are reported as restricted when there are limitations imposed on their use either through the enabling legislations adopted by the City or through external restrictions imposed by creditors, grantors or laws or regulations of other governmental units.

Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures of contingent liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the reporting period. Actual amounts could differ from those estimates.

II. RECONCILIATION OF GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS

Explanation of Certain Differences Between the Governmental Fund Balance Sheet and the Government Statement of Net Assets

Exhibit C-2 provides the reconciliation between the fund balance for total governmental funds on the governmental fund balance sheet and the net assets for governmental activities as reported in the government-wide statement of net assets. One element of that reconciliation explains that capital assets are not financial resources and are therefore not reported in governmental funds. In addition, long-term liabilities, including bonds payable and compensated absences, are not due and payable in the current period and are not reported as liabilities in the funds. The details of capital assets and long-term debt at the beginning of the year were as follows:

**CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010**

II. RECONCILIATION OF GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS (Cont'd)

	<u>Historic Cost</u>	<u>Accumulated Depreciation</u>	<u>Net Value Beginning of Year</u>	<u>Change in Net Assets</u>
Capitalized Debt Issuance Costs			<u>\$ 1,231,743</u>	\$ 1,231,743
<u>Capital Assets - Beginning of Year</u>				
Non-Depreciable Assets	\$ 11,768,201	\$ -	\$ 11,768,201	
Depreciable Assets	<u>75,560,294</u>	<u>12,862,039</u>	<u>62,698,255</u>	
Change in Net Assets	<u>\$ 87,328,495</u>	<u>\$12,862,039</u>	<u>\$ 74,466,456</u>	74,466,456
<u>Long-term Debt: Beginning of Year</u>				
Bonds Payable			\$ 44,263,475	
SIB Loan Payable			13,621,694	
Compensated Absences			<u>190,469</u>	
Change in Net Assets			<u>\$ 58,075,638</u>	<u>(58,075,638)</u>
Net Adjustment to Net Assets				<u>\$ 17,622,561</u>

**Explanation of Certain Differences Between the Governmental Fund Statement of Revenue
Changes in Fund Balances and the Government-wide Statement of Activities**

Exhibit C-4 provides a reconciliation between the net changes in fund balance as shown on the governmental fund statement of revenues, expenditures, and changes in fund balances and the changes in net assets of governmental activities as reported on the government-wide statement of activities. One element of that reconciliation explains that current year capital outlays and debt principal payments are expenditures in the fund financial statements, but should be shown as increases in capital assets and decreases in long-term debt in the government-wide statements. This adjustment affects both the net asset balance and the change in net assets. The details of this adjustment are as follows:

	<u>Amount</u>	<u>Adjustment to</u>	
		<u>Change in Net Assets</u>	<u>Net Assets</u>
<u>Current Year Capital Outlay</u>			
Depreciable Assets	\$ 6,479,977		
Non-Depreciable Assets	<u>361,046</u>		
Total Capital Outlay	<u>\$ 6,841,023</u>	\$ 6,841,023	\$ 6,841,023
<u>Debt Principal Payments</u>			
Bond Principal	\$ 2,145,000		
Loan Principal	<u>13,621,694</u>		
Total Principal Payments	<u>\$15,766,694</u>	15,766,694	15,766,694
Total Adjustment to Net Assets		<u>\$ 22,607,717</u>	<u>\$ 22,607,717</u>

CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010

II. RECONCILIATION OF GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS (Cont'd)

Another element of the reconciliation on Exhibit C-4 is described as various other reclassifications and eliminations necessary to convert from the modified accrual basis of accounting to accrual basis of accounting. This adjustment is the result of several items. The details for this element are as follows:

	<u>Amount</u>	<u>Adjustment to</u>	
		<u>Change in Net Assets</u>	<u>Net Assets</u>
Reclassify Proceeds of Bonds Payable			
New Bond Issue	\$15,315,000	\$(15,315,000)	\$(15,315,000)
Bond Escrow Fund Deposit	1,119,726	1,119,726	1,119,726
Additional bond issuance costs	110,571	110,571	110,571
Reclassify Proceeds of New SIB Loan			
New loan proceeds	11,000,000	(11,000,000)	(11,000,000)
Funds on deposit with Tx DOT	11,000,000	11,000,000	11,000,000
Accrue interest on loan	175,300	(175,300)	(175,300)
Adjustment to Accrued Annual Leave	3,834	(3,834)	(3,834)
Record Amortization of Bond Issuance Costs	65,330	(65,330)	(65,330)
Record Amortization of Bond Premium	5,407	5,407	5,407
Other - deferred revenues, accrued interest	67,732	(67,732)	
		<u>\$ (14,391,492)</u>	<u>\$(14,323,760)</u>

III. STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY

A. Deficit Fund Equity

Certain of the Nonmajor Special Revenue Funds had fund deficits, totaling \$457,452, reported in Special Revenue Funds as of September 30, 2010. The fund incurred expenditures for transportation, grant expenditures incurred but not eligible for reimbursement and ineligible grant expenses.

B. Budgetary Data

The Council adopts an "appropriated budget" for the General Fund. The City is required to present the adopted and final amended budgeted revenues and expenditures for this fund. The City compares the final amended budget to actual revenues and expenditures. The General Fund Budget report appears in Exhibit G-1.

The following procedures are followed in establishing the budgetary data reflected in the general-purpose financial statements:

1. Sixty days prior to October 1st, the City prepares a budget for the next succeeding fiscal year beginning October 1. The operating budget includes proposed expenditures and the means of financing them.
2. A meeting of the City Council is then called for the purpose of adopting the proposed budget. At least ten days public notice of the meeting must be given.

CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010

III. STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY (Continued)

3. Prior to the third Tuesday of September, the budget is legally enacted through passage of a resolution by the Council. Once a budget is approved, it can only be amended at the function and fund level by approval of a majority of the members of the Council. Amendments are presented to the Council at its regular meetings. Each amendment must have Council approval. As required by law, such amendments are made before the fact, are reflected in the official minutes of the Council, and are not made after fiscal year end. Because the City has a policy of careful budgetary control, several amendments were necessary during the year.
4. Each budget is controlled by the budget coordinator at the revenue and expenditure function/object level. Budgeted amounts are as amended by the Council. All budget appropriations lapse at year end. Amounts encumbered prior to year end will lapse 3 months after year end.

At September 30, 2010, the City's expenditures exceeded its budget appropriation in the general fund by \$69,411.

IV. DETAILED NOTES ON ALL FUNDS

A. Deposits and Investments

As of September 30, 2010, the City had the following investments:

<u>Investment Type</u>	<u>Fair Value</u>	<u>Weighted Average Maturity</u>
TexPool	\$ 3,990,193	NA
TexStar	1,232,958	NA
Federal Farm Credit Bank	2,311,023	11/24/15
Federal National Mortgage	250,431	07/28/12
Federal Home Loan Mortgage	5,616,470	04/27/16
Federal Home Loan Bank	454,050	10/31/14
Total Investments	13,855,125	
Cash in Bank	6,239,500	
Total Cash and Cash Equivalents	<u>\$ 20,094,625</u>	

The City's investment pools are 2a7-like pools. A 2a7-like pool is one which is not registered with the Securities and Exchange Commission (SEC) as an investment company, but nevertheless has a policy that it will, and does, operate in a manner consistent with the SEC's Rule 2a7 of the Investment Company Act of 1940.

Interest Rate Risk In accordance with its investment policy, the City manages its exposure to declines in fair market values by limiting the weighted average maturity of its investment portfolio to a maximum of 180 days.

CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010

IV. DETAILED NOTES ON ALL FUNDS (Continued)

A. Deposits and Investments (Continued)

Custodial Credit Risk In the case of deposits, this is the risk that in the event of a bank failure, the City's deposits may not be returned to it. State statutes require that all deposits in financial institutions be fully collateralized by U. S. Government obligations or its agencies and instrumentalities or direct obligations of Texas or its agencies and instrumentalities that have a fair value of not less than the principal amount of deposits. As of September 30, 2010, \$1,822,026 of the City's \$2,072,026 deposit balance was collateralized with securities held by the pledging financial institution in the City's name. The remaining balance, \$250,000, was covered by FDIC insurance.

Credit Risk It is the City's policy to limit its investments to investment types with an investment quality rating not less than A or its equivalent by a nationally recognized statistical rating organization. The City's investment pools were rated AAAM by Standard & Poor's Investors Service and government securities were rated AAA by Standard & Poor's Investors Service.

B. Receivables

Receivables as of year-end for the government's individual major funds and nonmajor funds in the aggregate, including the applicable allowances for uncollectible accounts, are as follows:

	<u>Governmental Funds</u>		<u>Enterprise Fund</u>	<u>Total</u>
	<u>General</u>	<u>Other</u>	<u>Water and Wastewater</u>	
Receivables:				
Accounts:				
Customers	\$ 406,971	\$ -	\$ 720,868	\$ 1,127,839
Court Warrants Receivable	1,519,996	-	-	1,519,996
Developers	345,884	-	-	345,884
Other	12,776	-	17	12,793
Gross Receivables	<u>2,285,627</u>	<u>-</u>	<u>720,885</u>	<u>3,006,512</u>
Less: Allowance for Uncollectibles	<u>(379,999)</u>	<u>-</u>	<u>(39,428)</u>	<u>(419,427)</u>
Net Total Receivables	<u>\$ 1,905,628</u>	<u>\$ -</u>	<u>\$ 681,457</u>	<u>\$ 2,587,085</u>

CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010

IV. DETAILED NOTES ON ALL FUNDS (Continued)

C. Property Taxes

Property taxes are levied on October 1 on assessed values as of January 1 for all real and personal property located in the City. Taxes are due in January of the following year and become delinquent on February 1. On January 1 of each year, a tax lien attaches to property to secure the payment of all taxes, penalties, and interest ultimately imposed.

The appraisal of property within the City is the responsibility of the Hays County Appraisal District. The Appraisal District is required under the Property Tax Code to assess all property within the appraisal district on the basis of 100 percent of its appraised value and is prohibited from applying any assessment ratios. The value of property within the appraisal district must be reviewed at least every five years. The City may challenge appraised values established by the Appraisal District through various appeals and, if necessary, legal action. Under this legislation, the City continues to set tax rates on property within the city limits. However, if the effective tax rate, excluding tax rates for bonds and other contractual obligations and adjusted for new improvements, exceeds the rate for the previous year by more than 8 percent, qualified voters of the City may petition for an election to determine whether to limit the tax rate to no more than 8 percent above the tax rate of the previous year.

D. Capital Assets

Capital asset activity for the year ended September 30, 2010, was as follows:

	Balance 10/1/2009	Additions	Reduction	Balance 9/30/2010
Governmental Activities:				
Capital assets not being depreciated:				
Land	\$ 2,644,237	\$ 378,281	\$ -	\$ 3,022,518
Construction in progress	9,123,964	1,446,629	(8,095,952)	2,474,641
Total capital assets not being depreciated	<u>11,768,201</u>	<u>1,824,910</u>	<u>(8,095,952)</u>	<u>5,497,159</u>
Capital assets being depreciated:				
Buildings	7,116,358	3,677,513	-	10,793,871
Improvements other than buildings	1,244,615	184,803	-	1,429,418
Infrastructure	65,398,612	8,673,372	-	74,071,984
Machinery and equipment	1,800,710	576,377	(111,451)	2,265,636
Total capital assets being depreciated	<u>75,560,295</u>	<u>13,112,065</u>	<u>(111,451)</u>	<u>88,560,909</u>
Accumulated depreciation:				
Buildings	(675,330)	(171,772)	-	(847,102)
Improvements other than buildings	(298,693)	(183,970)	-	(482,663)
Infrastructure	(11,175,728)	(2,237,261)	-	(13,412,989)
Machinery and equipment	(712,288)	(277,106)	104,340	(885,054)
Total accumulated depreciation	<u>(12,862,039)</u>	<u>(2,870,109)</u>	<u>104,340</u>	<u>(15,627,808)</u>
Total capital assets being depreciated (net)	<u>62,698,256</u>	<u>10,241,956</u>	<u>(7,111)</u>	<u>72,933,101</u>
Governmental activities capital assets (net)	<u>\$ 74,466,457</u>	<u>\$ 12,066,866</u>	<u>\$ (8,103,063)</u>	<u>\$ 78,430,260</u>

CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010

IV. DETAILED NOTES ON ALL FUNDS (Continued)

D. Capital Assets (Continued)

<u>Business Type Activities:</u>	<u>Balance</u> <u>10/1/2009</u>	<u>Additions</u>	<u>Reduction</u>	<u>Balance</u> <u>9/30/2010</u>
Capital assets not being depreciated:				
Land	\$ 691,935	\$ -	\$ -	\$ 691,935
Construction in progress	2,935,576	181,998	(1,506,938)	1,610,636
Total capital assets not being depreciated	<u>3,627,511</u>	<u>181,998</u>	<u>(1,506,938)</u>	<u>2,302,571</u>
Capital assets being depreciated:				
Buildings	5,324,913	95,458	-	5,420,371
Improvements other than buildings	50,931,899	3,406,678	-	54,338,577
Machinery and equipment	1,199,408	250,600	(52,362)	1,397,646
Total capital assets being depreciated	<u>57,456,220</u>	<u>3,752,736</u>	<u>(52,362)</u>	<u>61,156,594</u>
Accumulated depreciation:				
Buildings	(1,039,070)	(161,700)	-	(1,200,770)
Improvements other than buildings	(9,362,028)	(1,522,005)	-	(10,884,033)
Machinery and equipment	(596,746)	(119,829)	52,362	(664,213)
Total accumulated depreciation	<u>(10,997,844)</u>	<u>(1,803,534)</u>	<u>52,362</u>	<u>(12,749,016)</u>
Total capital assets being depreciated (net)	<u>46,458,376</u>	<u>1,949,202</u>	<u>-</u>	<u>48,407,578</u>
Business type activities capital assets (net)	<u>\$ 50,085,887</u>	<u>\$ 2,131,200</u>	<u>\$ (1,506,938)</u>	<u>\$ 50,710,149</u>

Depreciation expense was charged to functions/programs of the government as follows:

Governmental Activities:

General government	\$ 269,671
Public safety	163,198
Public works	2,293,651
Culture and recreation	143,589

Total depreciation expense - governmental activities \$ 2,870,109

Business Type activities:

Water and Wastewater	\$ 1,803,534
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Total depreciation expense - business type activities \$ 1,803,534

CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010

IV. DETAILED NOTES ON ALL FUNDS (Continued)

E. Interfund Receivables, Payables and Transfers

The composition of interfund balances as of September 30, 2010, is as follows:

<u>Receivable Fund</u>	<u>Payable Fund</u>	<u>Amount</u>
Retiree Health Insurance General		\$ 91,487
Retiree Health Insurance Water and wastewater		-
		<u>\$ 91,487</u>

Balances resulted from the time lag between the dates that 1) interfund goods and services are provided or reimbursable expenses occur, and 2) transactions are recorded in the accounting system, and 3) payments between funds are made.

Interfund transfers during the year ended September 30, 2010, are as follows:

<u>Transfers in</u>	<u>Transfers out</u>	<u>Amount</u>
General	Water and wastewater	\$ 1,479,956
Debt service	Water and wastewater	980,948
Debt service	Nonmajor governmental	36,118
Water and Wastewater	General Fund	394,110
Water and Wastewater	2008 CO Bond Fund	1,271,411
Water and Wastewater	2009 Tax Notes Fund	124,478
Water and Wastewater	Nonmajor governmental	36,582
		<u>\$ 4,323,603</u>

Transfers are used to 1) move revenues from the fund that statute or budget requires to collect them to the fund that statute or budget requires to expend them, 2) move receipts restricted to debt service from the funds collecting the receipts to the Debt Service Fund as debt service payments become due, and 3) use unrestricted revenues collected in the General Fund to finance various programs accounted for in other funds in accordance with budgetary authorizations.

CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010

IV. DETAILED NOTES ON ALL FUNDS (Continued)

F. Long-term Debt

Changes in Long-term Liabilities

Long-term liability activity for the year ended September 30, 2010, was as follows:

	Balance 10/1/2009	Additions	Reduction	Balance 9/30/2010	Due Within One Year
<u>Governmental Activities:</u>					
Bonded Indebtedness	\$ 44,160,000	\$ -	\$ 3,185,000	\$ 40,975,000	\$ 2,220,000
Premium on Bond Issuance	103,475	-	5,407	98,068	-
Refunding Bonds	-	15,315,000	25,000	15,290,000	250,000
2010 State Infrastructure Loan	-	11,000,000	-	11,000,000	-
Deferred Interest Payable	-	175,300	-	175,300	-
State Infrastructure Loan	12,867,693	-	12,867,693	-	-
Deferred Interest Payable	754,001	-	754,001	-	-
Total Governmental Activities	<u>\$ 57,885,169</u>	<u>\$ 26,490,300</u>	<u>\$16,837,101</u>	<u>\$ 67,538,368</u>	<u>\$ 2,470,000</u>
	Balance 10/1/2009	Additions	Reduction	Balance 9/30/2010	Due Within One Year
<u>Business Type Activities:</u>					
Capital Lease Obligation	\$ 3,704,028	\$ -	\$ 155,798	\$ 3,548,230	\$ 165,407
Total Business Type Activities	<u>\$ 3,704,028</u>	<u>\$ -</u>	<u>\$ 155,798</u>	<u>\$ 3,548,230</u>	<u>\$ 165,407</u>

State Infrastructure Bank Loan

On February 28, 2005, the City entered into an agreement with the State of Texas, acting by and through the Texas Department of Transportation to construct, maintain, or finance a highway improvement project. On November 16, 2004, the City designated an area within the City known as "Reinvestment Zone Number One" for the purpose of financing the state infrastructure bank loan through collections of property taxes in the reinvestment zone. A state infrastructure bank loan in the amount of \$14,000,000 is due in annual principal and interest installments of \$1,202,932 through March 17, 2024 at an interest rate of 4.55%. During the year ended September 30, 2010, this loan and related deferred interest were paid in full with the proceeds from the Series 2009 Refunding bonds.

In March 2009, the City entered into an agreement with the State of Texas, acting by and through the Texas Department of Transportation to construct, maintain, or finance various highway improvement projects in and near Kyle. On May 11, 2010, funds from this State Infrastructure Bank Loan were transferred to a TxDOT Austin District account. Construction of the highway projects is expected to begin in 2011. A state infrastructure bank loan in the amount of \$11,000,000 is due in annual principal and interest installments of \$1,044,397 beginning May 11, 2014 through May 11, 2030 at an interest rate of 4.25%. Interest on the loans for the first three years will be added to the principal and paid off over the 17 year payout period.

**CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010**

IV. DETAILED NOTES ON ALL FUNDS (Continued)

F. Long-term Debt (Continued)

Capital Lease Obligation

On February 15, 1999, the City entered into an agreement with AquaSource Services and Technologies, Inc. to finance, design, construct, operate, maintain and manage a new wastewater collection and treatment facility. The City would bear the cost of right-of-way acquisitions for the transmission lines and 50 percent of the costs to secure the necessary permits from the TNRCC. AquaSource's compensation consists of a monthly fee ranging from \$20,758 to \$56,150. This fee will be determined by multiplying the number of 1,000 gallon units of wastewater effluent treated during the calendar month by the applicable costs per 1,000 gallons. At the end of 23 years of payments, the facilities will become the property of the City without any additional payments. The City will recoup its costs through user charges. The City is treating the agreement as a capital lease and has imputed interest of 6%. The City had previously reported this obligation as a note payable. During 2008, the obligation was reclassified as a capital lease obligation to more accurately reflect the nature of the transaction.

Bonded Indebtedness

The City issues certificates of obligation and tax notes to provide funds for the acquisition and construction of major capital facilities and equipment and to refund previous issues. Bonded indebtedness of the City is as follows:

Governmental Activities:

\$5,135,000 Combination Tax and Revenue Certificates of Obligation - Series 2002, principal due annually in series through 2020, interest due semi-annually at 3.00% to 4.75%.	\$ 3,835,000
\$2,340,000 Combination Tax and Revenue Certificates of Obligation - Series 2003, principal due annually in series through 2013, interest due semi-annually at 3.680%.	865,000
\$9,910,000 Combination Tax and Revenue Certificates of Obligation - Series 2007, principal due annually in series through 2027, interest due semi-annually at 4.00%.	9,450,000
\$22,800,000 Combination Tax and Revenue Certificates of Obligation - Series 2008, principal due annually in series through 2033, interest due semi-annually at 3.50% to 5.00%.	21,935,000
\$5,600,000 Tax Notes - Series 2009 principal due annually in series through 2016, interest due semi-annually at 2.50% to 3.50%.	4,890,000
\$15,315,000 General Obligation Refunding Bonds - Series 2009, principal due annually in series through 2025, interest due semi-annually at 2.00% to 4.125%.	15,290,000
	<u>\$ 56,265,000</u>

CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010

IV. DETAILED NOTES ON ALL FUNDS (Continued)

F. Long-term Debt (Continued)

Defeasance of Bonds

In prior years, the City defeased certain certificates of obligation bonds by placing the proceeds of new bonds in an irrevocable trust to provide for all future debt service payments on the old bonds. Accordingly, the trust account assets and liabilities for the defeased bonds are not included in the City's financial statements. As of September 30, 2010, the City does not have any debt considered defeased and still outstanding.

Debt Service Requirements

Annual debt service requirements to maturity for the 2010 State Infrastructure Bank Loan are as follows:

Fiscal Year Ending September 30,	Principal	Interest	Total
2011	\$ (467,500)	\$ 467,500	\$ -
2012	(487,369)	487,369	-
2013	(508,082)	508,082	-
2014	514,722	529,675	1,044,397
2015	536,598	507,800	1,044,398
2016-2020	3,045,084	2,176,905	5,221,989
2021-2025	3,749,552	1,472,435	5,221,987
Thereafter	4,616,995	604,989	5,221,984
	<u>\$ 11,000,000</u>	<u>\$ 6,754,755</u>	<u>\$ 17,754,755</u>

Annual debt service requirements to maturity for capital lease are as follows:

Fiscal Year Ending September 30,	Principal	Interest	Total
2011	\$ 165,407	\$ 208,394	\$ 373,801
2012	175,609	198,192	373,801
2013	186,440	187,361	373,801
2014	197,939	175,862	373,801
2015	210,148	163,653	373,801
2016-2020	1,261,909	607,099	1,869,008
2021-2025	1,350,778	175,578	1,526,356
Thereafter	-	-	-
	<u>\$ 3,548,230</u>	<u>\$ 1,716,139</u>	<u>\$ 5,264,369</u>

CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010

IV. DETAILED NOTES ON ALL FUNDS (Continued)

F. Long-term Debt (Continued)

Annual debt service requirements to maturity for certificates of obligation and tax notes are as follows:

<u>Fiscal Year Ending</u> <u>September 30,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2011	\$ 2,470,000	\$ 694,996	\$ 3,164,996
2012	2,700,000	666,436	3,366,436
2013	2,935,000	633,732	3,568,732
2014	2,930,000	596,792	3,526,792
2015	3,165,000	557,855	3,722,855
2016-2020	14,910,000	7,229,112	22,139,112
2021-2025	16,600,000	4,678,418	21,278,418
2026-2030	5,965,000	1,373,550	7,338,550
Thereafter	<u>5,655,000</u>	<u>389,613</u>	<u>6,044,613</u>
	<u>\$ 57,330,000</u>	<u>\$16,820,504</u>	<u>\$ 74,150,504</u>

G. Contingent Arbitrage Liabilities

The City has invested a portion of revenue bond proceeds as a reserve for the retirement of the bonds. Any excess of interest revenue earned on invested proceeds over interest paid on the bonds must be rebated to the federal government every five years.

V. OTHER INFORMATION

A. Risk Management

The City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; employee health benefits; and other claims of various natures. The City participates in the Texas Municipal League Intergovernmental Risk Pool. As an insured, the City is not obligated to reimburse the pool for losses. The City has not had any significant reductions in insurance coverage, nor have insurance settlements for the last three fiscal years exceeded insurance coverage. Any losses reported, but unsettled or incurred and not reported, are believed to be insignificant to the City's financial statements.

B. Commitments and Contingencies

The City is a defendant in lawsuits occurring in the normal course of business. Although the outcome of these matters is not presently determinable, in the opinion of the City's attorney, their resolution will not have a material adverse effect on the financial condition of the City. Amounts received or receivable from grantor agencies are subject to audit and adjustment by such agencies. Any disallowed claims, including amounts already collected may constitute a liability of the applicable funds. The amount, if any, of expenditures which may be disallowed by the grantor cannot be determined at this time although the City expects such amounts, if any, to be immaterial.

CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010

V. OTHER INFORMATION (Continued)

C. Benefit Plans

1. Retirement Plan

Plan Description

The City provides pension benefits for all of its full-time employees through a nontraditional, joint contributory, hybrid defined benefit plan in the statewide Texas Municipal Retirement System (TMRS), an agent multiple-employer public employee retirement system. The plan provisions that have been adopted by the City are within the options available in the governing state statutes of TMRS.

TMRS issues a publicly available comprehensive annual financial report that includes financial statements and required supplementary information (RSI) for TMRS; the report also provides detailed explanations of the contributions, benefits and actuarial methods and assumptions used by TMRS. This report may be obtained by writing to TMRS, P. O. Box 149153, Austin, TX 78714-9153 or by calling 800-924-8677; in addition, the report is available on TMRS website at www.TMRS.com.

Benefits depend upon the sum of the employee's contributions to the plan, with interest, and the City-financed monetary credits, with interest. At the date the plan began, the City granted monetary credits for service rendered before the plan began of a theoretical amount equal to two times what would have been contributed by the employee, with interest, prior to establishment of the plan. Monetary credits for service since the plan began are a percent (100%) of the employee's accumulated contributions. In addition, the City can grant as often as annually another type of monetary credit referred to as an updated service credit which is a theoretical amount which, when added to the employee's accumulated contributions and the monetary credits for service since the plan began, would be the total monetary credits and employee contributions accumulated with interest if the current employee contribution rate and City matching percent had always been in existence and if the employee's salary had always been the average of his salary in the last three years that are one year before the effective date. At retirement, the benefit is calculated as if the sum of the employee's accumulated contributions with interest and the employer-financed monetary credits with interest were used to purchase an annuity.

Contributions

Under the state law governing TMRS, the actuary annually determines the City contribution rate. This rate consists of the normal cost contribution rate and the prior service contribution rate, both of which are calculated to be a level percent of payroll from year to year. The normal cost contribution rate finances the currently accruing monetary credits due to the City matching percent, which are the obligation of the City as of an employee's retirement date, not at the time the employee's contributions are made. The normal cost contribution rate is the actuarially determined percent of payroll necessary to satisfy the obligation of the City to each employee at the time his/her retirement becomes effective. The prior service contribution rate amortizes the unfunded (overfunded) actuarial liability (asset) over the remainder of the plan's 25-year amortization period. Both the employees and the City make contributions monthly. Since the City needs to know its contribution rate in advance to budget for it, there is a one-year delay between the actuarial valuation that is the basis for the rate and the calendar year when the rate goes into effect (i.e. December 31, 2008, valuation is effective for rates beginning January 2009).

CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010

V. OTHER INFORMATION (Continued)

C. Benefit Plans (Continued)

1. Retirement Plan (Continued)

Assumptions and Schedule of Actuarial Liabilities and Funding Progress

A. Plan Provisions	<u>2009</u>	<u>2008</u>	<u>2007</u>
Total # of Participating Entities	837	833	827
Employee Deposit Rate	7.00%	7.00%	7.00%
Matching ratio (City to employee)	2 to 1	2 to 1	2 to 1
Years required for vesting	10	10	10
Service Retirement eligibility (Expressed as age/years of service)	60/10,0/20	60/10,0/20	60/10,0/20
Updated service credit	100% Repeating Transfers	100% Repeating Transfers	100% Repeating Transfers
Annually repeating (Y/N)	Y	Y	Y
Annuity increases to retirees	70%	70%	70%
Annually repeating (Y/N)	Y	Y	Y

B. Funding Policy

Cities are required to contribute at an actuarially determined rate; these rates are provided to the City on an annual basis, following the completion of the actuarial valuation. Note that there is a time delay in the valuation and when the rate becomes effective - for example, the January 1, 2009 contribution rate is based on the 12/31/2008 valuation results; if a change in plan provisions is elected by the City, this rate can change. The actuary determines contribution rates on a calendar-year basis; the City discloses the annual pension costs (which equal the required contributions) based on the calculated rate(s) for the City's fiscal year.

CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010

V. OTHER INFORMATION (Continued)

C. Benefit Plans (Continued)

1. Retirement Plan (Continued)

Assumptions and Schedule of Actuarial Liabilities and Funding Progress (Continued)

C. Actuarial Information

	<u>2009</u>	<u>2008</u>	<u>2007</u>
Actuarial Cost Method	Projected Unit Credit	Projected Unit Credit	Unit Credit
Amortization Method	Level Percent of Payroll	Level Percent of Payroll	Level Percent of Payroll
Remaining Amortization	23 Years	24 Years	25 Years
Asset Valuation Method	Closed Period 10-yr Smoothed Market	Closed Period Amortized Cost	Open Period Amortized Cost
Investment Rate of Return	7.5%	7.5%	7%
Projected Salary Increases	Varies by Age and Service	Varies by Age and Service	Varies by Age and Service
Includes Inflation at Cost of Living Adjustments	3.00%	3.00%	3.00%
Specific City Assumptions	2.1% (3.0% CPI)	2.1% (3.0% CPI)	2.1% (3.0% CPI)
Payroll Growth Assumption	3.00%	3.00%	3.00%
Withdrawal Rates for Male/Female	Mid/Low	Mid/Low	Mid/Low

D. Schedule of Funding Information

	<u>2009</u>	<u>2008</u>	<u>2007</u>
Actuarial Valuation Date			
Actuarial Valuation of Assets	\$ 3,976,613	\$ 3,052,636	\$ 2,404,457
Actuarial Valuation of Liabilities	<u>5,888,223</u>	<u>4,587,558</u>	<u>3,738,617</u>
Percentage Funded	<u>67.5%</u>	<u>66.5%</u>	<u>64.3%</u>
Unfunded (Overfunded) Actuarial Accrued Liability (UAAL)	\$ 1,911,610	\$ 1,534,922	\$ 1,334,160
Annual Covered Payroll	<u>5,415,229</u>	<u>4,375,040</u>	<u>3,030,448</u>
UAAL as a Percentage of Covered Payroll	<u>35.3%</u>	<u>35.1%</u>	<u>44.0%</u>

**CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010**

V. OTHER INFORMATION (Continued)

C. Benefit Plans (Continued)

1. Retirement Plan (Continued)

Assumptions and Schedule of Actuarial Liabilities and Funding Progress (Continued)

Net Pension Obligation (NPO)			
at the Beginning of the Period	\$	-	\$ -
Annual Pension Cost:			
Annual Required Contribution (ARC)	478,717	464,867	245,201
Contribution Made	<u>478,717</u>	<u>464,867</u>	<u>245,201</u>
NPO at the End of Period	<u>\$</u>	<u>-</u>	<u>\$ -</u>

2. Supplemental Death Benefits Fund

Plan Description

The City participates in the cost sharing multiple-employer defined benefit group-term life insurance plan operated by the Texas Municipal Retirement System (TMRS) known as the SDBF. The City elected to provide group-term life insurance coverage to both current and retired employees. The death benefit for active employees provides a lump-sum payment approximately equal to the employee's annual salary (calculated based on the employee's actual earnings, for the 12-month period preceding the month of death). Retired employees are insured for \$7,500; this coverage is an "other postemployment benefit," or OPEB.

The City contributes to the SDBF at a contractually required rate as determined by an annual actuarial valuation. The rate is equal to the cost of providing one-year term life insurance. The funding policy for the SDBF program is to assure that adequate resources are available to meet all death benefit payments for the upcoming year; the intent is not to prefund retiree term life insurance during employees' entire careers. The City's contributions to the SDBF for the years ended September 30, 2010, 2009, and 2008 were \$6,154, \$5,938, and \$5,236, respectively, which equaled the required contributions each year.

TMRS issues a publicly available Comprehensive Annual Financial Report (CAFR) that includes financial and supplementary information for the SDBF. That report may be obtained from the TMRS website at www.TMRS.com.

**CITY OF KYLE, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010**

V. OTHER INFORMATION (Continued)

C. Benefit Plans (Continued)

3. Post Retirement Health Insurance Plan

Plan Description

The City maintains a single-employer defined benefit health insurance plan for retirees through the Texas Municipal League Intergovernmental Employee Benefits Pool (TML). The City elected to provide health insurance coverage to certain retired employees. Former full time employees who have retired after 25 years of service and all full time employees who have completed 5 years or more of continuous service by April 1, 2009, and who complete a total of 25 years or more of continuous service are entitled to the same group health insurance coverage provided to active employees. This coverage is completely paid by the City. Employees who have completed less than 5 years of continuous service as of April 1, 2009, and who complete 25 years or more of continuous service are entitled to the same group health insurance coverage provided to active employees. The City will pay \$300 (adjusted annually based on the CPI) toward this coverage. The employee is responsible for the balance. Any employee hired after April 1, 2009, is not entitled to group health insurance coverage after retirement. This plan is an "other postemployment benefit," or OPEB.

The City contributes to the plan at a actuarially determined rate. The rate is equal to the cost of providing health insurance coverage under the terms indicated in the preceding paragraph. The funding policy for the plan is to assure that adequate resources are available to meet all health insurance payments for the upcoming year; the intent is not to prefund retiree health insurance during employees' entire careers. The City's contribution to the plan for the year ended September 30, 2010, was \$87,100 which equaled the required contribution for that year.

The City accounts for the liability associated with the plan and the assets accumulated to pay benefits under the accrual basis of accounting in the Retiree Health Insurance Fund.

D. Prior Period Adjustment

In the current year, the City discovered certain prior year errors which required adjustments to fund and net assets opening balances as follows:

General Government Activities

Adjustments for prior year reconciliation differences	\$ (42,408)
Adjustments related to change in revenue recognition	<u>(59,510)</u>
Net decrease to beginning net assets balances	<u>\$ (101,918)</u>
Government-wide Total	<u>\$ (101,918)</u>

**REQUIRED SUPPLEMENTARY
INFORMATION**

EXHIBIT G-1

CITY OF KYLE
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL - GENERAL FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2010

	Budgeted Amounts		Actual Amounts	Variance With
	Original	Final	(GAAP BASIS)	Final Budget Positive or (Negative)
REVENUES:				
Taxes:				
Property Taxes	\$ 1,790,941	\$ 2,443,590	\$ 2,462,259	\$ 18,669
Sales Taxes	2,929,394	2,932,220	2,426,043	(506,177)
Franchise Tax	712,889	716,578	701,786	(14,792)
Licenses and Permits	527,568	356,947	385,522	28,575
Intergovernmental Revenue and Grants	31,583	39,685	39,685	-
Charges for Services	1,533,405	1,674,385	1,672,470	(1,915)
Fines	482,676	410,079	606,244	196,165
Investment Earnings	198,738	35,191	18,388	(16,803)
Rents and Royalties	52,414	53,489	55,964	2,475
Contributions & Donations from Private Sources	41,600	26,322	26,322	-
Other Revenue	49,753	94,328	94,228	(100)
Total Revenues	8,350,961	8,782,814	8,488,911	(293,903)
EXPENDITURES:				
Current:				
General Government	3,009,756	3,272,756	3,292,654	(19,898)
Public Safety	3,513,248	3,238,061	3,381,478	(143,417)
Public Works	2,131,541	2,279,632	2,277,370	2,262
Culture and Recreation	1,454,413	1,409,039	1,334,782	74,257
Capital Outlay:				
Capital Outlay	346,782	451,720	434,335	17,385
Total Expenditures	10,455,740	10,651,208	10,720,619	(69,411)
Excess (Deficiency) of Revenues Over (Under) Expenditures	(2,104,779)	(1,868,394)	(2,231,708)	(363,314)
OTHER FINANCING SOURCES (USES):				
Transfers In	1,479,956	2,427,680	2,427,680	-
Transfers Out (Use)	-	(947,724)	(947,724)	-
Total Other Financing Sources (Uses)	1,479,956	1,479,956	1,479,956	-
Net Change	(624,823)	(388,438)	(751,752)	(363,314)
Fund Balance - October 1 (Beginning)	3,215,956	3,215,956	3,215,956	-
Prior Period Adjustment	(68,303)	(68,303)	(68,303)	-
Fund Balance - September 30 (Ending)	\$ 2,522,830	\$ 2,759,215	\$ 2,395,901	\$ (363,314)

**COMBINING
STATEMENTS**

**CITY OF KYLE
COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
SEPTEMBER 30, 2010**

	Police Seizure Fund	Hotel Occupancy Tax	Library Programs	CIP Park Development Fund
ASSETS				
Cash and Cash Equivalents	\$ 19,619	\$ 154,219	\$ 161,623	\$ (142,846)
Total Assets	<u>\$ 19,619</u>	<u>\$ 154,219</u>	<u>\$ 161,623</u>	<u>\$ (142,846)</u>
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts Payable	\$ -	\$ 33,660	\$ -	\$ -
Wages and Salaries Payable	-	-	-	-
Total Liabilities	<u>-</u>	<u>33,660</u>	<u>-</u>	<u>-</u>
Fund Balances:				
Unreserved and Undesignated:				
Reported in the Special Revenue Fund	19,619	120,559	161,623	(142,846)
Reported in the Capital Projects Fund	-	-	-	-
Total Fund Balances	<u>19,619</u>	<u>120,559</u>	<u>161,623</u>	<u>(142,846)</u>
Total Liabilities and Fund Balances	<u>\$ 19,619</u>	<u>\$ 154,219</u>	<u>\$ 161,623</u>	<u>\$ (142,846)</u>

The notes to the Financial Statements are an integral part of this statement.

EXHIBIT H-1

Transport Fund	General Government Grants	Tax Increment Reinvestment Zone	Recreation Programs	Total Nonmajor Special Revenue Funds	Road Improvement Fund	Total Nonmajor Governmental Funds
\$ (151,004)	\$ (453,483)	\$ -	\$ -	\$ (411,872)	\$ 1,605,512	\$ 1,193,640
<u>\$ (151,004)</u>	<u>\$ (453,483)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (411,872)</u>	<u>\$ 1,605,512</u>	<u>\$ 1,193,640</u>
\$ 311	\$ 11,299	\$ -	\$ -	\$ 45,270	\$ 5,647	\$ 50,917
-	-	-	-	-	1,180,586	1,180,586
<u>311</u>	<u>11,299</u>	<u>-</u>	<u>-</u>	<u>45,270</u>	<u>1,186,233</u>	<u>1,231,503</u>
(151,315)	(464,782)	-	-	(457,142)	-	(457,142)
-	-	-	-	-	419,279	419,279
<u>(151,315)</u>	<u>(464,782)</u>	<u>-</u>	<u>-</u>	<u>(457,142)</u>	<u>419,279</u>	<u>(37,863)</u>
<u>\$ (151,004)</u>	<u>\$ (453,483)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (411,872)</u>	<u>\$ 1,605,512</u>	<u>\$ 1,193,640</u>

CITY OF KYLE
COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - NONMAJOR GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2010

	Police Seizure Fund	Hotel Occupancy Tax	Library Programs	CIP Park Development Fund
REVENUES:				
Taxes:				
Other Taxes	\$ -	\$ 95,351	\$ -	\$ -
Intergovernmental Revenue and Grants	1,375	-	6,241	-
Investment Earnings	-	364	255	32
Other Revenue	-	-	-	-
Total Revenues	<u>1,375</u>	<u>95,715</u>	<u>6,496</u>	<u>32</u>
EXPENDITURES:				
Current:				
General Government	-	-	-	-
Transportation	-	-	-	-
Culture and Recreation	-	134,639	-	-
Capital Outlay:				
Capital Outlay	-	-	-	7,912
Total Expenditures	<u>-</u>	<u>134,639</u>	<u>-</u>	<u>7,912</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>1,375</u>	<u>(38,924)</u>	<u>6,496</u>	<u>(7,880)</u>
OTHER FINANCING SOURCES (USES):				
Transfers Out (Use)	-	(36,118)	-	-
Total Other Financing Sources (Uses)	<u>-</u>	<u>(36,118)</u>	<u>-</u>	<u>-</u>
Net Change in Fund Balance	1,375	(75,042)	6,496	(7,880)
Fund Balance - October 1 (Beginning)	18,244	195,601	155,127	(134,966)
Fund Balance - September 30 (Ending)	<u>\$ 19,619</u>	<u>\$ 120,559</u>	<u>\$ 161,623</u>	<u>\$ (142,846)</u>

The notes to the Financial Statements are an integral part of this statement.

EXHIBIT H-2

Transport Fund	General Government Grants	Tax Increment Reinvestment Zone	Recreation Programs	Total Nonmajor Special Revenue Funds	Road Improvement Fund	Total Nonmajor Governmental Funds
\$ -	\$ -	\$ -	\$ -	\$ 95,351	\$ -	\$ 95,351
-	-	-	-	7,616	-	7,616
-	-	-	-	651	59,890	60,541
-	101,159	-	-	101,159	-	101,159
-	101,159	-	-	204,777	59,890	264,667
-	29,946	-	-	29,946	11,400	41,346
14,556	-	-	-	14,556	-	14,556
-	-	-	-	134,639	-	134,639
9,565	181,205	-	-	198,682	266,975	465,657
24,121	211,151	-	-	377,823	278,375	656,198
(24,121)	(109,992)	-	-	(173,046)	(218,485)	(391,531)
-	-	-	-	(36,118)	-	(36,118)
-	-	-	-	(36,118)	-	(36,118)
(24,121)	(109,992)	-	-	(209,164)	(218,485)	(427,649)
(127,194)	(354,790)	-	-	(247,978)	637,764	389,786
<u>\$ (151,315)</u>	<u>\$ (464,782)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (457,142)</u>	<u>\$ 419,279</u>	<u>\$ (37,863)</u>

**COMPLIANCE
SECTION**



**INDEPENDENT AUDITORS' REPORT
ON INTERNAL CONTROL OVER FINANCIAL REPORTING
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN
AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS**

Independent Auditors' Report

Honorable Mayor and Members of the City Council
City of Kyle, Texas

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Kyle, Texas (the City) as of and for the year ended September 30, 2010. These collectively comprise the City's basic financial statements. We have issued our report thereon dated March 31, 2011.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the City's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over financial reporting.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be deficiencies, significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses as defined above. However, we identified certain deficiencies in internal control over financial reporting, described the accompanying schedule of findings and responses as items 10-01 and 10-02, that we consider to be significant deficiencies in internal control over financial reporting. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

COMPLIANCE AND OTHER MATTERS

As part of obtaining reasonable assurance about whether the City's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed one instance of noncompliance or other matters that are required to be reported under *Government Auditing Standards* and which is described in the accompanying schedule of findings and responses as item 10-1.

The City's response to the findings identified in our audit are described in the accompanying schedule of findings and responses. We did not audit the City's response and, accordingly we express no opinion on it.

This report is intended solely for the information and use of management, others within the City and the City Council, and is not intended to be used and should not be used by anyone other than these specified parties.

Attily & Associates, LLP
Austin, Texas
March 31, 2011

**CITY OF KYLE, TEXAS
SCHEDULE OF FINDINGS AND RESPONSES
FOR THE YEAR ENDED SEPTEMBER 30, 2010**

10-01 Expenditures in Excess of Budget Appropriations

Criteria: In accordance with City of Kyle Ordinance No. 547, a budget was passed and expenditures appropriated for the General Fund of the City for the year ended September 30, 2010. Expenditures for the year may not exceed appropriated budget amounts.

Condition: The City's expenditures in the General Fund exceeded appropriated amounts by \$69,411. Although the overage has decreased in the current year, expenditures exceeded appropriated amounts in the General Fund in the prior year.

Cause: City personnel indicate that the main reason for the overage was the new public safety civil service requirements that increased the amounts of vacation and sick leave expenses more than anticipated.

Effect: Since the budget is legally appropriated by an ordinance of the City Council, over-expenditure is a violation of law. Also, the budget serves as a guide for the City's activities. Over-expending the budget in one area could lead to a shortage in other areas.

Recommendation: We recommend that the City closely monitor its compliance with budget appropriations and avoid over expending these appropriations.

Management's Response:

The City of Kyle even in a period of national economic slowdown is a dynamic, rapidly developing city that remains adaptable to growing demands of its citizens. As departments add staff and increase size, it is much more difficult to anticipate future expense estimates/projections (both at the beginning of the year and during mid-year reviews) than it is in a fully matured, stable city that is essentially continuing the same day to day operations.

Because many of the City's operations, recreation programs, street maintenance, water sales to name a few are at their heights during the summer, it is difficult to anticipate with much degree of accuracy, the final total expenses that will be made for the final budget amendment. It is also important to note that the average length of service for the City's current employees is slightly more than three years. This results in a small base of experience and institutional knowledge that is needed to more accurately predict future expenses and needs. In this particular year, the workload around the time of preparing the final amendment also prevented a more accurate prediction of results.

Going forward, more care will be taken in developing the final amendment to the budget. At the same time it is expected that use of the accounting software put into place will facilitate better communication on these matters with each of the departments.

**CITY OF KYLE, TEXAS
SCHEDULE OF FINDINGS AND RESPONSES
FOR THE YEAR ENDED SEPTEMBER 30, 2010**

10-02 Bank Reconciliations

Criteria: Monthly bank reconciliations assist in detecting errors in a timely manner and aid in providing management accurate cash position balances to make prudent financial decisions.

Condition: Although City personnel have continued to make progress toward more timely reconciliations, such reconciliations were not completely reconciled to the general ledger amounts and some discrepancies were not corrected in the general ledger. There was a similar finding in the prior year.

Cause : City accounting personnel indicate that difficulties still were incurred because of the transition to a new accounting software and getting needed information led to not completing the reconciliations.

Effect: If bank reconciliations are not completed regularly, material errors effecting cash may be overlooked and not be detected or corrected in a timely manner.

Recommendation: We recommend that bank reconciliations be performed monthly and discrepancies be investigated and corrected in a timely manner.

Management's Response:

Below are the main factors that contributed to bank reconciliations not being done in a timely manner and as a result delays were experienced in identifying discrepancies. These factors are listed and explained as follows:

- Software Changes – Currently Utility Billing, Municipal Court, and Building all utilize a different software package from the accounting software. While the departments' overall utility was increased significantly compared to the software formerly used, they were no longer integrated with the financial accounting software. Information on daily deposits were developed with the new software but had to be manually recorded in the accounting software. Interfaces are being developed to make the recording of this information quicker, easier, and more precise. This manual process does require considerably more time than an automated process.

- Going forward, bank reconciliations have been assigned to a specific employee with deadlines given for completion each month which has resulted in the City being timely by the time the auditors were on-site doing field work for the audit.

**CITY OF KYLE, TEXAS
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS
FOR THE YEAR ENDED SEPTEMBER 30, 2010**

08-01 Expenditures in Excess of Budget Appropriations

During our audit of the City's financial statements for the year ended September 30, 2009, we noted that expenditures exceeded budget appropriations in the amount of \$346,275.

We recommended that the City closely monitor its compliance with budget appropriations and avoid over expending these appropriations.

Status: Expenditures exceeded budget appropriations in the General Fund for the year ended September 30, 2010 in the amount of \$69,411. See Finding 10-01 on the schedule of findings and responses.

05-01 Bank Reconciliations

Monthly bank reconciliations assist in detecting errors in a timely manner and aid in providing management accurate cash position balances to make prudent financial decisions. Bank reconciliations were not performed timely and some discrepancies were not corrected in the general ledger.

We recommended that bank reconciliations be performed timely and discrepancies be investigated and corrected in a timely manner.

Status: Improvement was made in the timeliness of the reconciliation process. However, as of September 30, 2010, there were still some bank accounts that were not completely reconciled.



CITY OF KYLE, TEXAS

Miss Kyle Pageant

Meeting Date: 5/17/2011
Date time: 7:00 PM

Subject/Recommendation:

Presentation of First Runner-up Plaque for the 2009-2010 Miss Kyle Pageant to Ms. Kim Pastrano ~ *Council Member David Wilson*

Other Information:

Budget Information:

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

[Miss Kyle Press Release](#)

[Kim Pastrano Photo](#)



**For immediate release
May 9, 2011**

**For more information, contact:
Jerry Hendrix, APR
512.262.3921**

**Kyle Council Member Presents Miss Kyle Runner Up Plaque
The Plaque recognizes 2009 runner up
after scoring mistake scrambled the winners**

David Wilson, District 4 Kyle City Council Member, recognized Ms. Kim Pastrano as the First Runner Up in the Miss Kyle Pageant for 2009/2010 in a small presentation in the Kyle Council Chambers on Sunday, May 8th.

The special ceremony was needed due to a scoring issue with the Pageant where Ms. Pastrano was denied the presentation of the award at the Pageant ceremony.

“With this presentation, I want to put to rest the concern that Kim did not receive the recognition she richly deserved,” said Wilson. “As anyone can see, Kim is a very attractive representative of the 1st Runner Up for the Miss Kyle Pageant. Kim is a successful college student and continuing on with life.”

The Kyle City Council placed the presentation of this award on the agenda several times, but conflicts with Ms Pastrano's college class schedules prevented her from being able to attend the council meetings and receive the plaque honoring her accomplishment.

“With this presentation we are recognizing her accomplishment and this council member, while not responsible for the pageant, wants to correct this error and apologize to Ms. Pastrano in a public way,” said Wilson.

###



Attachment number 2
Page 1 of 1



CITY OF KYLE, TEXAS

2nd Public Hearing Comp Plan

Meeting Date: 5/17/2011

Date time: 7:00 PM

Subject/Recommendation:

(Second Reading) AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING THE CORE AREA TRANSITION DISTRICT OF THE COMPREHENSIVE PLAN TO ALLOW RETAIL SERVICES DISTRICT 'RS' AS A RECOMMENDED USE; PROVIDING FOR THE AMENDMENT OF THE PLAN; PROVIDING FOR RELATED MATTERS ~ *Shira Rodgers, Director of Planning*

Planning and Zoning Commission voted 7-0 to recommend approval of the amendment to the Comprehensive Plan.

Other Information:

Please see the attached information regarding the amendment.

Budget Information:

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Amendment](#)

**Public Notice
Notice of Public Hearing
City of Kyle Comprehensive Plan
Amendment**

NOTICE IS HEREBY GIVEN TO
ALL INTERESTED PERSONS,
THAT:

The City Council and Planning and Zoning Commission of the City of Kyle, Texas, will hold public hearings in the City Council Chambers at 100 W. Center Street, Kyle, Texas, for the purpose of receiving testimony, comments, and written evidence from the public on the Comprehensive Plan Amendment for the City of Kyle.

To view the proposed amendments please visit the City's website at www.cityofkyle.com.

The public hearing schedule is as follows:

March 22, 2011 Planning and Zoning
Public Hearing at 6:30 PM

April 26, 2011 Planning and Zoning
Public Hearing at 6:30 PM

May 3, 2011 City Council Public
Hearing and 1st Reading

May 17, 2011 City Council 2nd
Reading

CORE AREA TRANSITION DISTRICT

CHARACTER

The Core Area Transition District currently consists primarily of commercial and light industrial uses, with some residential uses. Key defining features include Old Highway 81, North Bursleson Street, I-35 and frontage roads, and the railroad. This District is important as a transitional zone between largely residential areas and the commercial uses along I-35 and as a portion of Kyle that is visually significant to travelers along I-35. The character of the District should reflect its urban and transitional intentions. The land area of this District is relatively small, and there are many physical barriers, so land uses should be compact and aggregated, especially residential uses. Vertically mixed-use development models are well suited to this District, and development should be located close to roadways, with minimal front yards, to maximize available land and visibility from main roads. Adequate land use transitions should be provided to avoid conflict between different land uses (i.e. residential adjacent to industrial).

INTENT

With its highly visible position in the middle of the City, the Core Area Transition District should be an urban environment that serves an identifying function for the

City of Kyle. By acting as an area of functional linkage for the City, the District can connect vehicular and pedestrian movement, economic centers, and visually defining elements. The built fabric should display a transition from the small-scale grid pattern of Downtown to the large plate design of the Super Regional Node. As this District develops, it should serve to create a consistent fabric that links Downtown and the Super Regional Node, encouraging the expansion and strengthening of Kyle's core. Additionally, Plum Creek passes west to east through the middle of the Core Area Transition District, and this significant natural feature should be apparent and accessible via trails and open spaces.

JURISDICTION

The Core Area Transition District includes the land between Downtown Kyle and the Super Regional Node around the new hospital on either side of I-35. Figure 9 indicates the location of the Core Area Transition District.

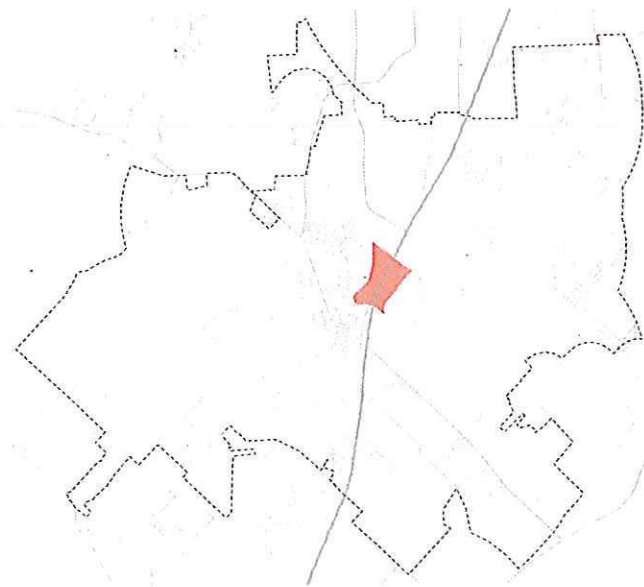


Figure 9: Core Area Transition District Key Map.



Illustrative Photograph



Illustrative Photograph

AUTHORITY

The following chart defines the appropriateness of various density ranges (residential and non-residential) by tying density to the development approval process. The three levels of development approval are:

- Preferred: No conditions required for approval.
- Conditional: Review by City staff required. Design improvements shall be made to ensure compliance with intent and character objectives of the Core Area Transition District.
- Not Recommended: Development plan is not appropriate for the Core Area Transition District.

	Residential (dwelling units/acre)	Non-Residential (Floor to Area Ratio)
Preferred	15 - 25	1.2 - 3.2
Conditional	4 - 14.9; > 25	< 1.2
Not Recommended	< 4	> 3.2

APPLICATION

The following chart displays existing zoning categories and their applicability to the Core Area Transition District.

Zoning Category	Abbreviation	Use Qualification
Agricultural District	A	Not Recommended
Central Business District 1	CBD-1	Recommended
Central Business District 2	CBD-2	Recommended
Construction/Manufacturing	C/M	Not Recommended
Entertainment	E	Conditional
Hospital Services	HS	Conditional
Manufactured Home	M-1	Not Recommended
Manufactured Home Subdivision	M-2	Not Recommended
Manufactured Home Park	M-3	Not Recommended
Single-family Residential 1	R-1-1	Not Recommended
Single-family Residential 2	R-1-2	Not Recommended
Single-family Attached	R-1-A	Conditional
Residential Condominium	R-1-C	Recommended
Residential Townhouse	R-1-T	Recommended
Residential Two-family	R-2	Not Recommended
Multi-family Residential 1	R-3-1	Not Recommended
Multi-family Residential 2	R-3-2	Recommended
Apartments Residential	R-3-3	Recommended
Retail/Service	R/S	Not Recommended
Recreational Vehicle Park	RV	Not Recommended
Transportation/Utilities	T/U	Not Recommended
Urban Estate District	UE	Not Recommended
Warehouse	W	Not Recommended

land use plan

Proposed Amendment to the Core Area Transition District.

The proposed amendment would allow the Retail Services District to be a Recommended Use within the Core Area Transition District.

When development falls within the Corridor Condition, those uses approved for this District are conditional upon satisfactory implementation of design standards as conveyed in the Urban Design Plan.

PROPOSED AMENDMENT TO THE COMPREHENSIVE PLAN LANDUSE
RECOMMENDATIONS LIST

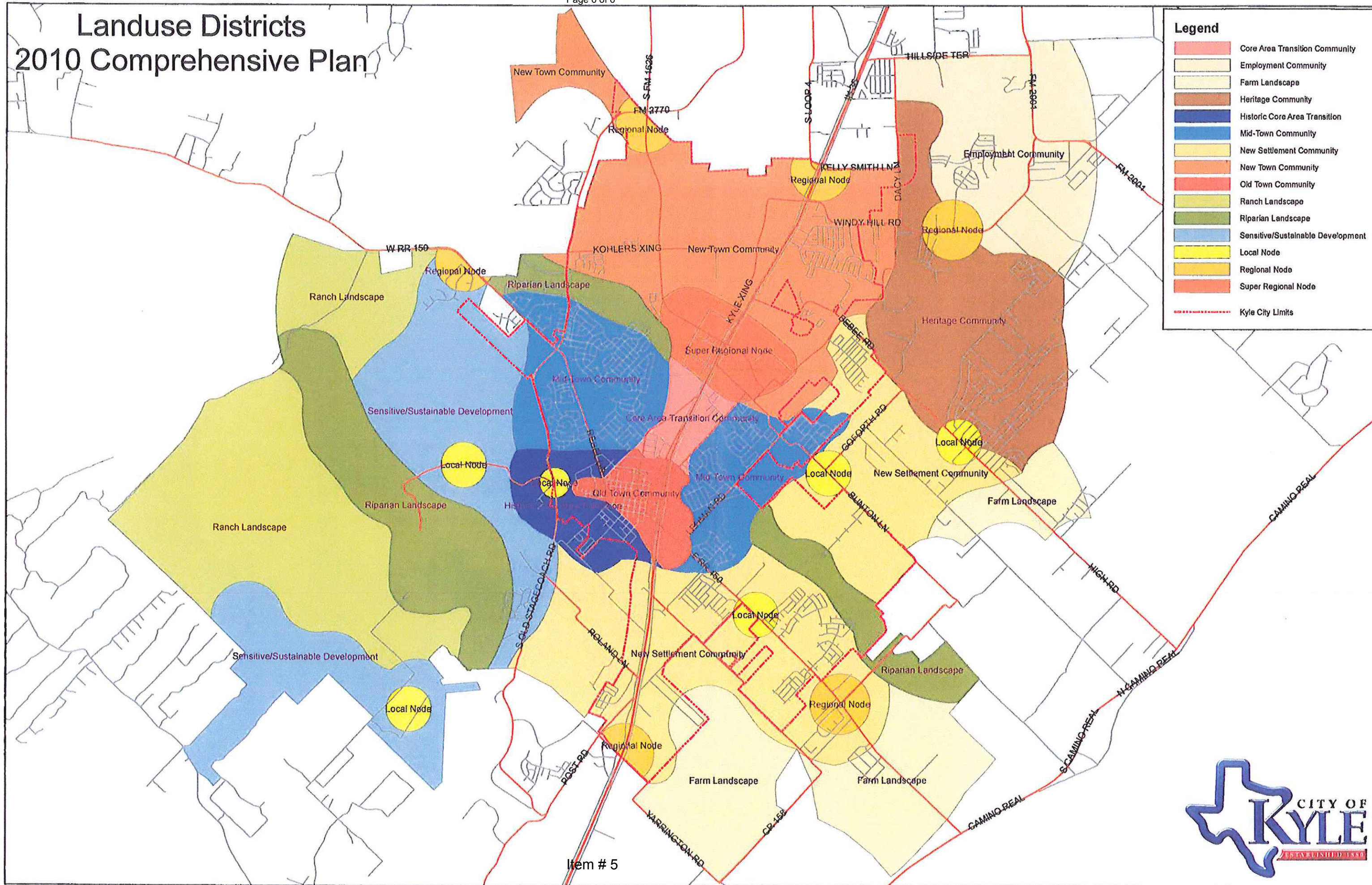
Farm District	Recommended: A, UE Conditional: R-1-1, R/S
Ranch District	Recommended: A, UE Conditional: R-1-1, R/S
Riparian District	Recommended: A, UE Conditional: R-1-1, R/S
Old Town District	Recommended: CBD-1, CBD-2, R-1-T Conditional: E, R-1-A, R-1-C, R-2, R-3-2, R-3-3
Core Area Transition	Recommended: CBD-1, CBD-2, R-1-T, R-1-C, R-3-2, R-3-3, RS Conditional: E, HS, R-1-A
Historic Core Area	Recommended: R-1-1, R-1-2, R-1-T Conditional: A, R-1-A, R-2, R-3-1, R/S, UE
Mid-Town District	Recommended: R-1-2, R-2 Conditional: E, R-1-1, R-1-A, R-1-T, R-3-1, R-3-2, R/S
New Settlement	Recommended: R-1-1, R-1-2 Conditional: A, E, HS, R-1-A, R-1-T, R-2, R-3-1, R-3-2, R/S, T/U, UE
New Town District	Recommended: R-1-1, R-1-2, R-1-C, R-1-T, R-2, R-3-2, R-3-3 Conditional: A, C/M, E, HS, R-1-A, R-3-1, R/S, T/U, UE, W
Employment District	Recommended: A, C/M, R-1-2, R-1-A, R-1-C, R-1-T, R-2, R-3-2, R-3-3, W Conditional: M-2, M-3, R-1-1, R-3-1, R/S, RV, T/U, UE
Sensitive/Sustainable Development	Recommended: A, UE Conditional: C/M, E, R-1-1, R-1-A, R-2, R-1-T, R/S, T/U, W
Heritage District	Recommended: A, R-1-1, R-1-2, UE Conditional: C/M, E, M-2, M-3, R-1-A, R-1-T, R-2, R-3-1, R/S, RV, T/U, W
Local Node	Recommended: R-1-C, R-3-2, R-3-3, R/S Conditional: R-1-T, R-3-1
Regional Node	Recommended: R-1-C, R-3-2, R-3-3 Conditional: CBD-1, CBD-2, E, HS, R-3-1, R/S
Super Regional Node	Recommended: CBD-1, CBD-2, HS, R-1-C, R-3-2, R-3-3 Conditional: E

PROPOSED AMENDMENT SHOWN IN RED

ZONING CATEGORIES AND ABBREVIATIONS

- A Agricultural District
- CBD-1 Central Business District 1
- CBD-2 Central Business District 2
- CM Construction/Manufacturing
- E Entertainment
- HS Hospital Services
- M-1 Manufactured Home
- M-2 Manufactured Home Subdivision
- M-3 Manufactured Home Park
- R-1-1 Single-family Residential 1
- R-1-2 Single-family Residential 2
- R-1-A Single-family Attached
- R-1-C Residential Condominium
- R-1-T Residential Townhouse
- R-2 Residential Two-family
- R-3-1 Multi-family Residential 1
- R-3-2 Multi-family Residential 2
- R-3-3 Apartments Residential
- RS Retail/Service
- RV Recreational Vehicle Park
- TU Transportation/Utilities
- W Warehouse

Landuse Districts 2010 Comprehensive Plan



Item # 5





CITY OF KYLE, TEXAS

Gonzales Zoning

Meeting Date: 5/17/2011

Date time: 7:00 PM

Subject/Recommendation:

(Second Reading) AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF ASSIGNING ORIGINAL ZONING OF 'RS' RETAIL SERVICES DISTRICT TO APPROXIMATELY 1.00 ACRE, ON PROPERTY LOCATED AT 1501 E.FM 150 IN HAYS COUNTY, TEXAS. (ARTURO AND LINDA GONZALES Z-11-003); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW ~ *Shira Rodgers, Director of Planning*

Planning and Zoning Commission voted 7-0 to recommend approval of the zoning request.

Other Information:

Please see the attached support information.

Budget Information:

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

- [Staff Report](#)
 - [Future Land Use Map](#)
 - [Land Use Recommendations](#)
 - [Ordinance](#)
 - [Exhibit A](#)
 - [Exhibit B](#)
 - [Zoning Map](#)
-

April 26, 2011 Zoning	Planning and Zoning Commission Gonzales Zoning
Case Number: Z-11-003	

OWNER/APPLICANT: Arturo and Linda Gonzales **AGENT:** Al Benavides

LOCATION: E. FM 150, just west of New Country Rd.

COUNTY: Hays County

AREA: 1.00 acre

PROPOSED CITY COUNCIL HEARINGS: May 3, 2011 ~ 1ST Reading
May 17, 2011 ~ 2ND Reading

EXISTING ZONING: Interim "A" Agricultural

All territory hereafter annexed to the City shall be automatically classified as Agricultural District "A", pending subsequent action by the Commission and Council for permanent zoning; provided that upon application, by either the City or the property owner of the land being annexed, for zoning other than Agricultural, notice may be given and hearings held in compliance with *Chapt. 211, Tex. Loc. Gov't. Code*, and, upon annexation, such property may be permanently zoned as determined by the City Council after considering the Commission's recommendation.

In an area temporarily classified as Agricultural District "A", no permits for the construction of a building or use of land other than uses allowed in said District under this Ordinance shall be issued by the City Building Official.

PROPOSED ZONING: "RS" Retail Services

This district allows general retail sales of consumable products and goods within buildings of products that are generally not hazardous and that are commonly purchased and used by consumers in their homes, including most in-store retail sales of goods and products that do not pose a fire or health hazard to neighboring areas, e.g. clothing, prescription drugs, furniture, toys, hardware, electronics, pet supply, variety, department, video rental and antique stores, art studio or gallery, hobby shops and florist shops., and the retail sale of goods and products (in the following listed use areas) to which value has been added on-site, including sales of goods and services outside of the primary structure as customary with the uses specifically listed.

SITE INFORMATION:

Transportation:

The site will have access off of FM 150.

This site will provide a neighborhood commercial area that will essentially service the surrounding neighborhoods, such as Waterleaf, Sunset Ridge, and the Woodlands. The site is just outside of the Local Node.

April 26, 2011	<i>Planning and Zoning Commission</i>
Zoning	Gonzales Zoning
Case Number: Z-11-003	

The RS District requires 100% of the exterior walls to consist of masonry, which includes but is not limited to: stone, brick, stone or brick veneers, or stucco.

Subdivision:

A subdivision plat will be required for this development.

Surrounding Land Use and Zoning:

North: M-3 Manufactured Home Park (Sunset Ridge Subdivision) and R-1-2 Single Family Residential (Waterleaf Subdivision).

South: RS Retail Services (Undeveloped Land)

East: R-1-2 Single Family Residential (Waterleaf Subdivision)

West: M-3 Manufactured Home Park (Sunset Ridge Subdivision)

PUBLIC INPUT:

Currently, Staff has not received any comments from the general public regarding the requested zoning change.

CONFORMANCE WITH COMPREHENSIVE PLAN:

The site is designated as New Settlement District in the Comprehensive Plan. The New Settlement District allows for Retail Services District as a conditional use.

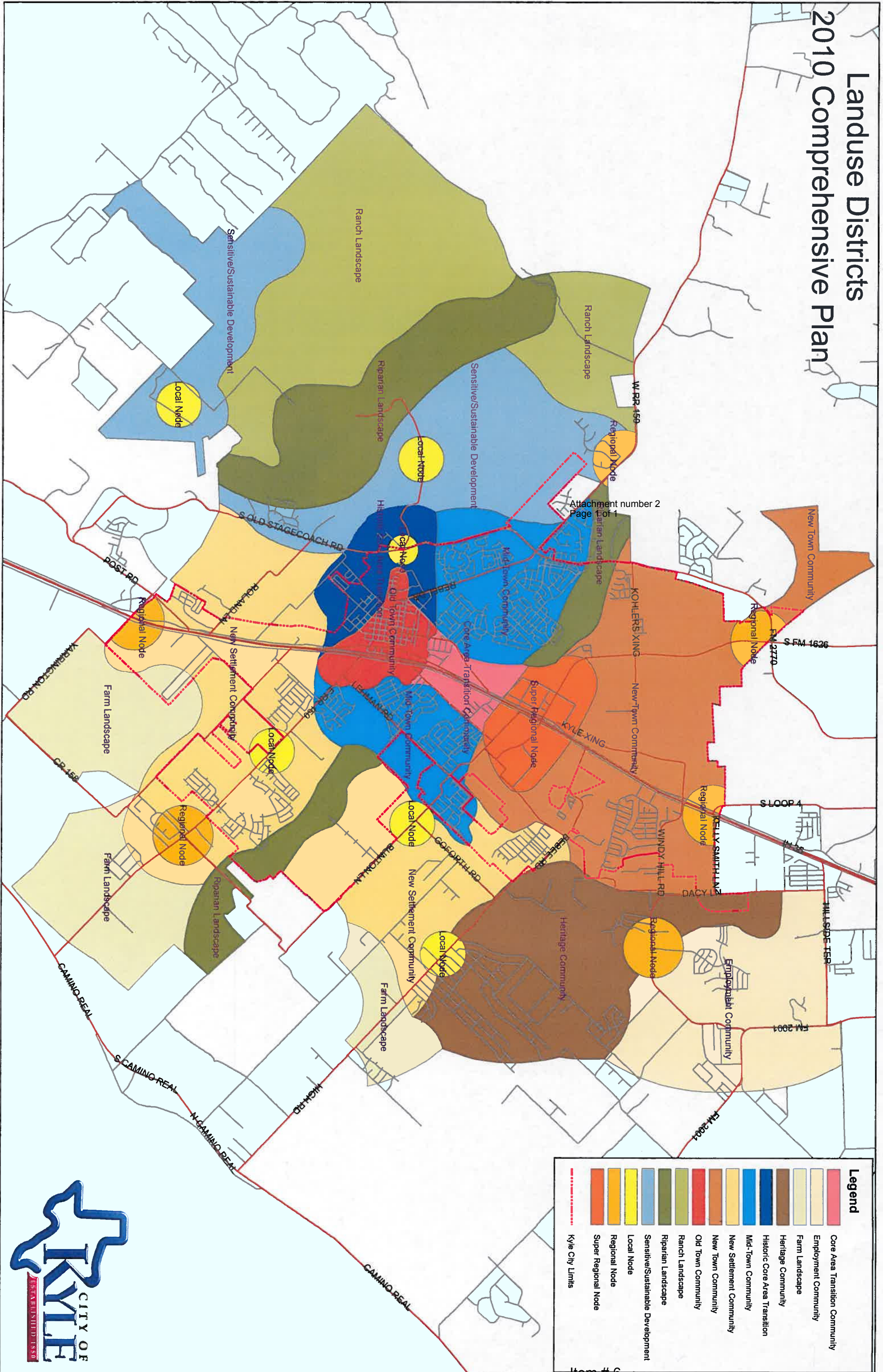
STAFF RECOMMENDATION:

The request of the Retail Services District would help to create a neighborhood commercial center for surrounding residents and may help to slightly reduce the number of vehicle trips along FM 150 by not requiring residents to drive towards the Interstate for certain goods. Retail would also help create a more balanced tax base by promoting the development of a neighborhood retail center.

The request for this zoning reclassification is a reasonable request and is in the public interest because it promotes some of the goals adopted in the Comprehensive Plan.

Landuse Districts 2010 Comprehensive Plan

Attachment number 2
Page 1 of 1



Legend	
[Pink Box]	Core Area Transition Community
[Light Yellow Box]	Employment Community
[Light Green Box]	Farm Landscape
[Light Blue Box]	Heritage Community
[Light Purple Box]	Historic Core Area Transition
[Light Orange Box]	Mid-Town Community
[Light Red Box]	New Settlement Community
[Light Blue Box]	New Town Community
[Light Green Box]	Ranch Landscape
[Light Yellow Box]	Riparian Landscape
[Light Blue Box]	Sensitive/Sustainable Development
[Light Green Box]	Local Node
[Light Yellow Box]	Regional Node
[Light Orange Box]	Super Regional Node
[Red Dashed Line]	Kyle City Limits



2010 Comp Plan Landuse Recommendations

Farm District	Recommended: A, UE Conditional: R-1-1, R/S
Ranch District	Recommended: A, UE Conditional: R-1-1, R/S
Riparian District	Recommended: A, UE Conditional: R-1-1, R/S
Old Town District	Recommended: CBD-1, CBD-2, R-1-T Conditional: E, R-1-A, R-1-C, R-2, R-3-2, R-3-3
Core Area Transition	Recommended: CBD-1, CBD-2, R-1-T, R-1-C, R-3-2, R-3-3 Conditional: E, HS, R-1-A
Historic Core Area	Recommended: R-1-1, R-1-2, R-1-T Conditional: A, R-1-A, R-2, R-3-1, R/S, UE
Mid-Town District	Recommended: R-1-2, R-2 Conditional: E, R-1-1, R-1-A, R-1-T, R-3-1, R-3-2, R/S
New Settlement	Recommended: R-1-1, R-1-2 Conditional: A, E, HS, R-1-A, R-1-T, R-2, R-3-1-, R-3-2, R/S, T/U, UE
New Town District	Recommended: R-1-1, R-1-2, R-1-C, R-1-T, R-2, R-3-2, R-3-3 Conditional: A, C/M, E, HS, R-1-A, R-3-1, R/S, T/U, UE, W
Employment District	Recommended: A, C/M, R-1-2, R-1-A, R-1-C, R-1-T, R-2, R-3-2, R-3-3, W Conditional: M-2, M-3, R-1-1, R-3-1, R/S, RV, T/U, UE
Sensitive/Sustainable Development	Recommended: A, UE Conditional: C/M, E, R-1-1, R-1-A, R-2, R-1-T, R/S, T/U, W
Heritage District	Recommended: A, R-1-1, R-1-2, UE Conditional: C/M, E, M-2, M-3, R-1-A, R-1-T, R-2, R-3-1, R/S, RV, T/U, W
Local Node	Recommended: R-1-C, R-3-2, R-3-3, R/S Conditional: R-1-T, R-3-1
Regional Node	Recommended: R-1-C, R-3-2, R-3-3 Conditional: CBD-1, CBD-2, E, HS, R-3-1, R/S
Super Regional Node	Recommended: CBD-1, CBD-2, HS, R-1-C, R-3-2, R-3-3 Conditional: E

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF ASSIGNING ORIGINAL ZONING OF 'RS' RETAIL SERVICES DISTRICT TO APPROXIMATELY 1.00 ACRE, ON PROPERTY LOCATED AT 1501 E.FM 150 IN HAYS COUNTY, TEXAS. (ARTURO AND LINDA GONZALES Z-11-003); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, THAT:

SECTION 1. That the zoning district map of the City of Kyle adopted in Chapter 53 (Zoning) be and the same is hereby amended to assign original zoning of 'RS' Retail Services District to approximately 1.00 acres, on property located at 1501 E.FM 150, as set forth in the legal description labeled Exhibit A, and the property location map labeled Exhibit B.

SECTION 2. That the City Secretary is hereby authorized and directed to designate the tract of land zoned herein as such on the zoning district map of the City of Kyle and by proper endorsement indicate the authority for said notation.

SECTION 3. If any provision, section, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid (or for any reason unenforceable), the validity of the remaining portions of this Ordinance or the application to such other persons or sets of circumstances shall not be affected hereby, it being the intent of the City Council of the City of Kyle in adopting this Ordinance, that no portion hereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion or provision.

SECTION 4. This Ordinance shall be published according to law and shall be and remain in full force and effect from and after the date of publication.

SECTION 5. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

READ, CONSIDERED, PASSED AND APPROVED ON FIRST READING by the City Council of Kyle at a regular meeting on the ___ day of _____, 2011, at which a quorum was

present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Kyle at a regular meeting on the _____ day of _____, 2011, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

APPROVED this _____ day of _____, 2011.

Lucy Johnson, Mayor

ATTEST:

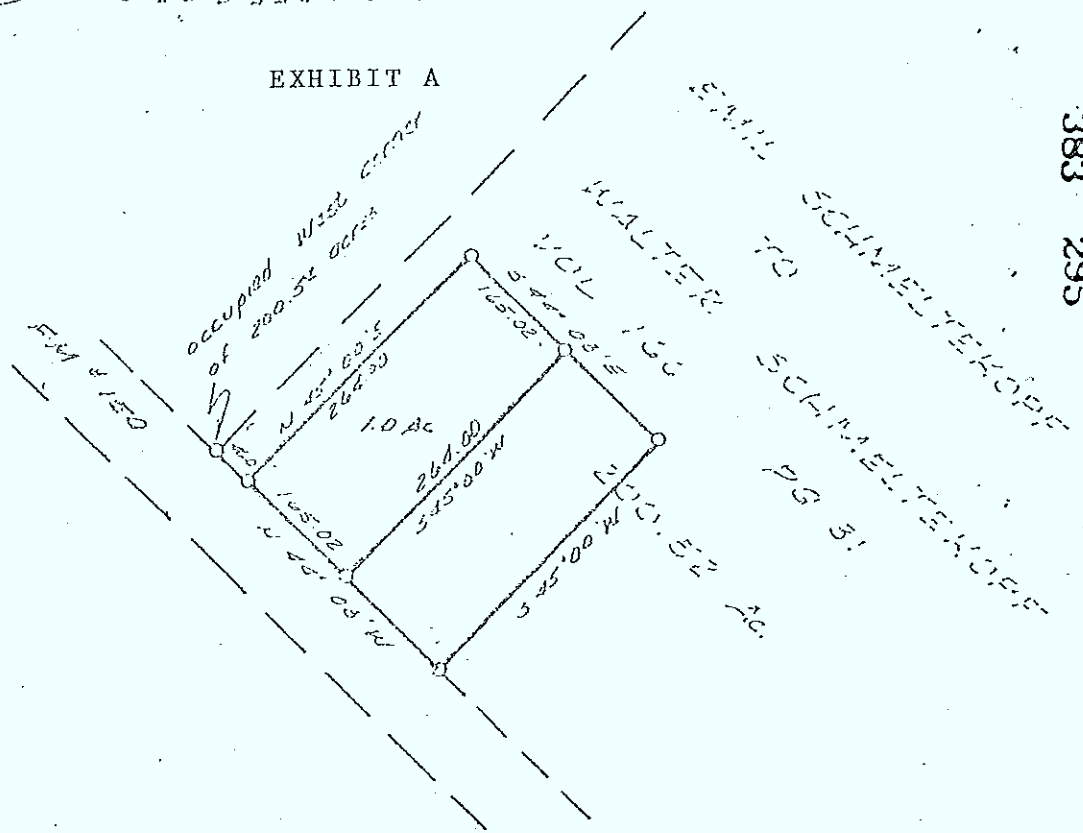
Amelia Sanchez, City Secretary

M. B. ATKINSON SURVEY

EXHIBIT A

383 295

not to scale



All that certain tract or parcel of land situated in Hays County, Texas and being a part of the M. B. Atkinson Survey and being also a part of a 200.52 acre tract of land conveyed to Walter Schmeltekopf by Emil Schmeltekopf by deed recorded in Volume 166 Page 31 of the Deed Records of Hays County, Texas and being more particularly described as follows:

BEGINNING at an iron pin set on the NE line of FM #150 for the West corner of this tract from which iron pin the occupied West corner of the above mentioned 200.52 acre tract bears N 44° 08' W 46.00'.

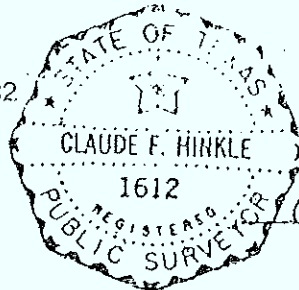
THENCE N 45° 00' E 264.00' to an iron pin set for the North corner of this tract.

THENCE S 44° 08' E 165.02' to an iron pin set for the East corner of this tract.

THENCE S 45° 00' W 264.00' to an iron pin set on the NE line of FM #150 for the South corner of this tract.

THENCE N 44° 08' W 165.02' to the place of beginning containing 1.0 acre of land.

SURVEYED: September, 1982

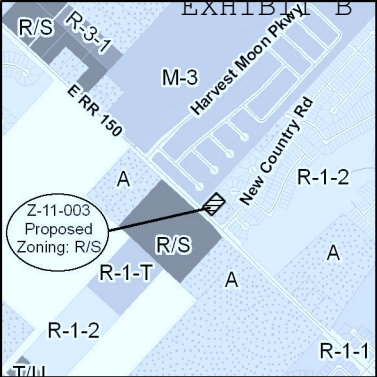


Claude F. Hinkle

Claude F. Hinkle
RPS #1612

Item # 6

EXHIBIT B



R/S

R-3-1

M-3

E RR 150

Harvest Moon Pkwy

New Country Rd

R-1-2

A

R/S

R-1-T

A

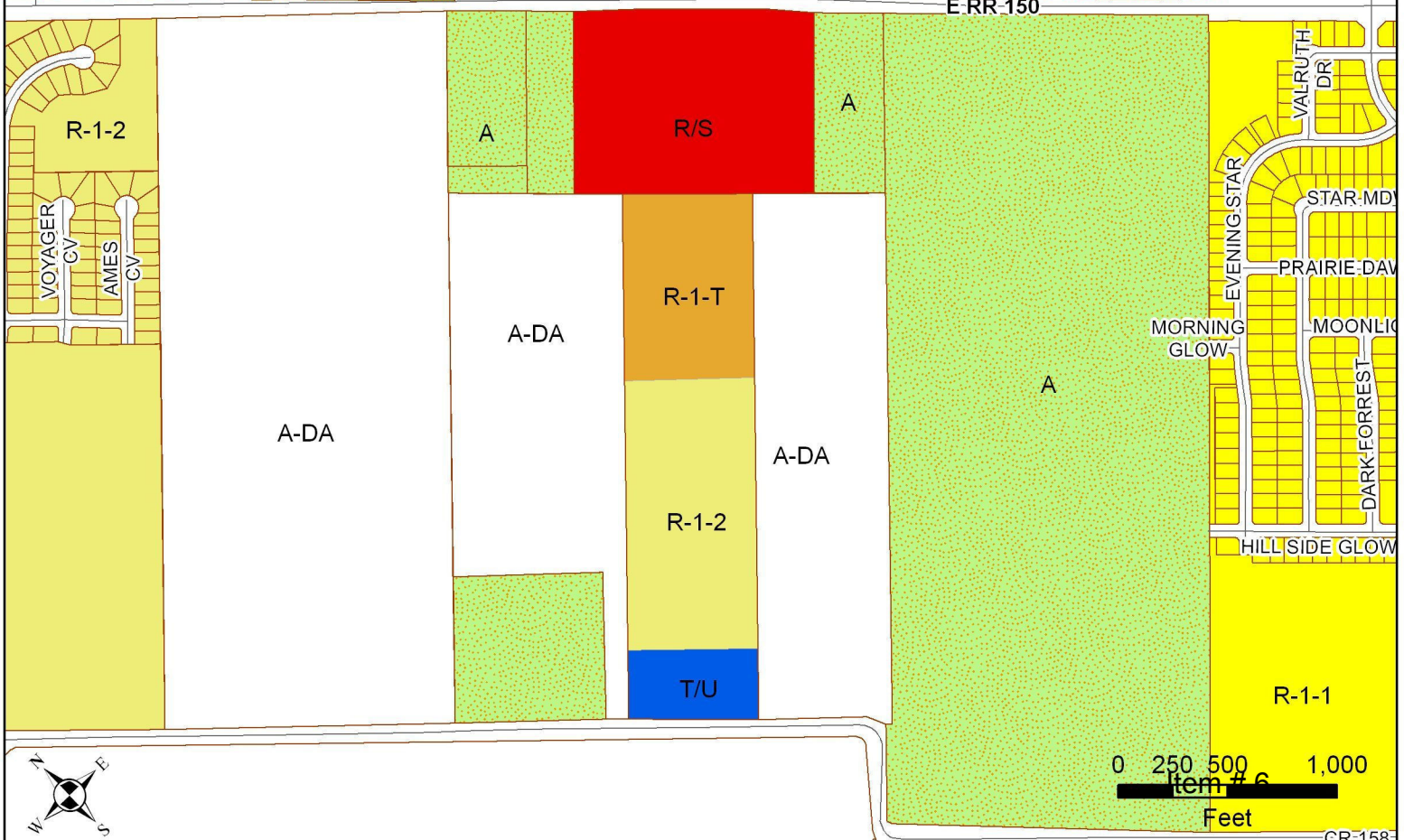
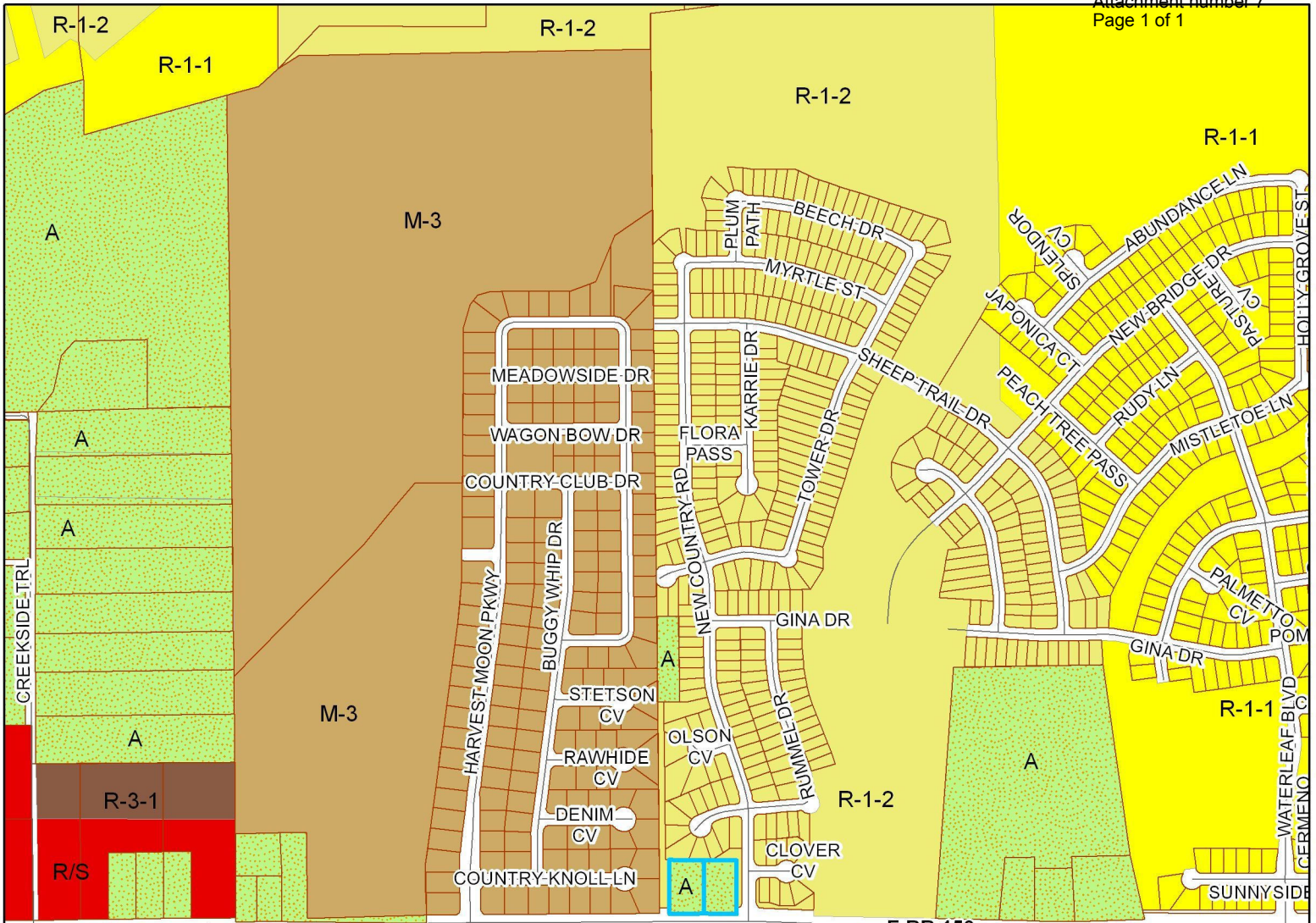
A

R-1-2

R-1-1

T/U

Z-11-003
Proposed
Zoning: R/S





CITY OF KYLE, TEXAS

Pavia Zoning

Meeting Date: 5/17/2011

Date time: 7:00 PM

Subject/Recommendation:

(Second Reading) AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF ASSIGNING ORIGINAL ZONING OF 'RS' RETAIL SERVICES DISTRICT TO APPROXIMATELY 1.00 ACRE, ON PROPERTY LOCATED AT 1601 E.FM 150 IN HAYS COUNTY, TEXAS. (DANNY AND AMADA PAVIA Z-11-004); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW ~ *Shira Rodgers, Director of Planning*

Planning and Zoning Commission voted 7-0 to recommend approval of the zoning request.

Other Information:

Please see the attached support information.

Budget Information:

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

- [Staff Report](#)
- [Color Zoning Map](#)
- [Future Land Use Map](#)
- [Land Use Recommendations](#)
- [Ordinance](#)
- [Exhibit A](#)
- [Exhibit B](#)

April 26, 2011	Planning and Zoning Commission
Zoning	Pavia Zoning
Case Number: Z-11-004	

OWNER/APPLICANT: Danny and Amada Pavia

AGENT: Al Benavides

LOCATION: E. FM 150, just west of New Country Rd.

COUNTY: Hays County

AREA: 1.00 acre

PROPOSED CITY COUNCIL HEARINGS: May 3, 2011 ~ 1ST Reading
May 17, 2011 ~ 2ND Reading

EXISTING ZONING: Interim "A" Agricultural

All territory hereafter annexed to the City shall be automatically classified as Agricultural District "A", pending subsequent action by the Commission and Council for permanent zoning; provided that upon application, by either the City or the property owner of the land being annexed, for zoning other than Agricultural, notice may be given and hearings held in compliance with *Chapt. 211, Tex. Loc. Gov't. Code*, and, upon annexation, such property may be permanently zoned as determined by the City Council after considering the Commission's recommendation.

In an area temporarily classified as Agricultural District "A", no permits for the construction of a building or use of land other than uses allowed in said District under this Ordinance shall be issued by the City Building Official.

PROPOSED ZONING: "RS" Retail Services

This district allows general retail sales of consumable products and goods within buildings of products that are generally not hazardous and that are commonly purchased and used by consumers in their homes, including most in-store retail sales of goods and products that do not pose a fire or health hazard to neighboring areas, e.g. clothing, prescription drugs, furniture, toys, hardware, electronics, pet supply, variety, department, video rental and antique stores, art studio or gallery, hobby shops and florist shops., and the retail sale of goods and products (in the following listed use areas) to which value has been added on-site, including sales of goods and services outside of the primary structure as customary with the uses specifically listed.

SITE INFORMATION:

Transportation:

The site will have access off of FM 150.

This site will provide a neighborhood commercial area that will essentially service the surrounding neighborhoods, such as Waterleaf, Sunset Ridge, and the Woodlands. The site is just outside of the Local Node.

April 26, 2011	<i>Planning and Zoning Commission</i>
Zoning	Pavia Zoning
Case Number: Z-11-004	

The RS District requires 100% of the exterior walls to consist of masonry, which includes but is not limited to: stone, brick, stone or brick veneers, or stucco.

Subdivision:

A subdivision plat will be required for this development.

Surrounding Land Use and Zoning:

North: M-3 Manufactured Home Park (Sunset Ridge Subdivision) and R-1-2 Single Family Residential (Waterleaf Subdivision).

South: RS Retail Services (Undeveloped Land)

East: R-1-2 Single Family Residential (Waterleaf Subdivision)

West: M-3 Manufactured Home Park (Sunset Ridge Subdivision)

PUBLIC INPUT:

Currently, Staff has not received any comments from the general public regarding the requested zoning change.

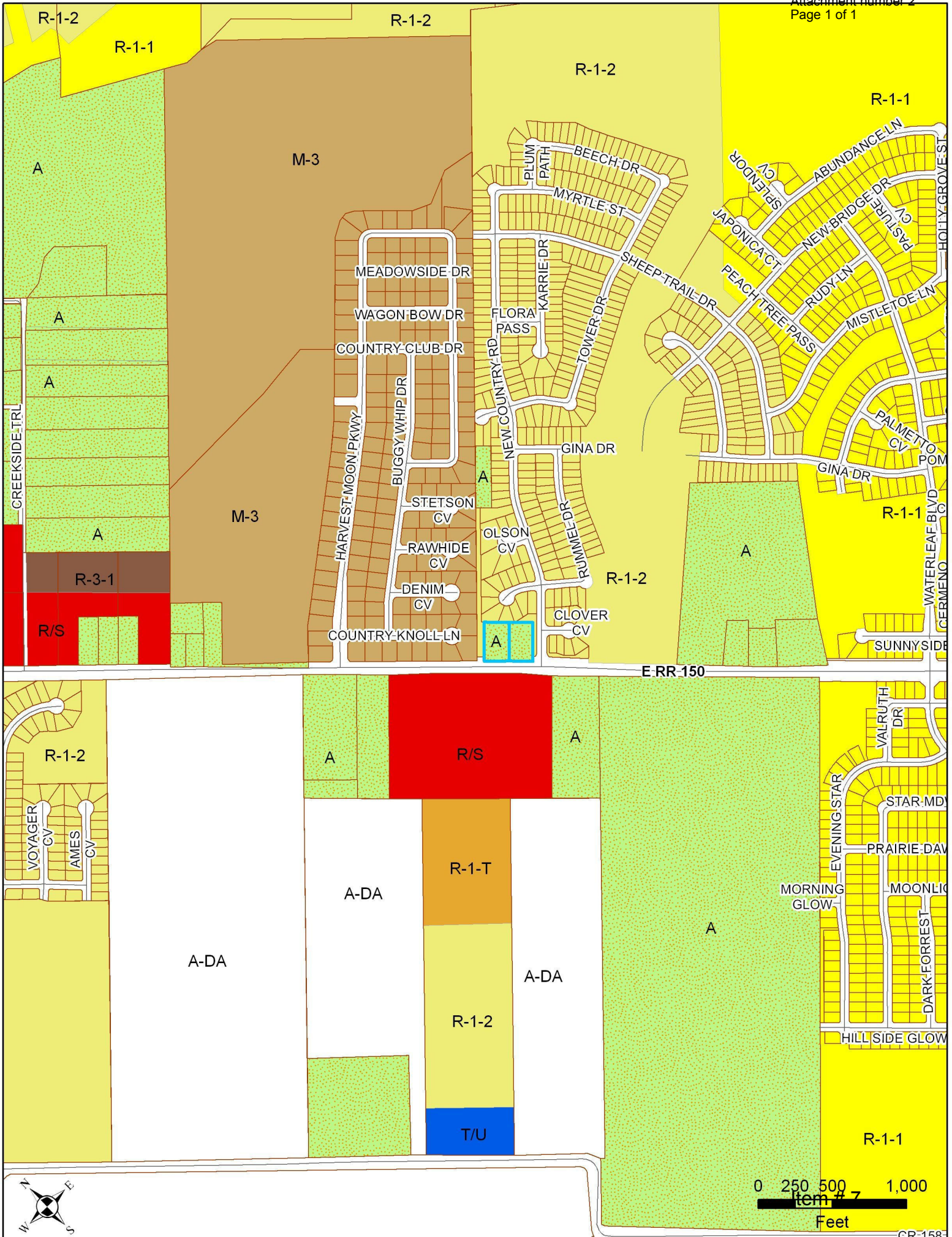
CONFORMANCE WITH COMPREHENSIVE PLAN:

The site is designated as New Settlement District in the Comprehensive Plan. The New Settlement District allows for Retail Services District as a conditional use.

STAFF RECOMMENDATION:

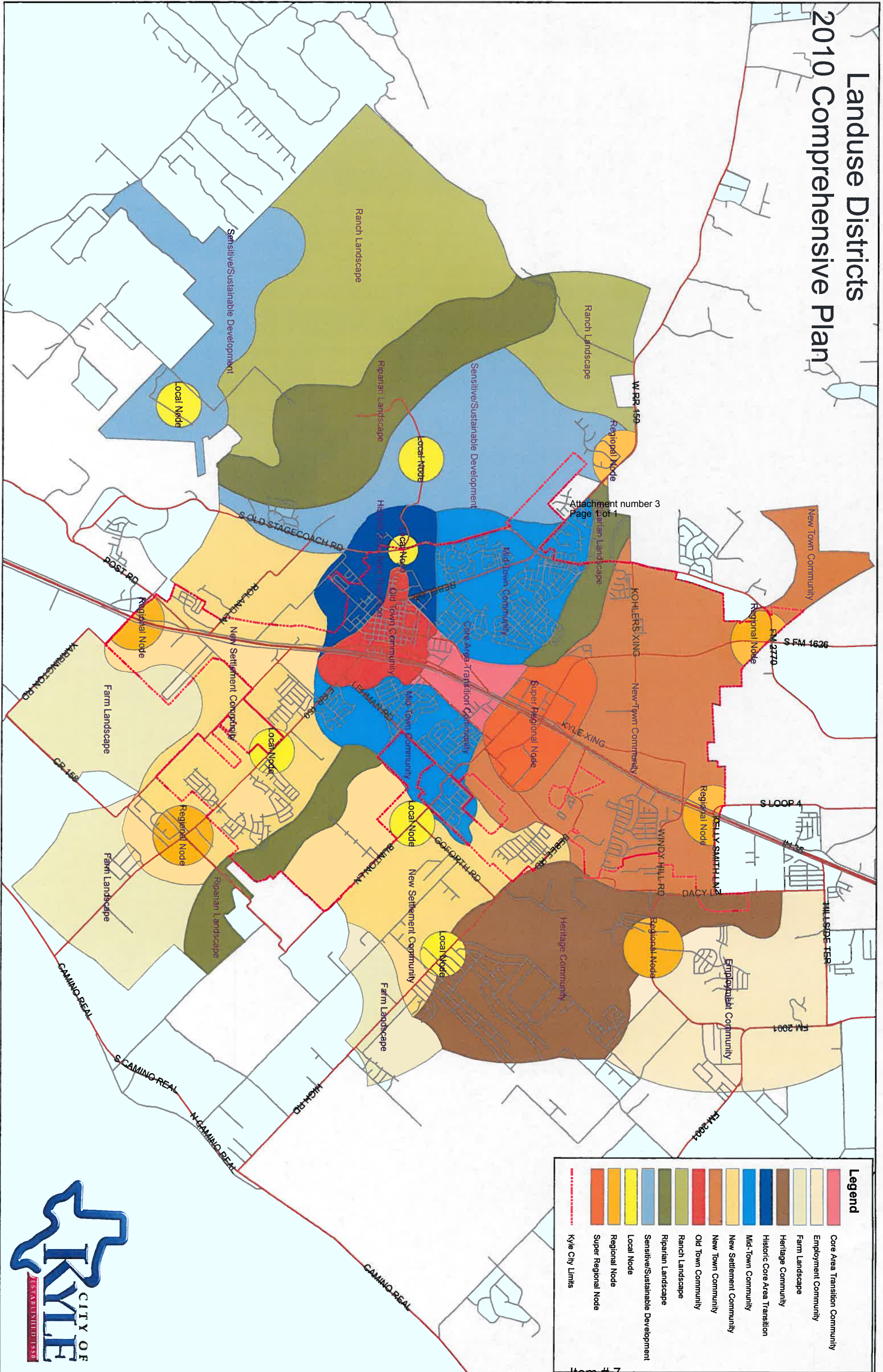
The request of the Retail Services District would help to create a neighborhood commercial center for surrounding residents and may help to slightly reduce the number of vehicle trips along FM 150 by not requiring residents to drive towards the Interstate for certain goods. Retail would also help create a more balanced tax base by promoting the development of a neighborhood retail center.

The request for this zoning reclassification is a reasonable request and is in the public interest because it promotes some of the goals adopted in the Comprehensive Plan.



Landuse Districts 2010 Comprehensive Plan

Attachment number 3
Page 1 of 1



Legend	
	Core Area Transition Community
	Employment Community
	Farm Landscape
	Heritage Community
	Historic Core Area Transition
	Mid-Town Community
	New Settlement Community
	New Town Community
	Old Town Community
	Ranch Landscape
	Riparian Landscape
	Sensitive/Sustainable Development
	Local Node
	Regional Node
	Super Regional Node
	Kyle City Limits



2010 Comp Plan Landuse Recommendations

Farm District	Recommended: A, UE Conditional: R-1-1, R/S
Ranch District	Recommended: A, UE Conditional: R-1-1, R/S
Riparian District	Recommended: A, UE Conditional: R-1-1, R/S
Old Town District	Recommended: CBD-1, CBD-2, R-1-T Conditional: E, R-1-A, R-1-C, R-2, R-3-2, R-3-3
Core Area Transition	Recommended: CBD-1, CBD-2, R-1-T, R-1-C, R-3-2, R-3-3 Conditional: E, HS, R-1-A
Historic Core Area	Recommended: R-1-1, R-1-2, R-1-T Conditional: A, R-1-A, R-2, R-3-1, R/S, UE
Mid-Town District	Recommended: R-1-2, R-2 Conditional: E, R-1-1, R-1-A, R-1-T, R-3-1, R-3-2, R/S
New Settlement	Recommended: R-1-1, R-1-2 Conditional: A, E, HS, R-1-A, R-1-T, R-2, R-3-1-, R-3-2, R/S, T/U, UE
New Town District	Recommended: R-1-1, R-1-2, R-1-C, R-1-T, R-2, R-3-2, R-3-3 Conditional: A, C/M, E, HS, R-1-A, R-3-1, R/S, T/U, UE, W
Employment District	Recommended: A, C/M, R-1-2, R-1-A, R-1-C, R-1-T, R-2, R-3-2, R-3-3, W Conditional: M-2, M-3, R-1-1, R-3-1, R/S, RV, T/U, UE
Sensitive/Sustainable Development	Recommended: A, UE Conditional: C/M, E, R-1-1, R-1-A, R-2, R-1-T, R/S, T/U, W
Heritage District	Recommended: A, R-1-1, R-1-2, UE Conditional: C/M, E, M-2, M-3, R-1-A, R-1-T, R-2, R-3-1, R/S, RV, T/U, W
Local Node	Recommended: R-1-C, R-3-2, R-3-3, R/S Conditional: R-1-T, R-3-1
Regional Node	Recommended: R-1-C, R-3-2, R-3-3 Conditional: CBD-1, CBD-2, E, HS, R-3-1, R/S
Super Regional Node	Recommended: CBD-1, CBD-2, HS, R-1-C, R-3-2, R-3-3 Conditional: E

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF ASSIGNING ORIGINAL ZONING OF 'RS' RETAIL SERVICES DISTRICT TO APPROXIMATELY 1.00 ACRE, ON PROPERTY LOCATED AT 1601 E.FM 150 IN HAYS COUNTY, TEXAS. (DANNY AND AMADA PAVIA Z-11-004); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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SECTION 2. That the City Secretary is hereby authorized and directed to designate the tract of land zoned herein as such on the zoning district map of the City of Kyle and by proper endorsement indicate the authority for said notation.

SECTION 3. If any provision, section, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid (or for any reason unenforceable), the validity of the remaining portions of this Ordinance or the application to such other persons or sets of circumstances shall not be affected hereby, it being the intent of the City Council of the City of Kyle in adopting this Ordinance, that no portion hereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion or provision.

SECTION 4. This Ordinance shall be published according to law and shall be and remain in full force and effect from and after the date of publication.

SECTION 5. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

READ, CONSIDERED, PASSED AND APPROVED ON FIRST READING by the City Council of Kyle at a regular meeting on the ___ day of _____, 2011, at which a quorum was

present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Kyle at a regular meeting on the _____ day of _____, 2011, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

APPROVED this _____ day of _____, 2011.

Lucy Johnson, Mayor

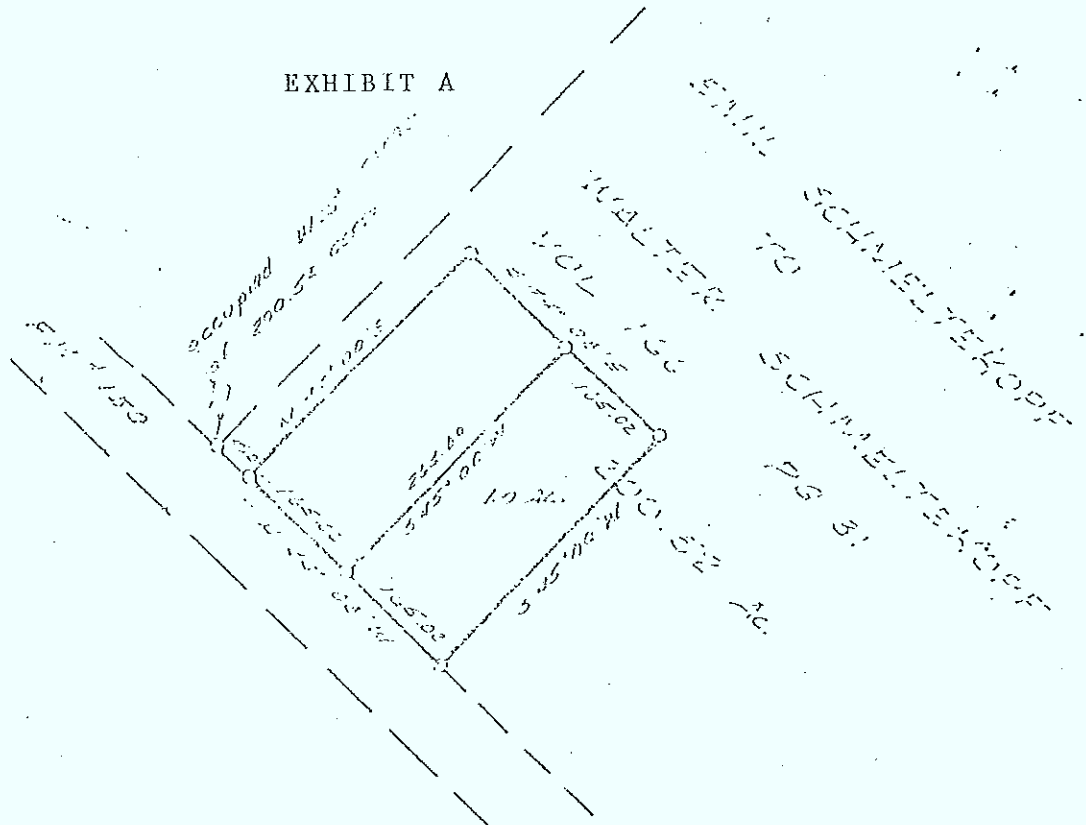
ATTEST:

Amelia Sanchez, City Secretary

M. E. ATKINSON SURVEY

EXHIBIT A

not to scale



All that certain tract or parcel of land situated in Hays County, Texas and being a part of the M. E. Atkinson Survey and being also a part of a 200.52 acre tract of land conveyed by Emil Schmeltekopf to Walter Schmeltekopf by deed recorded in Volume 166 Page 31 of the Deed Records of Hays County, Texas and being more particularly described as follows:

BEGINNING at an iron pin set on the NE line of FM #150 for the West corner of this tract from which iron pin the occupied West corner of the above mentioned 200.52 acre tract bears N 44° 03' W 211.02'.

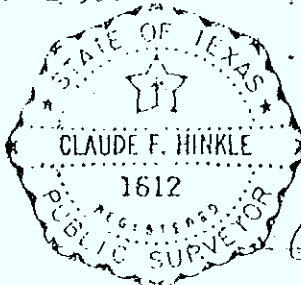
THENCE N 45° 00' E 264.00' to an iron pin set for the North corner of this tract.

THENCE S 44° 03' E 165.02' to an iron pin set for the East corner of this tract.

THENCE S 45° 00' W 264.00' to an iron pin set on the NE line of FM #150 for the South corner of this tract.

THENCE N 44° 03' W 165.02' to the place of beginning containing 1.00 acre of land.

SURVEYED: September, 1982



C. F. Hinkle
Claude F. Hinkle
REG #1612

Item # 7

EXHIBIT B

R/S

R-3-1

M-3

Harvest Moon Pkwy

E RR 150

New Country Rd

R-1-2

Z-11-004
Proposed
Zoning: R/S

R/S

R-1-T

A

A

R-1-2

R-1-1

T/U





CITY OF KYLE, TEXAS

Dedication of FM 1626 Right of Way

Meeting Date: 5/17/2011
Date time: 7:00 PM

Subject/Recommendation: Authorize the Dedication of City-owned land as Public Right-of-Way and Authorize the Mayor to execute the donation instrument ~ *Shira Rodgers, Director of Planning*

Other Information: This is the formal dedication of public right-of-way for FM 1626/Kyle Parkway. After the Special Warranty Deed and the Dedication of Public Right-of-Way have been accepted by City Council, the City will need to convey both the TxDOT.

Budget Information: N/A

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Dedication of FM 1626](#)

DEDICATION OF PUBLIC RIGHT-OF-WAY

THE STATE OF TEXAS §

COUNTY OF HAYS §

The City of Kyle, Texas is authorized to dedicate, and does hereby dedicate, to the use of the public as public right-of-way for streets, drives, roads, public ingress and egress, drainage, utility service, and other related public purpose, subject to the continuing and future control and regulation of the use of such public right-of-way by the City of Kyle, Texas, the following tracts and parcels of land:

- a. All that certain tract or parcel of land being 0.04 acres, more or less, located in Hays County, Texas, being more particularly described in Volume 1871, Page 241, Official Public Records of Hays County, Texas and Exhibit "A", attached hereto and incorporated herein for all purposes.
- b. All that certain tract or parcel of land being 22.83 acres, more or less, located in Hays County, Texas, being more particularly described in Volume 1871, Page 232, Official Public Records of Hays County, Texas, by Correction Deed filed of record in Volume 1904, Page 813, Official Public Records of Hays County, Texas, and Exhibit "B" attached hereto and incorporated herein for all purposes.
- c. All that certain tract or parcel of land being 28.91 acres, more or less, located in Hays County, Texas, being more particularly described in Volume 1871, Page 236, Official Public Records of Hays County, Texas and Exhibit "C" attached hereto and incorporated herein for all purposes.

The Property shall be used only as public right-of-way for streets, drives, roads, public ingress and egress, drainage and utility service, and other related public purposes.

When the context requires, singular nouns and pronouns include the plural.

Executed this the ____ day of _____ 2011.

GRANTOR:

CITY OF KYLE

By: Lucy Johnson
Title: Mayor

THE STATE OF TEXAS §

COUNTY OF HAYS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Lucy Johnson, Mayor, of the City of Kyle, Grantor herein, known to me to be the person whose name is subscribed to the foregoing instrument, and

Exhibit A

3/15/11

Doc 01022212 Bk 0PR Vol 1871 Pg 241 3/15/11

DONATION DEED

THE STATE OF TEXAS

§

COUNTY OF HAYS

§

§

KNOW ALL PERSONS BY THESE PRESENTS:

That, William Negley, as Life Tenant with the power of sale pursuant to the provisions of the Deed recorded in Volume 270, Page 350, Hays County Deed Records, and as Life Tenant with Power of Sale under the Will of Laura Burleson Negley, 1250 NE Loop 410, SA#200, San Antonio, Bexar County, Texas 78209, hereinafter referred to as Grantors, whether one or more, for and in consideration of the sum of One Dollar (\$1.00) to Grantors in hand paid by the City of Kyle, Texas, 101 S. Burleson, P. O. Box 40, Kyle, Hays County, Texas 78640, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day Donated and by these presents do Grant, Give and Convey unto the City of Kyle, Texas, as Grantee, all that certain tract or parcel of land in Hays County, Texas, more particularly described as follows:

DESCRIPTION OF 0.04 ACRE (1523 SQUARE FEET) OF LAND IN THE JESSE DAY SURVEY, A-159, HAYS COUNTY, TEXAS; BEING A PORTION OF THE CALLED 151 ACRE TRACT DESCRIBED IN A DEED TO WILLIAM NEGLEY, OF RECORD IN VOLUME 133, PAGE 143, DEED RECORDS OF HAYS COUNTY, TEXAS; SAID 0.04 ACRE TRACT OF LAND, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point in the east line of International & Great Northern Railroad Company right-of-way (ROW) described in the deed of record in Volume N, Page 158, Deed Records of Hays County, Texas, same being the most southern corner of said William Negley tract, and being the south corner and POINT OF BEGINNING of the tract described herein and being 107.81 feet left of Engineer's Centerline station 1124+81.77;..

THENCE N 09° 03' 17" E, with the east line of said railroad (ROW), same being the west line of said Negley tract, a distance of 71.90 feet to a 1/2-inch iron rod with plastic cap stamped "LAJ" set in the north line of the proposed FM 1626 ROW;

THENCE S 60° 06' 35" E, leaving the east line of said railroad ROW with the north line of said proposed FM 1626 ROW, and crossing said Negley tract, a distance of 45.32 feet to a 1/2-inch iron rod with plastic cap stamped "LAJ" set in the southern line of said Negley tract, same being the northwestern line of a called 153.381 acre tract described in a deed to Jane W. Kirkham of record in Volume 1238, Page 540, Official Public Records of Hays County, Texas and Document No. 403024, Official Public Records of Hays County, Texas, and being the southeast line of said Jesse Day Survey and the northwest line of the John King Survey, A-276;

THENCE S 46° 15' 53" W, leaving the north line of the proposed FM 1626 ROW and crossing said proposed ROW with said common tract line and said common survey line, at a distance of 19.15 feet past a corner of said railroad ROW at a point of transition from which a 1/4-inch iron rod found bears S 46° 56' 54" W a distance of 1.80 feet, and continuing for a total distance of 70.03 feet to the POINT OF BEGINNING and containing 0.04 acre of land, more or less.

BEARING BASIS: Bearings recited herein are Texas Coordinate System, South Central Zone, NAD83, Grid (the foregoing tract and parcel of land is sometimes hereinafter referred to as the "Property").

Doc 01022212 Bk OPR Val 1871 Pg 242

Grantors reserve all of the oil, gas and sulphur in and under the land herein conveyed but waive all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the title and rights of the State to take and use all other minerals and materials thereon, therein and thereunder.

This conveyance is expressly made subject to the easements and reservations, if any, apparent on the ground, or now in force and existing of record in the office of the County Clerk of Hays County, Texas, to which reference is here made for all purposes.

The Property is conveyed to Grantee as right-of-way for a public road. If the Property is not, within ten (10) years from the date of this Donation Deed; (a) dedicated as right-of-way for a public road, street, farm-to-market road or highway by a written instrument executed by Grantee and filed of record in the Official Records of Hays County, Texas; or (b) conveyed by the Grantee, as Grantor, to the Texas Department of Transportation or State of Texas, as Grantee, by deed recorded in the Official Records of Hays County, Texas, for use as right-of-way for a public road, street, farm-to-market road or highway, the title to the Property shall revert to and be vested in Grantor, its successors or assigns, and such parties shall have the right to immediately reenter and repossess the Property without the need of any court action. If the Property is not so dedicated or conveyed by Grantee within the ten (10) years, Grantee shall, upon demand, execute, acknowledge and deliver to Grantor any and all instruments that may be requested, necessary or proper to evidence the reversion of the Property to Grantor. Notwithstanding the foregoing provisions of this paragraph and reverter, if Grantee shall, within ten (10) years from the date of this Donation Deed, publicly dedicate the Property as right-of-way for a road, street, farm-to-market road or highway, or if Grantee shall convey the Property to the Texas Department of Transportation or the State of Texas for use as right-of-way for a road, street, farm-to-market road, or highway, this reverter clause shall lapse, expire and be and become null and void immediately upon the recordation of such dedication instrument or deed.

TO HAVE AND TO HOLD the premises herein described and herein conveyed together with all and singular the rights and appurtenances thereto in any wise belonging unto the City of Kyle and its assigns forever; and Grantors do hereby bind ourselves, our heirs, executors, administrators, successors and assigns to Warrant and Forever Defend all and singular the said premises herein conveyed unto the City of Kyle and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, this instrument is executed on this the 16 day of July 2001.

GRANTOR:

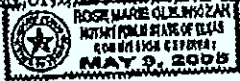

William Negley, Life Tenant with Power of Sale

Doc 0102212 BK Vol Pg
0102212 CPR 1871 243

THE STATE OF TEXAS §
COUNTY OF BEXAR §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared William Negley, Life Tenant with Power of Sale pursuant to the provisions of the Deed recorded in Volume 270, Page 350, Hays County Deed Records, and under the will of Laura Burleson Negley, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 16 day of July 2001.

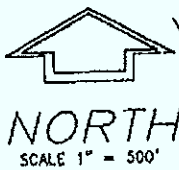


Rose Marie Olszewski
Notary Public-State of Texas

After Recording, Return To:
Minerva Falcon
City Secretary
City of Kyle
P. O. Box 40
Kyle, Texas 78640

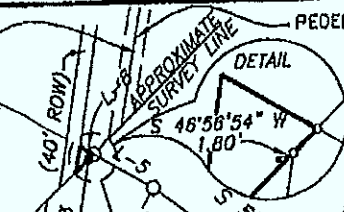
AFTER RECORDING RETURN TO:
AUSTIN TITLE COMPANY
3600 BEECAVES RD., SUITE 100
AUSTIN, TEXAS 78746
GPH

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
On: Sep 25, 2001 at 2:34P
Instrument Number: 0102212
Amount: 13.00
Lee Carlisle
County Clerk
By Rose Robinson, Deputy
Hays County



**A-169
JESSE DAY
SURVEY**
(1062.87 ACRES)
WILLIAM NEGLELY
VOL. 649 PG. 548
REAL PROPERTY RECORDS
HAYS COUNTY, TX.

(151 ACRES)
WILLIAM NEGLELY
VOL. 133 PG. 148
DEED RECORDS
HAYS COUNTY, TX.



PEDERNALES ELECTRIC COOPERATIVE, INC.
VOLUME 659, PAGE 861
DEED RECORDS HAYS
CENTERLINE 60' WIDE ELECTRIC
TRANSMISSION EASEMENT

**A-270
JOHN KING SURVEY**
(153.381 ACRES)
JANE W. KIRKHAM
VOL. 1238 PG. 540
OFFICIAL PUBLIC RECORDS
HAYS COUNTY, TX.

**NORTHERN RAILROAD & GREAT
NORTHERN RAILROAD COMPANY**
VOLUME N, PAGE 158
DEED RECORDS HAYS
COUNTY, TX.

LINE TABLE

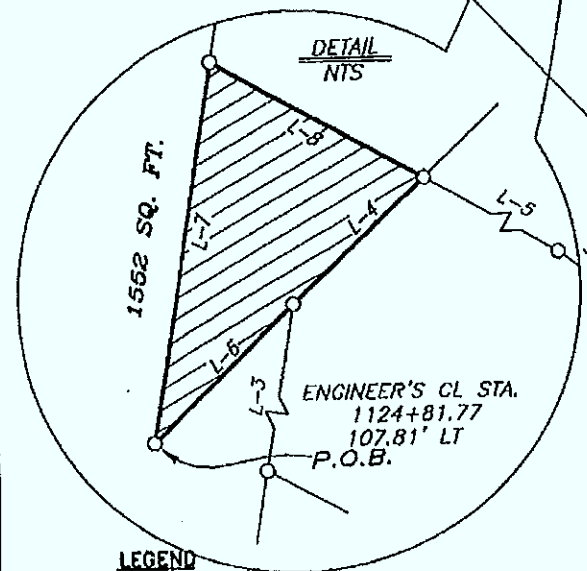
L-1	S 46°03'42" W	208.24'
L-2	N 60°06'35" W	78.24'
L-3	N 09°08'21" E	354.63'
L-4	S 46°15'53" W	19.15'
L-5	S 60°06'35" E	198.49'
L-6	S 46°15'53" W	50.88'
L-7	N 09°03'17" E	71.90'
L-8	S 60°06'35" E	45.32'

(153.381 ACRES)
JANE W. KIRKHAM
VOL. 1238 PG. 540
OFFICIAL PUBLIC RECORDS
HAYS COUNTY, TX.

PARCEL 3
9.20 AC.
N 60°06'35" W 753.28'
S 60°06'35" E 817.28'

PROPOSED
FM 1626

(186.309 ACRES)
HARVEY EVANS, GLORIA EVANS
& ED FLUME, JR.
VOL. 804, PG. 65
REAL PROPERTY RECORDS
HAYS COUNTY, TX.



**A-280
BENTON SURVEY**
N 45°24'30" W 1146.76'
N 45°19'43" W 1146.90'
N 45°23'00" W 710.01'
N 45°18'13" W 710.10'

**A-290
J.M. GREEN SURVEY**

P.O.C.
ENGINEER'S CL STA.
365+29.6
179.9' RT.

INTERSTATE 35
(R.O.W. WIDTH VARIES)

- LEGEND**
- 1/2" IRON ROD FOUND
 - TXDOT TYPE I CONC. MONUMENT FOUND
 - 1/2" IRON ROD W/ PLASTIC CAP SET STAMPED "LA"
 - () RECORD INFORMATION (PER VOL. 609, PG. 848, D.R.H.C.TX.)
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT

- NOTES:**
- 1) BEARINGS SHOWN HEREON ARE GRID, BASED ON THE TEXAS STATE PLANE SYSTEM, SOUTH CENTRAL ZONE, NAD 83.
 - 2) IMPROVEMENTS NOT SHOWN

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**SURVEY PLAT
PARCEL 8
TO ACCOMPANY FIELD NOTE
DESCRIPTION ITEM # 8**

..04 A. K.S

Exhibit B

Doc 01028557 BK 098 Vol 1904 Pg 812

CORRECTION DEED

THE STATE OF TEXAS

§

COUNTY OF HAYS

§

KNOW ALL PERSONS BY THESE PRESENTS:

That, William Negley, Individually, and as Life Tenant with Power of Sale of San Antonio, Bexar County, Texas hereinafter referred to as Grantor, whether one or more, for and in consideration of the sum on One Dollar (\$1.00) to Grantors in hand paid by the City of Kyle, Texas, 101 S. Burkson, P. O. Box 40, Kyle, Hays County, Texas 78640, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day Donated and by these presents do Grant, Give and Convey unto the City of Kyle, Texas, as Grantee, all that certain tract or parcel of land in Hays County, Texas, more particularly described as follows:

DESCRIPTION OF 22.83 ACRES OF LAND IN THE JOHN COOPER SURVEY, A-100, THE JESSE DAY SURVEY, A-152, AND THE JESSE DAY SURVEY, A-159, HAYS COUNTY, TEXAS; BEING A PORTION OF A CALLED 1,062.87 ACRE TRACT DESCRIBED IN A QUITCLAIM DEED, DATED JANUARY 14, 1987 TO WILLIAM NEGLEY OF RECORD IN VOLUME 649, PAGE 548, REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS (R.P.R.H.C.TX.) AND CONVEYED TO WILLIAM NEGLEY BY EXECUTOR'S DEED, DATED FEBRUARY 8, 1979, OF RECORD IN VOLUME 322, PAGE 384, DEED RECORDS OF HAYS COUNTY, TEXAS (D.R.H.C.TX.); SAID 22.83 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING A PORTION OF THE PROPOSED RIGHT-OF-WAY (ROW) FOR FM 1626, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 3/4-inch iron pipe found in the south ROW line of Hays County Road 171 and being an angle point in the north line of said 1,062.87 acre tract, being the sixth corner called for in said Quitclaim Deed and being a distance of approximately 1,346.4 feet west of the northeast corner of said Negley 1,062.87 acre tract;

THENCE S 88° 33' 53" W, with the north line of said 1,062.87 acre tract, same being the south line of said County Road 171, a distance of 286.69 feet, to a 1/4-inch iron rod with plastic cap stamped "LAI" set in the proposed east ROW line of said FM 1626 for the northeast corner and POINT OF BEGINNING of the tract described herein;

THENCE crossing said Negley 1,062.87 acre tract and with the proposed east ROW line of said F.M. 1626 the following four (4) courses and distances:

1. S 43° 50' 57" W, a distance of 70.71 feet to a 1/4-inch iron rod with plastic cap stamped "LAI" set for a corner of the herein described tract,
2. S 03° 39' 55" E, a distance of 2,528.28 feet to a 1/4-inch iron rod with plastic cap stamped "LAI" set for a point of curvature of a curve to the left having a radius of 1,294.89 feet,
3. with said curve to the left an arc distance of 1,275.64 feet and having a chord bearing of S 31° 53' 15" E, and a chord distance of 1,224.68 feet to a 1/4-inch iron rod

Doc 01028567 Bk CPR Vol 1904 Pg 814

with plastic cap stamped "LAI" set for a point of tangency, being 100 feet right of Engineer's Centerline Station 1107+72.11, and

- 4. S 60° 06' 35" E, a distance of 230.10 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for the southeast corner of the herein described tract and being on the west ROW line of a forty (40) foot wide strip of land as described in a deed to the International Railroad Company of record in Volume H, Page 25, D.R.H.C.TX., same also being an east line of the said Negley 1,062.87 acre tract;

THENCE S 09° 02' 16" W, with said east line of the said Negley 1,062.87 acre tract and the west line of said Railroad ROW, a distance of 139.60 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set in the approximate east line of the said Jesso Day Survey, A-159, same being the approximate west line of the John King Survey, A-276, for the southwest corner of said Railroad ROW described in Volume N, Page 25, D.R.H.C.TX., and being in the north line of a 100-foot wide ROW, described in a deed to the International and Great Northern Railroad (I. & G. N. R. R.) of record in Volume N, Page 158, D.R.H.C.TX., and being an angle point hereof;

THENCE with the east line of the said Negley 1,062.87 acre tract and the west line of said I. & G.N.R.R. ROW the following two (2) courses and distances:

S 45° 39' 05" W, a distance of 49.73 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for an angle point hereof, and

S 09° 03' 36" W, a distance of 183.69 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set in the south line of the proposed ROW of said FM 1626 and being the south corner of the tract described hereof;

THENCE leaving said Railroad ROW line, same being the east line of said Negley 1,062.87 acre tract and crossing said Negley 1062.87 acre tract with the southwest and west ROW line of the proposed FM 1626 the following four (4) courses and distances:

- 1. N 60° 06' 35" W, a distance of 191.86 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for a point of curvature of a curve to the right having a radius of 1,569.89 feet,
- 2. with said curve to the right an arc distance of 1,546.56 feet, a chord bearing N 31° 53' 15" W, a chord distance of 1,484.77 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for a point of tangency, being 101.71 feet right of Engineer's Centerline Station 1109+11.88,
- 3. N 03° 39' 55" W, a distance of 2,677.05 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for a corner of the tract described herein, and
- 4. N 46° 17' 09" W, a distance of 70.53 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set in the south line of said County Road 171,

Doc 01028367 Bk 098 Vol 1904 Pg 813

same being the north line of said Negley 1,062.87 acre tract,
an being for the northeast corner of the tract described herein;

THENCE N 88° 50' 57" E, with the south line of said County Road 171, same being the north
line of said Negley 1,062.87 acre tract, a distance of 300.19 feet to the POINT OF BEGINNING
and containing 22.83 acres of land, more or less.

BEARING BASIS: Bearings recited herein are Texas Coordinate System, South Central Zone,
NAD83, Grid,

said tract being conveyed to Grantee as right-of-way for the proposed FM 1626, being further
shown on the plat map attached hereto and incorporated herein for all purposes as Exhibit "A".

Grantors reserve all of the oil, gas and sulphur in and under the land herein conveyed but waive all
rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining
or drilling for same; however, nothing in this reservation shall affect the title and rights of the State
to take and use all other minerals and materials thereon, therein and thereunder.

This conveyance is expressly made subject to the easements and reservations, if any, apparent on
the ground, or now in force and existing of record in the office of the County Clerk of Hays
County, Texas, to which reference is here made for all purposes.

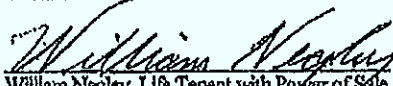
TO HAVE AND TO HOLD the premises herein described and herein conveyed together with all
and singular the rights and appurtenances thereto in any wise belonging unto the City of Kyle and
its assigns forever; and Grantors do hereby bind ourselves, our heirs, executors, administrators,
successors and assigns to Warrant and Forover Defend all and singular the said premises herein
conveyed unto the City of Kyle and its assigns against every person whomsoever lawfully claiming
or to claim the same or any part thereof.

This deed is made in place of and to correct a deed from Grantor to Grantee dated July 16, 2001
and recorded in Volume 1871 Page 233 of the Deed Records of Hays County, Texas. By mistake
that deed on page 2 incorrectly described the property as follows:

S 45° 39' 06" W, a distance of 49.31 feet to a 1/2 inch iron rod... Whereas the correct distance
is 49.73 feet. The deed dated July 16, 2001 also contained an error in the following call on
page 2 when it described a distance and direction as follows: 2. S 09° 08' 21" W, a distance
of 184.03 feet to a 1/2 inch iron rod... Said correct distance and direction is as follows: S 09°
03' 36" W a distance of 183.69 feet to a 1/4 inch iron rod.

IN WITNESS WHEREOF, this instrument is executed on this the 16__ day of July, 2001

GRANTOR:


William Negley, Life Tenant with Power of Sale

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
Oct Nov 14, 2001 at 02:43P

D98 BH Vol PH
01028567 DPR 1904 616

Document Number: 01028567
Amount: 15.00

Lee Carlisle
County Clerk
By: Sean Robinson, Deputy
Hays County

William Negley
William Negley, Individually

THE STATE OF TEXAS

COUNTY OF BEXAR

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared William Negley, Individually and as Life Tenant with Power of Sale pursuant to the provisions of the deed recorded in Volume 270, Page 350, Hays County Deed Records, and under the will of Laura Burleson Negley, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 15 day of October, 2001



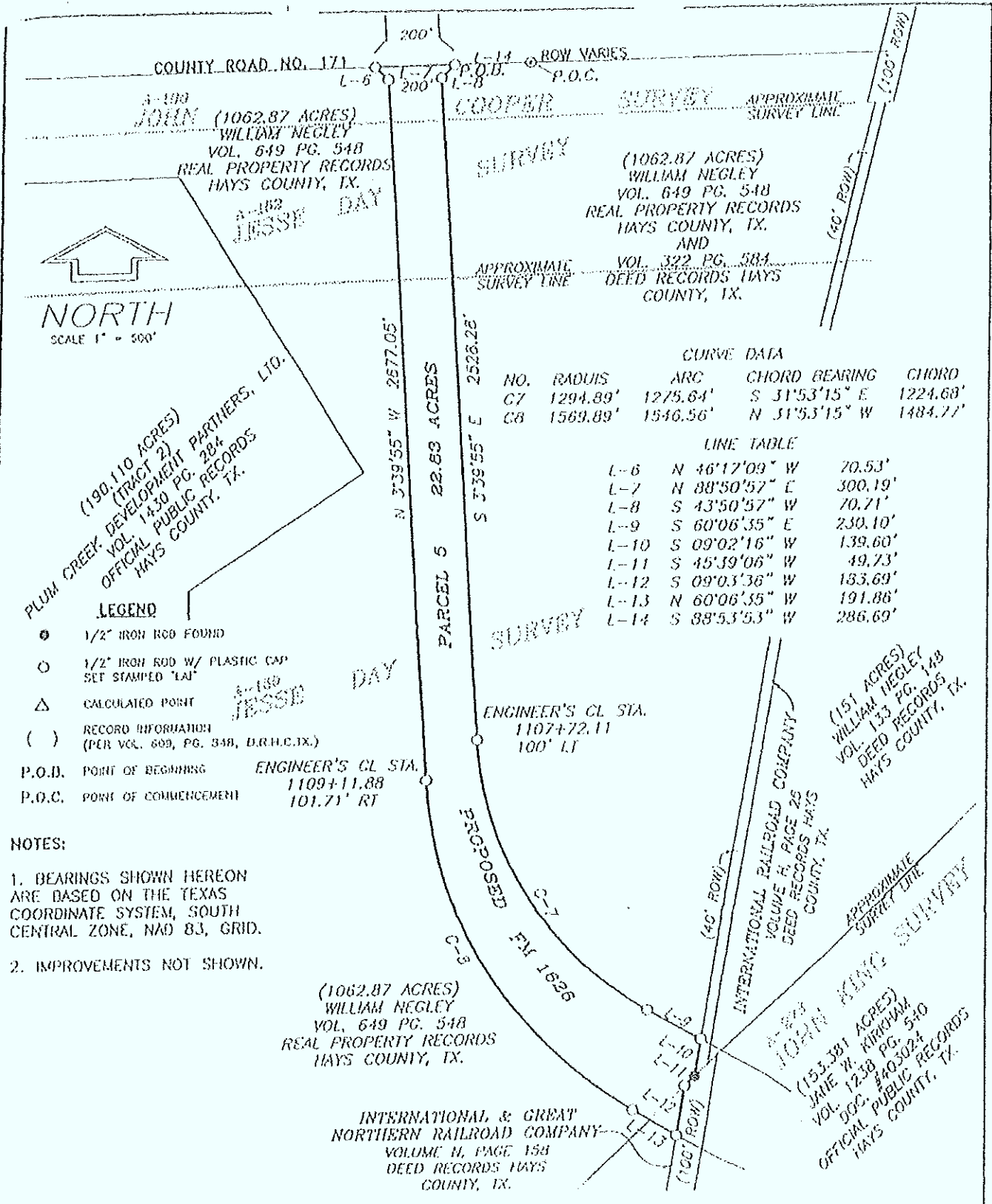
THIS CORRECTION DEED IS HEREBY ACCEPTED BY THE CITY OF KYLE AS A CORRECTION OF THE DEED ON FILE IN VOLUME 1871 PAGE 233 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS.

James Adkins
James Adkins, Mayor City of Kyle, Texas

ATTEST:

Micerva Falcon
Micerva Falcon, City Secretary

RETURN TO:
City of Kyle
P.O. Box 40
Kyle, TX 78641



CURVE DATA

NO.	RADIUS	ARC	CHORD BEARING	CHORD
C7	1294.89'	1275.84'	S 31°53'15" E	1224.68'
C8	1569.89'	1546.56'	N 31°53'15" W	1484.77'

LINE TABLE

L-6	N 46°17'09" W	70.53'
L-7	N 88°50'57" E	300.19'
L-8	S 43°50'57" W	70.71'
L-9	S 60°06'35" E	230.10'
L-10	S 09°02'16" W	139.60'
L-11	S 45°39'06" W	49.73'
L-12	S 09°03'36" W	183.69'
L-13	N 60°06'35" W	191.86'
L-14	S 88°53'53" W	286.69'



LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD W/ PLASTIC CAP SET STAMPED "LAI"
- △ CALCULATED POINT
- () RECORD INFORMATION (PER VOL. 609, PG. 348, D.R.H.C.TX.)
- P.O.B. POINT OF BEGINNING ENGINEER'S CL STA. 1109+11.88
- P.O.C. POINT OF COMMENCEMENT 101.7)' RT

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83, GRID.
2. IMPROVEMENTS NOT SHOWN.

PAGE 4 OF 4

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SURVEY PLAT
PARCEL 5
TO ACCOMPANY FIELD NOTE
DESCRIPTION FN0121(162653)

Bk Vol Pg
61822211 1871 238 617

Exhibit C

DONATION DEED

THE STATE OF TEXAS

§
§
§

COUNTY OF HAYS

KNOW ALL PERSONS BY THESE PRESENTS:

That, William Negley, as Life Tenant with the power of sale pursuant to the provisions of the Deed recorded in Volume 270, Page 350, Hays County Deed Records, and as Life Tenant with Power of Sale under the Will of Laura Burleson Negley, 1250 NE Loop 410, S#200, San Antonio, Bexar County, Texas 78209, hereinafter referred to as Grantors, whether one or more, for and in consideration of the sum on One Dollar (\$1.00) to Grantors in hand paid by the City of Kyle, Texas, 101 S. Burleson, P. O. Box 40, Kyle, Hays County, Texas 78640, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day Donated and by these presents do Grant, Give and Convey unto the City of Kyle, Texas, as Grantee, all that certain tract or parcel of land in Hays County, Texas, more particularly described as follows:

28.91 ACRES OF LAND IN THE M. M. MCCARVER SURVEY NO. 4, ABSTRACT NO. 10, HAYS COUNTY, TEXAS; BEING A PORTION OF THE FOLLOWING FOUR TRACTS: TRACT ONE BEING THAT CALLED 201.14 ACRE TRACT CONVEYED TO LAURA B. NEGLEY BY DEED OF RECORD IN VOLUME 185, PAGE 402, DEED RECORDS OF HAYS COUNTY, TEXAS (D.R.H.C.TX.), TRACT TWO BEING A CALLED 51.3 ACRE TRACT CONVEYED TO LAURA BURLESON NEGLEY BY DEED OF RECORD IN VOLUME 117, PAGE 288, (FIRST TRACT) D.R.H.C.TX., TRACT THREE BEING A CALLED 51.2 ACRE TRACT CONVEYED TO LAURA BURLESON NEGLEY BY DEED OF RECORD IN VOLUME 117, PAGE 288, (FIRST TRACT) D.R.H.C.TX. AND TRACT FOUR BEING CONVEYED TO LAURA BURLESON NEGLEY BY DEED OF RECORD IN VOLUME 117, PAGE 288, (SECOND TRACT) D.R.H.C.TX, SAID 28.91 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING A PORTION OF THE PROPOSED RIGHT-OF-WAY (ROW) FOR FM 1626, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod found for the northwest corner of said Laura B. Negley 201.14 acre Tract One and being the southwest corner of a called 10 acre tract of land conveyed to Texas Lath Cement Company (T.L.C.C.), designated as Tract I, of record in Volume 609, Page 843, Real Property Records Hays County, Texas (R.P.R.H.C.TX.);

THENCE N 88° 06' 51" E, with the north line of said Tract One, being the south line of said T.L.C.C. 10 acre tract and with the south line of a 20 acre tract of land conveyed to T.L.C.C., designated as Tract III, of record in Volume 609, Page 843, R.P.R.H.C.TX., a distance of 715.24 feet to 1/2-inch iron rod found for the southeast corner of the said T.L.C.C. 20 acre tract same being the southwest corner of a 97.38 acre tract conveyed to T.L.C.C., designated as Tract IV, of record in Volume 609, Page 843, R.P.R.H.C.TX;

THENCE N 88° 08' 15" E, with the south boundary line of said 97.38 acre tract and being the north line of said Tract One, a distance of 301.20 feet to a calculated point in the proposed west

Doc 01822211 BH UG1 Pg
01822211 OPR 1871 237

ROW line of said FM 1626 for the northwest corner and POINT OF BEGINNING of the tract described herein;

THENCE N 88° 08' 15" E, crossing said proposed ROW of said F.M. 1626 and with said common line of said Tract One and said 97.38 acre tract, a distance of 200.03 feet to a calculated point for the northeast corner of the tract described herein;

THENCE crossing said Tracts One, Three and Four and with the proposed east ROW line of said F.M. 1626 the following seven (7) courses and distances:

1. with a curve to the left having a radius of 2,764.79 feet, an arc distance of 899.20 feet, a chord bearing of S 12° 13' 49" E and a chord distance of 895.24 feet to a calculated point of tangency;
2. S 21° 32' 51" E, at a distance of approximately 458 feet pass the south line of said Tract One and being the north line of said Tract Three, continuing for a total distance of 1,391.42 feet to a calculated point of curvature of a curve to the right having a radius of 2,964.79 feet,
3. with said curve to the right an arc distance of 1,306.85 feet and having a chord bearing of S 08° 55' 11" E, a chord distance of 1,296.30 feet to a calculated point of tangency,
4. S 03° 42' 29" W, at a distance of approximately 227 feet pass the south line of said Tract Three, being the north line of said Tract Four, at approximately 919 feet pass the north line of a called 100-foot wide ROW agreement with the Lower Colorado River Authority (L.C.R.A.) of record in Volume 254, Page 254, D.R.H.C. TX., and continuing a total distance of 1,925.38 feet to a calculated point of curvature of a curve to the left having a radius of 2,764.78 feet,
5. with said curve to the left an arc distance of 355.80 feet and having a chord bearing of S 00° 01' 17" W, a chord distance of 355.55 feet to a calculated point of tangency,
6. S 03° 39' 55" E, a distance of 355.99 feet to a calculated point for an angle point in the east line of the tract described herein, and
7. S 47° 23' 20" E, a distance of 72.34 feet to a calculated point for the southeast corner of the tract described herein and being in the north ROW line, as fenced, of Hays County Road 171 (HCR 171) same being the south line of said Tract Four;

THENCE S 88° 51' 11" W, with said north ROW line of HCR 171 and said south line of Tract Four, a distance of 300.29 feet to a calculated point for the southwest corner of the tract described herein and being in the proposed west ROW line of FM 1626;

Doc 01022211 Blk 1871 Vol 238
LBR

THENCE leaving said north ROW line of HCR 171, with said proposed west ROW line of FM 1626 and crossing said Tracts Four through One the following seven (7) courses and distance;

1. N 42° 46' 53" E, a distance of 68.99 feet to a calculated point for an angle point in the west line of the tract described herein,
2. N 03° 39' 55" W, a distance of 347.54 feet to a calculated point of curvature of a curve to the right having a radius of 2,964.78 feet,
3. with said curve to the right an arc distance of 381.54 feet, a chord bearing of N 00° 01' 17" E and a chord distance of 381.27 feet to a calculated point of tangency,
4. N 03° 42' 29" E, at a distance of approximately 1,171 feet pass said north line of the said L.C.R.A. ROW, at a distance of approximately 1,680 feet pass the south line of said Tract Three, and continuing for a total distance of 1,925.38 feet to a calculated point of curvature of a curve to the left having a radius of 2,764.79 feet,
5. with said curve to the left an arc distance of 1,218.69 feet and having a chord bearing of N 08° 55' 11" W and a chord distance of 1,208.85 feet to a calculated point of tangency,
6. N 21° 32' 51" W, at a distance of approximately 803 feet pass the west line of said Tract Three and being the east line of said Tract Two, at a distance of approximately 1005 feet pass the north line of said Tract Two, being the south line of said Tract One, continuing for a total distance of 1,391.42 feet to a calculated point of curvature of a curve to the right having a radius of 2,964.79 feet, and
7. with said curve to the right an arc distance of 967.91 feet, a chord bearing of N 12° 11' 41" W and a chord distance of 963.62 feet to the POINT OF BEGINNING and containing 28.91 acres of land, more or less.

BEARING BASIS: Bearings recited herein are Texas Coordinate System, South Central Zone, NAD83, Grid (the foregoing tract and parcel of land is sometimes hereinafter referred to as the "Property").

Grantors reserve all of the oil, gas and sulphur in and under the land herein conveyed but waive all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the title and rights of the State to take and use all other minerals and materials thereon, therein and thereunder.

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61022211 DPR 1871 239

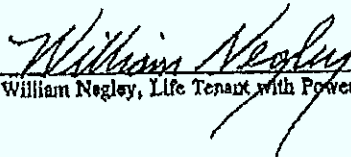
This conveyance is expressly made subject to the easements and reservations, if any, apparent on the ground, or now in force and existing of record in the office of the County Clerk of Hays County, Texas, to which reference is here made for all purposes.

The Property is conveyed to Grantee as right-of-way for a public road. If the Property is not, within ten (10) years from the date of this Donation Deed: (a) dedicated as right-of-way for a public road, street, farm-to-market road or highway by a written instrument executed by Grantee and filed of record in the Official Records of Hays County, Texas; or (b) conveyed by the Grantee, as Grantor, to the Texas Department of Transportation or State of Texas, as Grantee, by deed recorded in the Official Records of Hays County, Texas, for use as right-of-way for a public road, street, farm-to-market road or highway, the title to the Property shall revert to and be vested in Grantor, its successors or assigns, and such parties shall have the right to immediately reenter and repossess the Property without the need of any court action. If the Property is not so dedicated or conveyed by Grantee within the ten (10) years, Grantee shall, upon demand, execute, acknowledge and deliver to Grantor any and all instruments that may be requested, necessary or proper to evidence the reversion of the Property to Grantor. Notwithstanding the foregoing provisions of this paragraph and reverter, if Grantee shall, within ten (10) years from the date of this Donation Deed, publicly dedicate the Property as right-of-way for a road, street, farm-to-market road or highway, or if Grantee shall convey the Property to the Texas Department of Transportation or the State of Texas for use as right-of-way for a road, street, farm-to-market road, or highway, this reverter clause shall lapse, expire and be and become null and void immediately upon the recordation of such dedication instrument or deed.

TO HAVE AND TO HOLD the premises herein described and herein conveyed together with all and singular the rights and appurtenances thereto in any wise belonging unto the City of Kyle and its assigns forever; and Grantors do hereby bind ourselves, our heirs, executors, administrators, successors and assigns to Warrant and Forever Defend all and singular the said premises herein conveyed unto the City of Kyle and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, this instrument is executed on this the 16 day of July 2001.

GRANTOR:

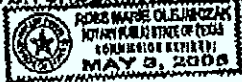

William Negley, Life Tenant with Power of Sale

Doc Blk V1 Pg
01022211 DPR 187. 248

THE STATE OF TEXAS §
COUNTY OF BEXAR §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared William Negley, Life Tenant with Power of Sale pursuant to the provisions of the Deed recorded in Volume 270, Page 350, Hays County Deed Records, and under the will of Laura Burleson Negley, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 16 day of July 2001.



Rose Marie Olejniczak
Notary Public - State of Texas

After Recording, Return To:
Minerva Falcon
City Secretary
City of Kyle
P. O. Box 40
Kyle, Texas 78640

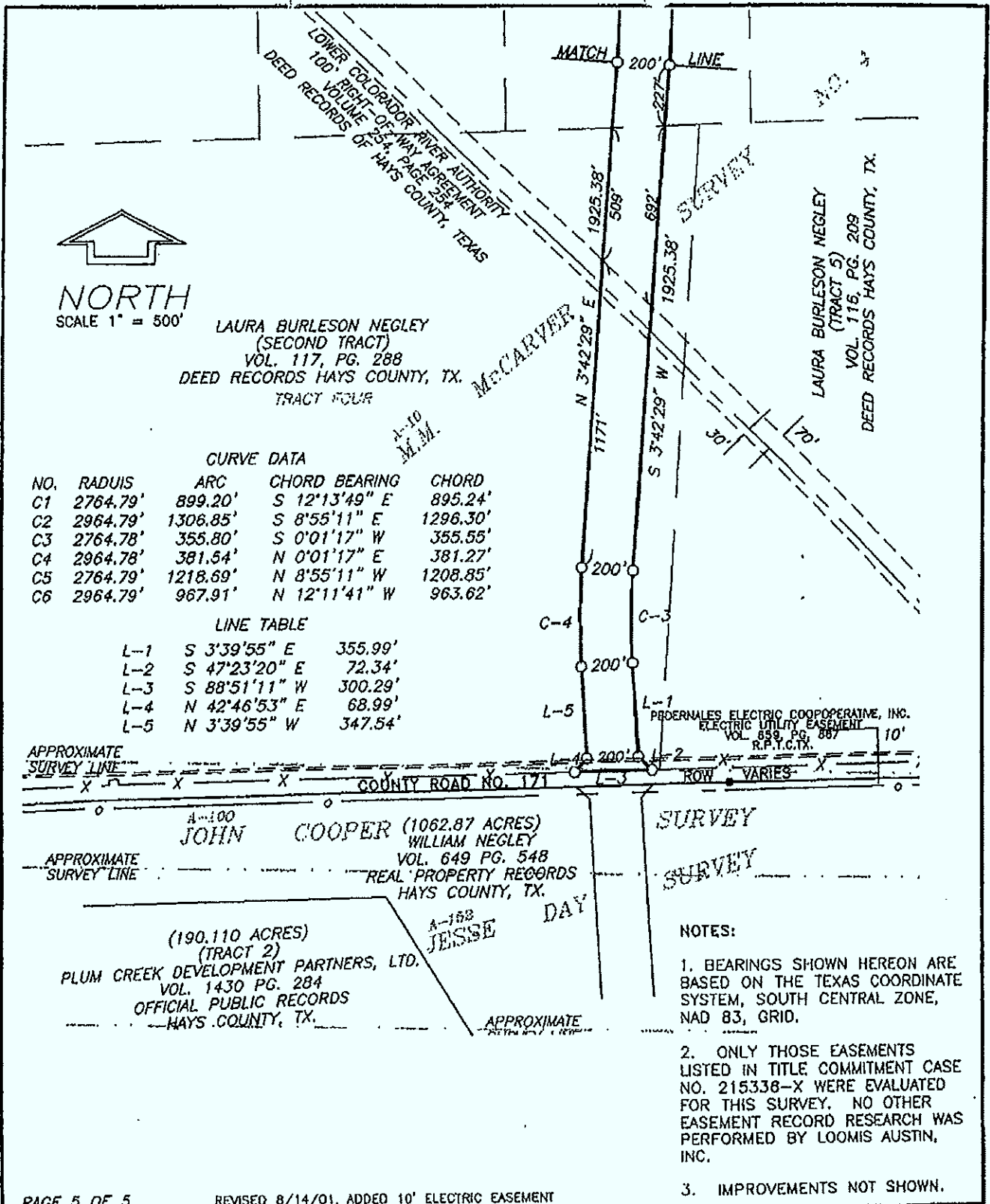
AFTER RECORDING RETURN TO:
AUSTIN TITLE COMPANY
3600 BEE CAVES RD., SUITE 100
AUSTIN, TEXAS 78746
GP#:

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
On Sep 03, 2001 at 01:24P

Document Number 01022211

Amount 17.00

Lee Carlisle
County Clerk
By
Kasey Robinson, Deputy
Hays County

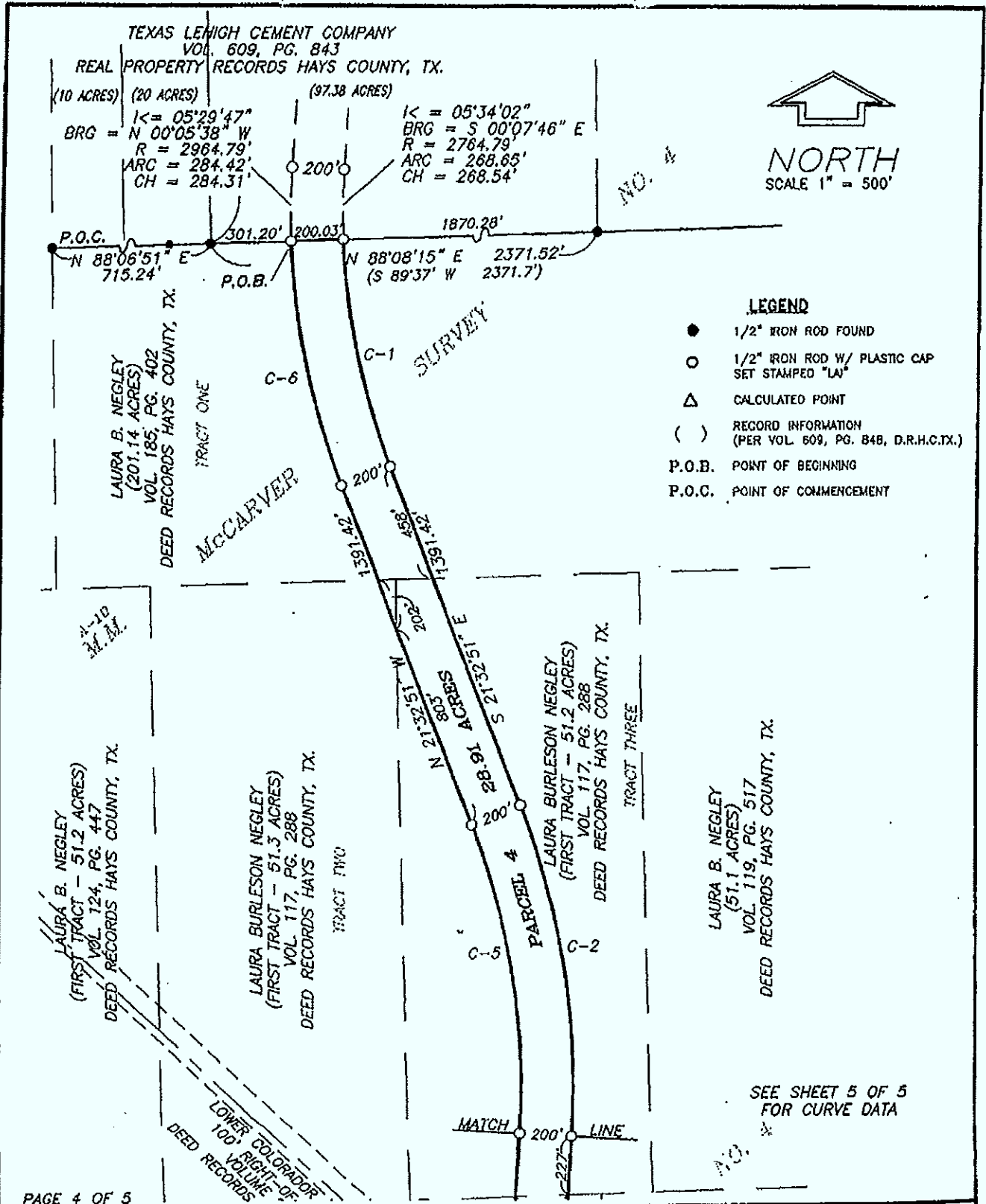


PAGE 5 OF 5 REVISED 8/14/01, ADDED 10' ELECTRIC EASEMENT

LOOMIS AUSTIN LAND • WATER • PROPERTY

3103 Bee Coves Road, Suite 225; Austin Texas 78746
Phone: (512) 327-1180; Fax: (512) 327-4082; www.loomisAustin.com

SURVEY PLAT
PARCEL 4
TO ACCOMPANY FIELD NOTE
DESCRIPTION FN0120(1628N2)



PAGE 4 OF 5

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SURVEY PLAT
PARCEL 4
TO ACCOMPANY FIELD NOTE
DESCRIPTION FN0120(1026N2)

Item # 8



CITY OF KYLE, TEXAS

Plum Creek Warranty Deed FM 1626 Slivers

Meeting Date: 5/17/2011
Date time: 7:00 PM

Subject/Recommendation: Authorize the Mayor to Accept the Conveyance of Land by Special Warranty Deed to the City from Plum Creek Development Partners, Ltd. ~ *Shira Rodgers, Director of Planning*

Other Information: This is formal conveyance by Plum Creed Development Partners, Ltd to the City of Kyle for 4 slivers of public right-of-way for FM 1626/Kyle Parkway. After the Special Warranty Deed and the Dedication of Public Right-of-Way have been accepted by City Council, the City will need to convey both the TxDOT.

Budget Information: N/A

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

[Special Warranty Deed](#)

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §

COUNTY OF HAYS § KNOW ALL PERSONS BY THESE PRESENTS:

That Plum Creek Development Partners, Ltd., a Texas limited partnership, hereinafter called "**Grantor**," for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), together with other good and valuable consideration, to Grantor cash in hand paid by **The City of Kyle, Texas**, a Texas municipal corporation, hereinafter called "**Grantee**", the receipt of which is hereby acknowledged, has **GRANTED, SOLD and CONVEYED**, and by these presents does **GRANT, SELL and CONVEY** unto the said **Grantee**, all those certain lots, tracts or parcels of land known and described as follows:

- a. All that certain tract or parcel of land being 0.934 acres, more or less, located in Hays County, Texas, as more particularly described in metes and bounds in Exhibit "A" attached hereto and incorporated herein as if fully transcribed herein (the "Property"), together with all improvements thereon, fixtures affixed thereto, and appurtenances thereto.
- b. All that certain tract or parcel of land being 0.092 acres, more or less, located in Hays County, Texas, as more particularly described in metes and bounds in Exhibit "B" attached hereto and incorporated herein as if fully transcribed herein (the "Property"), together with all improvements thereon, fixtures affixed thereto, and appurtenances thereto.
- c. All that certain tract or parcel of land being 0.392 acres, more or less, located in Hays County, Texas, as more particularly described in metes and bounds in Exhibit "C" attached hereto and incorporated herein as if fully transcribed herein (the "Property"), together with all improvements thereon, fixtures affixed thereto, and appurtenances thereto.
- d. All that certain tract or parcel of land being 0.931 acres, more or less, located in Hays County, Texas, as more particularly described in metes and bounds in Exhibit "D" attached hereto and incorporated herein as if fully transcribed herein (the "Property"), together with all improvements thereon, fixtures affixed thereto, and appurtenances thereto.

This conveyance is expressly made subject to the restrictions, covenants and easements, if any, apparent on the ground, and utility easements, if any, in use by the City or any other public utility, or now in force and existing of record in the office of the County Clerk of Hays County, Texas, to which reference is here made for all purposes.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging, unto the said Grantee, **The City of Kyle, Texas**, its successors and assigns forever, and Grantor does hereby bind their successors and assigns to **WARRANT AND FOREVER DEFEND**, all and singular, the said premises unto **The City of Kyle, Texas**, the said Grantee, its successors and assigns, against every person

whomsoever lawfully claiming or to claim the same or any part thereof same by, through or under the Grantors, but not otherwise.

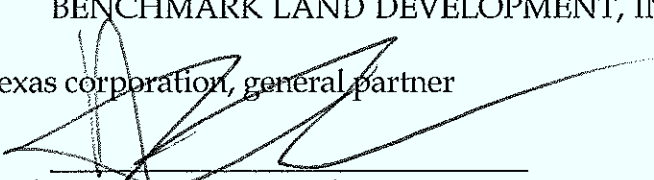
EXECUTED at 1:53 pm, Travis County, Texas, this the 4 day of May 2011.

GRANTOR:

PLUM CREEK DEVELOPMENT PARTNERS, LTD.,
a Texas limited partnership

By: BGI PLUM CREEK DEVELOPERS, LTD.,
a Texas limited partnership, general partner

By: BENCHMARK LAND DEVELOPMENT, INC.,
a Texas corporation, general partner

By: 
David C. Mahn, Vice President
Mailing Address: 200 Congress Ave. Suite 9A
Austin, Travis County, Texas 78701

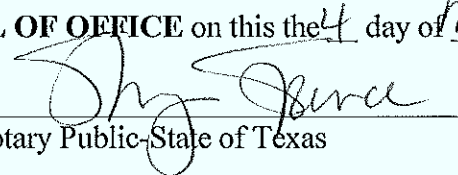
THE STATE OF TEXAS §

COUNTY OF HAYS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared David C. Mahn, Vice President of BENCHMARK LAND DEVELOPMENT, INC., a Texas corporation, general partner of BGI PLUM CREEK DEVELOPERS, LTD., a Texas Limited partnership, general partner of PLUM CREEK DEVELOPMENT PARTNERS, LTD., a Texas limited partnership, on behalf of said partnership, Grantor herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 4 day of May 2011.




Notary Public-State of Texas

ACCEPTED BY THE CITY OF KYLE, TEXAS (Grantee):

Lucy Johnson, Mayor
Mailing Address: P.O. Box 40
Kyle, Hays County, Texas 78640-0040

THE STATE OF TEXAS §

COUNTY OF HAYS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Lucy Johnson, Mayor, City of Kyle, Texas, Grantee herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the __ day of ____ 2011.

Notary Public-State of Texas

AFTER RECORDING PLEASE RETURN TO:

City of Kyle
City Secretary
P.O. Box 40
Kyle, Texas 78640-0040

0.934 Acre
M. M. McCarver Sur. No. 4, A-10
Hays County, Texas

LAI Job No. 070602
FN0815(ks)
Page 1 of 3

Exhibit A

**FIELD NOTES DESCRIPTION
FARM TO MARKET HIGHWAY NO. 1626 – PARCEL NO. 1**

DESCRIPTION OF 0.934 ACRES OF LAND IN THE M.M. MCCARVER SURVEY, NO. 4, A-10, HAYS COUNTY, TEXAS; BEING A PORTION OF A CALLED 983.99 ACRES OF LAND DESCRIBED AS TRACT 2 OF EXHIBIT "A" IN A DEED WITHOUT WARRANTY TO MOUNTAIN PLUM, LTD. OF RECORD IN VOLUME 2297, PAGE 139, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AS SURVEYED BY LOOMIS AUSTIN, INC. AND SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the west line of F.M. Highway No. 1626, same being the west line of a called 28.91 acre tract described in a deed to City of Kyle, Texas, of record in Volume 1871, Page 236, Official Public Records of Hays County, Texas, for the south corner and **POINT OF BEGINNING** of the tract described herein, from which a Texas Department of Transportation (TxDOT) Type 2 right-of-way marker found bears S 00° 31' 13" E, a distance of 1.54 feet and from which a ½-inch iron rod with plastic cap stamped "LAP" previously set at the intersection of the north line of County Road No. 171, (a.k.a. Kohler's Crossing) with the west right-of-way line of F.M. Highway 1626 and in the south line of the said 983.99 acre tract, bears S 02° 54' 45" W, a distance of 1881.20 feet;

THENCE crossing the said 983.99 acre tract, the following four (4) courses and distances:

1. N 00° 31' 13" W, a distance of 269.62 feet to a TxDOT Type 2 right-of-way marker found for an angle point,
2. N 03° 42' 13" E, a distance of 553.75 feet to a TxDOT-Type-2-right-of-way marker found for a point of curvature,
3. with the arc of a curve to the left, having a radius of 2744.79 feet, an arc distance of 1209.98 feet and a chord of which bears N 08° 54' 54" W, a distance of 1200.21 feet to a TxDOT Type 2 right-of-way marker found for an angle point, and
4. N 17° 44' 17" W, a distance of 296.83 feet to a calculated point in the west line of F.M. Highway No. 1626, same being the west line of the said 28.91 acre tract, for the north corner of the tract described herein, from which a TxDOT Type 2 right-of-way marker found bears N 17° 44' 17" W, a distance of 3.74 feet;

THENCE with the west line of F.M. Highway No. 1626, same being the west line of the said 28.91 acre tract, the following three (3) courses and distances:

1. S 21° 32' 51" E, a distance of 296.41 feet to calculated point of curvature,
2. with the arc of a curve to the right, having a radius of 2764.79 feet, an arc distance of 1218.69 feet and a chord of which bears S 08° 55' 11" E, a distance of 1208.85 feet to a calculated angle point, and
3. S 03° 42' 29" W, a distance of 822.43 feet to the **POINT OF BEGINNING** and containing 0.934 acres of land, more or less.

0.934 Acre
M. M. McCarver Sur. No. 4, A-10
Hays County, Texas

LAI Job No. 070602
FN0815(kls)
Page 2 of 3

BEARING BASIS: Texas Coordinate System, South Central Zone, NAD83, Grid.

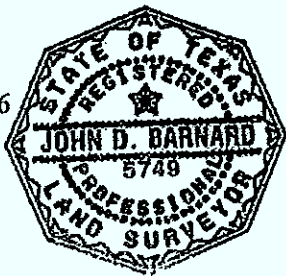
LAI WORD FILE: FN0815(kls)


THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS §

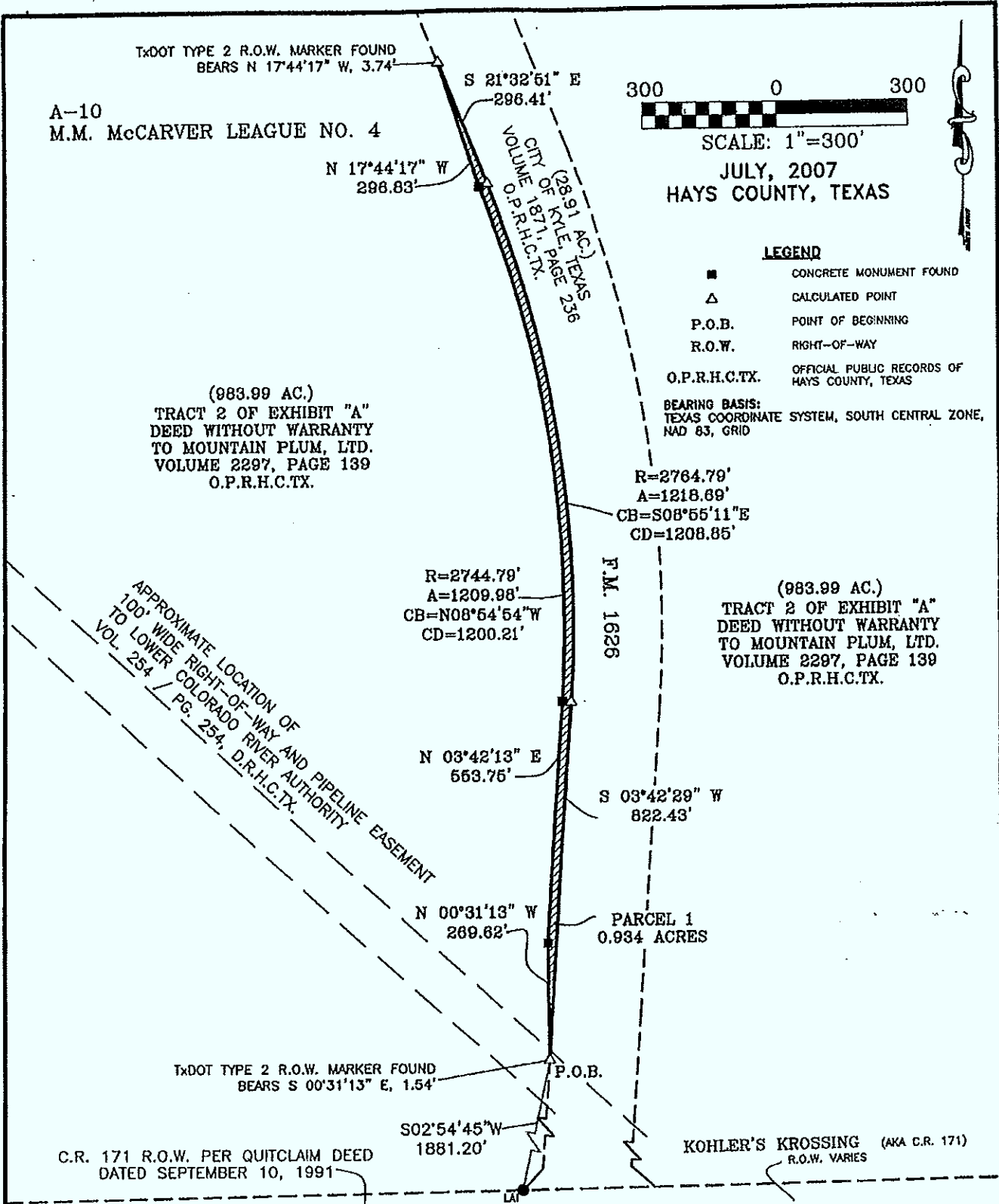
That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying sketch is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the month of July 2007, under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 11th of July 2007 A.D.

Loomis Austin, Inc
Austin, Texas 78746




John D. Barnard
Registered Professional Land Surveyor
No. 5749 – State of Texas



LOOMIS AUSTIN ENGINEERING, LAND SURVEYING & ENVIRONMENTAL CONSULTING
3103 Bee Coves Road, Suite 225; Austin Texas 78746
Phone: (512) 327-1180; Fax: (512) 327-4082; www.loomis-austin.com

SKETCH TO ACCOMPANY FIELD NOTES
FN0815(kls)

0.092 Acre
M. M. McCarver Sur. No. 4, A-10
Hays County, Texas

LAI Job No. 070602
FN0816(kls)
Page 1 of 3

Exhibit B

FIELD NOTES DESCRIPTION
FARM TO MARKET HIGHWAY NO. 1626 – PARCEL NO. 2

DESCRIPTION OF 0.092 ACRES OF LAND IN THE M.M. MCCARVER SURVEY, NO. 4, A-10, HAYS COUNTY, TEXAS; BEING A PORTION OF A CALLED 983.99 ACRES OF LAND DESCRIBED AS TRACT 2 OF EXHIBIT "A" IN A DEED WITHOUT WARRANTY TO MOUNTAIN PLUM, LTD. OF RECORD IN VOLUME 2297, PAGE 139, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AS SURVEYED BY LOOMIS AUSTIN, INC. AND SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a Texas Department of Transportation (TxDOT) Type 2 right-of-way marker found for the west corner and **POINT OF BEGINNING** of the tract described herein;

THENCE N 17° 54' 50" W, crossing the said 983.99 acre tract, a distance of 141.47 feet to a calculated point in the west line of F.M. Highway No. 1626, same being the west line of a called 28.91 acre tract described in a deed to City of Kyle, Texas, of record in Volume 1871, Page 236, Official Public Records of Hays County, Texas, for the north corner of the tract described herein and for a point of curvature, from which a TxDOT Type 2 right-of-way marker found bears N 17° 54' 50" W, a distance of 3.50 feet and from which a calculated point for the southwest corner of a called remainder of a 97.38 acre tract designated as Tract Four in a deed to Texas Lehigh Cement Company of record in Volume 609, Page 843, Real Property Records of Hays County, Texas bears N 28° 37' 58" W, a distance of 1032.13 feet and from said calculated point a ½-inch iron rod found bears N 01° 50' 33" W, a distance of 0.53 feet;

THENCE with the west line of F.M. Highway No. 1626, same being the west line of the said 28.91 acre tract, the following two (2) courses and distances:

1. with the arc of a curve to the left, having a radius of 2964.79 feet, an arc distance of 27.52 feet and a chord of which bears S 21° 16' 54" E, a distance of 27.52 feet to a calculated angle point, and
2. S 21° 32' 51" E, a distance of 492.67 feet to a calculated point for the southeast corner of the tract described herein;

THENCE crossing the said 983.99 acre tract, the following two (2) courses and distances:

1. S 68° 27' 09" W, a distance of 8.98 feet to a calculated point for the southwest corner of the tract described herein, and
2. N 21° 31' 34" W, a distance of 379.00 feet the **POINT OF BEGINNING** and containing 0.092 acres of land, more or less.

BEARING BASIS: Texas Coordinate System, South Central Zone, NAD83, Grid.

LAI WORD FILE: FN0816(kls)

0.092 Acre
M. M. McCarver Sur. No. 4, A-10
Hays County, Texas

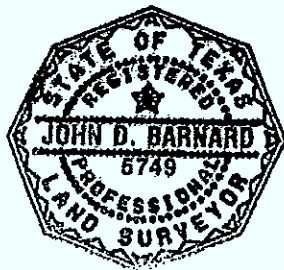
LAI Job No. 070602
FN0816(kls)
Page 2 of 3


THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS §

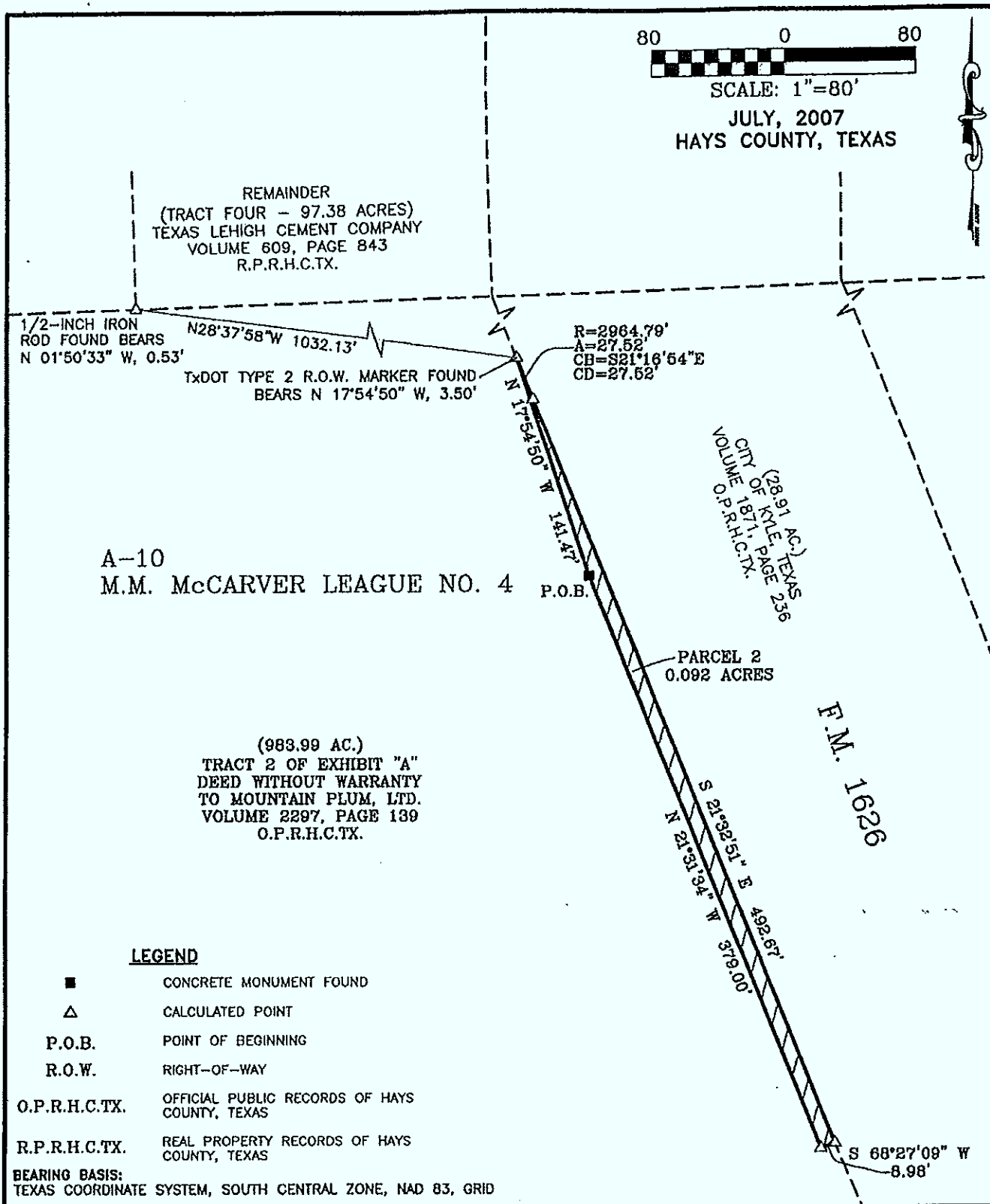
That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying sketch is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the month of July 2007, under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 11th of July 2007 A.D.

Loomis Austin, Inc
Austin, Texas 78746.




John D. Barnard
Registered Professional Land Surveyor
No. 5749 – State of Texas



<p>LOOMIS AUSTIN</p>	<p>ENGINEERING, LAND SURVEYING & ENVIRONMENTAL CONSULTING</p> <p>3103 Bee Caves Road, Suite 225; Austin Texas 78746 Phone: (512) 327-1180; Fax: (512) 327-4062; www.loomis-austin.com</p>	<p>SKETCH TO ACCOMPANY FIELD NOTES FN0816(kls)</p>
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0.392 Acre
M. M. McCarver Sur. No. 4, A-10
Hays County, Texas

LAI Job No. 070602
FN0817(kls)
Page 1 of 3

Exhibit C

**FIELD NOTES DESCRIPTION
FARM TO MARKET HIGHWAY NO. 1626 – PARCEL NO. 3**

DESCRIPTION OF 0.392 ACRES OF LAND IN THE M.M. MCCARVER SURVEY, NO. 4, A-10, HAYS COUNTY, TEXAS; BEING A PORTION OF A CALLED 983.99 ACRES OF LAND DESCRIBED AS TRACT 2 OF EXHIBIT "A" IN A DEED WITHOUT WARRANTY TO MOUNTAIN PLUM, LTD. OF RECORD IN VOLUME 2297, PAGE 139, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AS SURVEYED BY LOOMIS AUSTIN, INC. AND SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a Texas Department of Transportation (TxDOT) Type 2 right-of-way marker found for the west corner and **POINT OF BEGINNING** of the tract described herein;

THENCE crossing the said 983.99 acre tract, with the arc of a curve to the right, having a radius of 2744.79 feet, an arc distance of 572.69 feet and a chord of which bears N 08° 20' 38" W, a distance of 571.65 feet to a calculated angle point in the south line of a called remainder of a 97.38 acre tract designated as Tract Four in a deed to Texas Lehigh Cement Company of record in Volume 609, Page 843, Real Property Records of Hays County, Texas, for the northwest corner of the tract described herein, from which a TxDOT Type 2 right-of-way marker found bears N 02° 21' 54" W, a distance of 0.15 feet and from which a calculated point for the southwest corner of said remainder of a 97.38 acre tract bears S 88° 09' 27" W, a distance of 276.29 feet and from said calculated point a ½-inch iron rod found bears N 01° 50' 33" W, a distance of 0.53 feet;

THENCE N 88° 09' 27" E, with the south line of the said remainder of a 97.38 acre tract, a distance of 24.93 feet to a calculated angle point in the west line of F.M. Highway No. 1626, for the northeast corner of the tract described herein, from which a TxDOT Type 2 right-of-way marker found bears N 05° 18' 43" W, a distance of 0.58 feet;

THENCE with the west line of F.M. Highway No. 1626, with the arc of a curve to the left, having a radius of 2964.79 feet, an arc distance of 789.44 feet and a chord of which bears S 10° 28' 57" E, a distance of 787.11 feet to a calculated angle point for the south corner of the tract described herein, from which a TxDOT Type 2 right-of-way marker found bears S 22° 18' 28" E, a distance of 2.06 feet;

THENCE N 22° 18' 28" W, crossing the said 983.99 acre tract, a distance of 224.37 feet to the **POINT OF BEGINNING** and containing 0.392 acres of land, more or less.

BEARING BASIS: Texas Coordinate System, South Central Zone, NAD83, Grid.

LAI WORD FILE: FN0817(kls)

0.392 Acre
M. M. McCarver Sur. No. 4, A-10
Hays County, Texas

LAI Job No. 070602
FN0817(kls)
Page 2 of 3


THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS §

That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying sketch is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the month of July 2007, under my direction and supervision.

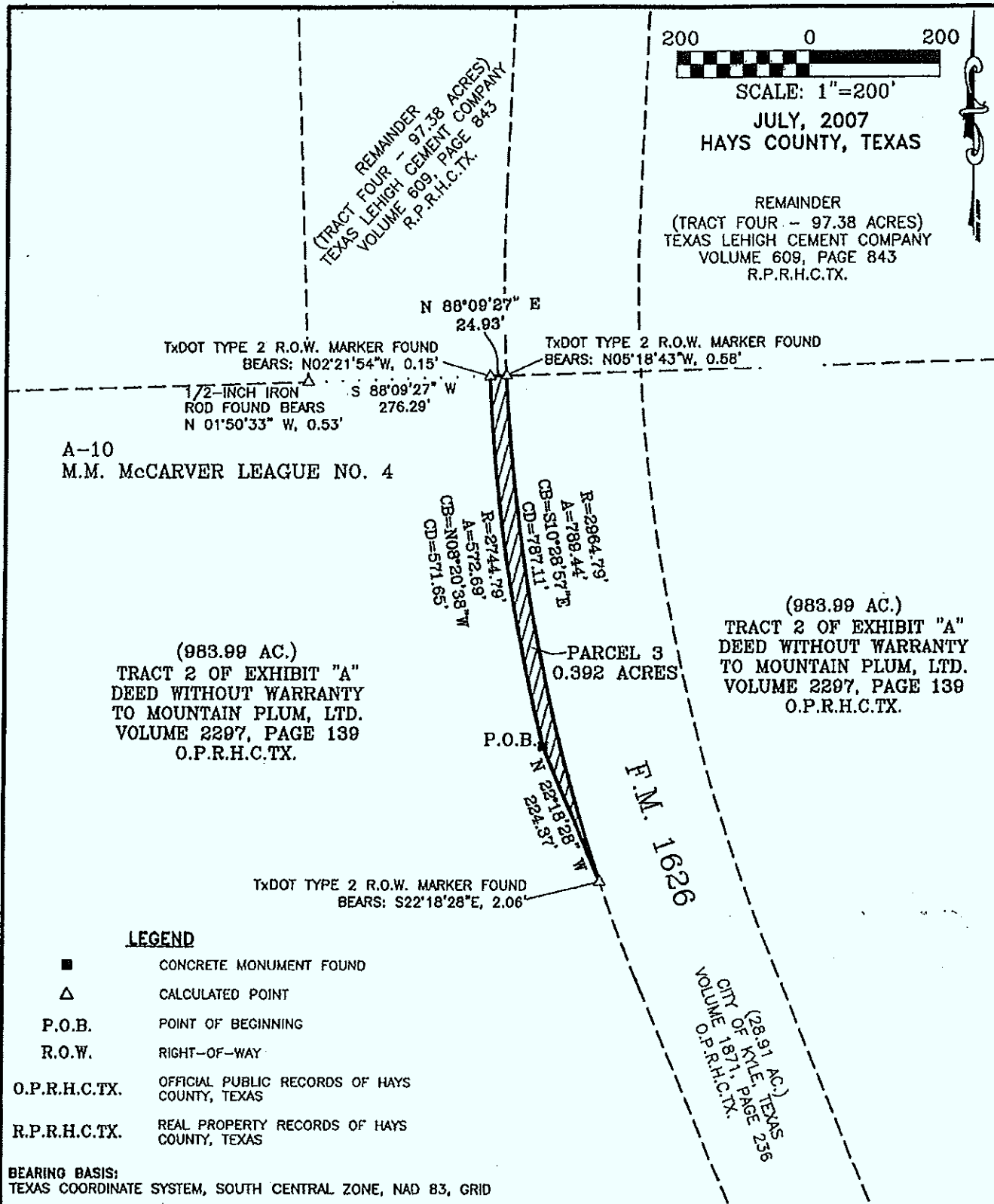
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 11th of July 2007
A.D.

Loomis Austin, Inc
Austin, Texas 78746





John D. Barnard
Registered Professional Land Surveyor
No. 5749 – State of Texas



LOOMIS AUSTIN ENGINEERING, LAND SURVEYING & ENVIRONMENTAL CONSULTING
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 Phone: (512) 327-1180; Fax: (512) 327-4062; www.loomisaustin.com

SKETCH TO ACCOMPANY
FIELD NOTES
FN0817(kls)

0.931 Acre
M. M. McCarver Sur. No. 4, A-10
Hays County, Texas

LAI Job No. 070602
FN0818(kls)
Page 1 of 3

Exhibit D

**FIELD NOTES DESCRIPTION
FARM TO MARKET HIGHWAY NO. 1626 – PARCEL NO. 4**

DESCRIPTION OF 0.931 ACRES OF LAND IN THE M.M. MCCARVER SURVEY, NO. 4, A-10, HAYS COUNTY, TEXAS; BEING A PORTION OF A CALLED 983.99 ACRES OF LAND DESCRIBED AS TRACT 2 OF EXHIBIT "A" IN A DEED WITHOUT WARRANTY TO MOUNTAIN PLUM, LTD. OF RECORD IN VOLUME 2297, PAGE 139, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AS SURVEYED BY LOOMIS AUSTIN, INC. AND SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the east line of F.M. Highway No. 1626, same being the east line of a called 28.91 acre tract described in a deed to City of Kyle, Texas, of record in Volume 1871, Page 236, Official Public Records of Hays County, Texas, for the south corner and **POINT OF BEGINNING** of the tract described herein, from which a Texas Department of Transportation (TxDOT) Type 2 right-of-way marker found bears N 08° 32' 06" E, a distance of 0.42 feet;

THENCE with the east line of F.M. Highway No. 1626, same being the east line of the said 28.91 acre tract, the following three (3) courses and distances:

1. N 03° 42' 29" E, a distance of 702.11 feet to calculated point of curvature,
2. with the arc of a curve to the left, having a radius of 2964.79 feet, an arc distance of 1306.85 feet and a chord of which bears N 08° 55' 11" W, a distance of 1296.30 feet to a calculated point of tangency, and
3. N 21° 32' 51" W, a distance of 221.28 feet to a calculated point for the north corner of the tract described herein, from which a TxDOT Type 2 right-of-way marker found bears S 26° 47' 39" E, a distance of 3.22 feet and from said calculated point a cotton gin spindle found for a west corner of a called remainder of a 398.94 acre tract in a deed to Texas Lehigh Cement Company of record in Volume 972, Page 756, Official Public Records of Hays County, Texas and a re-entrant corner of the said 983.99 acre tract bears N 69° 02' 20" E, a distance of 2092.35 feet;

THENCE crossing the said 983.99 acre tract, the following four (4) courses and distances:

1. S 26° 47' 39" E, a distance of 222.09 feet to a TxDOT Type 2 right-of-way marker found for a point of curvature,
2. with the arc of a curve to the right, having a radius of 2984.79 feet, an arc distance of 1315.72 feet and a chord of which bears S 08° 55' 05" E, a distance of 1305.10 feet to a TxDOT Type 2 right-of-way marker found for an angle point,
3. S 03° 43' 16" W, a distance of 464.30 feet to a TxDOT Type 2 right-of-way marker found for an angle point, and
4. S 08° 32' 06" W, a distance of 238.83 feet to the **POINT OF BEGINNING** and containing 0.931 acres of land, more or less.

0.931 Acre
M. M. McCarver Sur. No. 4, A-10
Hays County, Texas

LAI Job No. 070602
FN0818(kls)
Page 2 of 3

BEARING BASIS: Texas Coordinate System, South Central Zone, NAD83, Grid.

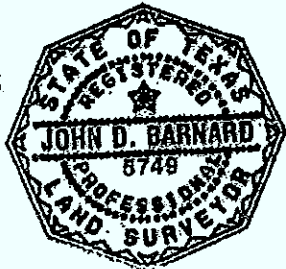
LAI WORD FILE: FN0818(kls)


THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS §

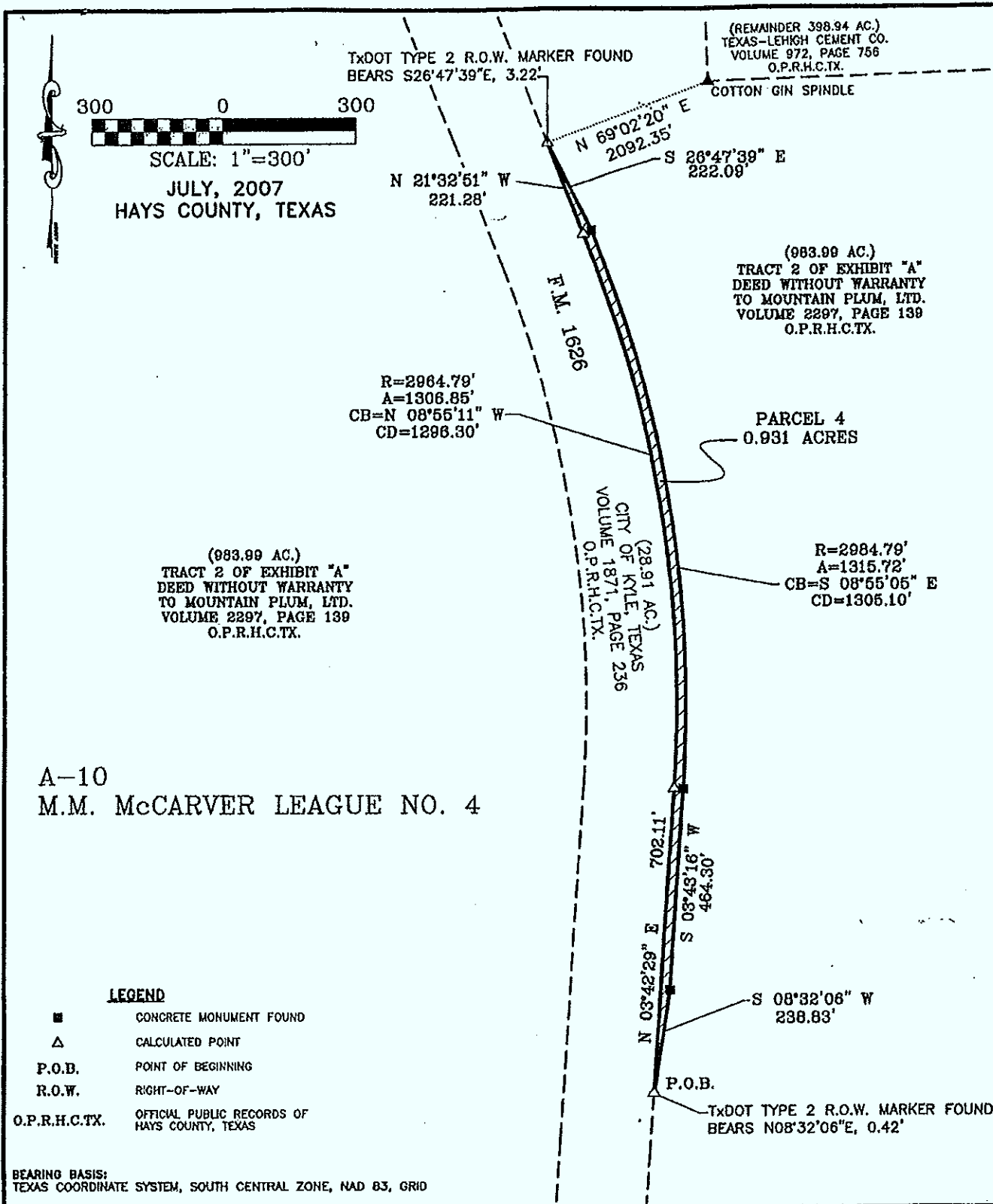
That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying sketch is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the month of July 2007, under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 11th of July 2007 A.D.

Loomis Austin, Inc
Austin, Texas 78746




John D. Barnard
Registered Professional Land Surveyor
No. 5749 – State of Texas



**LOOMIS
AUSTIN**

**ENGINEERING, LAND SURVEYING
& ENVIRONMENTAL CONSULTING**

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Phone: (512) 327-1180; Fax: (512) 327-4082; www.loomisaustin.com

**SKETCH TO ACCOMPANY
FIELD NOTES
FN0818(kls)**

HBA Greater Austin

Your transaction was approved!

Reference #: VKVA2A4C4A02
Description: EMAILFORM: HBA Membership Application
Total Amount: \$780.00
Bill To: David Mahn
6204 Salcon Cliff Dr
Austin Texas 78749
512/750-0571
sherry@benchmarktx.net

[Return to site](#)





CITY OF KYLE, TEXAS

IH-35 Corridor Corner Sub. Improvements

Meeting Date: 5/17/2011

Date time: 7:00 PM

Subject/Recommendation:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, ACCEPTING IH-35 CORRIDOR CORNER 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 ~ *Shira Rodgers, Director of Planning*

Other Information:

This is the formal acceptance of the IH-35 Corridor Corner Subdivision Improvements.

Budget Information:

N/A

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Attachments / click to download

[Resolution](#)

[Exhibit A](#)

[Exhibit B](#)

[Subdivision plat](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, ACCEPTING IH-35 CORRIDOR CORNER 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.

WHEREAS, the developer of this subdivision has completed construction of the improvements in general accordance with plans approved by the City of Kyle; and

WHEREAS, the subdivision improvements are defined as water, wastewater, street and drainage systems installed within public rights-of-way and any dedicated drainage or public utility easements within the subdivision; and

WHEREAS, the contractor has also provided the City a two (2) year maintenance bond in an amount of thirty five percent (35%) of the cost of the construction for any repairs that may be necessary during a one-year period from the date of acceptance by City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS hereby accepts the public improvements and certifies completion of the improvements for the IH-35 Corridor Corner Subdivision. The current maintenance surety is hereby \$55,000 being thirty five percent of the total cost of required improvements, to be held for two years from this date.

SECTION 1. That the subdivision improvements within the Corridor Corner Subdivision are hereby accepted for operation and maintenance.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the ____ day of _____, 2011.

CITY OF KYLE, TEXAS

Lucy Johnson, Mayor

ATTEST:

Amelia Sanchez, City Secretary

EXHIBIT A

STAFF ACCEPTANCE MEMO

EXHIBIT B

MAINTENANCE BOND

EXHIBIT C
SUBDIVISION MAP

Exhibit A



CITY OF KYLE

100 W. Center • P.O. Box 40 • Kyle, Texas 78640 • (512) 262-1010 • FAX (512) 262-3800

Date: May 3, 2011

Subdivision: IH-35 Corridor Corner Subdivision

RE: Final Acceptance

This letter is to document that the City of Kyle accepts the above referenced subdivision that was held on March 28, 2011

The punch list items have been completed in accordance with the City of Kyle subdivision ordinance and specifications and all water lines have met all requirements for acceptance of the subdivision.

Sincerely,

A handwritten signature in cursive script that reads "Jimmy Haverda". The signature is written in black ink and is positioned above a horizontal line.

Jimmy Haverda
Public Works Inspector



505 West San Antonio Street
San Marcos, TX 78666
Office: 512-392-3816
Mobile: 512-738-0609
EMAIL: gallupengr@gmail.com

April 4, 2011

John A. Bartle P.E.
Neptune-Wilkinson Associates, Inc.
4010 Manchaca Road
Austin, Texas 78704

**RE: IH-35 Corridor Corner Subdivision
Kyle, Texas**

Dear John,

To the best of my knowledge, information and belief, the improvements for the IH35 Corridor Corner Subdivision (storm-water drainage infrastructure and water distribution system) appear to be constructed in general conformance with the construction documents.

The following items have been hand-delivered with this letter:
1 bond copy of the As-Built Construction Plans

A pdf of the As-Built Construction Plans have been emailed via separate cover.



R. Anne Gallup
R. Anne Gallup, P.E.
Texas Professional Engineer
Certificate of Registration No. 79435
Firm Registration No. F-2284

Cc: Kotel Investments
Andy Thompson

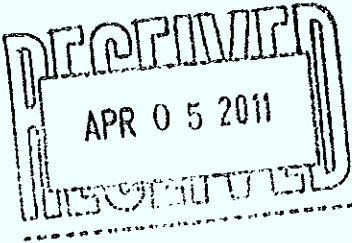


Exhibit B

MAINTENANCE BOND
Subdivision Improvements

Bond#: 58S201731

THE STATE OF TEXAS §

COUNTY OF HAYS §

KNOW ALL BY THESE PRESENTS, that Smith Contracting Co., Inc. as Principal, whose address is 15308 Ginger, Austin, TX 78728 and First National Insurance Company a Corporation organized under the laws of the State of Washington, and duly authorized to do business in the State of Texas, as Surety, are held and firmly bound unto the City of Kyle, Texas as Obligee, in the penal sum of Fifty-Five Thousand Dollars and No Cents Dollars (\$ 55,000.00) to which payment will and truly to be made we do bind ourselves, our and each of our heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents.

Project: Post Rd., IH-35 Corridor Corner Plat, Hays County

WHEREAS, the said Principal has constructed land clearing, excavation Ditches, Installation Water Line, Construction Pond and Revegetation (insert description of subdivision improvements) (the "improvements") pursuant to the ordinances of the Obligee, which ordinances are hereby expressly made a part hereof as though the same were written and embodied herein;

WHEREAS, said Obligee requires that the Principal furnish a bond conditioned to guarantee for the period of two (2) years after acceptance by the Obligee, against all defects in workmanship and materials which may become apparent during said period;

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that, if the Principal keeps and perform the requirement of the Obligee's ordinances and this Maintenance Bond to maintain the improvements and keep the same in good repair and shall indemnify the Obligee for all loss that the Obligee may sustain by reason of any defective materials or workmanship which become apparent during the period of two (2) years from and after the date of acceptance by the Owner, then this obligation shall be void, otherwise to remain in full force and effect, and Owner shall have and cover from said Principal and Surety damages in the premises, as provided, and it is further agreed that this obligation shall be a continuing one against the Principal and Surety hereon, and that successive recoveries may be had thereon for successive breaches until the full amount shall have been exhausted; and it is further understood that the obligation herein to maintain said improvements shall continue throughout the maintenance period, and the same shall not be diminished in any manner from any cause during said time..

Principal agrees to repair or reconstruct the improvements in whole or in part at any time within the two year period to such extent as the Obligee deems necessary to properly correct all defects except for normal wear and tear. If the Principal fails to make the necessary corrections within ten days after being notified, the Obligee may do so or have done all said corrective work and shall have recovery hereon for all expenses thereby incurred. Principal will maintain and keep in good repair the improvements for a period of two years from the date of acceptance; it being understood that the purpose of this Maintenance Bond is to cover all defective conditions arising by reason of defective material, work, or labor performed by said Principal or its

subcontractors, and in the case the said Principal shall fail to do so within ten days after being notified, it is agreed that the Obligee may do said work and supply such materials, and charge the same against Principal and Surety on this obligation.

The Surety shall notify the Obligee at least thirty (30) days prior to the end of the first full calendar year and prior to the lapse of this Maintenance Bond at the end of the second full calendar year.

Surety and Principal agree that whenever a defect or failure of the improvement occurs within the period of coverage under this Bond, the Surety and Principal shall provide a new maintenance bond or other surety instrument in a form acceptable to the Obligee and compliant with the Obligee's ordinances conditioned to guarantee for the period of two (2) years after the Obligee's acceptance of the corrected defect or failure, against all defects in workmanship and materials associated with the corrected defect or failure which may become apparent during said period, which shall be in addition to this Maintenance Bond.

The Surety agrees to pay the Owner upon demand all loss and expense, including attorneys' fees, incurred by the Owner by reason of or on account of any breach of this obligation by the Surety. Provided further, that in any legal action be filed upon this bond, venue shall lie in the county where the improvements are constructed.

This Bond is a continuing obligation and shall remain in full force and effect until cancelled as provided for herein.

Surety, for value received, stipulates and agrees that no change, extension of time, alteration or addition to the improvements, or the work to be performed thereon, or the plans, specifications or drawings accompanying the same, shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the improvements, or the work to be performed thereon.

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this 28th day of March, 2011.

Smith Contracting Co., Inc.
Principal

First National Insurance Company
Surety

By: [Signature]

By: [Signature]
Kenneth Nitsche

Title: President

Title: Attorney-In-Fact

Address: 15308 Ginger St
Austin, TX 78728

Address: 1600 N. Collins, Ste. 3000
Richardson, TX. 75080-3519

The name and address of the Resident Agent of Surety is:

Insurance Network of Texas, 143 E. Austin, Giddings, TX. 78942

(Seal)

3065773

POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent stated.

FIRST NATIONAL INSURANCE COMPANY OF AMERICA
SEATTLE, WASHINGTON
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That First National Insurance Company of America (the "Company"), a Washington stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint. **KENNETH NITSCHKE, OF THE CITY OF GIDDINGS, STATE OF TEXAS**

.....
.....
....., each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding **FIFTY MILLION AND 00/100***** DOLLARS (\$ 50,000,000.00*****)** each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE IV - Execution of Contracts: Section 12. Surety Bonds and Undertakings.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitations as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and executed, such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article IV, Section 12 of the By-laws, Garnet W. Elliott, Assistant Secretary of First National Insurance Company of America, is authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of First National Insurance Company of America has been affixed thereto in Plymouth Meeting, Pennsylvania this 18th day of August, 2010.

FIRST NATIONAL INSURANCE COMPANY OF AMERICA

By Garnet W. Elliott
Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 18th day of August, 2010, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of First National Insurance Company of America; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of First National Insurance Company of America thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires Mar. 29, 2013
Member, Pennsylvania Association of Notaries

By Teresa Pastella
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of First National Insurance Company of America, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article IV, Section 12 of the By-laws of First National Insurance Company of America.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of First National Insurance Company of America at a meeting duly called and held on the 18th day of September, 2009.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 28th day of March, 2011



By David M. Carey
David M. Carey, Assistant Secretary

Item # 10

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

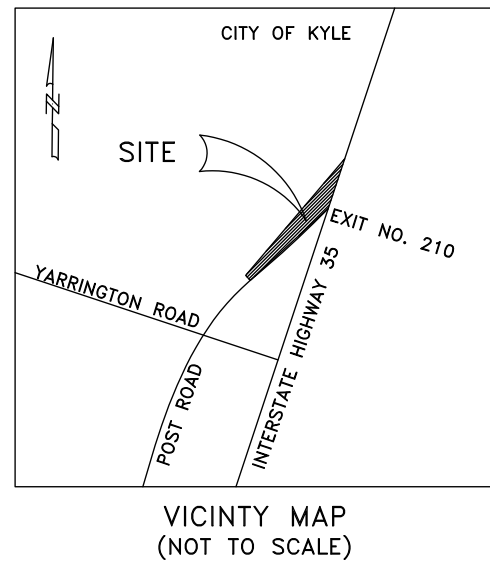
TOTAL NUMBER OF LOTS	6
TOTAL ACREAGE	11.03 ACRES
PROPOSED LAND USE	COMMERCIAL
AVERAGE LOT AREA	1.83833 ACRES
LOTS LARGER THAN 2 ACRES BUT SMALLER THAN 5 ACRES	2
LOTS LARGER THAN 1 ACRE BUT SMALLER THAN 2 ACRES	4
ELECTRICITY SERVICE	PEDERNALES ELECTRIC COOPERATIVE, INC.
TELEPHONE SERVICE	CENTURYTEL
WATER	CITY OF KYLE
WASTEWATER	ON-SITE SEWAGE FACILITIES

OWNERS: KOTEL INVESTMENTS
 ADDRESS: P.O. BOX 6394
 WOODLAND HILLS, CA 91365
 PHONE: 818 883-3222 FAX: 866 856-1391

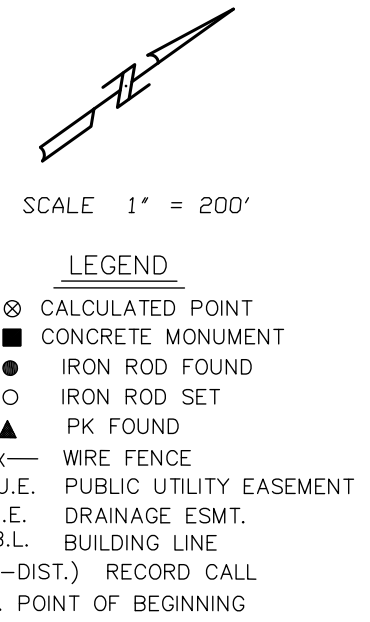
ACREAGE: 11.03 ACRES
 SURVEY: JAMES W. WILLIAMS 1/3 LEAGUE

NUMBER OF LOTS AND PROPOSED USE (IF MORE THAN ONE USE IS PLANNED FOR THE LOTS, PROVIDE LAND USE SUMMARY SHOWING # OF LOTS ARE PLANNED FOR EACH USE): 6 LOTS COMMERCIAL

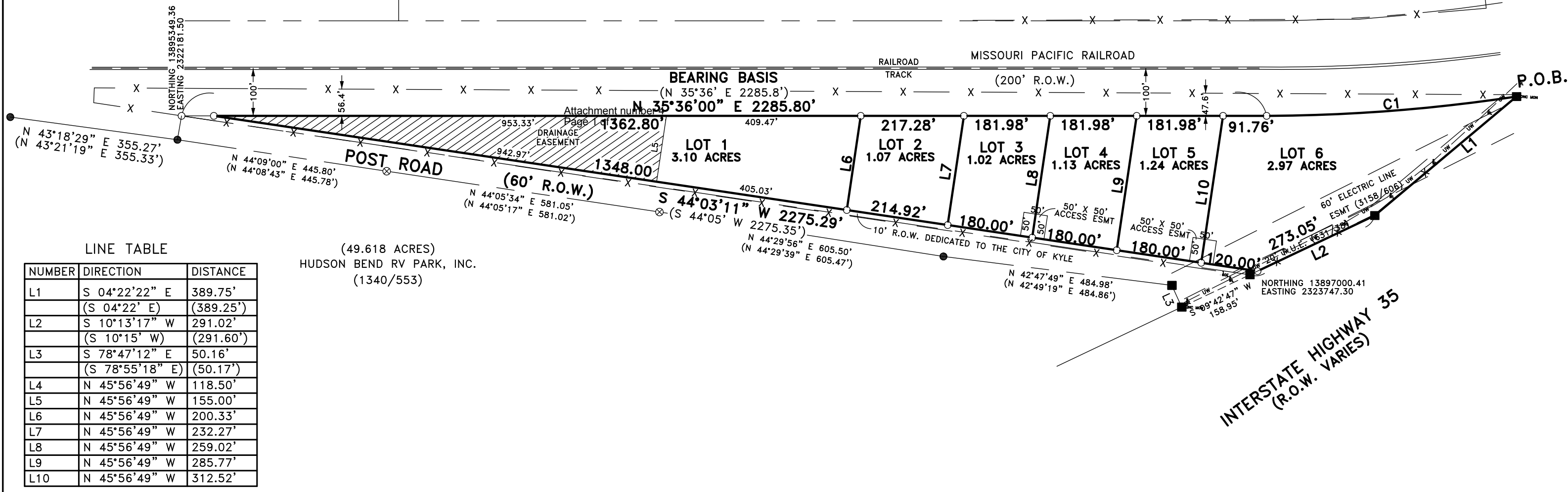
DATE: 02/10/2010
 SURVEYOR: ASH & ASSOCIATES
 PHONE: 512 392-1719 FAX: 512 392-1928
 ENGINEER: GALLUP ENGINEERING
 PHONE: 512 392-3816



IH 35 CORRIDOR CORNER LOTS 1-6



(37.9529 ACRES)
 AZTEC VILLAGE/OAKHILL COMMUNITY L.L.C.
 (DOC. 9918124 & 9924508)



LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	S 04°22'22" E	389.75'
	(S 04°22' E)	(389.25')
L2	S 10°13'17" W	291.02'
	(S 10°15' W)	(291.60')
L3	S 78°47'12" E	50.16'
	(S 78°55'18" E)	(50.17')
L4	N 45°56'49" W	118.50'
L5	N 45°56'49" W	155.00'
L6	N 45°56'49" W	200.33'
L7	N 45°56'49" W	232.27'
L8	N 45°56'49" W	259.02'
L9	N 45°56'49" W	285.77'
L10	N 45°56'49" W	312.52'

CURVE TABLE

NUMBER	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD LENGTH
C1	N 31°11'05" E	3604.25'	528.42'	527.95'
	(N 31°24' E)	(3604.25')	(528.41')	(527.95')

NOTES:

- NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER RECHARGE ZONE.
- NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES CONTRIBUTING ZONE OF THE BARTON SPRINGS SEGMENT OF THE EDWARDS AQUIFER.
- THIS SUBDIVISION LIES WITHIN THE CITY LIMITS OF THE CITY OF KYLE, TEXAS.
- NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE 100 YEAR FLOOD PLAIN AS DELINEATED ON HAYS COUNTY COMMUNITY PANEL NUMBER 48209C0385F, DATED SEPTEMBER 2, 2005.
- THIS SUBDIVISION IS WITHIN THE BOUNDARIES OF THE HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT.
- IN ORDER TO PROMOTE SAFE USE OF ROADWAYS AND PRESERVE THE CONDITIONS OF PUBLIC ROADWAYS, NO DRIVEWAY CONSTRUCTED ON ANY LOT WITHIN THIS SUBDIVISION SHALL BE PERMITTED ACCESS ONTO A PUBLICLY DEDICATED ROADWAY UNLESS A DRIVEWAY PERMIT HAS BEEN ISSUED BY THE CITY OF KYLE.
- DRIVEWAY CULVERTS, AT A MINIMUM, SHALL BE DESIGNED TO TRANSPORT THE 25-YEAR STORM WATER DISCHARGE RATE.
- A 25 FOOT PUBLIC UTILITY, DRAINAGE AND EXCAVATION/EMBANKMENT EASEMENT ADJOINING POST ROAD AND A 20 FOOT PUBLIC UTILITY EASEMENT AND DRAINAGE EASEMENT LOCATED ALONG REAR LOT LINES.
- THE REQUIREMENT CONCERNING CONSTRUCTION STANDARDS FOR MAILBOXES INSTALLED WITHIN THE RIGHT-OF-WAY OF STREETS AND HIGHWAYS AND REQUIRING ALL SUCH MAILBOXES TO BE MADE OF COLLAPSIBLE MATERIALS, AS DEFINED IN THE ORDINANCE.
- DIRECT ACCESS FROM INTERSTATE HIGHWAY 35 TO LOT 6 IS PROHIBITED UNLESS PERMITTED BY THE TEXAS DEPARTMENT OF TRANSPORTATION.
- SIDEWALKS SHALL BE INSTALLED ON THE SUBDIVISION SIDE OF POST ROAD. THOSE SIDEWALKS NOT ABUTTING A RESIDENTIAL, COMMERCIAL OR INDUSTRIAL LOT SHALL BE INSTALLED WHEN THE ADJOINING STREET IS CONSTRUCTED. WHERE THERE ARE DOUBLE FRONTAGE LOTS, SIDEWALKS ON THE STREET TO WHICH ACCESS IS PROHIBITED ARE ALSO REQUIRED TO BE INSTALLED WHEN THE STREETS IN THE SUBDIVISION ARE CONSTRUCTED.

A DESCRIPTION OF A 11.03 ACRE TRACT SITUATED IN THE JAMES W. WILLIAMS 1/3 LEAGUE, HAYS COUNTY, TEXAS, BEING THE SAME CALLED 11.08 ACRE TRACT CONVEYED TO TEXAS PROPERTIES IN VOLUME 3276, PAGE 744, THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a concrete monument found at the intersection of the northwest right-of-way line of Interstate Highway 35 (R.O.W. Varies) and the southeast right-of-way line of Missouri Pacific Railroad (200' R.O.W.), and for the north corner of the herein described tract;

THENCE with said west right-of-way line of Interstate Highway 35 the following two (2) courses:

- South 04°22'22" East, a distance of 389.75 feet, (called South 04°22' East, 389.25 feet), to a concrete monument found,
- South 10°13'17" West, a distance of 291.02 feet, (called South 10°15' West, 291.60 feet), to a concrete monument found at the intersection of the northwest right-of-way line of Post Road (50' R.O.W.) and said west right-of-way line of Interstate Highway 35 and for the east corner of the herein described tract;

THENCE with said northwest right-of-way line of Post Road, South 44°03'11" West, a distance of 2275.29 feet, (called South 44°05' West, 2275.35 feet), to a 1/2 inch iron rod with cap set at the intersection of said southeast right-of-way line of Missouri Pacific Railroad and said northwest right-of-way line of Post Road and for the south corner of the herein described tract;

THENCE with said southeast right-of-way line of Missouri Pacific Railroad the following two (2) courses:

- South 35°36'00" East, a distance of 2285.80 feet, (called North 35°36' East, 2285.8 feet), being the BEARING BASIS herein, to a 1/2 inch iron rod with cap set,
- With a curve to the left having a radius of 3604.25 feet and a chord bearing of North 31°11'05" East, a distance of 527.95 feet, (called North 31°24' East, 527.95 feet), to the POINT OF BEGINNING, and containing 11.03 acres of land.

STATE OF TEXAS
 COUNTY OF HAYS
 KNOW ALL MEN BY THESE PRESENTS

That I, Romi Kotel, Vice President of Kotel Investments, Inc., owner of said 11.03 acre tract as conveyed to us in Volume 3351, Page 370, The Official Public Records of Hays County, Texas, DO HEREBY SUBDIVIDE said 11.03 acres into Lots 1 - 6, IH 35 Corridor Corner, in accordance with the plat shown hereon, subject to any and all easements or restrictions heretofore granted, and do hereby dedicate to the public shown hereon for use of the streets and easements shown hereon.

TO CERTIFY WHICH, WITNESS by my hand this ____ day of _____, 2010.

Romi Kotel - Vice President of Kotel Investments
 P.O. Box 6394
 Woodland Hills, CA 91365

STATE OF TEXAS
 COUNTY OF HAYS
 KNOW ALL MEN BY THESE PRESENTS

Before me, the undersigned authority, on this day personally appeared Andy Thompson known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed, in capacity therein stated.

GIVEN UNDER MY HAND AND SEAL of office this the ____ day of _____, 2010 A.D.

Notary Public in and for the State of Texas

CITY OF KYLE NOTES

I, the undersigned, City Engineer of the City of Kyle, hereby certify that this subdivision plat conforms to the requirements of the subdivision ordinance and hereby recommend approval.

I, the undersigned, director of public works of the City of Kyle, hereby certify that this subdivision plat conforms to the requirements of the City of Kyle Subdivision Ordinance and hereby recommend approval.

Director of Public Works

This final plat has been submitted to and considered by the Planning and Zoning Commission of the City of Kyle, Texas, and is hereby approved by such Planning and Zoning Commission.

Dated this ____ day of _____, 2010

Chairperson of Planning and Zoning Commission

I hereby certify that the above and foregoing plat of IH35 Corridor Corner, Addition to the City of Kyle, was approved by the City Council of the City of Kyle on the ____ day of _____, 2010. Said addition shall be subject to all the requirements of the subdivision ordinance of the City of Kyle, Texas.

Witness my hand this ____ day of _____, 2010.

City Secretary

STATE OF TEXAS
 COUNTY OF HAYS

I, Shawn T. Ash, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this plat is true and correctly made and is prepared from an actual survey on the property under my supervision on the ground and that corner monuments were properly placed under my supervision.

Shawn T. Ash
 Registered Professional Land Surveyor
 State of Texas, No. 5687

STATE OF TEXAS
 COUNTY OF HAYS

I, Linda Fritsche, County Clerk of Hays County, Texas, certify that this plat was filed for record in my office on the ____ day of _____, 2010, at ____ o'clock ____ M., and recorded on the ____ day of _____, 2010, at ____ o'clock ____ M., in the Plat Records of Hays County, Texas, in Volume _____, Pages _____.

LINDA FRITSCHÉ
 COUNTY CLERK
 HAYS COUNTY, TEXAS

REVISIONS

NO.	REVISION	APPRO.	DATE

ASH & ASSOCIATES
 surveying and mapping
 142 JACKSON LANE
 SAN MARCOS, TEXAS 78666
 (512) 392-1719
 FAX (512) 392-1928

DRAWING INFORMATION

DESIGNED BY:	CJW	DATE:	02/10/10
DRAWN BY:	CJW	PROJECT NO.:	05-2235
APPROVED BY:	STA	PLAT SCALE:	
FILE NAME:	PLAT		1:200

FINAL PLAT OF
 LOTS 1 - 6,
 IH 35 CORRIDOR CORNER
 HAYS COUNTY, TEXAS

DRAWING

SHEET:	1
OF	1



CITY OF KYLE, TEXAS

Plum Creek Phase 1 Section 6A Easement Release

Meeting Date: 5/17/2011
Date time: 7:00 PM

Subject/Recommendation:

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS AUTHORIZING THE MAYOR TO SIGN A RELEASE AND TERMINATION OF A WASTEWATER LINE UTILITY EASEMENT (PLUM CREEK PHASE I SECTION 6A); PROVIDING FOR OPEN MEETINGS AND RELATED MATTERS ~ *Shira Rodgers, Director of Planning*

Other Information:

This Resolution will release the old 1993 easement in it's entirety. The 1993 easement document was originally for a wastewater force main which is no longer in service except for a small portion that is shown in green on the attached overall easement exhibit. The remaining portion of the force main

Budget Information:

N?A

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

- [Resolution](#)
 - [Easement and Exhibit A](#)
 - [Overall Exhibit of Easement](#)
-

RESOLUTION NO. _____

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS
AUTHORIZING THE MAYOR TO SIGN A RELEASE AND TERMINATION OF A
WASTEWATER LINE UTILITY EASEMENT (PLUM CREEK PHASE I SECTION
6A); PROVIDING FOR OPEN MEETINGS AND RELATED MATTERS.**

WHEREAS, the City of Kyle, Texas (the "City"), holds a Wastewater Line Utility Easement, recorded as Volume 976, Page 355 in the Official Records of Hays County, over and across all or a portion of that real property, more particularly described on the attached Exhibit A, located in Kyle, Hays County, Texas;

WHEREAS, the City has determined that the Wastewater Line Utility Easement is no longer necessary as it relates to the property and desires to terminate and grant a release of the Wastewater Line Utility Easement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS;

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Release of Wastewater Line Utility Authorized. The Mayor and the City Secretary be and are hereby authorized, empowered, instructed and directed to execute a full release of the Wastewater Line Utility Easement over and across all or a portion of that certain real property located in Kyle, Hays County, Texas, as more particularly shown in Exhibit "A". Upon the execution of such release and termination, the Wastewater Line Utility Easement shall be and become a valid and binding act and deed of the City.

Section 3. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code*.

PASSED AND APPROVED this ____ day of _____, 2011.

ATTEST

CITY OF KYLE, TEXAS

Amelia Sanchez, City Secretary

Lucy Johnson, Mayor

RELEASE AND TERMINATION OF WASTEWATER LINE UTILITY EASEMENT

THE STATE OF TEXAS §
§
COUNTY OF HAYS §

WHEREAS, by Wastewater Line Utility Easement, recorded as Volume 976, Page 355 of the Official Public Records of Hays County, Texas, conveyed a Wastewater Line Utility Easement ("Easement") over and across all or a portion of that certain real property, more particularly described on the attached Exhibit "A" (the "Property"), to the City of Kyle, Texas (the "City") for the Wastewater Line Utility Easement over and across the Property; and

WHEREAS, the City has determined that the Easement is no longer necessary as it relates to the Property; and

WHEREAS, the City desires to terminate and grant a release of the Easement;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and for the benefit of all present and future owners of the Property, or any portion thereof, the City has **RELEASED AND TERMINATED** and, by these presents, does **RELEASE AND TERMINATE** the Easement. By execution hereof, the City confirms and acknowledges the Easement will be of no further force or effect.

EXECUTED TO BE EFFECTIVE the ____ day of February, 2011.

ATTEST: **THE CITY OF KYLE, TEXAS**

_____, City Secretary

THE STATE OF TEXAS §
COUNTY OF HAYS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____, _____ of the City of Kyle, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____ day of _____, 2011.

[Seal]

Notary Public in and for the State of Texas
My Commission Expires: _____

San Antonio St. Suite 100
Arona, Tx 78666



512/351-3335
FAX 512/396-0124

**ENGINEERING
GROUP**
INCORPORATED

REVISED
FIELD NOTE DESCRIPTION
OF

A 20 FOOT WIDE
UTILITY EASEMENT
IN THE
JOHN COOPER SURVEY, A-100
JESSE DAY SURVEY, A-152
JESSE DAY SURVEY, A-159
AND THE
HENRY LOLLER SURVEY, A-290
RAYS COUNTY, TEXAS

BEING A TWENTY FOOT WIDE UTILITY EASEMENT COVERING 4.06 ACRES OF LAND, BEING A PORTION OF A CALLED 849.267 ACRES OF LAND IN THE JESSE DAY SURVEY, A-152, THE JESSE DAY SURVEY, A-159, AND THE JOHN COOPER SURVEY, A-100, CONVEYED TO WILLIAM NEGLEY, TRUSTEE, BY RICHARD BURLESON NEGLEY, JAMES LUTCHER NEGLEY, AND LAUR. NELLIS NEGLEY GILL, BY DEED DATED FEBRUARY 8, 1979, AND RECORDED IN VOLUME 322, PAGE 589, OF THE DEED RECORDS OF RAYS COUNTY, TEXAS AND A PORTION OF A CALLED 214.661 ACRE TRACT CONVEYED TO WILLIAM NEGLEY BY ALFRED RANNEY, TRUSTEE, BY DEED DATED APRIL 23, 1975 AND RECORDED IN VOLUME 275, PAGE 107 OF THE DEED RECORDS OF RAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, 'C-W11':

BEGINNING at a point in the east line of the R. M. Highway No. 2770 right of way, from which point a Texas Highway Department concrete monument found in the east line of the said R. M. 2770 right of way at Engineer's Centerline Station 276+91.71, bears S 05 12' 30" W, 237.00 feet;

THENCE, N 05 12' 30" E, 20.00 feet along the east line of the said R. M. 2770 to the most westerly northwest corner of the herein described tract;

THENCE, leaving the said R. M. 2770 right of way, S 84 47' 30" E, 45.00 feet to the most northerly northeast corner of the herein described tract;

THENCE, following the meanders of the easterly line of the herein described tract in a southerly direction, the following courses numbered (1) through (3):

(1) S 05 12' 30" W, 388.49 feet;

(2) S 11 58' 00" E, 229.04 feet;

(3) S 03 22' 00" W, passing a fence on a south line of the said Negley 849.267 acre tract, same being the north line of the said Negley 214.661 acre tract, and being the south line of the said Day Survey, A-152, the north line of the said Loller Survey A-290 and continuing on in all, 828.66 feet to a point 20 foot east of the east line of the said R. M. 2770 right of way at Engineer's Centerline Station 289+06 more or less;

THENCE, with the east line of the herein described tract, being 20 feet east of and parallel to the east line of the said R. M.

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2770 right of way, the following courses numbered (4) through (10):

- (4) S 04 28' 00" E, passing a fence on the south line of the said Negley 214.661 acre tract, a north line of the said Negley 849.267 acre tract and continuing on, in all, 676.22 feet;
- (5) S 04 53' 29" E, 135.53 feet;
- (6) S 03 05' 13" E, 206.42 feet;
- (7) S 03 05' 22" W, 204.33 feet;
- (8) S 11 35' 54" W, 310.34 feet;
- (9) S 11 52' 00" W, 600.03 feet;

(10) S 11 47' 05" W, 699.97 feet to a point 20 feet east of the east line of R. M. 2770 at Engineer's Centerline Station 317+00;

THENCE, S 11 41' 30" W, 486.81 feet to an angle point in the east line of the tract herein described;

THENCE, S 21 30' 57" W, 283.39 feet through the Negley 849.267 acre tract to an interior corner of the tract herein described;

THENCE, S 35 26' 37" E, 719.21 feet through the said Negley 849.267 acre tract to an angle point in a northerly line of the herein described tract, same being 20 feet north of and parallel to the south line of the said Negley 849.267 acre tract;

THENCE, following the meanders of a northerly line of the herein described tract in a southeasterly direction, same being 20 feet north of and parallel to the south line of the said Negley 849.267 acre tract, the following courses numbered (11) through (15):

- (11) S 40 12' 17" E, 593.24 feet;
- (12) S 44 35' 44" E, 681.60 feet;
- (13) S 44 43' 04" E, 595.27 feet;
- (14) S 44 41' 53" E, 461.49 feet; —

(15) S 44 43' 51" E, 702.60 feet to the most easterly southeast corner of the herein described tract, being in fence on a southeasterly line of the said called Negley 849.267 acre tract;

THENCE, with fence, the southeast line of the said Negley 849.267 acre tract, S 45 18' 09" W, 20.00 feet to an iron rod found at the southerly southeast corner of the herein described tract, same being a south corner of the said Negley 849.267 acre tract;

THENCE, with fence, in a northwesterly direction along a southerly line of the said called Negley 849.267 acre tract, the following courses numbered (16) through (20):

- (16) N 44 43' 51" W, 702.61 feet;
- (17) N 44 41' 53" W, 461.50 feet, to an iron stake with aluminum cap marked "Pro-Tech Eng" found;
- (18) N 44 43' 04" W, 595.29 feet to an iron stake with

EXHIBIT A
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aluminum cap marked "Pro-Tech Eng" found;

(19) N 44 35' 44" W, 682.39 feet to an iron stake found;

(20) N 40 12' 17" W, 594.84 feet to an angle point in the southerly line of the tract herein described;

TRENCE, N 35 26' 37" W, 730.90 feet, leaving the south line of the Negley 849.267 acre tract, to an angle point in the southerly line of the tract herein described;

TRENCE, N 21 30' 57" E, 292.53 feet through the Negley 849.267 acre tract to an angle point in the westerly line of the tract herein described;

TRENCE, N 11 41' 30" E, at 51.66 feet passing a fence corner in the west line of the Negley 849.267 acre tract, and continuing on, in all, 485.11 feet to a fence post in the east line of R. M. 2770, being 53 feet easterly of Engineer's Centerline Station 317+00;

TRENCE, with the east line of R. M. 2770, the following courses numbered (21) through (27):

(21) P 11 47' 05" E, 700.00 feet, to a point 52 feet easterly of Engineer's Centerline Station 310+00;

(22) N 11 52' 00" E, 600.00 feet, to a point 52 feet easterly of Engineer's Centerline Station 304+00;

(23) N 11 35' 54" E, 308.81 feet, to a point 58 feet easterly of Engineer's Centerline Station 300+96;

(24) N 03 05' 12" E, 201.76 feet, to a point 53 feet easterly of Engineer's Centerline Station 299+08;

(25) N 03 05' 13" W, 205.03 feet, to a point 51 feet easterly of Engineer's Centerline Station 297+17';

(26) N 04 53' 25" W, 135.29 feet, to a point 50 feet easterly of Engineer's Centerline Station 295+36;

(27) N 04 28' 00" W, 677.66 feet, to a point 50 feet easterly of Engineer's Centerline Station 289+06, more or less;

TRENCE, leaving R. M. 2770, following the westerly line of the herein described tract, in a northerly direction, the following courses numbered (28) through (31):

(28) N 03 22' 00" E, 827.34 feet;

(29) N 11 58' 00" W, 729.37 feet;

(30) N 05 12' 30" E, 371.53 feet to a re-entrant corner of the herein described tract;

(31) N 84 47' 30" W, 25.00 feet to the POINT OF BEGINNING, being a 20 foot wide utility easement, the centerline of which is monumented on the ground, and covering 4.06 acres of land. Surveyed October 19, 1992, Revised January 11, 1993.

[Signature]

Kelly Kilber, Registered Professional
Land Surveyor Number 3312



THE STATE OF TEXAS
DEPARTMENT OF AGRICULTURE
LAND SURVEYING DIVISION
1000 WEST 10TH AVENUE, SUITE 1000
FORT WORTH, TEXAS 76102-1000
PHONE: (817) 253-7000 FAX: (817) 253-7001

NC180/NEGLEY
CITY OF XYLE SEWERLINE EASEMENT
PB 278 PG 42; PB 281 PG 67
BO 814455Y
RNP 8726

FEB 24 1993



[Signature]
CONFIDENTIAL

EXHIBIT A
PAGE 3 OF 3

AXIOM
E n g i n e e r s I n c
13276 Research Blvd Ste 208
Austin, Texas 78750
Ph: (512) 506-9335
Fax: (512) 506-9377
www.axiomtexas.com
Texas P.E. Firm No. F-43

**WASTEWATER EASEMENT
VACATION / REDEDICATION MAP**

PLUM CREEK

KYLE, TEXAS





CITY OF KYLE, TEXAS

Lake Kyle Rules

Meeting Date: 5/17/2011

Date time: 7:00 PM

Subject/Recommendation:

(Second Reading) AN ORDINANCE OF THE CITY OF KYLE, TEXAS AMENDING CHAPTER 26 OF THE CITY CODE PERTAINING TO PARKS AND RECREATION; ESTABLISHING RULES FOR LAKE KYLE PARK; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING A PENALTY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW ~
Kerry Urbanowicz, Director of Parks, Recreation & Facilities

Other Information:

The City of Kyle received grant funds for the maintenance and operation of Lake Kyle Park for the purpose of preserving and managing parkland, open spaces, water quality and wildlife, promoting outdoor recreation, and educating the community on public land stewardship for current and future generations. These rules will protect the grant funding

Budget Information:

n/a

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 [Lake Kyle Rules](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KYLE, TEXAS AMENDING CHAPTER 26 OF THE CITY CODE PERTAINING TO PARKS AND RECREATION; ESTABLISHING RULES FOR LAKE KYLE PARK; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING A PENALTY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Whereas, the City of Kyle, Texas (the “City”) adopted Chapter 26 of the City Code pertaining to Parks and Recreation, and desires to amend Chapter 26 to adopt rules for Lake Kyle;

Whereas, the City received grant funds for the maintenance and operation of Lake Kyle Park for the purpose of preserving and managing parkland, open spaces, water quality and wildlife, promoting outdoor recreation, and educating the community on public land stewardship for current and future generations; and

Whereas, the adoption of this ordinance will promote the City’s purposes and obligations under the grant and will promote the public health, safety and quality of life;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS:

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life.

Section 2. Addition of Section 26-91. Chapter 26, City of Kyle Code of Ordinances, is hereby amended by adding Section 26-91 to read as follows:

Sec 26-91. Lake Kyle Park Rules

The following rules and regulations shall apply to Lake Kyle Park and persons using the park or otherwise within the park shall comply with the following rules and regulations:

- (1) Lake Kyle Park is open to the public during posted hours, which hours shall be set by the Parks Director and are subject to seasonal changes. Lake Kyle Park is closed to the public when the main access gate from Lehman Rd is closed.

- (2) A person's presence in Lake Kyle Park when the park is closed constitutes criminal trespassing unless the person has obtained a permit to be present in the park while it is closed.
- (3) No outside pets or animals, except registered service animals, are permitted within the boundaries of Lake Kyle Park.
- (4) No smoking is permitted in Lake Kyle Park.
- (5) No alcohol is permitted in Lake Kyle Park.
- (6) No swimming is permitted in Lake Kyle Park.
- (7) No hunting is permitted in Lake Kyle Park without a hunting permit obtained from Parks Department and Texas Parks & Wildlife Department (TPWD) or US Fish & Wildlife.
- (8) No overnight parking or camping is permitted in Lake Kyle Park without first obtaining a permit from the Parks Department.
- (9) No personal watercraft, with or without motors, is permitted on Lake Kyle Park without first obtaining a permit from the Parks Department.
- (10) No fishing is permitted in Lake Kyle Park without first obtaining a valid Texas Parks & Wildlife Department freshwater fishing license, which license must be available for display to a City official or TPWD Official upon request. Exceptions and exemptions to this rule will be the same exceptions and exemptions permitted and allowed by Texas Parks & Wildlife Department.
- (11) All Texas Parks & Wildlife Department rules and regulations governing freshwater fishing, as amended from time to time, will be enforced in Lake Kyle Park.
- (12) Lake Kyle Park shall also be subject to the rules and regulations applicable to parks in general set forth in this Chapter, as they are amended from time to time.

Section 3. Amendment of Code of Ordinances. The City Code is hereby amended in as set forth in this Ordinance, and all prior ordinances of the City dealing with or applicable to parkland are hereby amended with regard to Lake Kyle to the extent of any conflict herewith, and all ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other code or ordinance of the City, the terms and provisions of this Ordinance shall govern.

Section 4. Penalty Clause. Any person who shall violate any of the provisions of this ordinance, or shall fail to comply therewith, or with any of the requirements thereof, within the City limits shall be deemed guilty of an offense and shall be liable for a fine not to exceed the sum of five hundred dollars (\$500.00). Each day the violation exists shall constitute a separate offense. Proof of a culpable mental state shall not be required to establish a violation of this ordinance. Such penalty shall be in addition to all the other remedies provided herein.

Section 5. Savings Clause. All rights and remedies of the City of Kyle are expressly saved as to any and all violations of the provisions of any ordinances affecting parkland which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 6. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code and the City Charter.

Section 7. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation into this Ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

Section 8. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

READ, CONSIDERED, PASSED AND APPROVED ON FIRST READING by the City Council of Kyle at a regular meeting on the _____ day of _____, 2011, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Kyle at a regular meeting on the _____ day of _____, 2011, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

APPROVED this _____ day of _____, 2011.

Lucy Johnson, Mayor

ATTEST:

Amelia Sanchez, City Secretary



CITY OF KYLE, TEXAS

BMI Agreement

Meeting Date: 5/17/2011

Date time: 7:00 PM

Subject/Recommendation:

Authorizing City Staff to Execute Agreement with Broadcast Music Inc (BMI) for License Agreement to permit music in public parks and facilities ~ *Kerry Urbanowicz, Director of Parks, Recreation & Facilities*

Other Information:

The City of Kyle is currently under a similar license agreement with ASCAP (American Society of Composers, Authors and Publishers). The City is required to execute these agreements if we permit, allow or promote music in public parks, facilities or events. By entering the BMI agreement, and keeping the ASCAP agreement, the city is protected under the Texas Copyright Royalty Practices Act. Staff recommends approval.

Budget Information:

This amount is budgeted in the current year budget under the Recreation Fund line 125-241-52141.

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 [BMI Agreement](#)



www.bmi.com/lge
Username: 2166413
Password: 695282

April 25, 2011

Kent LaFlair
Kyle
PO BOX 40
Kyle TX 78640

Visit Us On The Web About Your Licensing Needs: www.bmi.com/lge
Call BMI: (888) 689-5264
Email: licensing@bmi.com

Dear Mr. LaFlair:

Thank you for taking the time to speak with me on the phone today. As we discussed, please sign and return the enclosed BMI Music License to this office promptly.

By returning the license and remitting your fee as specified in the terms of your agreement, you will ensure that your business or organization has legal access to the more than 6.5 million musical works in BMI's award-winning repertoire. You will also help ensure that the creators of the BMI music you play will be compensated.

Again, thank you for your time and cooperation. If you have any questions, please feel free to call me at (888) 689-5264.

Sincerely,

A handwritten signature in black ink that reads "Tom Tiberi". The signature is written in a cursive style with a horizontal line underneath.

Tom Tiberi
Support Associate
General Licensing

Encl: LGE1 MPA 01/11, BRE
2166413//Premise State: TX

P.S. You can also license online. Just go to the web address in the upper right hand corner, click "Apply for a License" and enter your Username & Password. Many trade associations have discount programs with BMI. Contact your association to see if you qualify for a discount.





**NOTICE REGARDING THE
TEXAS COPYRIGHT ROYALTY COLLECTION PRACTICES ACT**

Under the Texas Copyright Royalty Collection Practices Act, Broadcast Music, Inc. (BMI) is recognized as a performing rights organization that licenses the public performance of nondramatic musical works on behalf of copyright owners pursuant to the United States Copyright Law.

As the proprietor of a business in the State of Texas where music is publicly performed, you are required to obtain authorization from the copyright owners of that music in order for your performances to be legal. BMI represents more than 475,000 songwriters, composers and music publishers ("affiliates") and more than 6.5 million musical works. For a single annual fee, a BMI Music Performance Agreement will authorize you to legally perform at your place of business all of the musical works in the BMI repertoire created and owned by our affiliates, and you will avoid the necessity of having to contact each one individually to obtain permission.

In connection with our offering you a Music Performance Agreement, please be advised of the following:

THE BMI MUSIC PERFORMANCE AGREEMENT

- The BMI Music Performance Agreement is the contract that describes the rates and terms of royalties required to be paid by you to BMI for authorization to perform the music which we license.
- The schedule of rates can be found within the Music Performance Agreement under the heading License Fee Schedule.
- The Music Performance Agreement, including the schedule of rates and terms of royalties, which BMI has offered you is the same agreement BMI offers throughout the United States for your class and category of music use. Please read the Agreement carefully and call us at the tollfree number which appears on the enclosed letter if you have any questions.

ACCESS TO AFFILIATE AND REPERTOIRE LIST

Using a PC and a modem, you can electronically access the most current list of the affiliates we represent and the works in our repertoire which are licensed under your Music Performance Agreement. You should log onto the Internet and access the Repertoire section of the bmi.com domain on the World Wide Web. Our URL address is <http://www.bmi.com>. Access to the Internet can be obtained through many commercial on-line services, as well as from specialized Internet access providers, often for the cost of a local telephone call. If you have questions about any song title or affiliate listing that you locate on our Internet domain, please call **1-800-800-9313** for assistance.

In addition to on-line access, a list of works in the BMI repertoire as of the last printing also is available in book form or on CD-ROM. To obtain a copy in either of those forms, please remit your check or money order in the indicated amount payable to BMI at the address below, with a letter specifying which you desire. The cost is as follows (prices include shipping and handling):

- (a) Printed list, 17-20 vols., \$1,200
- (b) CD-ROM version, 1 disk, \$25

If you do not have the equipment to electronically access BMI's affiliate list, we will give you the opportunity to review the most currently available printed list of our affiliates. A refundable security deposit of \$10 is required for the book. Please send your check or money order for \$10 to the address below, with a letter indicating that you would like the affiliate book sent to you for review. We will not deposit your check unless you fail to return the book to us within 10 business days. Upon BMI's receipt of the book, your check or money order will be returned.

For the most current information about any affiliate or work listed in print or on CD-ROM, you should access our Internet domain or call **1-800-800-9313**.

BROADCAST MUSIC, INC.
Attn: Marketing/Fulfillment
10 Music Square East
Nashville, Tennessee 37203

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**TEXAS
LL-07/09-06**



Music License for Local Governmental Entities

1. DEFINITIONS

- (a) **LICENSEE** shall include the named entity and any of its constituent bodies, departments, agencies or leagues.
- (b) **Premises** means buildings, hospitals, airports, zoos, museums, athletic facilities, and recreational facilities, including, but not limited to, community centers, parks, swimming pools, and skating rinks owned and/or operated by LICENSEE and any site which has been engaged by LICENSEE for use by LICENSEE.
- (c) **Recorded Music** means music which is performed at the Premises by means other than by live musicians who are performing at the Premises, including, but not limited to (1) compact disc, audio record or audio tape players (but not including "jukeboxes"); (2) videotape, videodisc or DVD players; (3) music performed as an accompaniment to karaoke; (4) the reception and communication at the premises of radio or television transmissions which originate outside the Premises, and which are not exempt under the Copyright Law; or (5) a music-on-hold telephone system operated by LICENSEE at the Premises.
- (d) **Live Entertainment** means music that is performed at the Premises by musicians, singers and/or other performers.
- (e) **BMI Repertoire** means all copyrighted musical compositions written and/or published by BMI affiliates or members of BMI-affiliated foreign performing rights societies, including compositions written or published during the Term of this Agreement and of which BMI has the right to license non-dramatic public performances.
- (f) **Events and Functions** means any activity conducted, sponsored, or presented by or under the auspices of LICENSEE. Except as set forth in Paragraph 2 (d) below, "Events" and "Functions" shall include, but are not limited to, aerobics and exercise classes, athletic events, dances and other social events, concerts, festivals, arts and crafts fairs, and parades held under the auspices of, or sponsored or promoted by, LICENSEE on the Premises.
- (g) **Special Events** means musical events, concerts, shows, pageants, sporting events, festivals, competitions, and other events of limited duration presented by LICENSEE for which the "Gross Revenue" (as defined in Schedule B) of such Special Event exceeds \$25,000.

2. BMI GRANT

- (a) BMI grants and LICENSEE accepts a non-exclusive license to perform, present or cause the live and/or recorded public performance on the "Premises" and at "Events" and "Functions", and not elsewhere or otherwise, non-dramatic renditions of the separate musical compositions in the "BMI Repertoire". The performances licensed under this Agreement may be by means of "Live Entertainment" or "Recorded Music".
- (b) This license does not authorize (1) the broadcasting, telecasting or transmission or retransmission by wire, Internet, website or otherwise, of renditions of musical compositions in BMI's Repertoire to persons outside of the Premises, other than by means of a music-on-hold telephone system operated by LICENSEE at the Premises; and (2) performances by means of background music (such as *Muzak*) or other services delivered to the Premises. Nothing in this Paragraph shall be deemed to limit LICENSEE's right to transmit renditions of musical compositions in the BMI Repertoire to those who attend Events or Functions on the Premises by means of teleconferencing, videoconferencing or similar technology.
- (c) This license is limited to non-dramatic performances, and does not authorize any dramatic performances. For purposes of this Agreement, a dramatic performance shall include, but not be limited to, the following: (1) performance of a "dramatico-musical work" (as hereinafter defined) in its entirety; (2) performance of one or more musical compositions from a "dramatico-musical work" (as hereinafter defined) accompanied by dialogue, pantomime, dance, stage action, or visual representation of the work from which the music is taken; (3) performance of one or more musical compositions as part of a story or plot, whether accompanied or unaccompanied by dialogue, pantomime, dance, stage action, or visual representation; and (4) performance of a concert version of a "dramatico-musical work" (as hereinafter defined). The term "dramatico-musical work" as used in the Agreement, shall include, but not be limited to, a musical comedy, opera, play with music, revue, or ballet.
- (d) This license does not authorize performances: (1) at any convention, exposition, trade show, conference, congress, industrial show or similar activity presented by LICENSEE or on the Premises unless it is presented or sponsored solely by and under the auspices of LICENSEE, is presented entirely on LICENSEE's Premises, and is not open to the general public; (2) by or at colleges and universities; (3) at any professional sports events or game played on the Premises; (4) at any permanently situated theme or amusement park owned or operated by LICENSEE; (5) by any symphony or community orchestra; and (6) by means of a coin operated jukebox.

3. REVIEW OF STATEMENTS AND / OR ACCOUNTINGS

- (a) BMI shall have the right to require such reasonable data necessary in order to ascertain the Annual License Fee.
- (b) BMI shall have the right, by its authorized representatives, at any time during customary business hours, to examine the books and records of account of LICENSEE to such extent as may be necessary to verify the statements made hereunder. BMI shall consider all data and information coming to its attention as a result of any such examination of books and records as completely confidential.
- (c) BMI shall have the right to adjust LICENSEE's Annual License Fee based upon the most recently available revised population figures provided by the U. S. Census Department.

4. LATE PAYMENT AND SERVICE CHARGES

BMI may impose a late payment charge of one and one-half percent (1½%) per month, or the maximum rate permitted by law, whichever is less, from the date payment is due on any payment that is received by BMI more than thirty (30) days after the due date. BMI may impose a \$25.00 service charge for each unpaid check, draft or other means of payment LICENSEE submits to BMI.

5. BMI COMMITMENT TO CUSTOMER / INDEMNITY

So long as LICENSEE is not in default or breach of this Agreement, BMI agrees to indemnify, save harmless, and defend LICENSEE and its officers, and employees, from and against any and all claims, demands, or suits that may be made or brought against them with respect to the performance of any musical works which is licensed under this Agreement at the time of performance. LICENSEE agrees to give BMI immediate notice of any such claim, demand, or suit, to deliver to BMI any papers pertaining thereto, and to cooperate with BMI with respect thereto, and BMI shall have full charge of the defense of any such claim, demand, or suit.

6. BREACH OR DEFAULT / WAIVER

Upon any breach or default of the terms and conditions contained herein, BMI shall have the right to cancel this Agreement if such breach or default continues for thirty (30) days after LICENSEE's receipt of written notice thereof. The right to cancel granted to BMI shall be in addition to any and all other remedies which BMI may have. No waiver by BMI of full performance of this Agreement by LICENSEE in any one or more instances shall be deemed a waiver of the right to require full and complete performance of this Agreement thereafter or of the right to cancel this Agreement with the terms of this Paragraph.

7. CANCELLATION OF ENTIRE CATEGORY

BMI shall have the right to cancel the Agreement along with the simultaneous cancellation of the Agreements of all other licensees of the same class and category as LICENSEE, as of the end of any month during the Term, upon sixty (60) days advance written notice.

8. ASSIGNMENT

This license is not assignable or transferable by operation of law or otherwise. This license does not authorize LICENSEE to grant to others any right to perform publicly in any manner any of the musical compositions licensed under this Agreement, nor does it authorize any public performances at any of the Premises in any manner except as expressly herein provided.

9. ARBITRATION

All disputes of any kind, nature, or description arising in connection with the terms and conditions of this Agreement, except for matters within the jurisdiction of the BMI Rate Court, shall be submitted to the American Arbitration Association in the City, County, and State of New York, for arbitration under its then prevailing arbitration rules. The arbitrator(s) to be selected as follows: Each of the parties shall, by written notice to the other, have the right to appoint one arbitrator. If, within ten (10) days following the giving of such notice by one party, the other shall not, by written notice, appoint another arbitrator, the first arbitrator shall be the sole arbitrator. If two arbitrators are so

appointed, they shall appoint a third arbitrator. If ten (10) days elapse after the appointment of the second arbitrator and the two arbitrators are unable to agree upon a third arbitrator, then either party may, in writing, request the American Arbitration Association to appoint the third arbitrator. The award made in the arbitration shall be binding and conclusive on the parties and judgment may be, but not need be, entered in any court having jurisdiction. Such award shall include the fixing of the costs, expenses, and attorneys' fees of arbitration, which shall be borne by the unsuccessful party.

10. NOTICES

Any notice under this Agreement will be in writing and deemed given upon mailing when sent by ordinary first-class U.S. mail to the party intended, at its mailing address stated, or any other address which either party may designate. Any such notice sent to BMI shall be to the attention of the Vice President, Licensing Department at 10 Music Square East, Nashville, TN 37203. Any such notice sent to LICENSEE shall be to the attention of the person signing the Agreement on LICENSEE's behalf or such person as LICENSEE may advise BMI in writing.

11. MISCELLANEOUS

The fact that any provisions are found by a court of competent jurisdiction to be void or unenforceable will not affect the validity or enforceability of any other provisions. This Agreement constitutes the entire understanding between the parties and cannot be waived or added to or modified orally and no waiver, addition and modification shall be valid unless in writing and signed by both parties.

12. FEES

- (a) In consideration of the license granted herein, LICENSEE agrees to pay BMI a license fee which includes the total of the "Base License Fee" and any applicable "Special Events License Fees", all of which shall be calculated in accordance with the Rate Schedule on Page 3. For purposes of this Agreement,
- (i) "Base License Fee" means the annual fee due in accordance with Schedule A of the Rate Schedule and based on LICENSEE's population as established in the most recent published U.S. Census data. It does not include any fees due for Special Events.
 - (ii) "Special Events License Fees" means the amount due in accordance with Schedule B of the Rate Schedule when Special Events are presented by or on behalf of LICENSEE. It does not include any Base License Fee due.
 - (iii) LICENSEES who are legally organized as state municipal and/or county leagues or state associations of municipal and/or county attorneys shall be required to pay only the fee under the Schedule C of the Rate Schedule. Such leagues or associations are not subject to Schedule A or Schedule B of the Rate Schedule. Fees paid by such leagues or associations do not cover performances of the municipality, county, or other local government entity represented by the league or association. Schedule C fees are not applicable to municipal, county or other government entities.

2011 RATE SCHEDULE FOR LOCAL GOVERNMENTS

SCHEDULE A			
Check Population Range (√)	LICENSEE's Population	Base License Fee	Enter Fee Based Upon Population
<input checked="" type="checkbox"/>	1 - 50,000	\$309	\$309
<input type="checkbox"/>	50,001 - 75,000	\$615	
<input type="checkbox"/>	75,001 - 100,000	\$740	
<input type="checkbox"/>	100,001 - 125,000	\$986	
<input type="checkbox"/>	125,001 - 150,000	\$1,233	
<input type="checkbox"/>	150,001 - 200,000	\$1,603	
<input type="checkbox"/>	200,001 - 250,000	\$1,972	
<input type="checkbox"/>	250,001 - 300,000	\$2,344	
<input type="checkbox"/>	300,001 - 350,000	\$2,713	
<input type="checkbox"/>	350,001 - 400,000	\$3,085	
<input type="checkbox"/>	400,001 - 450,000	\$3,454	
<input type="checkbox"/>	450,001 - 500,000	\$3,824	
<input type="checkbox"/>	500,001 - plus	\$5,187 plus \$500 for every 100,000 population increment or portion thereof above 500,000 up to a maximum annual fee of \$61,663	
	If 500,001 or more, enter population _____		
		SCHEDULE A FEE	\$ 309.00

SCHEDULE B Special Events Fee (to be reported 90 days after each event*, see Par. 13(d))	
The rate for Special Events shall be 1% of Gross Revenue.	
<ul style="list-style-type: none"> ▪ "Special Events" means musical events, concerts, shows, pageants, sporting events, festivals, competitions, and other events of limited duration presented by LICENSEE for which the "Gross Revenue" of such Special Events exceeds \$25,000.00 ▪ "Gross Revenue" means all monies received by LICENSEE or on LICENSEE's behalf from the sale of tickets for each Special Event. If there are no monies from the sale of tickets, "Gross Revenue" shall mean contributions from the sponsors or other payments received by LICENSEE for each Special Event. 	
SCHEDULE B FEE	<i>BMI will provide a report form to report your events*</i>

SCHEDULE C State Municipal and/or County Leagues or State Associations of Attorneys (to be completed if you are a State Municipal and/or County Leagues or State Associations of Attorneys)	
The annual license fee for LICENSEES who are legally organized as state municipal and/or county leagues, or state associations of municipal and/or county attorneys shall be \$309.00. No Special Events fee applies to LICENSEES qualifying under this schedule.	
SCHEDULE C FEE	\$

13. REPORTING

- (a) Upon the execution of this Agreement, LICENSEE shall submit:
- (i) a report stating LICENSEE's population based on the most recent published U.S. Census data. The population set forth in the report shall be used to calculate the Base License Fee under this Agreement; and
 - (ii) a report containing the information set forth in Paragraph 13 (d) below for all Special Events that were presented between the effective date of this Agreement and the execution of this Agreement.
- (b) The Base License Fee for the first year of this Agreement and any license fees due for Special Events that were presented between the effective date of this Agreement and the execution of this Agreement shall be payable upon the execution of this Agreement.
- (c) Base License Fees for subsequent years shall be due and payable within 30 days of the renewal date of this Agreement and shall be accompanied by a statement confirming whether any Special Events were presented during the previous calendar year.
- (d) Ninety (90) days after the conclusion of each Special Event, LICENSEE shall submit to BMI payment for such Special Event and a report in printed or computer readable form stating:
- (i) the date presented;
 - (ii) the name of the attraction(s) appearing;
 - (iii) the "Gross Revenue" of the event (as defined above);
 - (iv) the license fee due for each Special Event.

- (e) If LICENSEE presents, sponsors or promotes a Special Event that is reportable under Rate Schedule B with another person or entity licensed under a BMI License Agreement, LICENSEE shall indicate the name, address, phone number and BMI account number of the other person(s) or entity(ies) and the party responsible for payment for such Special Event. If the other party is not licensed by BMI, LICENSEE shall pay the license fee due hereunder, notwithstanding any agreement to the contrary between LICENSEE and the other party.
- (f) LICENSEE agrees to furnish to BMI, where available, copies of all programs of musical works performed, which are prepared for distribution to the audience or for the use or information of LICENSEE or any department thereof. The programs shall include all encores to the extent possible. LICENSEE shall be under no obligation to furnish programs when they have not been otherwise prepared.

14. RATE ADJUSTMENTS / LICENSE FEE FOR YEAR 2012 AND THEREAFTER

For each calendar year commencing 2012, all dollar figures set forth in Schedules A, B and C (except the \$500 add-on for populations of 500,001 or more) shall be the license fee for the preceding calendar year, adjusted in accordance with any percentage increase in the Consumer Price Index – All Urban Consumers (CPI-U) between the preceding October and the next preceding October, rounded to the nearest dollar. Any additional license fees due resulting from the CPI adjustment shall be payable upon billing by BMI.

15. TERM OF AGREEMENT

This Agreement shall be for an initial Term of one (1) year, commencing January 1, 2011, which shall be considered the effective date of this Agreement, and continuing thereafter for additional terms of one (1) year each. Either party may give notice of termination to the other no later than thirty (30) days prior to the end of the initial or any renewal term. If such notice is given, the Agreement shall terminate on the last day of the Term in which notice is given.

AGREEMENT

AGREEMENT, made at New York, N.Y. on (Date will be entered by BMI upon execution) _____ between BROADCAST MUSIC, INC., a State of New York corporation with its principal offices at 7 World Trade Center, 250 Greenwich Street, New York, N.Y. 10007-0030 (hereinafter "BMI") and the legal or trade name described below and referred to thereafter as "LICENSEE" (the "Agreement"). This Agreement includes all of the terms and conditions set forth herein.

LEGAL NAME	LICENSED PREMISES		
<i>(Name of Corporation, Partnership, or Individual Owner)</i>	(All locations are licensed by LICENSEE)		
TRADE NAME	<i>(Street Address)</i>		
Kyle	<i>(City)</i>	<i>(State)</i>	<i>(Zip)</i>
<i>(Doing business under the name of)</i>	<i>(Telephone Number)</i>		<i>(Fax Number)</i>
PLEASE CHECK APPROPRIATE BOX	<i>(Contact Name)</i> <i>(Title)</i>		
<input type="checkbox"/> Individual Ownership	<i>(Email Address)</i> <i>(Web Address)</i>		
<input type="checkbox"/> LLC <input type="checkbox"/> Corporation	MAILING ADDRESS <i>(if different from Licensed Premises)</i>		
<input type="checkbox"/> LLP <input type="checkbox"/> Partnership			
<i>(State of Incorporation, if different from Licensed Premises)</i>	PO BOX 40		
<i>(Enter names of partners)</i>	<i>(Street Address)</i>		
<input type="checkbox"/> Other _____	Kyle TX 78640		
Federal Tax ID No. _____	<i>(City)</i> <i>(State)</i> <i>(Zip)</i>		
GOVERNMENT ENTITIES <i>(if applicable, please check one)</i>	<i>(Telephone Number)</i> <i>(Fax Number)</i>		
<input type="checkbox"/> Federal <input type="checkbox"/> State _____	<i>(Contact Name)</i> <i>(Title)</i>		
<input type="checkbox"/> Local _____	<i>(Email Address- if different from above)</i>		
<i>(Municipality and State)</i>	FOR ADMINISTRATIVE USE ONLY TO BE COMPLETED BY BMI BROADCAST MUSIC INC.		
TO BE COMPLETED BY LICENSEE			
By signing this Agreement you represent that you have the authority to bind LICENSEE and that you have read, understood and agree to all of the terms and conditions herein. (SIGN HERE – PLEASE INCLUDE PAYMENT)			
Signature _____			
Print Name / Title _____	FOR BMI USE ONLY		
Signatory Email Address* <i>(if different from above)</i>	LGE		LI-2010/May
*In order to receive a copy of your executed Agreement, please provide the email address of the Signatory	2166413		EFFECTIVE: January 2010
PLEASE RETURN THIS ENTIRE SIGNED LICENSE AGREEMENT TO:	ACCOUNT NO.		COID
BMI, 10 MUSIC SQUARE E., NASHVILLE, TN 37203			





CITY OF KYLE, TEXAS

TWC at HKCH

Meeting Date: 5/17/2011

Date time: 7:00 PM

Subject/Recommendation:

Authorize Kyle Area Senior Zone (KASZ) to Execute an Agreement with Time Warner Cable to install and provide cable TV service and internet to Historic Kyle City Hall ~ *Kerry Urbanowicz, Director of Parks, Recreation & Facilities*

Other Information:


Section 6 of the Special Use Agreement between the City of Kyle and the Kyle Area Senior Zone anticipated this request. The building still belongs to the city therefore the need for Council approval before upgrades are made, Section 8 of same agreement. Staff recommends approval.

Budget Information:

No budget impact as Time Warner Cable is donating the service to the KASZ and the KASZ will purchase their own TV and computer to meet the terms of the proposed agreement. Facilities Maintenance Staff will install the TV for the KASZ to ensure proper installation for liability purposes.

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Attachments / click to download

 [TWC proposed agreement](#)

**Time Warner Cable and Kyle Area Senior Zone Incorporated
Partnership Agreement 2011-2012**

Time Warner Cable will provide one cable outlet with Standard Basic Cable service and one modem for Road Runner High-Speed Online to the following club for two years as of the date of installation:

Kyle Area Senior Zone
101 South Burleson
Kyle, TX 78640

Kyle Area Senior Zone will provide the following:

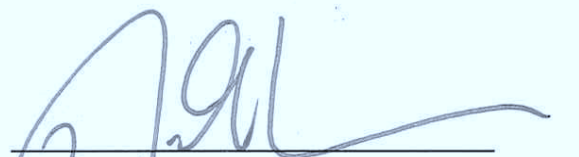
1. Router and computers for computer lab
2. Television for cable service
3. Opportunity to Time Warner Cable (TWC) to provide signage on or near television set (ex: Powered by Time Warner Cable or TWC logo)
4. Opportunity to TWC to provide signage over the computers for the length of the contract (ex: "Connect a Million Minds (logo) Technology Center" w/ web address on sign).
5. Opportunity to TWC to display additional signage on or by computers (ex: computer stickers "High-Speed Online provided by Time Warner Cable", CAMM mouse pads) at facility.
6. Any additional signage and/or recognition available through the Kyle Area Senior Zone. Time Warner Cable name and/or logo in any print material produced by Club regarding the televisions, computers and/or Internet at facility.

<u>Partnership Summary (In Kind)</u>	<u>In-kind Value</u>
Standard Cable one outlet	\$109.95 per month
Road Runner High-Speed Online	\$149.95 per month
Total in-kind value two years	\$6,237.60

Agreed to this 17 day of February, 2011

Time Warner Cable

Kyle Area Senior Zone



Jon Gary Herrera
Regional Vice President of Communications
Time Warner Cable

Adell Hurst
Public Relations
Kyle Area Senior Zone



CITY OF KYLE, TEXAS

Texas Gas Service Rate Adjustment

Meeting Date: 5/17/2011
Date time: 7:00 PM

Subject/Recommendation:

(Second Reading) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, ("CITY") APPROVING IMPLEMENTATION OF THE FEBRUARY 10, 2011 INTERIM RATE ADJUSTMENT FILING PURSUANT TO THE TEXAS UTILITIES CODE § 104.301 OF TEXAS GAS SERVICE COMPANY, A DIVISION OF ONEOK, INC. ("TGS" OR "COMPANY"); AND DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; AND DECLARING AN EFFECTIVE DATE ~ *Jerry Hendrix, Acting Assistant City Manager*

Other Information:

Budget Information:

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Attachments / click to download

- [Texas Gas Service Ordinance](#)
 - [Texas Gas Service Revised Tariffs](#)
-

ORDINANCE: _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, (“CITY”) APPROVING IMPLEMENTATION OF THE FEBRUARY 10, 2011, INTERIM RATE ADJUSTMENT FILING PURSUANT TO THE TEXAS UTILITIES CODE § 104.301 OF TEXAS GAS SERVICE COMPANY, A DIVISION OF ONEOK, INC. (“TGS” OR “COMPANY”); AND DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on February 10, 2011, TGS made an interim rate adjustment filing pursuant to the Texas Utilities Code §104.301 with the City; and,

WHEREAS, in accordance with the Texas Utilities Code §104.301, the proposed interim rate adjustment will go into effect for meters read on or after May 27, 2011, with no action by the City; and,

WHEREAS, in accordance with the Texas Utilities §104.301, the proposed interim rate adjustment is subject to full review and, if appropriate, refund at the time of the next general rate case; and,

WHEREAS, taking no action to oppose the interim rate adjustment is in the public interest;

WHEREAS, the City Council finds that it is reasonable to allow the Company to defer recovery of expenses incurred by the City and the Company in connection with this proceeding until the next general rate case,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS:

Section 1. That the findings set forth in this Ordinance are hereby in all things approved.

Section 2. That the City Council finds that it is in the public interest not to oppose the Company, its interim rate adjustment filing and attached Rate Schedules, which are attached hereto and incorporated herein as Exhibit „A,, and to allow the Rate Schedules to take effect on the proposed effective date of May 27, 2011.

Section 3. That Texas Gas Service is authorized to recover reasonable and necessary rate case expenses in the next general rate case.

Section 4. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

Section 5. That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 6. That this Ordinance shall become effective from and after its passage.

PASSED AND APPROVED this _____ day of May, 2011

CITY OF KYLE

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

TEXAS GAS SERVICE COMPANY

REVISED TARIFF

CITY OF KYLE

MAY 17, 2011

EXHIBIT A

TEXAS GAS SERVICE COMPANY
Central Texas Service Area

RATE SCHEDULE IRA
Page 1 of 3

INTERIM RATE ADJUSTMENT

A. APPLICABILITY

This Interim Rate Adjustment (IRA) applies to all general service rate schedules of Texas Gas Service Company (Company) currently in force in the incorporated areas of Austin, Cedar Park, Kyle, Rollingwood, Sunset Valley, and West Lake Hills, Texas. Applicable rate schedules include 10, 20, 22, 30, 32, 40, 42, 48, CNG-1, and T-1.

B. PURPOSE

Section 104.301, Subchapter G of the Texas Utility Code, effective on September 1, 2003, provides for an interim adjustment in a gas utility's monthly customer charge or initial block usage rate to recover the cost of changes in the utility's infrastructure investment and related expenses and revenues for providing gas utility service. The filing date of the utility's most recent rate case establishing rates for the area in which the interim rate adjustment will apply shall be no more than two years prior to the date the utility files its initial interim rate adjustment application for that area. The interim adjustment shall be recalculated on an annual basis, unless the utility files a written request and obtains approval from the regulatory authority to suspend the operation of the interim adjustment rate schedule for any year. This rate schedule establishes the interim adjustment provisions consistent with Section 104.301, Subchapter G of the Texas Utility Code.

C. BILLING

The following Interim Rate Adjustments will be added to the applicable Rate Schedule Customer Charge for each monthly billing period:

Rate Schedule	Customer Class	Current Customer Charge	Interim Rate Adjustment	Total Customer Charge
10	Residential	\$9.75	\$0.46	\$10.21
20	Commercial	\$12.75	\$1.61	\$14.36
22	Lg. Commercial	\$80.00	\$17.84	\$97.84
30	Industrial	\$40.00	\$6.26	\$46.26
32	Lg. Industrial	\$80.00	\$25.10	\$105.10
40	Public Authority	\$20.00	\$2.22	\$22.22
42	Lg. Public Authority	\$80.00	\$31.13	\$111.13
48	Public Schools Space Heating	\$40.00	\$6.86	\$46.86
CNG-1	Compressed Natural Gas	\$25.00	\$4.27	\$29.27

All applicable fees and taxes will be added to the above rate.

Initial Rate Schedule

Meters Read On and After
May 27, 2011

Item # 15

TEXAS GAS SERVICE COMPANY
Central Texas Service Area

RATE SCHEDULE IRA
Page 2 of 3

INTERIM RATE ADJUSTMENT
(Continued)

Rate Schedule	Customer Class	Current Customer Charge	Interim Rate Adjustment	Total Customer Charge
T-1	Commercial	\$75.00	\$11.38	\$86.38
T-1	Lg. Commercial	\$150.00	\$37.03	\$187.03
T-1	Industrial	\$80.00	\$17.61	\$97.61
T-1	Lg. Industrial	\$150.00	\$74.19	\$224.19
T-1	Public Authority	\$25.00	\$3.16	\$28.16
T-1	Lg. Pub Auth	\$100.00	\$41.64	\$141.64
T-1	Public Schools Space Heating	\$60.00	\$7.03	\$67.03
T-1	CNG	\$40.00	\$1.57	\$41.57

All applicable fees and taxes will be added to the above rate.

D. COMPUTATION OF IRA RATE

The amount the Company shall adjust its utility rates upward or downward under this rate schedule each calendar year is based on the difference between the value of the invested capital for the preceding calendar year and the value of the invested capital for the calendar year preceding that calendar year. The value of the invested capital is equal to the original cost of the investment at the time the investment was first dedicated to public use minus the accumulated depreciation related to that investment.

Based on the difference between the values of the invested capital amounts as determined above, the Company may adjust only the following related components of its revenue requirement: return on investment, depreciation expense, ad valorem taxes, revenue related taxes and incremental federal income taxes. The factors for these components shall be the same as those established in the Company's most recent rate case for the service area in which this interim rate adjustment is to be implemented.

The revenue requirement calculated pursuant to this rate schedule shall be allocated among the Company's customer classes for this service area in the same manner as the cost of service was allocated among customer classes in the Company's latest effective rates for this area.

E. FILING WITH THE REGULATORY AUTHORITY

1. The Company shall file either the initial interim adjustment or the annual interim adjustment with the regulatory authority at least 60 days before the proposed implementation date. During the 60-day period, the regulatory authority may act to suspend implementation of the adjustment.
2. The Company shall provide notice to customers by bill insert or direct mail not later than the 45th day after the date of filing the interim adjustment.

Initial Rate Schedule

Meters Read On and After
May 27, 2011

TEXAS GAS SERVICE COMPANY
Central Texas Service Area

RATE SCHEDULE IRA
Page 3 of 3

INTERIM RATE ADJUSTMENT
(Continued)

E. FILING WITH THE REGULATORY AUTHORITY (cont.)

3. The Company shall file with the regulatory authority an annual report describing the investment projects completed and placed in service during the preceding calendar year and the investments retired or abandoned during the preceding calendar year. The annual report shall also state the cost, need, and customers benefited by the change in investment.
4. In addition, the Company shall file with the regulatory authority an annual earnings monitoring report demonstrating the Company's earnings during the preceding calendar year. Should the Company earn a return of more than 75 basis points above the return established in the latest effective rates implemented under this rate schedule, the Company shall file a statement stating the reasons why the rates are not unreasonable or in violation of the law.
5. After the issuance of a final order or decision by a regulatory authority in a rate case that is filed after the implementation of a tariff or rate schedule under this section, any change in investment that has been included in an approved interim adjustment shall no longer be subject to subsequent review for reasonableness or prudence. All amounts collected under this rate schedule are subject to refund until the issuance of a final decision in the next rate case filing for this service area.
6. The Company shall file a rate case no later than the 180th day after the fifth anniversary date its initial interim rate adjustment for this service area became effective.
7. The provisions under Section 104.301, Subchapter G of the Texas Utility Code for this interim adjustment do not limit the power of the regulatory authority under Section 104.151.

Initial Rate Schedule

Meters Read On and After
May 27, 2011

Item # 15



CITY OF KYLE, TEXAS

Interlocal Agreement for Plum Creek Conservation District

Meeting Date: 5/17/2011
Date time: 7:00 PM

Subject/Recommendation:

INTERLOCAL AGREEMENT AMONG HAYS COUNTY, CALDWELL COUNTY, CITY OF LULING, CITY OF KYLE, CITY OF BUDA, CITY OF LOCKHART, GUADALUPE-BLANCO RIVER AUTHORITY, PLUM CREEK CONSERVATION DISTRICT, CALDWELL-TRAVIS SOIL AND WATER CONSERVATION DISTRICT #304, AND HAYS COUNTY SOIL AND WATER CONSERVATION DISTRICT #351, REGARDING IMPLEMENTATION OF THE PLUM CREEK WATERSHED PROTECTION PLAN ~ *Jerry Hendrix, Acting Assistant City Manager*

Other Information:

This is to fund a position for the Plum Creek Conservation District to continue work preformed under a previous grant that will expire this September. The district has secured a new grant to fund \$120,000 for the program for three years. The amount of this action is for the first year of Kyle participation in the program.

Budget Information:

Will require a \$5,513 budget amendment for this year

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Attachments / click to download

- [Plum Creek Coordinator](#)
- [PLUM CREEK AGREEMENT 05-05-11](#)

05-05-11

**INTERLOCAL AGREEMENT AMONG
HAYS COUNTY, CALDWELL COUNTY, CITY OF LULING, CITY OF KYLE,
CITY OF BUDA, CITY OF LOCKHART, GUADALUPE-BLANCO RIVER AUTHORITY,
PLUM CREEK CONSERVATION DISTRICT, CALDWELL-TRAVIS SOIL AND WATER CONSERVATION
DISTRICT #304, AND HAYS COUNTY SOIL AND WATER CONSERVATION DISTRICT #351,
REGARDING
IMPLEMENTATION OF THE PLUM CREEK WATERSHED PROTECTION PLAN**

This Interlocal Agreement is made and entered into, effective the ____ day of _____, 2011 (“Effective Date”) by and among Hays County Texas (“Hays County”), Caldwell County Texas (“Caldwell County”), City of Luling (“Luling”), City of Kyle (“Kyle”), City of Buda (“Buda”), City of Lockhart (“Lockhart”), Guadalupe-Blanco River Authority (“GBRA”), Plum Creek Conservation District (“PCCD”), Caldwell-Travis Soil and Water Conservation District #304 (“Caldwell-Travis SWCD”), and Hays County Soil and Water Conservation District #351 (“Hays County SWCD”), jointly known as the “Parties.” This Interlocal Agreement is entered into by the Parties pursuant to the authority granted and in compliance with, the provisions of the “Interlocal Cooperation Act,” as amended, Texas Government Code, Chapter 791. This Interlocal Agreement is intended to further the purpose of the Interlocal Cooperation Act, which is to increase the efficiency and effectiveness of local governments.

WHEREAS in 2006, the Plum Creek Watershed Partnership (“PCWP”) was established to restore and protect the water quality in Plum Creek and each Party named above has representatives on the PCWP Steering Committee, as described in the PCWP Ground Rules dated May 5, 2006 (“Ground Rules”), throughout that time; and

WHEREAS since that time over two (2) million dollars have been dedicated to the development and implementation of the highly recognized Plum Creek Watershed Protection Plan (“WPP”); and

WHEREAS, the Plum Creek WPP is a roadmap to restore water quality in Plum Creek and includes data collection and water quality monitoring, implementation of best management practices to address pollution from agriculture and urban sources, and outreach and education; and

WHEREAS, the Plum Creek WPP satisfies the US Environmental Protection Agency’s (“EPA”) guidelines and expectations for a WPP; and

WHEREAS the Plum Creek Watershed Coordinator, currently Texas AgriLife Extension Service, through an existing grant from the Texas State Soil and Water Conservation Board (“TSSWCB”) and EPA, facilitates the PCWP; secures funding through writing grants, tracks the progress of implementing the Plum Creek WPP; and reports water quality trends resulting from implementation of the Plum Creek WPP; and

WHEREAS, in September 2011, current federal funding for the Plum Creek Watershed Coordinator will end; and

05-05-11

WHEREAS, the Parties desire to continue to work together in a cooperative manner in an effort to continue to implement the Plum Creek WPP and to obtain additional funding to support such efforts;

NOW THEREFORE, the Parties have mutually agreed to enter into this Interlocal Agreement regarding implementation of the Plum Creek WPP and to proceed as follows:

ARTICLE I
PILOT PROGRAM

The Parties agree to establish a three (3) year pilot program for the funding of a Watershed Coordinator for implementation of the Plum Creek WPP. Such program will be the responsibility of the PCWP. The PCWP will appoint a Managing Partner who will hire a Plum Creek Watershed Coordinator.

ARTICLE II
PCWP

The PCWP Steering Committee will designate one (1) PCWP member to be the Managing Partner. The PCWP Steering Committee is also responsible for the development of the job description and responsibilities of the Plum Creek Watershed Coordinator and the annual budget for the three (3) year pilot program. The PCWP Steering Committee will continue to follow the Ground Rules attached hereto as Attachment E to this Interlocal Agreement in implementation of this Interlocal Agreement.

ARTICLE III
MANAGING PARTNER

The Managing Partner, after consulting with PCWP Steering Committee members, will hire an individual, to be the Plum Creek Watershed Coordinator. Additionally the Managing Partner will supervise the Plum Creek Watershed Coordinator. The Plum Creek Watershed Coordinator will be housed in the watershed at a location that the Managing Partner, after consulting with the PCWP Steering Committee, decides.

ARTICLE IV
PLUM CREEK WATERSHED COORDINATOR

The primary responsibilities of the Plum Creek Watershed Coordinator are stated and listed on Attachment A to this Interlocal Agreement. Additionally various other tasks of the Plum Creek Watershed Coordinator are stated and listed on Attachment B to this Interlocal Agreement.

ARTICLE V
FUNDING

The Parties agree to cooperate and coordinate together in determining the amount of funds that will be necessary to financially support the pilot program over the next three (3) years.

05-05-11

The PCWP will develop the annual budget. A proposed draft budget is set forth on Attachment C to this Interlocal Agreement. Additionally the PCWP will submit a workplan to the TSSWCB for a Clean Water Act §319(h) nonpoint source grant for the remaining balance needed to support the Plum Creek Watershed Coordinator position for at least the three (3) year pilot program. The award of the grant ultimately rests on the approval from EPA. The Parties understand and agree that any funding commitment by a particular PCWP member shall not exceed \$20,000.00 annually and is subject to approval and appropriation by the governing body of such PCWP member. Any payments made by or financial obligations of any party under this Agreement shall be made from current revenues available to the paying party and shall be made to the Managing Partner. The Managing Partner is authorized to deposit all funds received pursuant to this Interlocal Agreement in applicable bank accounts and is authorized to spend such funds to implement this Interlocal Agreement, provided however, any proposed expenditure of funds herein in excess of \$1,000.00 except the salary and benefits of the Plum Creek Watershed Coordinator which shall be approved on an annual basis by the PCWP Steering Committee shall be first approved by the PCWP Steering Committee. The Parties estimate that the annual cost for the pilot program, as shown on Attachment C to this Interlocal Agreement, will be approximately \$120,000, consisting of funds for salary and benefits, a computer, cell phone, supplies, publications, travel expenses, and educational workshops. The Parties agree that the estimated annual budget balance, not including a grant reward, is approximately \$48,000.00 with said amount being allocated among several Parties in accordance with Attachment D to this Interlocal Agreement.

The Parties further agree that other opportunities for funding shall be actively pursued throughout the course of this Interlocal Agreement. Other sources of funding which shall be pursued include, but are not limited to, federal, state, non-profit, non-government affiliated private or public grants; and various state and federal funding opportunities. The Parties agree to cooperate and coordinate to present a unified approach for federal and state funding requests.

ARTICLE VI **STATISTICS AND DOCUMENTS**

The Parties shall properly, accurately and completely maintain all documents, papers, records, and other evidence regarding implementation of this Interlocal Agreement. To further the purpose of cooperative administration of the activities described within this Interlocal Agreement, the Parties agree to make document and record materials associated with this Interlocal Agreement available to one another, upon reasonable notice, and as often as each Party may require for purpose of inspection, examination, and/or copying of same.

The Managing Partner shall maintain and retain a complete set of any and all documents, papers, records, and other evidence produced as a result of this Interlocal Agreement and to ensure that this Interlocal Agreement is publically available shall post a PDF version of this Interlocal Agreement on the PCWP website. All relevant documents in possession of each of the Parties shall be available at all times to the other Parties. If necessary, a reproduction of a document may be submitted and it shall be so marked, and the original shall be maintained and made available to the Party retaining said original document.

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Where proprietary records and documents that are not necessarily a product of the activities conducted under this Interlocal Agreement are needed to further an activity or function of this Interlocal Agreement, the Parties agree to communicate to one another the specific time, place and document or record needed and the time parameters within which the document or record is being requested for examination prior to the actual examination in order that proper arrangements can be made for optimum use of time and personnel. The Parties specifically agree to make available for examination all records of financial transactions and expenditures, along with the proper personnel to explain the records and the nature of the expenditures or transaction, insofar as the expenditure or transaction is related to the activities described within this Interlocal Agreement. This provision shall be agreed to by the Parties in order to provide full accountability and complete honesty in documenting and sharing the information generated by this Interlocal Agreement.

ARTICLE VII **ASSIGNMENT**

The Parties acknowledge that they may not assign their obligations and duties under this Interlocal Agreement to any outside entity, consultant or manager without the prior written approval of the other Parties to this Interlocal Agreement.

ARTICLE VIII **DISPUTES**

The Parties agree to use due diligence to cooperate and communicate with each other to resolve any and all disputes which may arise under this Interlocal Agreement. The Parties agree that before they will exercise the termination rights described in Article X, they will attempt to resolve the dispute and will allow the non-disputing Parties the opportunity to cure the alleged dispute. In the event they are unable to do so, the Parties agree to mediate the dispute prior to exercising their termination rights.

ARTICLE IX **TERM**

This Interlocal Agreement shall be for a period of one year commencing upon the date the last of the Parties signs this Interlocal Agreement which shall constitute the Effective Date. The term of this Interlocal Agreement shall be automatically renewed each year not to exceed three (3) years unless terminated earlier as provided in Article X or amended as provided in Article XI.

ARTICLE X **TERMINATION**

The termination of this Interlocal Agreement shall occur three (3) years after the Effective Date. In the event a Party to this Interlocal Agreement determines it is in the best interest of that Party to withdraw from this Interlocal Agreement, the Party may withdraw by giving ninety (90)

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days written notice of such intent to the remaining Parties at the addresses provided in Section XII of this Interlocal Agreement.

The withdrawing Party shall cooperate with the remaining Parties to achieve a proper transition time period to allow the remaining Parties to restructure the services provided by the Parties. The withdrawing Party shall give the remaining Parties access to the materials and documents in the withdrawing Party's possession which could assist the remaining Parties in carrying out the plans and operations initiated under this Interlocal Agreement. The withdrawing Party shall remain liable for such Party's allocated share of the budget for and including the fiscal year that the withdrawing Party withdraws from this Interlocal Agreement.

ARTICLE XI **AMENDMENT**

No amendment, modification or alteration of the terms of this Interlocal Agreement shall be binding unless it is in writing, dated subsequent to the date hereof, and be agreed to and duly executed by each of the Parties after official action by each of the respective governing bodies of the Parties.

ARTICLE XII **NOTICES**

Notices to any Party required or appropriate under this Interlocal Agreement shall be deemed sufficient if in writing and mailed USPS postage prepaid.

To Hays County. Notices to Hays County shall be addressed to:

Hays County Judge
Hays County
111 East San Antonio Street
San Marcos, TX 78666

and to such other addresses as may hereafter be designated in writing by the Hays County Judge.

To Caldwell County. Notices to Caldwell County shall be addressed to:

Caldwell County Judge
Caldwell County
110 South Main Street
Lockhart, TX 78644

and to other such addresses as may herein be designated in writing by the Caldwell County Judge.

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To GBRA. Notices to GBRA shall be addressed to:

General Manager
Guadalupe-Blanco River Authority
933 East Court Street
Seguin, TX 78155

and to such other addresses as may herein be designated in writing by the General Manager of GBRA.

To Luling. Notices to Luling shall be addressed to:

City Manager
City of Luling
509 East Crockett
Luling, TX 78648

and to other such addresses as may herein be designated in writing by the City Manager of Luling.

To Kyle. Notices to Kyle shall be addressed to:

City Manager
City of Kyle
100 West Center Street
Kyle, TX 78640

and to other such addresses as may herein be designated in writing by the City Manager of Kyle.

To Buda. Notices to Buda shall be addressed to:

City Manager
City of Buda
P.O. Box 1218
Buda, TX 78610

and to other such addresses as may herein be designated in writing by the City Manager of Buda.

To Lockhart. Notices to Lockhart shall be addressed to:

City Manager
City of Lockhart
P.O. Box 239
Lockhart, TX 78644

and to other such addresses as may herein be designated in writing by the City Manager of Lockhart.

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To PCCD. Notices to Plum Creek Conservation District shall be addressed to:

General Manager
Plum Creek Conservation District
P.O. Box 328
Lockhart, TX 78644

and to other such addresses as may herein be designated in writing by the General Manager of PCCD.

To Caldwell-Travis SWCD. Notices to Caldwell-Travis SWCD shall be addressed to:

Chairman
Caldwell-Travis SWCD #304
1403-D Blackjack Street
Lockhart, TX 78644

and to other such addresses as may herein be designated in writing by the Chairman of Caldwell-Travis SWCD.

To Hays County SWCD. Notices to Hays County SWCD shall be addressed to:

Chairman
Hays County SWCD #351
501 Broadway, Suite B
San Marcos, TX 78666

and to other such addresses as may herein be designated in writing by the Chairman of Hays County SWCD.

ARTICLE XIII **RELATIONSHIP OF PARTIES**

Nothing contained herein shall be deemed or construed by the Parties, or by any third party, as creating the relationship of principal and agent, joint venture or any other similar relationship between the Parties. It is understood and agreed that no provisions contained herein nor any acts of the Parties hereto create a relationship between the Parties other than that of independent contractor. In keeping with the provision of its services as an independent contractor, each Party shall be responsible for its respective acts or omissions. No Party has the authority to bind the other or to hold out to third parties that it has the authority to bind the other.

ARTICLE XIV **APPLICABLE LAW**

This Interlocal Agreement shall be construed under and in accordance with the laws of the State of Texas and all obligations of the Parties created hereunder are performable in either Hays, Travis, or Caldwell Counties, Texas.

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ARTICLE XV
LEGAL CONSTRUCTION

In case any one or more of the provisions contained in this Interlocal Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such shall not affect any other provisions hereof and this Interlocal Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

ARTICLE XVI
COMPLIANCE WITH LAWS AND ORDINANCES

The Parties hereby agree to comply with all federal, state and local laws and ordinances applicable to the work or services to be performed under this Interlocal Agreement. The Parties acknowledge that they are subject to the Texas Public Information Act and the exceptions stated in such Act.

ARTICLE XVII
PARTIES BOUND

This Interlocal Agreement shall be binding upon and inure only to the benefit of the Parties hereto and their respective successors and assigns where permitted by this Interlocal Agreement.

In Witness Whereof, the Parties have executed in multiple originals, each of which shall have the full force and effect of an original, this Interlocal Agreement.

Hays County

Caldwell County

By: _____

By: _____

Date: _____

Date: _____

Guadalupe-Blanco River Authority

City of Luling

By: _____

By: _____

Date: _____

Date: _____

City of Kyle

City of Buda

By: _____

By: _____

Date: _____

Date: _____

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City of Lockhart

Plum Creek Conservation District

By: _____

By: _____

Date: _____

Date: _____

Caldwell-Travis SWCD #304

Hays County SWCD #351

By: _____

By: _____

Date: _____

Date: _____

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ATTACHMENT A

PRIMARY RESPONSIBILITIES OF PLUM CREEK WATERSHED COORDINATOR

- Work with Counties, Cities, local boards and businesses to implement management measures identified in the Plum Creek WPP to improve water quality and develop funding mechanisms for putting them in place.
- Work with state and federal agencies and organizations, as appropriate, to bring technical and financial resources to the watershed.
- Pursue external funding to reduce or cover costs for the project (salary and operating).
- Track and document implementation efforts to assess progress toward established goals in the WPP.
- Evaluate water quality data to monitor progress and determine the need for new approaches.
- Coordinate and conduct water resources and related environmental outreach education efforts across the watershed, including organizing training programs and participating in local community clean-up events.
- Develop publications (e.g., newspaper, newsletter, factsheets), and website content to promote and communicate watershed efforts.
- Conduct regular stakeholder meetings, including PCWP Steering Committee and Work Group, throughout the watershed to gather and incorporate local input and encourage citizen participation.
- Provide Counties, Cities and other partners with regular updates on progress, and seek their input and recommendations on needed activities.

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ATTACHMENT B

PLUM CREEK WATERSHED COORDINATOR TASKS

Agriculture

- Coordinate with Soil and Water Conservation District Technician
- Secure funding to support financial incentive programs
- Organize, promote and participate in Texas AgriLife Extension Service education workshops and training events
- Develop and deliver educational programs on agriculture nonpoint source best management practices
- Develop and disseminate factsheets and other education materials (e.g., videos, slide sets) to promote adoption and proper management of best management practices
- Facilitate soil and water testing campaigns; conduct interpretive educational events
- Coordinate development of grant proposals
- Monitor and report progress of conservation practice program implementation
- Identify and implement innovative strategies to facilitate practice adoption and sustained management

Feral Hogs

- Coordinate with Wildlife Extension Feral Hog Education Specialist
- Monitor and facilitate citizen use of the online reporting system to track feral hogs sightings and damage
- Facilitate delivery of updates on progress to County officials and other stakeholders
- Deliver education programs at workshops and other events
- Facilitate and assist with development and distribution of educational resources (e.g., factsheets, videos, etc.)
- Coordinate with Texas Wildlife Services to facilitate hog control efforts
- Monitor and report progress of feral hog programs and identify proactive strategies

Urban Stormwater

- Work with city officials to identify programs and projects to mitigate stormwater nonpoint source
- Assist cities with development of grant proposals
- Assist city personnel with existing TCEQ CWA §319(h) nonpoint source projects in Kyle and Lockhart
- Facilitate stormwater management practice demonstrations
- Secure, develop and/or assist with the preparation and distribution of educational resources including factsheets, videos, slide sets, etc.
- Coordinate Sports Athletic Field Education (SAFE) workshops
- Coordinate community cleanup events and participate in environmental fairs in Kyle, Lockhart, and Luling

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- Facilitate pet waste management outreach
- Monitor and report progress of urban nonpoint source programs and identify proactive strategies

Wastewater

- Coordinate septic system management workshops for homeowners and installer/maintenance providers
- Assist cities and counties with Texas Water Development Board applications for wastewater infrastructure projects; including State Revolving Fund
- Facilitate fats, oils, and grease (FOG) workshops
- Interact with wastewater treatment facilities (WWTFs) to pursue voluntary permit upgrades
- Promote and assist with research efforts to determine and mitigate contributions from WWTF
- Pursue implementation of an unannounced inspection program for WWTFs
- Assist counties with expansion of inspection/enforcement programs for septic systems
- Develop and deliver educational resources and programs regarding the need for and methods of septic system management

General Partnership Duties

- Coordinate and conduct quarterly PCWP Steering Committee meetings and Work Group meetings as needed
- Actively promote widespread awareness and involvement in project implementation by stakeholders across the watershed
- Conduct regular communication with the PCWP and respond to stakeholder questions and concerns
- Facilitate communication and coordination among team members from all agencies and organizations
- Identify funding opportunities and develop and submit grant proposals to support implementation
- Perform quarterly analysis of targeted and routine water quality monitoring data
- Track management practice implementation across the watershed, both as a result of the project and external efforts
- Manage implementation grants; generate quarterly progress reports for grants and other funding sources
- Prepare the biennial update of the Plum Creek WPP including progress in implementation and needed modifications to goals and milestones
- Produce and distribute publications highlighting watershed implementation activities and specific best management practices
- Produce and distribute a quarterly newsletter
- Manage and update PCWP website content
- Manage and update Facebook site

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- Produce and distribute press releases regarding key issues, programs and project efforts in the watershed
- Provide radio interviews regarding watershed developments; pursue a weekly radio program to discuss project efforts and public action
- Provide regular updates to city councils, county commissioner's courts, PCCD, soil and water conservation districts, TSSWCB, TCEQ, and other partner agencies, groups and organizations
- Develop material for inclusion in the TCEQ-TSSWCB Annual Report on Managing NPS Pollution in Texas and the GBRA CRP Basin Highlights Report and Basin Summary Report
- Facilitate adoption of appropriate city and county ordinances
- Perform advisory role in Central Texas Green Printing, regional water and wastewater studies, and other regional planning efforts on behalf of the PCWP
- Interact with ongoing local school water quality monitoring projects
- Participate in annual community events and festivals (Luling Foundation Field Day, Lockhart Rites of Spring, Luling Watermelon Thump, etc.) to promote citizen interaction to implement the WPP
- Facilitate special household hazardous waste and agricultural waste pesticide collection events
- Facilitate ongoing illegal dumping management programs
- Coordinate periodic tours/field days in the watershed for stakeholders and agency partners to demonstrate project efforts
- Pursue opportunities for increased public awareness including roadway signs, billboards, special events, etc.

Attachment C

PLUM CREEK WATERSHED COORDINATOR BUDGET

	year 1	year 2	year 3	total	federal	non-federal
salary	\$45,000.00	\$46,800.00	\$48,672.00	\$140,472.00	\$84,283.20	\$56,188.80
benefits	\$18,225.00	\$18,954.00	\$19,712.16	\$56,891.16	\$34,134.70	\$22,756.46
total salary and benefits	\$63,225.00	\$65,754.00	\$68,384.16	\$197,363.16	\$118,417.90	\$78,945.26
Supplies	\$2,049.00	\$2,000.00	\$2,000.00	\$6,049.00	\$3,629.40	\$2,419.60
Travel	\$8,000.00	\$8,000.00	\$8,000.00	\$24,000.00	\$14,400.00	\$9,600.00
Equipment (computer)	\$3,000.00	\$3,000.00	\$3,000.00	\$9,000.00	\$5,400.00	\$3,600.00
Facilities	\$12,000.00	\$12,000.00	\$12,000.00	\$36,000.00	\$21,600.00	\$14,400.00
Publication Costs	\$5,000.00	\$5,000.00	\$4,000.00	\$14,000.00	\$8,400.00	\$5,600.00
Phone and Cell	\$1,800.00	\$1,800.00	\$1,800.00	\$5,400.00	\$3,240.00	\$2,160.00
Postage	\$800.00	\$800.00	\$800.00	\$2,400.00	\$1,440.00	\$960.00
Other	\$10,900.00	\$7,891.00	\$5,712.12	\$24,503.12	\$14,701.87	\$9,801.25
Indirect costs	\$13,225.50	\$13,754.52	\$14,304.70	\$41,284.72	\$24,770.83	\$16,513.89
total	\$119,999.50	\$119,999.52	\$120,000.98	\$360,000.00	\$216,000.00	\$144,000.00
total other	\$30,500.00	\$27,491.00	\$24,312.12	\$82,303.12	\$49,381.87	\$32,921.25
total direct	\$106,774.00	\$106,245.00	\$105,696.28	\$318,715.28	\$191,229.17	\$127,486.11
total indirect	\$13,225.50	\$13,754.52	\$14,304.70	\$41,284.72	\$24,770.83	\$16,513.89
total	\$119,999.50	\$119,999.52	\$120,000.98	\$360,000.00	\$216,000.00	\$144,000.00
total other	\$30,500.00	\$27,491.00	\$24,312.12	\$82,303.12	\$49,381.87	\$32,921.25
total direct	\$106,774.00	\$106,245.00	\$105,696.28	\$318,715.28	\$191,229.17	\$127,486.11

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	labor	travel	supplies	equipmt	other	indirect	
Task one	\$39,472.63	4000	\$1,209.80	\$3,000.00	11260.62	\$8,256.94	\$67,200.00
Task two	\$78,945.26	10000	\$2,419.60	\$3,000.00	27021.25	\$16,513.89	\$137,900.00
Task three	\$78,945.26	10000	\$2,419.60	\$3,000.00	44021.25	\$16,513.89	\$154,900.00
	\$197,363.16	\$24,000.00	\$6,049.00	\$9,000.00	\$82,303.12	\$41,284.72	\$360,000.00
					federal	non-federal	
20% of expenses, 1/3 of equipment			task 1	\$67,200.00	\$40,320.00	\$26,880.00	\$67,200.00
40% of expenses, 1/3 of equipment			task 2	\$137,900.00	\$82,740.00	\$55,160.00	\$137,900.00
40% of expenses + 1/3 equipment + workshops			task 3	\$154,900.00	\$92,940.00	\$61,960.00	\$154,900.00
				\$360,000.00	\$216,000.00	\$144,000.00	\$360,000.00

ATTACHMENT D

Entities	2009 Population	Area Acres	Area (sq. Miles)	Cost Portion for \$120,000		Cost Portion for \$48,000		
				Population portion (50%)	Land Portion (50%)	Population Portion (50%)	Land portion (50%)	
				TOTAL		TOTAL		
Caldwell County	36899	350080	547	\$7,798	\$15,332	\$3,119	\$6,133	\$9,252
Caldwell County (In Watershed)	17488	189709	311	296.42				\$2,787
Hays County	151664	434559	679			\$1,538	\$1,249	\$5,313
Hays County (In Watershed)	8,622	38628	72	60.3		\$5,119	\$194	\$2,773
Kyle	28,700	6000	9.38	\$3,845	\$3,122	\$2,540	\$233	\$1,050
Lockhart	14238	7,210	11.26	\$12,798	\$485	\$981	\$69	\$1,435
Luling	5502	2120	3.31	\$6,349	\$583	\$1,388	\$47	\$12,695
Buda	7784	1451	2.27	\$2,453	\$171	\$4,657	\$8,038	\$12,695
GBRA	26110	248637	388	\$3,471	\$117	\$4,657	\$8,038	\$12,695
PCCD	26110	248637	388	\$11,643	\$20,095	\$4,657	\$8,038	\$12,695
Watershed	82334	248637	388	\$11,643	\$20,095	\$4,657	\$8,038	\$12,695
TOTAL	134,554	742,392		\$60,000	\$60,000	\$24,000	\$24,000	\$48,000

TOTAL ESTIMATED BUDGET = 120000
 ANTICIPATED GRANT AWARD 60% OF BUDGET = 72000
 ESTIMATED BUDGET BALANCE AFTER GRANT = 48000

Caldwell County 15356 2008 Outside of City in the County Estimation
 Caldwell County 17488 Population estimated by people per square mile for the county

Note: SWCDs do not have tax-generating authority and only receive limited grants from TSSWCB and USDA-NRCS, as such, no \$ commitment is in this table but as non-federal funds are available, the SWCDs will explore a contribution to this three (3) year pilot program.

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ATTACHMENT E

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Plum Creek Watershed Partnership Ground Rules

The following are the Ground Rules for the Plum Creek Watershed Partnership (hereafter referred to as the Partnership) agreed to and signed by the members of the Plum Creek Watershed Partnership Steering Committee (hereafter referred to as the Steering Committee) in an effort to develop and implement a watershed protection plan.

The signatories to these Ground Rules agree as follows:

GOALS

The goal of the Partnership is to develop and implement a Watershed Protection Plan (WPP) to improve and protect the water quality of Plum Creek (Segment 1810). According to the draft *2004 Texas Water Quality Inventory and 303(d) List*, Plum Creek exhibits elevated nutrient levels and is impaired by high bacteria concentrations making it unsuitable for contact recreation use.

The Steering Committee will consider and attempt to incorporate the following into the development and implementation of the WPP:

- Economic feasibility, affordability and growth;
- Unique environmental resources of the watershed;
- Regional water planning efforts; and
- Regional cooperation.

POWERS

The Steering Committee is the decision making body for the Partnership. As such, the Steering Committee will formulate recommendations to be used in drafting the WPP and will guide the implementation of the WPP to success. Formal Steering Committee recommendations will be identified as such in the planning documents and meeting summaries.

Although formation of the Steering Committee was facilitated by the Texas Cooperative Extension (TCE) and the Texas State Soil and Water Conservation Board (TSSWCB), the Steering Committee is an independent group of watershed stakeholders and individuals with an interest in restoring and protecting the designated uses and the overall health of the Plum Creek Watershed.

The Steering Committee provides the method for public participation in the planning process and will be instrumental in obtaining local support for actions aimed at restoring surface water quality in Plum Creek.

TIME FRAME

Development of a Plum Creek WPP will require at least a 15-month period. The Steering Committee will function under a June 2007 target date to complete the initial development of the WPP. Achieving water quality improvement in Plum Creek may require significant time as implementation is an iterative process of executing programs and practices followed by achievement of interim milestones and reassessment of strategies and recommendations. The Steering Committee will function throughout the 15-month initial development period and may continue to function thereafter as a recommendation of the WPP.

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STEERING COMMITTEE MEMBERSHIP SELECTION

The Steering Committee is composed of stakeholders from the Plum Creek Watershed. Initial solicitation of members for equitable geographic and topical representation was conducted using three methods: 1) consultation with the TCE County Agents, Plum Creek Conservation District, Guadalupe-Blanco River Authority, Caldwell-Travis and Hays County Soil and Water Conservation Districts and local and regional governments, 2) meetings with the various stakeholder interest groups and individuals, and 3) self-nomination or requests by the various stakeholder groups or individuals.

Stakeholders are defined as either those who make and implement decisions, those who are affected by the decisions made or those who have the ability to assist with implementation of the decisions.

STEERING COMMITTEE

Members include both individuals and representatives of organizations and agencies. A variety of members serve on the Steering Committee to reflect the diversity of interests within the Plum Creek Watershed and to incorporate the viewpoints of those who will be affected by the WPP.

Size of the Steering Committee is not strictly limited by number but rather by practicality. To effectively function as a decision-making body, the membership shall achieve geographic and topical representation. If the Steering Committee becomes so large that it becomes impossible or impractical to function, the Committee will institute a consensus-based system for limiting membership.

Steering Committee members are expected to participate fully in Committee deliberations. Members will identify and present insights, suggestions, and concerns from a community, environmental, or public interest perspective. Committee members are expected to work constructively and collaboratively with other members toward reaching consensus.

Committee members will be expected to assist with the following:

- Identify the desired water quality conditions and measurable goals;
- Prioritization of programs and practices to achieve goals;
- Help develop a WPP document;
- Lead the effort to implement this plan at the local level; and
- Communicate implications of the WPP to other affected parties in the watershed.

Steering Committee members will be asked to sign the final WPP.

The Steering Committee will not elect a chair, but rather remain a facilitated group. TCE and/or TSSWCB will serve as the facilitator.

In order to carry out its responsibilities, the Steering Committee has discretion to form standing and ad hoc work groups to carry out specific assignments from the Committee. Steering Committee members will serve on a work group and represent that work group at Steering Committee meetings to bring forth information and recommendations.

WORK GROUPS

Topical work groups formed by the Steering Committee will carry out specific assignments from the Steering Committee. Initially formed standing work groups are:

- Agricultural Nonpoint Source Work Group

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- Outreach and Education Work Group
- Urban Stormwater and Nonpoint Source Work Group
- Waste Water Infrastructure Work Group

Each work group will be composed of a minimum of 5 Steering Committee members and any other members of the Partnership with a vested interest in that topic. There is no limit to the number of members on a work group. Each work group will elect a chair.

Tasks such as research or plan drafting will be better performed by these topical work groups. Work Group members will discuss specific issues and assist in developing that portion of the WPP, including implementation recommendations.

Work Groups and individual Work Group members are not authorized to make decisions or speak for the Steering Committee.

TECHNICAL ADVISORY GROUP

A Technical Advisory Group (TAG) consisting of state and federal agencies with water quality responsibilities will provide guidance to the Steering Committee and Work Groups. The TAG will assist the Steering Committee and Work Groups in WPP development by answering questions related to the jurisdiction of each TAG member. The TAG includes, but is not limited to, representatives from the following agencies:

- Texas Commission on Environmental Quality
- Texas Cooperative Extension
- Texas Department of Agriculture
- Texas Parks and Wildlife Department
- Texas Railroad Commission
- Texas State Soil and Water Conservation Board
- Texas Water Development Board
- U.S. Environmental Protection Agency
- U.S. Geological Survey
- USDA Natural Resources Conservation Service

REPLACEMENTS AND ADDITIONS

The Steering Committee may add new members if (1) a member is unable to continue serving and a vacancy is created or (2) important stakeholder interests are identified that are not represented by the existing membership. A new member must be approved by a majority of existing members. In either event, the Steering Committee will, when practical, accept additional members.

ALTERNATES

Members unable to attend a Steering Committee meeting (an absentee) may send an alternate. An absentee should provide advance notification to the facilitator of the desire to send an alternate.

An alternate attending with prior notification from an absentee will serve as a proxy for that absent Steering Committee member and will have voting privileges. An alternate attending without advance notification will not be able to participate in Steering Committee votes.

Absentees may also provide input via another Committee member or send input via the facilitator. The facilitator will present such information to the Committee.

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ABSENCES

All Steering Committee members agree to make a good faith effort to attend all Steering Committee meetings, however, the members recognize that situations may arise necessitating the absence of a member. Three absences in a row of which the facilitator was not informed of beforehand or without designation of an alternate constitute a resignation from the Steering Committee.

DECISIONMAKING PROCESS

The Steering Committee will strive for consensus when making decisions and recommendations. Consensus is defined as everyone being able to live with the decisions made. Consensus inherently requires compromise and negotiation.

If consensus cannot be achieved, the Steering Committee will make decisions by a simple majority vote. If members develop formal recommendations, they will do so by two-thirds majority vote.

Steering Committee members may submit recommendations as individuals or on behalf of their affiliated organization.

QUORUM

In order to conduct business, the Steering Committee will have a quorum. Quorum is defined as at least 51% of the Steering Committee (and/or alternates) present and a representative of either TCE or TSSWCB present.

FACILITATOR

The TSSWCB Regional Watershed Coordinator and the TCE Coordinator are independent positions, financed by the State of Texas through federal grant funds. Each has specific roles to perform in facilitating the Partnership and Steering Committee.

TSSWCB Regional Watershed Coordinator: The TSSWCB Regional Watershed Coordinator provides technical assistance to the stakeholders in developing the Plum Creek WPP. The TSSWCB Regional Watershed Coordinator will 1) ensure the planning process culminates in a WPP for Plum Creek, 2) facilitate discussions in Steering Committee and Work Group meetings necessary to formulate the WPP, 3) draft text and prepare the WPP such that it incorporates Steering Committee recommendations, 4) collaborate with the TCE Coordinator to facilitate the development and implementation of the WPP through the Steering Committee and Work Groups, and 5) ensure the Plum Creek WPP satisfies the nine elements fundamental to a WPP as promulgated by the U.S. Environmental Protection Agency.

TCE Coordinator: The TCE Coordinator will serve as an educator and facilitator to help the Steering Committee organize its work, run meetings, coordinate educational trainings and draft notes and other materials if requested, and work with the TSSWCB to facilitate the development and implementation of the plan. The TCE Coordinator will co-lead the meetings and work with all of the members to ensure that the process runs smoothly. The role of the TCE Coordinator includes working with the Steering Committee to prepare meeting summaries, assisting in the location and/or preparation of background materials, distributing documents the Steering Committee develops, conducting public outreach, moderating public workshops, providing assistance to Steering Committee members regarding Committee business between meetings, and other functions as the Steering Committee requests.

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MEETINGS

All meetings (Partnership, Steering Committee, and Work Group) are open and all interested stakeholders are encouraged and welcomed to participate.

Over the 15-month development period, regular meetings of either the Steering Committee or Work Groups will occur each month. The Steering Committee may determine the need for additional meetings. Steering Committee and Work Group meetings will be scheduled to accomplish specific milestones in the planning process.

Meetings will start and end on time. Meeting times will be set in an effort to accommodate the attendance of all Steering Committee members. The TCE Coordinator will notify members of the Partnership, Steering Committee, and Work Groups of respective meetings.

OPEN DISCUSSION

Participants may express their views candidly, but without personal attacks. Time is shared because all participants are of equal importance.

AGENDA

TCE and TSSWCB, in consultation with Steering Committee members are charged with developing the agenda. The anticipated topics are determined at the previous meeting and through correspondence. A draft agenda will be sent to the Steering Committee with the notice of the meeting. Agendas will be posted on the project website. Agenda items may be added by members at the time that the draft agenda is provided. The TCE Coordinator will review the agenda at the start of each meeting and the agenda will be amended if needed and the Committee agrees. The Committee will then follow the approved agenda unless they agree to revise it.

MEETING SUMMARIES

TCE will take notes during the meetings and may provide audio recording. Meeting summaries will be based on notes and/or the recording. TCE and TSSWCB will draft meeting notes and distribute them to the committee for their review and approval. All meeting summaries will be posted on the project website.

DISTRIBUTION OF MATERIALS

TCE and TSSWCB will prepare and distribute the agenda and other needed items to members. Distribution will occur via email and websites, unless expressly asked to use U.S. Mail (i.e. member has no email access). To encourage equal sharing of information, materials will be made available to all. Those who wish to distribute materials to the Steering Committee or a Work Group may ask TCE or TSSWCB to do so on their behalf.

SPEAKING IN THE NAME OF THE COMMITTEE

Individuals do not speak for the Steering Committee as a whole unless authorized by the Committee to do so. Members do not speak for the TCE or TSSWCB and neither the TCE nor TSSWCB speak for Steering Committee members. If Committee spokespersons are needed, they will be selected by the Steering Committee.

DEVELOPMENT AND REVISION OF GROUNDRULES

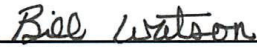
These ground rules were drafted by the TCE and TSSWCB and presented to the Steering Committee for their review, possible revision, and adoption. Once adopted, ground rules may be changed by two-thirds majority vote provided a quorum is present.

05-05-11

We, the undersigned, as members of the Steering Committee, agree to these Ground Rules of the Plum Creek Watershed Partnership.

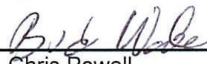


Bill Steubing



Bill Watson

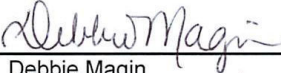
Bobby Berger

Bud Wade


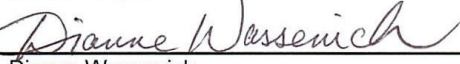
Chris Powell



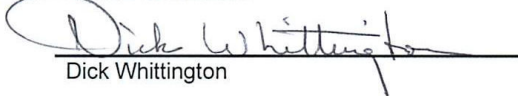
Daniel Heideman



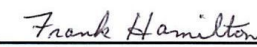
Debbie Magin



Dianne Wassenich




Dick Whittington



Frank Hamilton

Frank Hinds

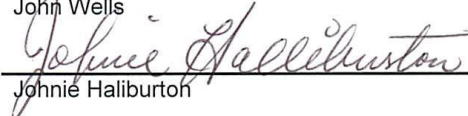
Fred Rothert


Gary Dickenson

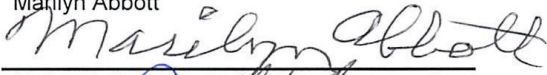


Joe K. Smith

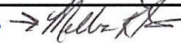

Joet Gibson III

John Wells


Johnie Haliburton

Marilyn Abbott


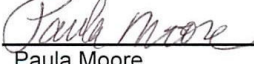
Marilyn Abbott

Melba K. Sexton 


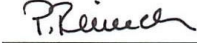
Nathan Johnson



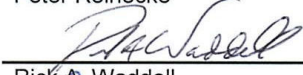
Paul L. Pittman



Paula Moore



Peter Reinecke



Rick A. Waddell



Robert Wilson



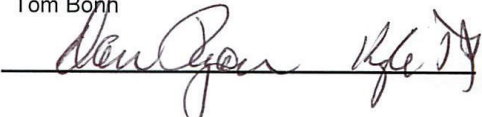
Roger Miranda



Susan Meckel



Susie Carter

Tom Borh




Texas State Soil and Water Conservation Board
Clean Water Act §319(h) Nonpoint Source Grant Program
FY 2011 Workplan **11-XX**

SUMMARY PAGE

SUMMARY PAGE						
Title of Project	Coordinating Implementation of the Plum Creek Watershed Protection Plan					
Project Goals	<ul style="list-style-type: none"> To foster coordinated assistance activities for the Plum Creek Watershed Partnership (PCWP) To conduct regular stakeholder meetings to encourage citizen participation, provide partners with updates on progress, and seek stakeholder input and recommendations on needed activities To support and facilitate the PCWP in identifying management measures to improve water quality, developing proposals to acquire funding for implementation of management measures, managing and tracking implementation projects as well as encourage adoption of BMPs Evaluate progress toward achieving milestones established in the WPP Coordinate and conduct water resources and related environmental outreach/education efforts across the watershed 					
Project Tasks	(1) Project Administration; (2) Support and Facilitation of WPP Implementation; (3) Outreach, Education and Community Support					
Measures of Success	<ul style="list-style-type: none"> Provide technical assistance to PCWP Evaluate progress toward achieving milestones and publish an addendum to the WPP Reduction in potential bacterial contamination and nutrient loading for streams from agricultural and urban nonpoint source pollution Increased knowledge of citizens, landowners and agricultural producers of management measures identified in WPP 					
Project Type	Implementation (X); Education (X); Planning (); Assessment (); Groundwater ()					
Status of Waterbody on 2008 Texas Water Quality Inventory and 303(d) List	<u>Segment ID</u> 1810	<u>Parameter</u> Bacteria Ammonia; Nitrate+Nitrite Nitrogen; Total Phosphorus	<u>Category</u> 5c CN			
Project Location (Statewide or Watershed and County)	Plum Creek Watershed in Caldwell, Hays, and Travis Counties					
Key Project Activities	Hire Staff (X); Surface Water Quality Monitoring (); Technical Assistance (); Education (X); Implementation (); BMP Effectiveness Monitoring (); Demonstration (); Planning (); Modeling (); Bacterial Source Tracking (); Other (X)					
Texas NPS Management Program Elements	<ul style="list-style-type: none"> Element One –LTG 2, 3, 5, 6 Element One – STGs 2D, 3B, 3D, 3F Element Two 					
Project Costs	Federal	\$216,000	Non-Federal	\$144,000	Total	\$360,000
Project Management	Guadalupe-Blanco River Authority					
Project Period	September 1, 2011 – August 31, 2014					

Part I – Applicant Information

Applicant							
Project Lead		Debbie Magin					
Title		Director of Water Quality Services					
Organization		Guadalupe-Blanco River Authority					
E-mail Address		dmagin@gbra.org					
Street Address		933 E. Court St.					
City	Seguin	County	Guadalupe	State	TX	Zip Code	78155
Telephone Number	(830) 379-5822			Fax Number	(830) 372-2757		

Project Partners	
Names	Roles & Responsibilities
Texas State Soil and Water Conservation Board (TSSWCB)	Provide state oversight and management of all project activities and ensure coordination of activities with related projects and TCEQ.
Guadalupe-Blanco River Authority (GBRA)	Provide project management and oversight. Serve as watershed coordinator, project reporting, provide assistance for stakeholder relations, support the development of final report. Provide coordination of ongoing implementation efforts. Assess water quality data collected through the Clean Rivers Program and TSSWCB Project 10-07 in relation to achieving load reductions. Provide local match.
Texas AgriLife Extension Service, Department of Soil and Crop Sciences (Extension)	Provide training and assistance to the watershed coordinator and PCWP. Maintain project website.
Plum Creek Conservation District, Hays County, Caldwell County, City of Kyle, City of Buda, City of Lockhart, City of Luling, Hays County Soil and Water Conservation District #351, Caldwell-Travis Soil and Water Conservation District #304	Member of the PCWP; provide local match.

Part II – Project Information

Project Type							
Surface Water	X	Groundwater					
Does the project implement recommendations made in (a) a completed WPP, (b) an adopted TMDL, (c) an approved I-Plan, or (d) a Comprehensive Conservation and Management Plan developed under CWA §320?				Yes	X	No	
If yes, identify the document.		Plum Creek Watershed Protection Plan					
If yes, identify the agency/group that developed and/or approved the document.		Plum Creek Watershed Partnership facilitated by Texas AgriLife Extension Service and TSSWCB		Year Developed		2008	

Watershed Information				
Watershed Name(s)	Hydrologic Unit Code (8 Digit)	Segment ID	305(b) Category	Size (Acres)
Plum Creek Watershed	12100203	1810	5c	288,240

Water Quality Impairment
Describe all known causes (pollutants of concern) of water quality impairments or concerns from any of the following sources: <i>2008 Texas Water Quality Inventory and 303(d) List</i> , draft <i>2010 Texas Integrated Report</i> , Clean Rivers Program Basin Summary/Highlights Reports or other documented sources.
<i>2007 GBRA CRP Basin Highlights Report</i> – Nutrient enrichment is a concern, likely due to high numbers of WWTFs contributing effluent. The southern part of the watershed has a history of oil and gas activities, leading to concerns for dissolved salts that can be contributed by improperly plugged oil and gas wells. The segment is in an area being developed very rapidly. Concerns are the cumulative impacts on watersheds caused by construction and multiple subdivision development. Also the potential for impacts by agricultural NPS pollution exists.
<i>2008 GBRA CRP Basin Summary Report</i> – Plum Creek site 17406 shows trends of diminishing water quality because the stream is effluent dominated. Total phosphorus shows an upward trend over time, exceeding the screening level 42% of the time. Nitrate-nitrogen shows an increasing trend over time, exceeding the screening concentration 50% of the time.
<i>2008 TWQI</i> – Contact recreation use impairment, nutrient screening levels concern, NPS and point source
<i>2009 GBRA CRP Basin Highlights Report</i> – Nitrate-nitrogen and total phosphorus concentrations at these stations are some of the highest in the river basin. Both point and nonpoint sources contribute to the bacteria impairment. Based on land use analysis, sources of pollutants include urban sources, such as urban runoff and pet waste, as well as agricultural activities and wildlife (deer) and invasive species (feral hogs) sources.
<i>2010 Integrated Report</i> – Impaired due to bacteria with concerns for nitrate, orthophosphorus, and total phosphorus. Data collected from December 2001 through November 2008, reports the geometric mean for Assessment Unit (AU) 1810_01 as 199.2 colony forming units per 100 milliliter (cfu/100mL), AU 1810_02 as 141.0 cfu/100mL, and AU 1810_03 as 235.1 cfu/100mL. Moved to Category 4b with Rationale based on WPP.

Project Narrative

Problem/Need Statement

Plum Creek rises in Hays County north of Kyle and runs south through Caldwell County, passing Lockhart and Luling, and eventually joins the San Marcos River at their confluence north of Gonzales County. Plum Creek is 52 miles in length and has a drainage area of 389 mi². According to the 2008 Texas Water Quality Inventory and 303(d) List, Plum Creek is impaired by elevated bacteria concentrations (category 5c) and exhibits nutrient enrichment concerns for ammonia, nitrate+nitrite nitrogen and total phosphorus.

TSSWCB and Extension established the Plum Creek Watershed Partnership (PCWP) in April 2006. The PCWP Steering Committee completed the Plum Creek WPP in February 2008. Information about the PCWP, including the WPP and implementation activities, is available at <http://plumcreek.tamu.edu/>. Sources of pollutants identified in the Plum Creek WPP include urban stormwater runoff, pet waste, failing or inadequate on-site sewage facilities (septic systems), wastewater treatment facilities, livestock, wildlife, invasive species (feral hogs), and oil and gas production.

The WPP identified responsible parties, implementation milestones and estimated financial costs for individual management measures and outreach and education activities. The plan also described the load reductions expected from the full implementation of all management measures. Since the plan's acceptance by the PCWP, TSSWCB, and USEPA, key management measures have been implemented or are in the process of being implemented. Those measures that focus on control of urban nonpoint source pollution, and funded by TCEQ CWA Section 319(h) nonpoint source grants include: 1) adoption of pet waste ordinances and installation of pet waste stations by the cities of Kyle and Lockhart; 2) urban stormwater assessments in Kyle and Lockhart that map current stormwater flows and conveyance systems, and identify needs and determine optimal placement of additional stormwater controls; 3) funding to retrofit two existing stormwater detention basins in the City of Kyle that receive runoff from a significant portion of the city; 4) funding to conduct an illicit discharge survey and install filters on storm drain inlets in the City of Lockhart; 5) street sweeping programs in the cities of Buda, Kyle and Lockhart; and, 6) resources directed by cities to manage waterfowl populations in city parks and other locations. The grant awarded to the City of Kyle, "*Plum Creek Watershed Protection Plan Pilot Implementation-City of Kyle*," will be completed in August 2011. The grant with the City of Lockhart, will be completed in August 2012.

Measures that have been implemented or are in the process of being implemented that focus on control of agricultural nonpoint source pollution include: 1) an SWCD Technician located in the watershed that provides technical assistance to agricultural producers for the development and implementation of Water Quality Management Plans (WQMPs) that focus on reducing bacteria loading from livestock operations in targeted areas across the watershed; 2) financial incentives to agricultural producers for implementing best management practices prescribed in the WQMPs which will achieve bacteria load reductions; and, 3) allocation of the Environmental Quality Incentives Program by the USDA-Natural Resources Conservation Service (NRCS).

Management measures to reduce impacts from invasive species that have been implemented in the watershed include: 1) hiring of an Extension Assistant to conduct one-on-one and group landowner outreach on feral hog management techniques; 2) aerial control of feral hogs in the watershed; and, 3) an on-line feral hog activity reporting system to support identification of target areas for implementation of control activities. Funding for the development and implementation of WQMPs as well as feral hog management education have been provided through TSSWCB project 08-07, *Implementing Agricultural Nonpoint Source Components of the Plum Creek Watershed Protection Plan*.

Additionally, measures that focus on pollution impacts from wastewater that have been implemented include: 1) voluntary bacteria and nutrient monitoring of effluent by several wastewater treatment facilities in the watershed; 2) replacement of old and degraded sewer pipes and other components of the wastewater collection systems in the Cities of Kyle, Lockhart, Luling and Buda; and, 3) a proposal for Texas Water Development Board funding to connect homes on failing or inadequate septic systems located in the watershed to sewer service.

Water quality monitoring is being conducted by GBRA at three sites on Plum Creek through resources dedicated by TCEQ through the Clean Rivers Program. Through TSSWCB project 10-07, *Surface Water Quality Monitoring and Additional Data Collection Activities to Support the Implementation of the Plum Creek Watershed Protection Plan*,

GBRA is conducting intensive targeted monitoring on tributaries, springs, wastewater effluent, urban stormwater runoff, and other mainstem instream sites.

Education and outreach programs, in addition to being measures used to engage stakeholders and support the development of the WPP, have been identified by the WPP as critical to the successful implementation and effectiveness of management measures for the reduction of nonpoint pollution. Activities that have been conducted include 1) community and stream clean ups; and 2) training events that include Texas Watershed Steward Program, Nonpoint Education for Municipal Officials, Sports and Athletic Field Education, on-site sewage system operation and maintenance, and feral hog workshops. TCEQ funded the development of on-line educational modules for information transfer to owners of septic systems, city employees and homeowners, covering operation and maintenance of on-site sewage systems, best practices for urban stormwater management at city facilities, and correct disposal of fats, oils and greases, respectively. TSSWCB provided funds through project 10-07 for GBRA to install three educational kiosks in the cities of Kyle, Lockhart and Luling. The kiosks will provide a link to the project webpage, links to the on-line educational modules mentioned above as well as continuous real-time water quality data being collected on Plum Creek by GBRA.

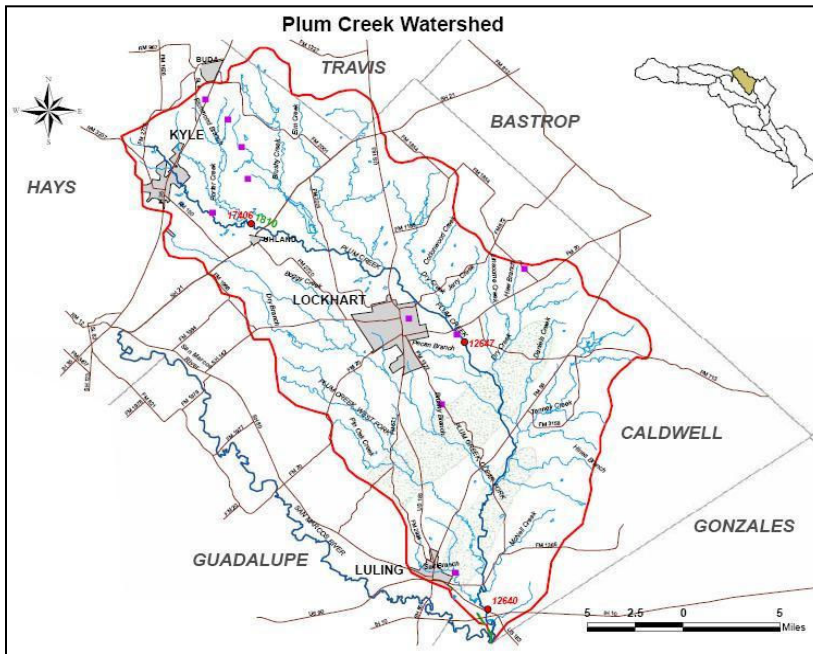
Early, local involvement in the development of the WPP was crucial for the successful implementation of the plan. Now that the plan is completed, maintaining a connection with stakeholders and expanding participation will increase the likelihood of success and water quality improvement. To support the different aspects of WPP implementation, obtaining funding, conducting public outreach and increasing participation is still needed.

Extension has served as the watershed coordinator through the development and implementation of the WPP and currently facilitates the PCWP. Extension has secured funding for implementation measures through grants, has tracked the progress of implementation, and has evaluated and reported water quality trends resulting in the implementation of management measures. As funding for Extension ends, it is the desire of the PCWP to continue progress on implementing the Plum Creek WPP by locally establishing a watershed coordinator.

Project Narrative

General Project Description (Include Project Location Map)

Through a local presence in watershed, the watershed coordinator will serve as the primary conduit for interaction with landowners, citizens, and entities to facilitate the implementation of the WPP. The watershed coordinator will coordinate meetings with the PCWP Steering Committee and Work Groups to update them, seek their input and recommendations on needed activities, and continue to support and facilitate implementation efforts of the plan. The watershed coordinator



will continue to assist the cities, counties, local boards and businesses to identify management measures to improve water quality and acquire resources to enable WPP implementation. The watershed coordinator will work with state and federal agencies, as appropriate, to bring technical and financial assistance to the watershed.

As part of an adaptive management approach embraced by stakeholders, the watershed coordinator will continue to evaluate progress toward achieving milestones established in the WPP, assess water quality data in relation to achieving load reductions, and publish a biennial addendum to the Plum Creek WPP that describes updates to goals and milestones and successes.

Coordination of outreach and education efforts by the watershed coordinator will

facilitate and support public participation by private individuals and local officials in the implementation of the Plum Creek WPP. The watershed coordinator will develop publications, such as a semi-annual newsletter, factsheets, website content, to promote and communicate watershed pollution prevention efforts. Additionally, the watershed coordinator will coordinate and conduct water resources and educational outreach education efforts across the watershed, organizing the following training programs, Lone Star Healthy Streams (feral hog component); conventional OSSF maintenance workshop for homeowners; aerobic system operation and maintenance workshops for homeowners; and a Nonpoint Education for Municipal Officials workshop.

Tasks, Objectives and Schedules						
Task 1	Project Administration					
Costs	Federal	\$40,320	Non-Federal	\$26,880	Total	\$67,200
Objective	To effectively administer, coordinate and monitor all work performed under this project including technical and financial supervision and preparation of status reports.					
Subtask 1.1	GBRA will prepare electronic quarterly progress reports (QPRs) for submission to the TSSWCB. QPRs shall document all activities performed within a quarter and shall be submitted by the 15 th of January, April, July and October. QPRs shall be distributed to all Project Partners and posted on the website.					
	Start Date	Month 1		Completion Date	Month 36	
Subtask 1.2	GBRA will perform accounting functions for project funds and will submit appropriate Reimbursement Forms to TSSWCB at least quarterly.					
	Start Date	Month 1		Completion Date	Month 36	
Subtask 1.3	GBRA will host coordination meetings or conference calls, at least quarterly, with Project Partners to discuss project activities, project schedule, communication needs, deliverables, and other requirements. GBRA will develop lists of action items needed following each project coordination meeting and distribute to project personnel.					
	Start Date	Month 1		Completion Date	Month 36	
Subtask 1.4	GBRA will develop a final report.					
	Start Date	Month 1		Completion Date	Month 36	
Deliverables	<ul style="list-style-type: none"> • Quarterly progress reports in electronic format • Reimbursement Forms and necessary documentation in hard copy format • Lists of action items from project coordination meetings • Final Report (electronic copy and 3 hard copies) 					

Tasks, Objectives and Schedules						
Task 2	Support and Facilitation of WPP Implementation					
Costs	Federal	\$82,740	Non-Federal	\$55,160	Total	\$137,900
Objective	Facilitate continued stakeholder involvement in the PCWP to ensure successful implementation of the Plum Creek WPP and track implementation.					
Subtask 2.1	GBRA, in coordination with the PCWP, will hire a Plum Creek Watershed Coordinator (WC) to engage and facilitate the PCWP and entities identified in the Plum Creek WPP. The WC will serve as the primary conduit for interaction with landowners, citizens, and entities to facilitate the implementation of the WPP. The WC shall successfully complete (or have already completed) the Texas Watershed Planning Short Course. The WC shall participate in Texas Watershed Coordinator Roundtables and the TSSWCB Southeast and South Central Texas Regional Watershed Coordination Steering Committee meetings. The WC shall be stationed in the Plum Creek watershed.					
	Start Date	Month 1		Completion Date	Month 3	
Subtask 2.2	The WC will assist governmental and non-governmental organizations in the Plum Creek watershed, in identification and acquisition of resources (financial and technical) to enable WPP implementation. The WC will actively seek and pursue funding opportunities and work with partners to develop grant proposals. The WC will work with state and federal agencies, as appropriate, to bring technical and financial resources to the watershed.					
	Start Date	Month 1		Completion Date	Month 36	
Subtask 2.3	The WC will 1) evaluate and track progress toward achieving milestones established in the WPP; 2) assess water quality data collected through the Clean Rivers Program, TSSWCB project 10-07, and other data collection efforts in relation to achieving load reductions; and, 3) publish, print, and distribute to stakeholders a biennial addendum to the Plum Creek WPP that describes modifications/updates to goals and milestones, documents success in achieving goals and milestones, and success in achieving water quality improvement and load reductions (publishing targets in spring 2012 and spring 2014). The WC will work with TSSWCB and TCEQ to periodically provide information to EPA to support the <i>Rationale for Reclassifying Plum Creek (Segment 1810) from Category 5 to Category 4b on the 2010 Texas Integrated Report</i> and as modified in subsequent Integrated Reports.					
	Start Date	Month 1		Completion Date	Month 36	
Subtask 2.4	GBRA will facilitate public participation and stakeholder involvement in the watershed planning process, specifically by hosting meetings of the PCWP Steering Committee (quarterly) and Work Groups (as needed) to provide regular updates on progress to implement the WPP and seek input and recommendations on needed activities. GBRA will coordinate meetings, secure meeting locations, prepare and disseminate meeting notices and agendas. Meeting summaries will be prepared and posted to the project website.					
	Start Date	Month 1		Completion Date	Month 36	
Subtask 2.5	GBRA will maintain a database of watershed stakeholders and affected parties for use in engaging the public in the watershed planning process. The stakeholder group will be added to based upon previous efforts of Extension in TSSWCB projects 04-17 and 08-07.					
	Start Date	Month 1		Completion Date	Month 36	
Subtask 2.6	GBRA will attend and participate in other public meetings as appropriate in order to communicate project goals, activities and accomplishments to affected parties. Such meetings may include, but are not limited to, city councils, county commissioners' courts, Clean Rivers Program Basin Steering Committee and Coordinated Monitoring, local soil and water conservation districts (SWCDs), groundwater conservation districts and other appropriate meetings of critical watershed stakeholder groups.					
	Start Date	Month 1		Completion Date	Month 36	
Deliverables	<ul style="list-style-type: none"> • Notices, agendas, meeting materials, attendance lists, and summaries from PCWP meetings • Documentation of resource opportunities identified, applied for and resources obtained to support plan implementation • Biennial Addendum to WPP • Stakeholder contact list, updated as needed 					

Tasks, Objectives and Schedules						
Task 3	Outreach, Education and Community Support					
Costs	Federal	\$92,940	Non-Federal	\$61,960	Total	\$154,900
Objective	To promote involvement, provide information transfer and encourage participation in the Plum Creek Watershed Partnership					
Subtask 3.1	<p>The WC will coordinate and conduct water resources and related environmental outreach/education efforts across the watershed, as identified in the Plum Creek WPP. GBRA will work with collaborating entities to organize the following training programs:</p> <ul style="list-style-type: none"> • Lone Star Healthy Streams (feral hog component) – 3 events • Conventional OSSF maintenance workshop for homeowners – 1 event • Aerobic system operation and maintenance workshops for homeowners – 2 events • Nonpoint Education for Municipal Officials workshop – 1 event <p>The WC will look into the feasibility of conducting the following water resources and related environmental outreach/education events: Local community clean-ups, Texas Watershed Steward Program, Sports and Athletic Field Education, Riparian Management workshops, rainwater harvesting workshops, Texas Well Owner Network trainings, well screening events, Texas Stream Team volunteer monitoring trainings, and Lone Star Healthy Stream (grazing cattle component).</p> <p>The WC will make presentations on the PCWP, WPP and general nonpoint source pollution information to local schools and community organizations.</p> <p>The WC will work with Extension (County Agents) to coordinate annual soil testing campaigns targeting fertilizer users (agricultural and urban) in Hays and Caldwell Counties.</p> <p>GBRA will support, promote, and participate in, as appropriate, any field days, demonstrations, site tours, or education events sponsored by Extension, NRCS, and/or SWCDs for the Plum Creek watershed.</p>					
	Start Date	Month 1	Completion Date	Month 36		
Subtask 3.2	<p>GBRA will contract with TAMU Spatial Sciences Laboratory to continue to host and maintain the PCWP website (http://plumcreek.tamu.edu) to serve as a public clearinghouse for all project- and watershed-related information. All presentations, documents and results will be posted to this website. The website will serve as a means to disseminate information to stakeholders and the general public.</p>					
	Start Date	Month 1	Completion Date	Month 36		
Subtask 3.3	<p>GBRA will facilitate communication with stakeholders in order to engage the public and affected entities in the watershed planning process. GBRA will utilize all appropriate communication mechanisms including direct mail, e-mail, the project website, and mass media (print, radio, television). GBRA will develop and disseminate general project informational materials, including, but not limited to, flyers, brochures, letters, factsheets, news releases, and other appropriate promotional publications. GBRA will include information about the project in GBRA newsletters (e.g., <i>River Run</i>) and Clean Rivers Program publications. GBRA will develop and utilize a listserv (e.g., http://listserv.tamu.edu/) to facilitate direct discussion between stakeholders. GBRA will make appropriate use of social media (i.e., Facebook, Twitter) as a stakeholder communication mechanism for this watershed. GBRA will develop, publish, and distribute 6 semi-annual newsletters (i.e., <i>Plum Creek Current</i>) that highlight Plum Creek watershed activities; the newsletter shall be distributed as most appropriate to individual landowners and entities in the watershed. GBRA will solicit content matter for educational materials from Project Partners as appropriate. TSSWCB must approve all project-related content in any informational materials and promotional publications prior to distribution.</p>					
	Start Date	Month 1	Completion Date	Month 36		

Tasks, Objectives and Schedules	
Task 3	Outreach, Education and Community Support
Deliverables	<ul style="list-style-type: none">• Documentation of workshops including handouts, agendas and attendance rosters• Project website• Educational and promotional materials, as developed and disseminated• 6 semi-annual newsletters

Project Goals (Expand from Summary Page)

- Facilitate and continue implementation of the Plum Creek WPP and foster coordinated assistance activities between the Cities, Counties, GBRA, PCCD, TSSWCB, local SWCDs, NRCS, and members of the PCWP by providing a local presence in the Plum Creek Watershed.
- Conduct PCWP Steering Committee meetings and Work Group meetings to provide updates on progress, seek stakeholder input and recommendations on needed activities, and encourage citizen participation.
- Support and facilitate the PCWP in identifying management measures to improve water quality, developing proposals to acquire funding for implementation of management measures, managing and tracking implementation projects as well as facilitating education programs in order to encourage adoption of BMPs.
- Work with state and federal agencies, as appropriate, to bring technical and financial resources to the Plum Creek watershed.
- Track and document implementation efforts to assess progress toward achieving milestones established in the WPP.
- Coordinate and conduct water resources and related environmental outreach/education efforts across the watershed, by developing publications, website content to promote and communicate watershed efforts, organizing training programs, and by participation in local community clean up events.

Measures of Success (Expand from Summary Page)

- Provide technical assistance to the PCWP through identification and acquisition of resources, seek and pursue funding opportunities, and develop grant proposals
- Evaluate progress toward achieving milestones in the WPP and publish an addendum to the Plum Creek WPP that describes modifications/updates to goals and milestones, documents success in achieving goals and milestones and success in achieving water quality improvement and load reductions
- Reduction in potential bacterial contamination and nutrient loading for streams from agricultural and urban nonpoint source pollution
- Increased knowledge of citizens, landowners and agricultural producers of management measures identified in WPP through outreach and educational efforts including training programs

<i>2005 Texas Nonpoint Source Management Program Reference (Expand from Summary Page)</i>
Goals and/or Milestone(s)
Element One – Explicit Short- and Long-term goals, objectives, and strategies that protect surface and groundwater.
Long-Term Goal Two – Support the implementation of state, regional, and local programs to prevent reduce NPS pollution through assessment, implementation and education. , such as the implementation of strategies defined in state-approved TMDL Implementation Plans and Watershed Protection Plans.
Long-Term Goal Three – Support the implementation of state, regional, and local programs to reduce NPS pollution, such as the implementation of strategies defined in... WPPs.
Long-Term Goal Five – Develop partnerships, relationships... to facilitate collective, cooperative approaches to manage NPS pollution.
Long-Term Goal Six – Increase overall public awareness of NPS issues and prevention activities.
Short-Term Goal Two – Implementation – Objective D – Implement... WPPs developed to restore and maintain water quality in water bodies identified as impacted by non-point source pollution.
Short-Term Goal Three – Education – Objective B – Administer programs to educate citizens about water quality and their potential role in causing NPS pollution.
Short-Term Goal Three – Education – Objective D – Conduct outreach...to facilitate broader participation and partnerships. Enable stakeholders and the public to participate in decision-making and provide a more complete understanding of water quality issues and how they relate to each citizen.
Short-Term Goal Three – Education – Objective F – Implement public outreach and education to maintain and restore water quality in water bodies by NPS pollution.
Element Two – Working partnerships and linkages to appropriate state, interstate, tribal, regional, and local entities, private sector groups, and Federal agencies.

Part III – Financial Information

Budget Summary			
Federal	\$	216,000	% of total project 60%
Non-Federal	\$	144,000	% of total project (≥ 40%) 40%
Total	\$	360,000	Total 100%
Category	Federal	Non-Federal	Total
Personnel	\$ 84,283	\$ 56,189	\$ 140,472
Fringe Benefits	\$ 31,943	\$ 21,295	\$ 53,238
Travel	\$ 14,400	\$ 9,600	\$ 24,000
Equipment	\$ 5,400	\$ 3,600	\$ 9,000
Supplies	\$ 3,629	\$ 2,420	\$ 6,049
Contractual	\$ 0	\$ 0	\$ 0
Construction	\$ 0	\$ 0	\$ 0
Other	\$ 55,089	\$ 36,725	\$ 91,814
Total Direct Costs	\$ 194,744	\$ 129,829	\$ 324,573
Indirect Costs (≤ 15%)	\$ 21,256	\$ 14,171	\$ 35,427
Total Project Costs	\$ 216,000	\$ 144,000	\$ 360,000

The TSSWCB CWA §319(h) NPS Grant Program has a 60/40% match requirement. The cooperating entity will be reimbursed 60% from federal funds and must contribute a minimum of 40% of the total costs to conduct the project. The 40% match must be from non-federal sources and should be described in the budget justification. Reimbursable indirect costs are limited to no more than 15% of total federal direct costs. The project budget generally covers a three year period.

Budget Justification (Federal)		
Category	Total Amount	Justification
Personnel	\$ 84,283	Salary for watershed coordinator for three years @ 0.60 FTE
Fringe Benefits	\$ 31,943	Benefits for watershed coordinator for three years at 37.9% of personnel category
Travel	\$ 14,400	Mileage at federal rate (\$0.51 per mile)
Equipment	\$ 5,400	Computer, printer, office furniture, cell phone, camera
Supplies	\$ 3,629	Office supplies for watershed coordinator for three years
Contractual	\$ 0	
Construction	\$ 0	
Other	\$ 55,089	Internet service, website maintenance, cellular service, postage, publication costs, costs of training workshops (three feral hog workshops, one conventional OSSF workshop for homeowners, two aerobic system operation and maintenance workshops for homeowners, and one Nonpoint Education for Municipal Officials workshop)
Indirect	\$ 21,256	25.22% of personnel category

Budget Justification (Non-Federal)		
Category	Total Amount	Justification
Personnel	\$ 56,189	Salary for watershed coordinator for three years @ 0.40 FTE
Fringe Benefits	\$ 21,295	Benefits for watershed coordinator for three years at 37.9% of personnel category
Travel	\$ 9,600	Mileage at federal rate (\$0.51 per mile)
Equipment	\$ 3,600	Computer, printer, office furniture, cell phone, camera
Supplies	\$ 2,420	Office supplies for watershed coordinator for three years
Contractual	\$ 0	
Construction	\$ 0	
Other	\$ 36,725	Office rental, internet service, website maintenance, cellular service, postage, publication costs, costs of training workshops (three feral hog workshops, one conventional OSSF workshop for homeowners, two aerobic system operation and maintenance workshops for homeowners, and one Nonpoint Education for Municipal Officials workshop)
Indirect	\$ 14,171	25.22% of personnel category



CITY OF KYLE, TEXAS

City Attorney Services Contract

Meeting Date: 5/17/2011
Date time: 7:00 PM

Subject/Recommendation:

Consideration and Possible Action for Approval of Contract for New City Attorney Services with Davidson & Troilo of San Antonio, Texas ~ *Council Member Diane Hervol*

Other Information:

Budget Information:

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Attachments / click to download

[📎 Agreement for Legal Services](#)

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

AGREEMENT FOR LEGAL SERVICES

The Law offices of Davidson & Troilo, P.C. (Law Firm) is hereby employed to perform all necessary legal and related services in connection with the following matter, including providing legal advice and opinions, prosecuting, defending, or drafting documents on behalf of the CITY OF KYLE, TEXAS (City).

1. The City engages the Law Firm as City Attorney. The individual attorney assigned as City Attorney is Frank J. Garza. Other attorneys in the Law Firm, including but not limited to the ones listed in Section 3, shall be designated Assistant City Attorneys.
2. This Agreement shall be effective on June 1, 2011 after being duly approved by the City Council. Agreement shall terminate on September 30, 2012. This Agreement may be extended for additional one (1) year terms with concurrence of both parties on the same terms and conditions.
3. Fees for professional services rendered will be at the following rates:

General Representation:

Monthly Retainer – to include twenty-five (25) hours per month
consultation, plus two (2) City Council meetings \$5,000 /month

Special Projects:

Frank J. Garza	\$190.00/Hour
Richard D. O’Neil	\$190.00/Hour
Lea Ream	\$190.00/Hour
Steven M. Pena	\$170.00/Hour
Paul M. Gonzalez	\$170.00/Hour

Water Rights

Patrick Lindner	\$225.00/Hour
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Litigation:

Preparation Time – Attorneys	\$200.00/Hour
Court Room Time – Attorneys	\$225.00/Hour

Municipal Court Prosecution:

Monthly Retainer – to include ten (10) hours per month,
plus one (1) Municipal Court Appearances \$1,400 /month

Lisa Gonzalez	\$140.00/Hour
Steven M. Pena	\$140.00/Hour
Paul M. Gonzalez	\$140.00/Hour

Support:

Paralegal/Law Clerk	\$ 65.00/Hour
Copies	.10/per copy
Clerical staff	No Cost
Delivery Expenses	At Cost
Travel Time	½ Hourly Rate
Mileage to Meetings	IRS Cost
Electronic Research	No Cost

4. The City agrees to pay all disbursements reasonably necessary for the proper performance of the legal service, including without limitation: investigations, expert and other witness fees, photographs, court costs, court reporter transcripts and services, courier or messenger services, recording and certifying documents, computer research, long distance telephone charges, fax charges, postage expenses, and copying costs. The City gives the Law Firm a continuing lien on any claim/cause of action on any and all property (including personal papers and legal documents of the City in Law Firm's possession, and on all funds realized by a settlement or recovered by a judgment as security for the payment of said compensation and out-of-pocket expenses advanced by law Firm until Law Firm is fully paid. The City shall not pay for the attendance of more than one attorney of the firm at any meeting or negotiation session, unless approved in advance by the City Manager. Phone calls to the Law Firm from designated City officials will be billed at a tenth of an hour for every six (6) minutes
5. The City may, if unsatisfied with the services for any reason, discharge the Law Firm at any time with thirty (30) days written notice; however, it is understood and agreed that the City will pay Law Firm at time of discharge all fees and expenses then due, calculated at hourly rates set forth. Discharge or withdrawal requires written notice mailed or delivered to the contact address contained herein.
6. All invoices for professional services shall be submitted on Law Firm's letterhead and should describe in reasonable detail, the services performed, the time spent, the applicable billing rate and the attorney or legal assistant performing said services. The City will make payment to the firm within thirty (30) days of its receipt of each invoice. If additional time is needed to make payment, City shall contact principal attorney and notify him of expected date of payment.
7. It is agreed and understood that all files, reports, including documents, legal memoranda and correspondence produced under this Agreement are the property of the City, and upon termination, shall be forwarded to the City, at no expense to the City, as directed by the Mayor or City Manager. A copy of the information may be retained by Law Firm at Law Firm's own expense.
8. All notices or other communications between the parties shall be sent to the following contacts:

City:
Mayor
City Manager
City of Kyle, Texas
100 W. Center, PO Box 40
City of Kyle, Texas 78640
Tel: (512) 262-1010

Law Firm:
Frank J. Garza
Law Offices of Davidson & Troilo, P.C.
7500 West IH-10, Suite 800
San Antonio, Texas 78229
Tel: (210) 349-6484

9. It is agreed and understood that Law Firm neither makes nor shall make any guarantee as to the outcome of any litigation or proceeding in court or otherwise. The parties acknowledge reading and reviewing this Agreement and receipt of a signed copy. The parties understand, agree, and accept all of the terms.
10. It is further agreed that the Law Firm shall continue to practice in full accordance with the Texas Rules of Disciplinary Conduct. The Law Firm advises the City that in the event of a conflict of interest in representation of the City and another party, the Law Firm has always interpreted the Rules to require the Law Firm to refrain from representing either party, and has universally followed that interpretation. This Agreement is subject to this interpretation of the requirements of the Rules.
11. Law Firm acknowledges that it is informed that Texas law prohibits contracts between the City and any local public official, and that that prohibition extends to an officer or employee of City boards and commissions and to contracts involving a business entity in which the official has a substantial interest, as defined by Texas law, it is reasonably foreseeable that an action on the matter would confer an economic benefit on a business entity. Law Firm certifies that neither it, its individual officers, employees or agents, nor any person having a substantial interest in this contract is any officer or employee of City or any of its agencies

DATED this _____ day of May, 2011.

Mayor Lucy Johnson
City of Kyle, Texas

Frank J. Garza, Partner
Law Offices of Davidson & Troilo, P.C.

ATTEST:

City Secretary



CITY OF KYLE, TEXAS

Budget Amendment

Meeting Date: 5/17/2011

Date time: 7:00 PM

Subject/Recommendation:

(First Reading) AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING ORDINANCE NO. 633 ADOPTED ON SEPTEMBER 7, 2010 MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY FOR FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011; BY AMENDING THE AMOUNT OF APPROPRIATIONS FOR THE GENERAL FUND AS WELL AS OTHER FUNDS THAT PROVIDE FOR THE PAYMENT OF OPERATING AND CAPITAL EXPENDITURES AND BY CHANGING THE AMOUNT APPROPRIATED FOR VARIOUS DEPARTMENTS OF THE CITY ~
Perwez Moheet, Director of Finance

Other Information:

Budget Information:

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[Budget - Proposed Budget Amendment FY 2010-11 Final](#)



City of Kyle, Texas

Proposed Budget Amendment Fiscal Year 2010-11

May 17, 2011

ORDINANCE NO. _____

AN ORDINANCE OF THE OF THE CITY OF KYLE, TEXAS, AMENDING ORDINANCE NO. 633 ADOPTED ON SEPTEMBER 7, 2010 MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY FOR FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011; BY AMENDING THE AMOUNT OF APPROPRIATIONS FOR THE GENERAL FUND AS WELL AS OTHER FUNDS THAT PROVIDE FOR THE PAYMENT OF OPERATING AND CAPITAL EXPENDITURES AND BY CHANGING THE AMOUNT APPROPRIATED FOR VARIOUS DEPARTMENTS OF THE CITY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KYLE:

Section 1.0 Amendment to Current Budget. That the appropriations for the Fiscal Year beginning October 1, 2010 and ending September 30, 2011, for the support of the general government of the City of Kyle, Texas, be amended for said term in accordance with the change in expenditures shown in the attached Exhibits A, B, and C.

Section 2.0 Approval of Amendment. That the amendment, as shown in words and figures in Exhibits A, B, and C, are hereby approved in all aspects and adopted as an amendment to the City budget for the Fiscal Year beginning October 1, 2010 and ending September 30, 2011.

Section 3.0 Conflict. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4.0 Open Meetings. That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Ch. 551, LGC.

Section 5.0 Effective Date. This Ordinance shall be in full force and effect from and after the date of its final passage and adoption in accordance with the provisions of applicable state law and the City Charter.

PASSED AND APPROVED on First Reading this ____ day of _____, 2011.

FINALLY PASSED AND APPROVED on this the ____ day of _____, 2011.

THE CITY OF KYLE, TEXAS

Lucy Johnson, Mayor

ATTEST:

Amelia Sanchez, City Secretary



ATTACHMENT A:

City of Kyle, Texas

Proposed Budget Amendment
Summary of Line Item Changes By Fund & Department

Fiscal Year 2010-11

City of Kyle, Texas
Summary of Budget Amendment (Line Item Changes) by Fund/Department
For Fiscal Year 2010-11

EXHIBIT A

	Department/Description	Fund	Amendment Category	Increase (Decrease)
1.	Mayor & Council	General Fund	Expenditure	\$ 9,400
2.	Administration	General Fund	Expenditure	16,851
3.	Information Technology	General Fund	Expenditure	22,889
4.	Financial Services	General Fund	Expenditure	36,162
5.	Municipal Court	General Fund	Expenditure	54,699
6.	Parks Maintenance & Operations	General Fund	Expenditure	44,894
7.	Police	General Fund	Expenditure	33,000
8.	Public Safety - Kyle Fire Dept.	General Fund	Expenditure	5,000
9.	Public Works - Street Maintenance	General Fund	Expenditure	52,317
	Net Increase/(Decrease):			<u>\$ 275,212</u>
10.	Transfers-in from General Fund	Community Dev.	Revenue	\$ 461,853
11.	Building Inspection	Community Dev.	Expenditure	13,000
12.	Economic Development	Community Dev.	Expenditure	419,000
	Net Increase/(Decrease):			<u>\$ (29,853)</u>
13.	Recreation Program Revenue	Recreation Fund	Revenue	\$ 11,000
14.	Special Events Revenue	Recreation Fund	Revenue	11,035
15.	Aquatics Program Revenue	Recreation Fund	Revenue	4,000
16.	Recreation Program Expenditures	Recreation Fund	Expenditure	24,950
	Net Increase/(Decrease):			<u>\$ (1,085)</u>
17.	Utility Billing	Utility Fund	Expenditure	\$ 59,330
18.	Water Operating	Utility Fund	Expenditure	254,844
19.	Water Supply	Utility Fund	Expenditure	323,498
20.	Sewer Operating	Utility Fund	Expenditure	41,633
	Net Increase/(Decrease):			<u>\$ 679,305</u>
21.	Technology Expenditure	Court Special Rev.	Expenditure	\$ 5,000
	Net Increase/(Decrease):			<u>\$ 5,000</u>
22.	Transfers-in	Debt Service	Revenue	\$ 37,462
23.	Principal & Interest	Debt Service	Expenditure	(415,005)
	Net Increase/(Decrease):			<u>\$ (452,467)</u>
24.	Transfers-in	TIRZ Debt Service	Revenue	(89,375)
25.	Principal & Interest	TIRZ Debt Service	Expenditure	109,921
	Net Increase/(Decrease):			<u>\$ 199,296</u>
26.	Bond Proceeds 2010 CO	CO 2010 Fund	Revenue	\$ 4,290,000
27.	New City Library Projects	CO 2010 Fund	Expenditure	4,290,000
	Net Increase/(Decrease):			<u>\$ -</u>
28.	Total Net Increase/(Decrease) All Funds:			<u><u>\$ 675,408</u></u>



ATTACHMENT B:

City of Kyle, Texas

Proposed Budget Amendment
Specific Line Item Changes By Fund/Department

Fiscal Year 2010-11

City of Kyle, Texas
 Specific Line Item Changes - GENERAL FUND
 Fiscal Year 2010-11

Budget Line Item Description	Actual FY 2008-09	Actual FY 2009-10	Approved Budget FY 2010-11	Year to Date Expenditures 3/31/2011	Proposed Budget Amendment FY 2010-11	Increase (Decrease)	Explanation/Comments
Mayor & Council							
1. Professional Conferences	\$ 1,320	\$ 295	\$ 3,000	\$ 1,845	\$ 11,000	\$ 8,000	ICSC Conference in Las Vegas
2. Other Contract Services	-	-	1,000	2,400	2,400	1,400	Background Check for CM Candidates
Total Mayor & Council:	\$ 1,320	\$ 295	\$ 4,000	\$ 4,245	\$ 13,400	\$ 9,400	
Administration							
1. Legal Services	\$ 39,992	\$ 36,210	\$ 23,500	\$ 10,375	\$ 35,000	\$ 11,500	Increase in Legal costs
2. Other Professional Services	-	1,600	-	38	5,351	5,351	Contribution to Plum Creek Conservation District
Total Administration:	\$ 39,992	\$ 37,810	\$ 23,500	\$ 10,413	\$ 40,351	\$ 16,851	
Information Technology							
1. Trunk Telephone System	\$ 857	\$ 1,137	-	\$ 463	\$ 917	\$ 917	Verizon charges - Unbudgeted
2. IT Service Maint/License Fee	8,198	6,145	120,729	115,091	142,701	21,972	Software Licenses & Maintenance - Unbudgeted (e.g. Code Red \$10,000)
Total Information Technology:	\$ 9,055	\$ 7,282	\$ 120,729	\$ 115,554	\$ 143,618	\$ 22,889	
Financial Services							
1. Other Professional Services	-	-	-	-	\$ 5,000	\$ 5,000	PEC Franchise Fees Audit - Unbudgeted
2. Appraisal Service - HCAD	51,387	56,661	52,000	29,913	59,827	7,827	Appraisal Service Fee - Under Budgeted
3. Tax Collection Services	1,588	1,644	-	-	1,715	1,715	Tax Collection Services - Unbudgeted
4. Bank Charges	-	10,452	-	9,874	12,500	12,500	Bank Charges-Unbudgeted (Wells Fargo & Broadway)
5. Insurance & Bonds	2,376	3,296	-	3,120	3,120	3,120	\$2720 - Liability, \$400 - Bond F/Director
6. Other Contract Services	5,970	25,713	10,000	10,780	16,000	6,000	Brinks, Safesite, TimeClock, Temp.
Total Financial Services:	\$ 61,321	\$ 97,766	\$ 62,000	\$ 53,687	\$ 98,162	\$ 36,162	
Municipal Court							
1. Regular Part-Time	\$ 24,080	\$ 23,446	\$ 15,000	\$ 16,313	\$ 38,395	\$ 23,395	Municipal Court Judge - Unbudgeted
2. FICA/Social Security	8,383	9,237	9,607	5,009	11,396	1,789	Municipal Court Judge - Unbudgeted
3. Workers Compensation	581	388	603	398	1,070	467	Municipal Court Judge - Unbudgeted
4. State Unemployment Taxes	37	553	1,080	30	1,267	187	Municipal Court Judge - Unbudgeted
5. Health Insurance	16,287	16,030	13,218	8,379	18,379	5,161	Municipal Court Judge - Unbudgeted
6. Legal Services	40,720	45,230	30,000	11,389	50,000	20,000	Prosecuting Attorney - Under Budgeted
7. Credit Card Fees	830	3,639	1,500	2,573	5,200	3,700	Credit Card Fees for Payments made by Defendants - Under Budgeted
Total Municipal Court:	\$ 90,918	\$ 98,523	\$ 71,008	\$ 44,091	\$ 125,707	\$ 54,699	

City of Kyle, Texas
 Specific Line Item Changes - GENERAL FUND
 Fiscal Year 2010-11

Budget Line Item Description	Actual FY 2008-09	Actual FY 2009-10	Approved Budget FY 2010-11	Year to Date Expenditures 3/31/2011	Proposed Budget Amendment FY 2010-11	Increase (Decrease)	Explanation/Comments
<u>Parks Maintenance & Operations</u>							
1. Cell Phones (Push to Talk)	\$ 3,433	\$ 4,706	\$ -	\$ 1,644	\$ 4,032	\$ 4,032	Push to Talk Phone Charges - Unbudgeted
2. Water/Sewer	2,129	14,365	6,000	9,712	24,902	18,902	City Parks & Park Facilities Under Budgeted
3. Fuel	16,921	28,042	17,750	8,742	35,000	17,250	Increase in Fuel Costs
4. Light Equipment	15,200	14,754	-	4,710	4,710	4,710	Picnic Tables - Unbudgeted in Current Fiscal Year - City Invoiced 12/23/10
Total Parks Maint. & Operations	\$ 37,683	\$ 61,867	\$ 23,750	\$ 24,808	\$ 68,644	\$ 44,894	
<u>Police Department</u>							
1. Other Contract Services	\$ 6,134	\$ 11,911	\$ 7,000	\$ 3,022	\$ 40,000	\$ 33,000	Brinkley Sargent Architects for KPD Needs Assessment - Unbudgeted
Total Public Safety:	\$ 6,134	\$ 11,911	\$ 7,000	\$ 3,022	\$ 40,000	\$ 33,000	
<u>Public Safety</u>							
1. Kyle Fire Department	\$ 5,000	\$ 5,000	\$ -	\$ -	\$ 5,000	\$ 5,000	City's Annual Contribution - Unbudgeted
Total Public Safety:	\$ 5,000	\$ 5,000	\$ -	\$ -	\$ 5,000	\$ 5,000	
<u>Public Works - Street Maintenance</u>							
1. Other Professional Services	\$ 83	\$ 32,906	\$ 10,000	\$ 34,782	\$ 37,317	\$ 27,317	\$9,293 Klotz for Sidewalk Inventory, \$26,149 (43.9%) LAN for Downtown Infrastructure Analysis, \$1,875 KAB for Standard Construction Details
2. Streets/Drains/Sidewalks	1,721	5,398	5,000	-	30,000	25,000	Barton Property Sidewalk, Parking & Alley Improvements
Total Public Works - Street Maint.	\$ 1,804	\$ 38,304	\$ 15,000	\$ 34,782	\$ 67,317	\$ 52,317	
Total General Fund:	\$ 253,227	\$ 358,758	\$ 326,987	\$ 290,602	\$ 602,199	\$ 275,212	

City of Kyle, Texas
 Specific Line Item Changes - COMMUNITY DEVELOPMENT
 Fiscal Year 2010-11

Budget Line Item Description	Actual FY 2008-09	Actual FY 2009-10	Approved Budget FY 2010-11	Year to Date Expenditures 3/31/2011	Proposed Budget Amendment FY 2010-11	Increase (Decrease)	Explanation/Comments
<u>Revenue & Transfers-In</u>							
1. Transfers-In from General Fund	\$ 157,552	\$ 645,993	\$ -	\$ 230,927	\$ 461,853	\$ 461,853	Transfer In From General Fund Unbudgeted. Transfer Out was Budgeted in General Fund
Total Revenue & Transfers-In	\$ 157,552	\$ 645,993	\$ -	\$ 230,927	\$ 461,853	\$ 461,853	
<u>Building Inspection</u>							
1. Other Contract Services	\$ 1,940	\$ 1,761	\$ 7,000	\$ 1,035	\$ 20,000	\$ 13,000	Demolition of Unsafe Structures within City Limits - Unbudgeted
Total Building Inspection:	\$ 1,940	\$ 1,761	\$ 7,000	\$ 1,035	\$ 20,000	\$ 13,000	
<u>Economic Development</u>							
1. Econ Dev Consultant Services	\$ -	\$ 240	\$ 15,000	\$ 15,000	\$ 19,000	\$ 4,000	ETR Development Services for 380 Agreement Monitoring & Administration
2. Seton TIRZ 380 Agreement	\$ -	\$ 98,429	\$ -	\$ 48,998	\$ 215,000	\$ 215,000	Econ Dev Sales Tax Rebate Payments - Unbudgeted
3. DBR DB380 Agreement	\$ -	\$ 78,579	\$ -	\$ 76,779	\$ 200,000	\$ 200,000	Econ Dev Sales Tax Rebate Payments - Unbudgeted
Total Economic Development:	\$ -	\$ 177,248	\$ 15,000	\$ 140,777	\$ 434,000	\$ 419,000	
Total Community Dev. Fund:	\$ 1,940	\$ 179,009	\$ 22,000	\$ 141,812	\$ (7,853)	\$ (29,853)	

City of Kyle, Texas
 Specific Line Item Changes - RECREATION
 Fiscal Year 2010-11

Budget Line Item Description	Actual FY 2008-09	Actual FY 2009-10	Approved Budget FY 2010-11	Year to Date Expenditures 3/31/2011	Proposed Budget Amendment FY 2010-11	Increase (Decrease)	Explanation/Comments
Revenue - Recreation Program							
1. Recreation Program Fees	\$ 21,240	\$ 10,144	\$ 6,000	\$ 5,244	\$ 10,000	\$ 4,000	Revenue Under Budgeted
2. Recreation Sport Leagues	18,090	30,217	26,500	18,027	33,500	7,000	Revenue Under Budgeted
Total Recreation Program:	\$ 39,330	\$ 40,361	\$ 32,500	\$ 23,271	\$ 43,500	\$ 11,000	
Revenue - Special Events							
1. July 4th	\$ 5,100	\$ 5,020	\$ -	\$ -	\$ 5,000	\$ 5,000	Revenue Unbudgeted
2. Movies/Festivals	2,525	2,660	-	-	3,000	3,000	Revenue Unbudgeted
3. Halloween	3,006	517	250	942	942	692	Revenue Under Budgeted
4. Market Days	2,908	6,770	4,500	4,150	6,000	1,500	Revenue Under Budgeted
5. Polar Bear Revenue	530	675	-	843	843	843	Revenue Unbudgeted
Total Special Events:	\$ 14,069	\$ 15,642	\$ 4,750	\$ 5,935	\$ 15,785	\$ 11,035	
Revenue - Swimming Pool							
1. Red Cross Classes	\$ 3,915	\$ 2,230	\$ 1,900	\$ 1,050	\$ 3,900	\$ 2,000	Revenue Under Budgeted
2. Swim Lessons	19,604	18,487	12,665	-	14,665	2,000	Revenue Under Budgeted
Total Swimming Pool:	\$ 23,519	\$ 20,717	\$ 14,565	\$ 1,050	\$ 18,565	\$ 4,000	
Total Recreation Program Revenue:	\$ 76,918	\$ 76,720	\$ 51,815	\$ 30,256	\$ 77,850	\$ 26,035	
Expenditures - Recreation Programs							
1. Recreation Program	\$ 807	\$ 5,680	\$ 4,640	\$ 1,387	\$ 8,640	\$ 4,000	Expenditures Under Budgeted
2. Light & Power	-	-	5,000	3,492	16,250	11,250	Expenditures Under Budgeted
3. Credit Card Fees	-	2,579	-	403	2,700	2,700	Expenditures Under Budgeted
4. Recreation Classes	18,785	25,324	17,352	11,173	24,352	7,000	Expenditures Under Budgeted
Total Recreation Expenditures:	\$ 19,592	\$ 33,583	\$ 26,992	\$ 16,455	\$ 51,942	\$ 24,950	
Total Recreation Fund:	\$ 19,592	\$ 33,583	\$ 26,992	\$ 16,455	\$ (25,908)	\$ (1,085)	

City of Kyle, Texas
 Specific Line Item Changes - UTILITY
 Fiscal Year 2010-11

Budget Line Item Description	Actual FY 2008-09	Actual FY 2009-10	Approved Budget FY 2010-11	Year to Date Expenditures 3/31/2011	Proposed Budget Amendment FY 2010-11	Increase (Decrease)	Explanation/Comments
Expenditures - Utility Billing							
1. Postage	\$ -	\$ 36,890	\$ 28,800	\$ 28,872	\$ 37,300	\$ 8,500	Postage Costs for Mailing Monthly Utility Bills - Under Budgeted
2. Credit Card Fees	-	70,036	45,000	30,355	78,000	33,000	Credit Card Fees for Payments made by Customers. Increase in Usage - Under Budgeted
3. Other Contract Services	-	36,656	20,000	19,666	37,830	17,830	Cost of Calculating and Preparing Utility Bills each Month & Software Maint. Fee
Total Utility Billing:	\$ -	\$ 143,582	\$ 93,800	\$ 78,893	\$ 153,130	\$ 59,330	
Expenditures - Water Operating							
1. Electrical/Plumbing Supplies	\$ 6,817	\$ 15,130	\$ 4,635	\$ 2,472	\$ 13,000	\$ 8,365	Needed for Water Opns-Under Budgeted
2. Chemicals/Pool Supplies	6,515	15,198	13,905	12,663	20,000	6,095	Needed for Water Opns-Under Budgeted
3. Water Valves/Meters	56,377	45,537	27,810	23,825	55,447	27,637	Needed for Water Opns-Under Budgeted
4. Light & Power	133,774	137,059	105,000	52,543	140,000	35,000	Needed for Water Opns-Under Budgeted
5. Water System Maint.	96,254	63,100	35,000	25,369	55,000	20,000	Needed for Water Opns-Under Budgeted
6. Electric Motor Repair	1,796	5,252	6,000	4,574	30,000	24,000	Needed for Water Opns-Under Budgeted
7. Fuel	9,910	18,025	20,000	13,620	40,000	20,000	Increase in Fuel Costs
8. Other Professional Services	188	130	200	12,085	16,500	16,300	LAN \$16,468 (27.6%) for Downtown Infrastructure Analysis
9. Testing/Certification	-	34,839	20,000	18,838	40,000	20,000	Annual TCEQ Permit Fee - Unbudgeted
10. TCEQ Water Permit	3,610	14,887	2,500	14,887	15,000	12,500	Reducing Expenditure - Budgeted in CIP
11. Water Mains/Sewer Lines	-	-	193,350	-	-	(193,350)	Transfer Out Unbudgeted
12. Transfer Out - CIP	15,000	86,327	-	159,175	318,350	318,350	Reducing Expenditure - Over Budgeted
13. Transfer Out - Debt Service	-	836,125	838,398	554,400	778,345	(60,053)	
Total Water Operating:	\$ 330,241	\$ 1,271,609	\$ 1,266,798	\$ 894,451	\$ 1,521,642	\$ 254,844	

City of Kyle, Texas
 Specific Line Item Changes - UTILITY
 Fiscal Year 2010-11

Budget Line Item Description	Actual FY 2008-09	Actual FY 2009-10	Approved Budget FY 2010-11	Year to Date Expenditures 3/31/2011	Proposed Budget Amendment FY 2010-11	Increase (Decrease)	Explanation/Comments
Expenditures - Water Supply							
1. Litigation/Mediation	\$ -	\$ 28,107	\$ -	\$ 24,629	\$ 60,000	\$ 60,000	Attorney Fees for BSEACD Appeal
2. Barton Springs EAC District	78,864	126,848	29,500	28,878	153,000	123,500	Water Supply Cost - Under Budgeted
3. GBRA - Canyon Lake Reserve	284,611	310,485	280,000	162,635	325,300	45,300	Water Supply Cost - Under Budgeted
4. Transport - City of San Marcos	79,920	79,954	57,302	33,767	80,000	22,698	Water Supply Cost - Under Budgeted
5. GBRA - Treated Water	469,898	432,322	400,000	155,228	432,000	32,000	Water Supply Cost - Under Budgeted
6. Miscellaneous Water Supply	3,020	43,577	-	17,448	40,000	40,000	Water Supply Cost - Under Budgeted
Total Water Supply:	\$ 916,313	\$ 1,021,293	\$ 766,802	\$ 422,585	\$ 1,090,300	\$ 323,498	
Expenditures - Sewer Operating							
1. Fuel	\$ 8,321	\$ 11,932	\$ 15,000	\$ 5,545	\$ 20,000	\$ 5,000	Increase in Fuel Costs
2. Other Professional Services	75	-	-	12,615	17,000	17,000	LAN \$16,998 (28.5%) for Downtown Infrastructure Analysis
3. Water Mains/Sewer Lines	-	-	295,000	-	-	(295,000)	Reducing Expenditure - Budgeted in CIP
4. Transfer Out - CIP	105,000	-	-	162,500	325,000	325,000	Transfer Out Unbudgeted
5. Transfer Out - Debt Service	-	144,823	144,823	95,770	134,456	(10,367)	Reducing Expenditure - Over Budgeted
Total Sewer Operating:	\$ 113,396	\$ 156,755	\$ 454,823	\$ 276,430	\$ 496,456	\$ 41,633	
Total Utility Expenditures	\$ 1,359,950	\$ 2,593,239	\$ 2,582,223	\$ 1,672,359	\$ 3,261,528	\$ 679,305	
Total Utility Fund:	\$ 1,359,950	\$ 2,593,239	\$ 2,582,223	\$ 1,672,359	\$ 3,261,528	\$ 679,305	

City of Kyle, Texas
 Specific Line Item Changes - Court Special Revenue
 Fiscal Year 2010-11

Budget Line Item Description	Actual FY 2008-09	Actual FY 2009-10	Approved Budget FY 2010-11	Year to Date Expenditures 3/31/2011	Proposed Budget Amendment FY 2010-11	Increase (Decrease)	Explanation/Comments
<u>Technology Expense</u>							
1. IT Service Maint/License Fees	\$ -	\$ -	\$ -	\$ 5,000	\$ 5,000	\$ 5,000	Court System Interface with Cop Sync. for KPD Citations to be Entered in Court Records Instead of Manually.
Total Technology Expense:	\$ -	\$ -	\$ -	\$ 5,000	\$ 5,000	\$ 5,000	
Total Court Special Revenue Fund:	\$ -	\$ -	\$ -	\$ 5,000	\$ 5,000	\$ 5,000	

City of Kyle, Texas
 Specific Line Item Changes - Debt Services
 Fiscal Year 2010-11

Budget Line Item Description	Actual FY 2008-09	Actual FY 2009-10	Approved Budget FY 2010-11	Year to Date Expenditures 3/31/2011	Proposed Budget Amendment FY 2010-11	Increase (Decrease)	Explanation/Comments
Transfer In							
1. Transfer - Utility Operating	\$ -	\$ 980,948	\$ 1,300,339	\$ 650,170	\$ 912,801	\$ (387,538)	Reducing Transfers in From the Utility Fund - Over Budgeted
2. Transfer - 2008 CO's	-	-	-	425,000	425,000	425,000	Transfer from 2008 Bond Fund - Council's 4-Year Debt Service Reduction Plan - Unbudgeted
Total Transfers In:	\$ -	\$ 980,948	\$ 1,300,339	\$ 1,075,170	\$ 1,337,801	\$ 37,462	
Expenditures							
1. 2009 GO Refunding Interest	\$ -	\$ 27,788	\$ 118,816	\$ 21,101	\$ 42,020	\$ (76,796)	Reducing Principal & Interest - Budgeted in Wrong Fund
2. 2010 Series CO Interest	-	-	165,084	-	-	(165,084)	Reducing Principal & Interest - Payment Not Due Until 2012
3. 2009 GO Refunding Principal	-	25,000	51,250	18,125	18,125	(33,125)	Reducing Principal & Interest - Budgeted in Wrong Fund
4. 2010 Series CO Principal	-	-	140,000	-	-	(140,000)	Reducing Principal & Interest - Payment Not Due Until 2012
Total Debt Services Expenditures:	\$ -	\$ 52,788	\$ 475,150	\$ 39,226	\$ 60,145	\$ (415,005)	
Total Debt Services Fund:	\$ -	\$ 52,788	\$ 475,150	\$ 39,226	\$ (1,277,656)	\$ (452,467)	

City of Kyle, Texas
 Specific Line Item Changes - SIB/TIF Loan I & S
 Fiscal Year 2010-11

Budget Line Item Description	Actual FY 2008-09	Actual FY 2009-10	Approved Budget FY 2010-11	Year to Date Expenditures 3/31/2011	Proposed Budget Amendment FY 2010-11	Increase (Decrease)	Explanation/Comments
Revenue							
1. Transfer In I & S Fund	\$ 1,080,987	\$ 228,286	\$ 389,375	\$ 150,000	\$ 300,000	\$ (89,375)	Transfer in From Debt Service Fund Over Budgeted. The Debt Service Fund Only Includes \$300,000 as Transfer to SIB/TIF Loan I&S Fund
Total Transfer In:	<u>\$ 1,080,987</u>	<u>\$ 228,286</u>	<u>\$ 389,375</u>	<u>\$ 150,000</u>	<u>\$ 300,000</u>	<u>\$ (89,375)</u>	
Total SIB/TIF Revenue	<u>\$ 1,080,987</u>	<u>\$ 228,286</u>	<u>\$ 389,375</u>	<u>\$ 150,000</u>	<u>\$ 300,000</u>	<u>\$ (89,375)</u>	
Expenditures							
1. 2009 GO Refunding Interest	\$ -	\$ 408,966	\$ 460,772	\$ 269,943	\$ 537,568	\$ 76,796	Increasing Principal & Interest - Budgeted in Wrong Fund
2. 2009 GO Refunding Principal	\$ -	-	198,750	231,875	231,875	33,125	Increasing Principal & Interest - Budgeted in Wrong Fund
Total SIB/TIF Expenditures:	<u>\$ -</u>	<u>\$ 408,966</u>	<u>\$ 659,522</u>	<u>\$ 501,818</u>	<u>\$ 769,443</u>	<u>\$ 109,921</u>	
Total SIB/TIF Fund:	<u>\$ -</u>	<u>\$ 408,966</u>	<u>\$ 659,522</u>	<u>\$ 501,818</u>	<u>\$ 469,443</u>	<u>\$ 199,296</u>	

City of Kyle, Texas
 Specific Line Item Changes - CO 2010
 Fiscal Year 2010-11

Budget Line Item Description	Actual FY 2008-09	Actual FY 2009-10	Approved Budget FY 2010-11	Year to Date Expenditures 3/31/2011	Proposed Budget Amendment FY 2010-11	Increase (Decrease)	Explanation/Comments
Revenue:							
1. 2010 CO Proceeds	\$ -	\$ -	\$ -	\$ 4,290,000	\$ 4,290,000	\$ 4,290,000	Budget for the New City Library Project
Total Revenue:	\$ -	\$ -	\$ -	\$ 4,290,000	\$ 4,290,000	\$ 4,290,000	
Expenditures:							
1. PW - Utility Improvements	\$ -	\$ -	\$ -	\$ 54,739	\$ 54,740	\$ 54,740	Budget for the New City Library Project
2. PW - Sidewalk Improvements	-	-	-	2,379	30,150	30,150	Budget for the New City Library Project
3. PW - City Engineer	-	-	-	7,040	25,000	25,000	Budget for the New City Library Project
4. Construction - Building	-	-	-	3,567,000	3,567,000	3,567,000	Budget for the New City Library Project
5. PSI Testing & Inspection	-	-	-	11,361	11,361	11,361	Budget for the New City Library Project
6. Furniture, Fixtures & Equipment	-	-	-	-	500,000	500,000	Budget for the New City Library Project
7. Cost of Issuance	-	-	-	62,756	62,756	62,756	Budget for the New City Library Project
8. Contingency (City's)	-	-	-	-	38,993	38,993	Budget for the New City Library Project
Total Expenditures:	\$ -	\$ -	\$ -	\$ 3,705,275	\$ 4,290,000	\$ 4,290,000	
Total CO 2010 Fund:	\$ -	\$ -	\$ -	\$ 584,725	\$ -	\$ -	



ATTACHMENT C:

City of Kyle, Texas

Proposed Amended Budget
Complete Detail Line Item Budget (After Budget Amendment)
For All Fund/Department

Fiscal Year 2010-11

City of Kyle, Texas
 Complete Detail Line Item Budget - GENERAL FUND
 Fiscal Year 2010-11

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
BEGINNING FUND BALANCE (UNAUDITED)						
Property Taxes						
110-310-40111 Property Taxes - Current	\$ 2,179,561	\$ 2,367,497	\$ 2,913,668	\$ 2,941,021	\$ 2,913,668	\$ -
110-310-40112 Property Taxes - Delinquent	15,272	14,378	19,619	12,474	19,619	-
110-310-40114 Property Taxes - Rollbacks	2,089	-	1,500	8,017	1,500	-
110-310-40115 Property Taxes - P & I	15,703	12,184	17,232	11,640	17,232	-
Total Property Taxes	\$ 2,212,625	\$ 2,394,059	\$ 2,952,019	\$ 2,973,152	\$ 2,952,019	\$ -
Sales and Use Tax						
110-312-40121 City Sales Tax	\$ 1,764,970	\$ 1,615,062	\$ 1,906,954	\$ 913,590	\$ 1,906,954	\$ -
110-312-40122 Sales Tax (Prop Tax Reduction)	872,751	807,531	1,081,433	456,795	1,081,433	-
Total Sales and Use Tax	\$ 2,637,721	\$ 2,422,594	\$ 2,988,387	\$ 1,370,385	\$ 2,988,387	\$ -
Other Taxes						
110-313-40541 Mixed Beverage (Liquor) Tax	\$ 4,031	\$ 3,450	\$ 4,291	\$ 2,363	\$ 4,291	\$ -
110-313-40542 Occupancy Tax/Skill Games	-	-	-	-	-	-
110-313-40545 Payment in Lieu of Taxes (PILO)	7,920	5,170	7,920	-	7,920	-
Total Other Taxes	\$ 11,951	\$ 8,620	\$ 12,211	\$ 2,363	\$ 12,211	\$ -
Total All Taxes	\$ 4,862,297	\$ 4,825,273	\$ 5,952,617	\$ 4,345,900	\$ 5,952,617	\$ -
Gross Receipts & Franchise Fees						
110-315-41131 Pedermates Electric	\$ 355,087	\$ 401,239	\$ 348,912	\$ -	\$ 348,912	\$ -
110-315-41132 Entex Energy	67,270	60,023	54,021	65,098	54,021	-
110-315-41133 Time Warner Cable Franchise	97,781	95,880	101,731	47,248	101,731	-
110-316-41141 Verizon SW Access Fees	11,628	8,400	13,937	5,423	13,937	-
110-316-41142 Time Warner Access Fees	2,690	5,084	-	3	-	-
110-316-41149 Other Access Fees	7,388	13,623	9,554	13,358	9,554	-
110-317-41161 Trash Franchise - Res.	95,117	117,537	200,889	65,434	200,889	-
110-317-41162 Trash Franchise - Comm.	-	-	-	-	-	-
110-319-41191 Other Franchise Fees	-	-	-	-	-	-
Total Gross Receipts & Franchise Fees	\$ 636,963	\$ 701,786	\$ 729,044	\$ 196,564	\$ 729,044	\$ -
Charges for Services						
110-321-41211 Refuse Charges - Residential	\$ 1,094,361	\$ 1,277,639	\$ 1,508,900	\$ 653,307	\$ 1,508,900	\$ -
110-321-41212 Refuse Charges - Commercial	-	-	-	-	-	-
110-324-41213 Refuse Collection - Penalty	52,536	79,909	80,000	34,683	80,000	-
110-321-41214 Mowing & Lot Care Fees	-	-	-	-	80,000	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Miscellaneous Revenue		1,213	275	(169)	275	-
Billable City Work Revenue		4,970	-	1,545	-	-
Total Charges for Services	\$ 1,149,587	\$ 1,363,731	\$ 1,589,175	\$ 689,366	\$ 1,589,175	\$ -
Fines and Forfeitures						
Municipal Court Fines	\$ 827,282	\$ 303,420	\$ 303,178	\$ 213,962	\$ 303,178	\$ -
Court Administration Fee	63,895	83,173	74,496	49,734	74,496	-
Child Safety Fees	-	-	-	-	-	-
Total Fines and Forfeitures	\$ 891,177	\$ 386,593	\$ 377,674	\$ 263,696	\$ 377,674	\$ -
Licenses, Fees and Permits						
Animal Control Revenue	\$ 788	\$ 4,766	\$ 1,878	\$ 416	\$ 1,878	\$ -
Solicitor Permits	800	1,075	800	138	800	-
Misc. Public Safety Charges	457	9	15	-	15	-
Alcohol Permits	5,934	5,905	7,997	-	7,997	-
Food Vendor Permits	-	-	-	88	-	-
Total Licenses, Fees and Permits	\$ 7,979	\$ 11,755	\$ 10,690	\$ 641	\$ 10,690	\$ -
Library Revenue						
Library Cards	\$ 12,489	\$ -	\$ -	\$ -	\$ -	\$ -
Library General Revenue	-	15,204	37,965	7,857	37,965	-
Lone Star Grant	5,108	6,564	6,564	6,564	6,564	-
Hays County Support	29,586	30,000	30,000	15,000	30,000	-
Total Library Revenue	\$ 47,183	\$ 51,768	\$ 74,529	\$ 29,421	\$ 74,529	\$ -
Interest and Other						
Police Dept Revenue	\$ 2,766	\$ 3,609	\$ 4,400	\$ 1,696	\$ 4,400	\$ -
CAPCOG	500	500	-	500	-	-
Investment Income	94,107	30,327	21,970	8,860	21,970	-
Lease - Land	-	7,075	-	960	-	-
Lease - Buildings	47,800	48,889	53,496	51,600	53,496	-
Sell - Equipment	721	6,556	5,499	8,463	5,499	-
Claims and Reimbursement	89,407	57,283	45,543	20,731	45,543	-
Refunds	1,583	1,864	1,864	16,001	1,864	-
Donations - Unrestricted	150	22	-	-	-	-
Donations - Other Restricted	-	500	-	-	-	-
Library Donation - Thrift Shop	43,325	25,800	41,600	17,200	41,600	-
Total Interest and Other	\$ 280,358	\$ 182,425	\$ 174,372	\$ 126,010	\$ 174,372	\$ -
TOTAL REVENUE:	\$ 7,875,544	\$ 7,523,332	\$ 8,908,101	\$ 5,651,598	\$ 8,908,101	\$ -
TRANSFERS IN:						
Transfer - Utility Operating	\$ 1,350,000	\$ 1,479,956	\$ 1,732,351	\$ 866,174	\$ 1,732,351	\$ -
TOTAL TRANSFERS IN:	\$ 1,350,000	\$ 1,479,956	\$ 1,732,351	\$ 866,174	\$ 1,732,351	\$ -

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
TOTAL REVENUE AND TRANSFERS IN:	\$ 9,225,544	\$ 9,003,288	\$ 10,640,452	\$ 6,517,772	\$ 10,640,452	\$ -
EXPENDITURES:						
Mayor & Council						
110-100-51112 Regular Part Time Wages	-	500	-	-	-	\$ -
110-100-51113 Temporary/Seasonal Wages	5,950	6,200	8,600	4,075	8,600	-
110-100-51141 FICA/Social Security	455	513	414	312	414	-
110-100-51142 Workers Compensation	-	16	32	4	32	-
110-100-51143 State Unemployment Taxes	24	-	-	-	-	-
110-100-51171 Business - Transportation	368	251	-	89	-	-
110-100-51172 Business - Lodging	714	-	-	-	-	-
110-100-51173 Business - Food & Meals	703	1,354	-	183	-	-
110-100-51181 Training/Registration	295	825	1,500	-	1,500	-
110-100-51182 Professional Conferences	1,320	295	3,000	1,845	11,000	8,000
110-100-51183 Memberships and Dues	5,810	4,120	4,500	1,000	4,500	-
110-100-51184 Subscription and Books	122	-	250	-	250	-
110-100-51186 Training - Transportation	137	-	800	1,302	800	-
110-100-51187 Training - Lodging	-	1,637	1,500	614	1,500	-
110-100-51188 Training - Meals	70	113	500	21	500	-
110-100-52111 General Office Supplies	284	1,470	415	206	415	-
110-100-52115 Computer Supplies	-	-	-	-	-	-
110-100-52117 Postage	-	-	-	-	-	-
110-100-52141 City Sponsored Event Supplies	183	844	1,000	-	1,000	-
110-100-52161 Election Supplies	-	-	-	-	-	-
110-100-52174 Misc Supplies	10	-	-	-	-	-
110-100-52214 Computer Hardware	-	370	-	-	-	-
110-100-55111 Legal Services	6,664	15,427	8,000	3,282	8,000	-
110-100-55112 Litigation/Mediation	154	-	-	-	-	-
110-100-55113 Engineering Services	159	-	-	-	-	-
110-100-55225 Insurance & Bonds	1,581	1,930	1,650	1,600	1,650	-
110-100-55243 Advertising	3,614	5,183	5,000	694	5,000	-
110-100-55311 Election Services	-	-	-	-	-	-
110-100-55324 Financial Consulting Services	-	-	-	-	-	-
110-100-55329 Other Contract Services	-	-	1,000	2,400	2,400	1,400
110-100-55348 Public Works OCS	400	615	-	-	-	-
110-100-58112 Contrib to Civic Prog	30,000	30,000	30,000	-	30,000	-
Total Mayor & Council	\$ 59,017	\$ 71,661	\$ 68,161	\$ 17,627	\$ 77,561	\$ 9,400
Administration						
110-100-51111 Regular Full Time Wages	551,663	608,846	356,784	143,064	356,784	\$ -
110-100-51112 Regular Part Time Wages	-	-	-	-	-	-
110-100-51113 Temporary/Seasonal Wages	2,094	121	-	50	-	-
110-100-51114 Overtime Wages	445	4,220	2,500	2,710	2,500	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Vacation Leave	15,548	43,858	18,344	2,953	18,344	-
Sick Leave - Regular	5,192	9,769	-	3,621	-	-
Cost of Living Adjustment	-	-	1,467	-	1,467	-
Merit Increase	2,327	-	2,933	164	2,933	-
Longevity Pay	2,694	4,878	3,348	2,520	3,348	-
Car Allowance	7,875	5,500	6,000	1,750	6,000	-
Language Incentive	-	1,385	1,800	450	1,800	-
Housing Allowance	-	-	-	-	-	-
FICA/Social Security	36,542	38,845	29,584	10,824	29,584	-
Workers Compensation	2,475	1,675	1,537	1,482	1,537	-
State Unemployment Taxes	4,606	1,451	2,052	-	2,052	-
Retirement - TMRS	50,933	61,318	32,317	13,514	32,317	-
Health Insurance	44,642	26,184	26,435	11,436	26,435	-
Dental Insurance	2,256	1,778	987	828	987	-
Life Insurance	737	516	437	180	437	-
ST/LT Disability Insurance	-	-	714	1,054	714	-
Long-Term Disabilities	-	-	882	-	882	-
Uniforms (Buy)	55	15	-	-	-	-
Business - Transportation	2,725	1,480	1,200	233	1,200	-
Business - Lodging	1,137	498	300	-	300	-
Business - Food & Meals	3,820	3,903	3,000	1,426	3,000	-
Training/Registration	4,379	1,464	4,500	424	4,500	-
Professional Conferences	2,649	2,209	3,000	920	3,000	-
Memberships and Dues	6,590	6,927	7,350	4,539	7,350	-
Subscription and Books	3,499	1,331	1,100	455	1,100	-
Training - Transportation	3,852	950	5,000	1,345	5,000	-
Training - Lodging	2,980	1,860	4,000	2,141	4,000	-
Training - Meals	2,990	898	1,000	68	1,000	-
General Office Supplies	24,003	15,862	21,000	6,978	21,000	-
Copier/Plotter Supplies	159	-	-	-	-	-
Computer Supplies	42	146	1,000	-	1,000	-
Postage	12,065	22,561	15,000	6,985	15,000	-
Office Security Supplies	2,569	6,895	5,000	8,549	5,000	-
City Sponsored Event Supplies	-	-	-	-	-	-
Election Supplies	-	-	-	-	-	-
Medical Supplies	334	-	-	-	-	-
Training Supplies	2,680	-	-	-	-	-
Misc Occasions Supplies	7,052	280	3,000	258	3,000	-
Food/Meals	-	890	-	13	-	-
Misc Supplies	454	18	-	-	-	-
Office Furniture (<\$5,000)	2,770	-	5,000	315	5,000	-
Communication Equipment	597	-	3,000	-	3,000	-
Photographic Equipment	-	-	-	-	-	-
Computer Hardware	542	2,900	-	-	-	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
110-110-52215	258	827	-	-	-	-
110-110-52216	-	293	-	-	-	-
110-110-52217	-	-	-	-	-	-
110-110-52218	-	-	-	-	-	-
110-110-52219	-	-	-	-	-	-
110-110-53111	3,491	-	-	-	-	-
110-110-53112	58	-	-	-	-	-
110-110-53123	1,712	1,137	1,000	463	1,000	-
110-110-53124	3,257	2,836	3,800	1,771	3,800	-
110-110-53126	1,005	886	1,000	451	1,000	-
110-110-54111	3,782	-	-	-	-	-
110-110-54161	192	175	100	115	100	-
110-110-54162	92	-	-	-	-	-
110-110-54164	-	6	-	-	-	-
110-110-54171	-	-	500	-	500	-
110-110-54172	75	779	500	-	500	-
110-110-54173	-	-	300	-	300	-
110-110-54175	5,469	10,820	10,000	7,204	10,000	-
110-110-55111	39,992	36,210	23,500	10,375	35,000	11,500
110-110-55112	36,570	70	-	-	-	-
110-110-55113	6,930	2,861	2,000	32	2,000	-
110-110-55115	55	-	-	-	-	-
110-110-55117	-	1,600	-	38	5,351	5,351
110-110-55211	432	209	500	32	500	-
110-110-55224	-	51	100	-	100	-
110-110-55225	6,734	6,193	6,500	7,659	6,500	-
110-110-55241	30,302	23,510	18,000	12,575	18,000	-
110-110-55242	-	-	-	41	-	-
110-110-55243	6,795	2,700	12,500	49	12,500	-
110-110-55244	78	-	250	95	250	-
110-110-55245	335	92	-	-	-	-
110-110-55246	9,731	-	-	-	-	-
110-110-55311	-	9,265	9,000	-	9,000	-
110-110-55324	3,500	-	-	-	-	-
110-110-55325	481	-	-	-	-	-
110-110-55326	400	-	-	-	-	-
110-110-55329	13,359	20,388	22,050	14,613	22,050	-
110-110-55331	-	615	-	255	-	-
110-110-55332	4,800	5,150	-	-	-	-
110-110-55334	195	-	-	-	-	-
110-110-55348	25,836	-	-	-	-	-
110-110-57111	-	-	-	-	-	-
110-110-57112	-	-	-	-	-	-
110-110-57114	-	-	-	-	-	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Instruments/Apparatus	18,843	63,066	-	-	-	-
Reserve Expense for OPEB	1,042,730	1,071,169	-	-	-	-
Total Administration	\$ 1,061,573	\$ 1,134,235	\$ 683,171	\$ 287,015	\$ 700,022	\$ 16,851
Human Resources						
110-113-51111 Regular Full Time Wages	1,899	95,580	128,471	60,704	128,471	\$
110-113-51113 Temporary/Seasonal Wages	-	19,929	-	1,200	-	-
110-113-51114 Overtime Wages	-	690	-	128	-	-
110-113-51121 Vacation Leave	-	6,127	5,063	1,142	5,063	-
110-113-51122 Sick Leave - Regular	-	8,448	-	1,353	-	-
110-113-51127 Cost of Living	-	-	571	-	571	-
110-113-51128 Merit Increase	-	-	1,142	-	1,142	-
110-113-51131 Longevity Pay	-	450	486	324	486	-
110-113-51134 Language Incentive	-	381	675	407	675	-
110-113-51141 FICA/Social Security	-	9,399	10,047	4,794	10,047	-
110-113-51142 Worker's Compensation	-	404	383	361	383	-
110-113-51143 State Unemployment Taxes	-	572	742	-	742	-
110-113-51144 Retirement - TMRS	-	9,190	11,400	5,467	11,400	-
110-113-51151 Health Insurance	-	7,648	12,116	5,805	12,116	-
110-113-51152 Dental Insurance	-	538	388	427	388	-
110-113-51153 Life Insurance	-	130	172	79	172	-
110-113-51154 ST/LT Disability Insurance	-	-	281	547	281	-
110-113-51155 Long-Term Disabilities	-	-	347	-	347	-
110-113-51173 Business - Food & Meals	-	309	1,000	308	1,000	-
110-113-51181 Training/Registration	-	1,449	5,000	409	5,000	-
110-113-51182 Professional Conferences	-	1,445	5,000	-	5,000	-
110-113-51183 Memberships & Dues	-	1,208	1,500	195	1,500	-
110-113-51184 Subscriptions and Books	-	-	1,000	272	1,000	-
110-113-51185 Tuition Reimbursement	-	-	-	457	-	-
110-113-51186 Training - Transportation	-	1,124	2,500	805	2,500	-
110-113-51187 Training - Lodging	-	945	2,500	2,374	2,500	-
110-113-51188 Training - Meals	-	139	1,000	166	1,000	-
110-113-51189 Risk Mgmt-MedicalSvc/Drug Test	-	-	3,500	84	3,500	-
110-113-51190 Risk Mgmt- Training/Registration	-	-	-	-	-	-
110-113-51191 Risk Mgmt-Prof Conferences	-	-	-	-	-	-
110-113-51192 Risk Mgmt-Gen Office Supplies	-	-	-	-	-	-
110-113-51193 Risk Mgmt-Outside Printing	-	-	-	-	-	-
110-113-51194 Risk Mgmt-Incentives/Events	-	-	-	-	-	-
110-113-52111 General Office Supplies	-	935	1,500	1,591	1,500	-
110-113-52115 Computer Supplies	-	-	500	-	500	-
110-113-52117 Postage	-	35	200	109	200	-
110-113-52141 City Sponsored Event Supplies	-	566	2,500	600	2,500	-
110-113-52172 Misc Occasions Supplies	-	-	1,000	562	1,000	-
110-113-52173 Food/Meals	-	10	1,000	18	1,000	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Misc Supplies	-	1	200	-	200	-
Office Furniture (<\$5,000)	-	-	250	100	250	-
Communication Equipment	-	-	-	-	-	-
Computer Hardware	-	184	200	-	200	-
Computer Accessories	-	181	500	-	500	-
Cell Phones/Pagers	-	314	-	373	-	-
Office Equipment Rental	-	46	-	-	-	-
Legal Services	-	7,570	8,000	987	8,000	-
Litigation/Mediation	-	-	10,000	-	10,000	-
Medical Services/Drug Testing	-	5,512	4,500	873	4,500	-
Other Professional Services	-	996	6,000	587	6,000	-
Insurance & Bonds	-	2,896	-	-	-	-
Outside Printing	-	79	3,000	-	3,000	-
Delivery/Courier Service	-	33	-	48	-	-
Advertising	-	3,375	5,000	46	5,000	-
Miscellaneous Services	-	-	500	-	500	-
New Hire Screening	-	3,641	5,000	744	5,000	-
Training Services	-	75	3,000	-	3,000	-
Testing/Certification	-	8,978	10,000	469	10,000	-
Other Contract Services	-	1,816	5,000	-	5,000	-
IT Service Maint/License Fees	-	4,614	-	-	-	-
IT Hosting Services	-	295	-	-	-	-
Total Human Resources	\$ 1,899	\$ 208,254	\$ 263,134	\$ 94,912	\$ 263,134	\$ -
Information Technology	\$ 98,363	\$ 84,587	\$ 147,736	\$ 63,960	\$ 147,736	\$ -
Regular Full Time Wages	-	-	-	-	-	-
Regular Part Time Wages	-	-	-	-	-	-
Temporary/Seasonal Wages	-	-	-	-	-	-
Overtime Wages	-	-	-	-	-	-
Vacation Leave	4,048	6,237	5,683	2,232	5,683	-
Sick Leave - Regular	3,293	5,712	-	2,842	-	-
Cost of Living Adjustment	-	-	739	-	739	-
Merit Increase	1,401	-	5,007	-	5,007	-
Longevity Pay	96	378	216	144	216	-
FICA/Social Security	7,306	6,969	11,759	4,748	11,759	-
Workers Compensation	486	335	742	425	742	-
State Unemployment Taxes	26	480	810	114	810	-
Retirement - TMRS	9,818	8,475	13,343	5,935	13,343	-
Health Insurance	8,704	5,885	13,218	3,892	13,218	-
Dental Insurance	564	517	423	467	423	-
Life Insurance	86	84	188	63	188	-
ST/LT Disability Insurance	-	-	306	633	306	-
Long-Term Disabilities	-	-	378	-	378	-
Uniforms (Buy)	-	-	-	-	-	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
110-115-51171	32	70	-	-	-	-
110-115-51172	-	-	-	-	-	-
110-115-51173	15	-	-	-	-	-
110-115-51181	6,260	-	2,500	-	2,500	-
110-115-51182	-	-	1,500	-	1,500	-
110-115-51183	99	131	100	-	100	-
110-115-51184	-	99	100	-	100	-
110-115-51186	-	-	500	24	500	-
110-115-51187	-	-	-	-	-	-
110-115-51188	-	-	-	-	-	-
110-115-52111	486	374	700	161	700	-
110-115-52115	796	152	-	-	-	-
110-115-52117	-	-	-	-	-	-
110-115-52118	3	-	-	-	-	-
110-115-52141	-	121	200	-	200	-
110-115-52163	102	-	-	-	-	-
110-115-52168	10	47	100	96	100	-
110-115-52171	-	-	-	-	-	-
110-115-52172	14	-	-	-	-	-
110-115-52173	-	-	-	-	-	-
110-115-52211	3,129	-	-	-	-	-
110-115-52212	300	255	-	-	-	-
110-115-52213	-	-	-	-	-	-
110-115-52214	2,407	486	20,000	19,714	20,000	-
110-115-52215	3,299	8,678	1,000	807	1,000	-
110-115-52216	89	113	1,500	807	1,500	-
110-115-52217	-	-	-	-	-	-
110-115-52218	340	-	-	-	-	-
110-115-52219	-	-	-	-	-	-
110-115-53123	857	1,137	-	463	917	917
110-115-53124	1,752	2,120	3,300	1,558	3,300	-
110-115-53125	-	-	-	120	-	-
110-115-53126	503	438	1,000	226	1,000	-
110-115-54154	-	714	1,000	15	1,000	-
110-115-54161	-	10	-	39	-	-
110-115-54171	-	-	-	-	-	-
110-115-54172	-	2,509	2,000	242	2,000	-
110-115-54173	125	-	-	-	-	-
110-115-55225	1,696	2,896	3,000	2,963	3,000	-
110-115-55242	-	16	-	-	-	-
110-115-55325	-	-	-	-	-	-
110-115-55329	1,394	1,968	2,000	-	2,000	-
110-115-55331	8,198	6,145	120,729	115,091	142,701	21,972
110-115-55332	7,266	-	25,000	19,500	25,000	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
IT Online Services	700	600	1,200	300	1,200	-
IT Consulting Services	-	25,350	1,000	-	1,000	-
IT Maint Services (Consultant)	-	-	-	-	-	-
IT Warranties	-	-	-	-	-	-
OCS	410	-	-	-	-	-
Office Furniture (>\$5,000)	-	-	-	-	-	-
Communication Equipment	-	-	-	-	-	-
Computer Equipment	-	-	10,000	2,763	10,000	-
Instruments/Apparatus	-	-	-	-	-	-
Total Information Technology	\$ 174,471	\$ 174,088	\$ 398,977	\$ 250,343	\$ 421,866	\$ 22,889
Financial Services						
Regular Full Time Wages	\$ 241,294	\$ 202,195	\$ 298,197	\$ 133,281	\$ 298,197	\$ -
Regular Part Time Wages	-	-	-	-	-	-
Temporary/Seasonal Wages	-	-	-	-	-	-
Overtime Wages	3,304	4,415	4,000	985	4,000	-
Vacation Leave	5,529	12,584	11,469	4,282	11,469	-
Sick Leave - Regular	3,302	4,403	-	1,790	-	-
Cost of Living Adjustment	-	-	1,375	-	1,375	-
Merit Increase	3,388	-	2,750	213	2,750	-
Longevity Pay	570	909	1,188	792	1,188	-
FICA/Social Security	19,162	16,686	21,849	10,497	21,849	-
Workers Compensation	1,129	677	1,371	695	1,371	-
State Unemployment Taxes	60	890	1,485	264	1,485	-
Retirement - TMRS	24,114	19,277	24,792	12,125	24,792	-
Health Insurance	17,417	16,022	24,232	10,932	24,232	-
Dental Insurance	1,128	1,128	776	810	776	-
Life Insurance	247	184	343	125	343	-
ST/LT Disability Insurance	-	-	561	1,271	561	-
Long-Term Disabilities	-	-	693	-	693	-
Uniforms (Buy)	-	-	200	-	200	-
Business - Transportation	151	693	560	147	560	-
Business - Lodging	-	-	-	-	-	-
Business - Food & Meals	31	32	50	30	50	-
Training/Registration	9,788	1,003	1,590	50	1,590	-
Professional Conferences	109	350	1,980	225	1,980	-
Memberships and Dues	425	506	100	100	100	-
Subscription and Books	109	14	25	25	25	-
Training - Transportation	523	155	595	-	595	-
Training - Lodging	503	-	400	-	400	-
Training - Meals	6	13	80	-	80	-
General Office Supplies	6,179	4,149	5,000	2,342	5,000	-
Copier/Plotter Supplies	868	389	400	357	400	-
Computer Supplies	111	-	-	-	-	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
110-121-52117	3,431	2,902	2,500	2,855	2,500	-
110-121-52118	-	-	-	-	-	-
110-121-52141	131	181	200	-	200	-
110-121-52163	56	-	-	-	-	-
110-121-52171	-	-	-	-	-	-
110-121-52172	7	-	-	-	-	-
110-121-52173	40	-	-	-	-	-
110-121-52174	-	64	-	-	-	-
110-121-52211	-	-	500	320	500	-
110-121-52212	14	-	-	-	-	-
110-121-52214	20	240	-	-	-	-
110-121-52215	-	-	-	-	-	-
110-121-52216	194	-	-	-	-	-
110-121-52218	250	-	-	-	-	-
110-121-53123	1,213	1,137	1,260	463	1,260	-
110-121-53124	443	330	400	137	400	-
110-121-53125	-	-	-	-	-	-
110-121-54171	-	290	-	-	-	-
110-121-54172	-	-	-	-	-	-
110-121-54173	-	-	-	-	-	-
110-121-54175	1,494	2,480	1,600	991	1,600	-
110-121-55111	2,862	2,312	500	288	500	-
110-121-55113	-	70	-	-	-	-
110-121-55114	39,456	35,397	38,000	38,000	38,000	-
110-121-55117	-	-	-	-	-	-
110-121-55212	51,387	56,661	52,000	29,913	59,827	5,000
110-121-55213	1,588	1,644	-	-	1,715	7,827
110-121-55221	-	10,452	-	9,874	12,500	1,715
110-121-55222	6	-	-	-	-	12,500
110-121-55223	-	-	-	-	-	-
110-121-55224	-	-	2,900	37	2,900	-
110-121-55225	2,376	3,296	-	3,120	3,120	3,120
110-121-55226	121	-	-	-	-	-
110-121-55241	-	390	300	486	300	-
110-121-55242	-	44	50	6	50	-
110-121-55243	-	193	50	-	50	-
110-121-55245	-	-	-	-	-	-
110-121-55324	-	-	-	-	-	-
110-121-55329	5,970	25,713	10,000	10,780	16,000	6,000
110-121-55331	4,978	26,387	-	-	-	-
110-121-55348	7,231	-	-	-	-	-
110-121-57111	-	-	-	-	-	-
110-121-57112	-	-	-	-	-	-
110-121-57114	-	-	-	-	-	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
	\$	\$	\$	\$	\$	\$
Instruments/Apparatus	462,717	456,857	516,321	278,608	552,483	36,162
Total Financial Services	\$ 462,717	\$ 456,857	\$ 516,321	\$ 278,608	\$ 552,483	\$ 36,162
Utility Billing						
110-123-51111 Regular Full Time Wages	131,436	-	-	-	-	\$ -
110-123-51112 Regular Part Time Wages	-	-	-	-	-	-
110-123-51113 Temporary/Seasonal Wages	3,168	-	-	-	-	-
110-123-51114 Overtime Wages	6,015	-	-	-	-	-
110-123-51121 Vacation Leave	2,302	-	-	-	-	-
110-123-51122 Sick Leave - Regular	4,256	-	-	-	-	-
110-123-51127 Cost of Living Adjustment	-	-	-	-	-	-
110-123-51128 Merit Increase	329	-	-	-	-	-
110-123-51131 Longevity Pay	372	-	-	-	-	-
110-123-51141 FICA/Social Security	10,015	-	-	-	-	-
110-123-51142 Workers Compensation	1,721	-	-	-	-	-
110-123-51143 State Unemployment Taxes	36	-	-	-	-	-
110-123-51144 Retirement - TMRS	13,213	-	-	-	-	-
110-123-51151 Health Insurance	16,754	-	-	-	-	-
110-123-51152 Dental Insurance	1,069	-	-	-	-	-
110-123-51153 Life Insurance	205	-	-	-	-	-
110-123-51161 Uniforms (Buy)	306	-	-	-	-	-
110-123-51162 Uniform Rental	-	-	-	-	-	-
110-123-51171 Business - Transportation	-	-	-	-	-	-
110-123-51172 Business - Lodging	-	-	-	-	-	-
110-123-51173 Business - Food & Meals	43	-	-	-	-	-
110-123-51181 Training/Registration	4,451	-	-	-	-	-
110-123-51182 Professional Conferences	-	-	-	-	-	-
110-123-51183 Memberships and Dues	-	-	-	-	-	-
110-123-51184 Subscription and Books	50	-	-	-	-	-
110-123-51185 Tuition	-	-	-	-	-	-
110-123-51186 Training - Transportation	169	-	-	-	-	-
110-123-51187 Training - Lodging	-	-	-	-	-	-
110-123-51188 Training - Meals	72	-	-	-	-	-
110-123-52111 General Office Supplies	4,748	-	-	-	-	-
110-123-52113 Copier/Plotter Supplies	-	-	-	-	-	-
110-123-52115 Computer Supplies	526	-	-	-	-	-
110-123-52117 Postage	41,125	-	-	-	-	-
110-123-52118 Office Security Supplies	-	-	-	-	-	-
110-123-52141 City Sponsored Event Supplies	183	-	-	-	-	-
110-123-52163 Medical Supplies	60	-	-	-	-	-
110-123-52171 Training Supplies	-	-	-	-	-	-
110-123-52172 Misc Occasions Supplies	-	-	-	-	-	-
110-123-52173 Food/Meals	172	-	-	-	-	-
110-123-52211 Office Furniture (<\$5,000)	-	-	-	-	-	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
110-123-52212	1,170	-	-	-	-	-
110-123-52214	511	-	-	-	-	-
110-123-52215	-	-	-	-	-	-
110-123-52216	-	-	-	-	-	-
110-123-52217	-	-	-	-	-	-
110-123-52218	-	-	-	-	-	-
110-123-52219	-	-	-	-	-	-
110-123-53123	3,795	-	-	-	-	-
110-123-53124	1,213	-	-	-	-	-
110-123-54111	-	-	-	-	-	-
110-123-54154	220	-	-	-	-	-
110-123-54161	92	-	-	-	-	-
110-123-54164	5	-	-	-	-	-
110-123-54171	-	-	-	-	-	-
110-123-54172	-	-	-	-	-	-
110-123-54173	-	-	-	-	-	-
110-123-54175	1,149	-	-	-	-	-
110-123-55111	70	-	-	-	-	-
110-123-55117	32	-	-	-	-	-
110-123-55221	70	-	-	-	-	-
110-123-55222	59,079	-	-	-	-	-
110-123-55225	-	-	-	-	-	-
110-123-55226	3,441	-	-	-	-	-
110-123-55241	175	-	-	-	-	-
110-123-55242	24	-	-	-	-	-
110-123-55243	-	-	-	-	-	-
110-123-55324	-	-	-	-	-	-
110-123-55329	12,498	-	-	-	-	-
110-123-55331	13,460	-	-	-	-	-
110-123-55348	23,608	-	-	-	-	-
110-123-57111	-	-	-	-	-	-
110-123-57112	-	-	-	-	-	-
110-123-57114	-	-	-	-	-	-
110-123-57115	-	-	-	-	-	-
Total Utility Billing	\$ 363,410	\$ -	\$ -	\$ -	\$ -	\$ -
Municipal Court						
110-125-51111	85,055	92,065	102,182	47,455	102,182	\$ -
110-125-51112	24,080	23,446	15,000	16,313	38,395	\$ 23,395
110-125-51113	-	-	-	-	-	-
110-125-51114	987	723	1,500	505	1,500	-
110-125-51121	3,457	6,643	3,930	1,476	3,930	-
110-125-51122	1,662	2,411	-	1,664	-	-
110-125-51127	-	-	511	-	511	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
110-125-51128	1,366	-	1,022	-	1,022	-
110-125-51131	1,098	1,431	1,620	1,080	1,620	-
110-125-51134	-	900	900	450	900	-
110-125-51135	-	-	1,800	-	1,800	-
110-125-51141	8,383	9,237	9,607	5,009	11,396	1,789
110-125-51142	581	388	603	398	1,070	467
110-125-51143	37	553	1,080	30	1,267	187
110-125-51144	8,593	8,920	9,377	4,510	9,377	-
110-125-51151	16,287	16,030	13,218	8,379	18,379	5,161
110-125-51152	1,035	1,128	423	637	423	-
110-125-51153	213	228	187	114	187	-
110-125-51154	-	-	306	548	306	-
110-125-51155	-	-	378	-	378	-
110-125-51161	-	-	-	-	-	-
110-125-51171	-	-	-	-	-	-
110-125-51172	-	-	-	-	-	-
110-125-51173	-	-	-	-	-	-
110-125-51181	25	-	-	-	-	-
110-125-51182	290	205	200	179	200	-
110-125-51183	-	-	-	-	-	-
110-125-51184	36	131	-	-	-	-
110-125-51186	34	167	500	-	250	-
110-125-51187	-	-	500	-	500	-
110-125-51188	-	15	100	30	100	-
110-125-52111	1,257	1,356	1,500	608	1,500	-
110-125-52113	-	26	50	-	50	-
110-125-52115	-	-	-	-	-	-
110-125-52117	2,624	2,308	3,000	2,834	3,000	-
110-125-52141	-	241	250	-	250	-
110-125-52171	-	-	-	-	-	-
110-125-52172	-	-	-	-	-	-
110-125-52173	-	-	-	-	-	-
110-125-52174	-	40	-	-	-	-
110-125-52211	-	-	1,000	537	1,000	-
110-125-52212	-	-	-	-	-	-
110-125-52214	-	-	-	-	-	-
110-125-52215	-	-	-	-	-	-
110-125-52216	-	-	-	-	-	-
110-125-52217	-	-	-	-	-	-
110-125-52218	-	428	-	-	-	-
110-125-52219	-	-	-	-	-	-
110-125-53123	1,213	1,137	1,000	463	1,000	-
110-125-54171	-	-	-	-	-	-
110-125-54172	-	-	-	-	-	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Communication Equip Repair	-	-	-	-	-	-
Office Equipment Rental	1,149	1,210	1,000	991	1,000	-
Legal Services	40,720	45,230	30,000	11,389	50,000	20,000
Other Professional Services	-	-	2,500	-	2,500	-
Jury/Election Judge Serv Pay	-	18	150	36	150	-
Credit Card Fees	830	3,639	1,500	2,573	5,200	3,700
Insurance & Bonds	418	-	500	498	500	-
Bad Debt Collection Service	-	-	1,500	-	1,500	-
Outside Printing	1,091	1,278	2,000	1,659	2,000	-
Delivery/Courier Service	-	-	-	-	-	-
Advertising	313	-	500	-	500	-
Testing/Certification	-	-	360	-	360	-
Other Contract Services	1,418	2,700	2,000	1,629	2,000	-
IT Service Maint/License Fees	2,520	2,997	-	-	-	-
IT Hosting Services	-	-	-	-	-	-
Testing/Certification	130	-	-	-	-	-
OCS	3,922	-	-	-	-	-
Office Furniture (>\$5 000)	-	-	-	-	-	-
Communication Equipment	-	-	-	-	-	-
Computer Equipment	-	-	-	-	-	-
Instruments/Apparatus	-	-	-	-	-	-
Total Municipal Court	\$ 210,827	\$ 227,231	\$ 214,004	\$ 111,993	\$ 268,703	\$ 54,699
Parks & Recreation Administration						
Regular Full Time Wages	\$ 103,100	\$ 139,888	\$ 150,650	\$ 73,726	\$ 150,650	\$ -
Regular Part Time Wages	-	-	-	-	-	-
Temporary/Seasonal Wages	1,966	-	-	-	-	-
Overtime Wages	249	1,250	-	0	-	-
Vacation Leave	3,598	11,165	5,794	1,202	5,794	-
Sick Leave - Regular	35	1,787	-	862	-	-
Cost of Living Adjustment	-	-	753	-	753	-
Merit Increase	1,628	-	1,506	-	1,506	-
Longevity Pay	360	648	972	648	972	-
FICA/Social Security	7,792	10,522	11,954	5,289	11,954	-
Workers Compensation	1,411	1,997	5,709	2,287	5,709	-
State Unemployment Taxes	33	620	810	-	810	-
Retirement - TMRS	12,076	13,056	13,564	6,552	13,564	-
Health Insurance	8,688	12,033	13,218	6,270	13,218	-
Dental Insurance	599	846	423	478	423	-
Life Insurance	143	220	187	114	187	-
ST/LT Disability Insurance	-	-	306	686	306	-
Long-Term Disabilities	-	-	378	-	378	-
Uniforms (Buy)	-	427	450	-	450	-
Business - Transportation	107	-	-	-	-	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Business - Lodging	-	-	-	-	-	-
Business - Food & Meals	118	230	120	-	120	-
Training/Registration	480	772	600	140	600	-
Professional Conferences	-	600	500	-	500	-
Memberships and Dues	377	838	450	140	450	-
Subscription and Books	40	35	200	138	200	-
Training - Transportation	660	195	400	51	400	-
Training - Lodging	-	1,544	1,600	-	1,600	-
Training - Meals	-	485	500	-	500	-
General Office Supplies	7,929	4,751	4,500	2,006	4,500	-
Copier/Plotter Supplies	-	-	-	-	-	-
Computer Supplies	115	-	-	-	-	-
Postage	1,101	47	300	27	300	-
City Sponsored Event Supplies	26	181	181	182	181	-
Medical Supplies	56	-	-	-	-	-
Training Supplies	-	-	-	-	-	-
Misc Occasions Supplies	14	-	-	-	-	-
Food/Meals	292	30	-	-	-	-
Misc Supplies	-	1	-	-	-	-
Office Furniture (<\$5,000)	-	-	-	-	-	-
Communication Equipment	314	-	-	-	-	-
Computer Hardware	-	145	-	-	-	-
Computer Software	-	-	-	-	-	-
Computer Accessories	-	-	-	-	-	-
Instruments/Apparatus	-	-	-	-	-	-
General Electronic Equipment	-	-	-	-	-	-
Other Office Equipment	1,213	1,137	1,350	463	1,350	-
Trunk Telephone System	1,392	2,206	2,400	920	2,400	-
Cell Phones/Pagers	503	438	600	226	600	-
Wireless Data Services	488	-	220	5,768	220	-
Motor Vehicle Repair/Maint	374	-	-	-	-	-
Other Equip Maint/Repair	1,224	103	2,250	1,078	2,250	-
Fuel	52	-	100	72	100	-
Oil & Lube Svc/Seasonal Maint	5	-	100	-	100	-
Tires/Batteries	-	-	-	-	-	-
Office Equipment Maint/Repair	-	-	-	-	-	-
Computer Equip Maint/Repair	-	-	-	-	-	-
Communication Equip Repair	278	639	4,800	3,679	4,800	-
Office Equipment Rental	7,347	2,794	4,000	939	4,000	-
Legal Services	-	189	-	-	-	-
Engineering Services	92	-	-	-	-	-
County Recording Fees	842	-	-	-	-	-
Property Taxes	5,200	1,684	1,000	65	1,000	-
Credit Card Fees	-	-	-	-	-	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Insurance & Bonds	1,878	364	1,739	1,718	1,739	-
Outside Printing	210	-	500	366	500	-
Delivery/Courier Service	-	-	-	-	-	-
Advertising	95	140	500	400	500	-
Other Contract Services	2	336	700	3	700	-
IT Service Maint/License Fees	-	559	-	-	-	-
IT Hosting Services	1,650	1,800	-	-	-	-
OCS	220	-	-	-	-	-
Office Furniture (>\$5,000)	-	-	-	-	-	-
Communication Equipment	-	-	-	-	-	-
Computer Equipment	-	-	-	-	-	-
Instruments/Apparatus	-	-	-	-	-	-
Motor Vehicles	21,060	-	-	-	-	-
Total Parks & Recreation Administration	\$ 197,432	\$ 216,702	\$ 236,283	\$ 116,494	\$ 236,284	\$ -

Parks Maintenance & Operations

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Regular Full Time Wages	\$ 257,427	\$ 290,226	\$ 385,128	\$ 165,911	\$ 385,128	\$ -
Regular Part Time Wages	8,734	-	-	-	-	-
Temporary/Seasonal Wages	24,243	31,189	50,000	554	50,000	-
Overtime Wages	968	6,046	6,000	4,237	6,000	-
Vacation Leave	7,848	23,877	14,813	5,663	14,813	-
Sick Leave - Regular	4,858	12,135	-	5,808	-	-
Cost of Living Adjustment	-	-	1,940	-	1,940	-
Ment Increase	108	85	5,327	190	5,327	-
Longevity Pay	1,728	3,267	4,752	2,880	4,752	-
Certification Incentive	1,500	3,000	6,395	1,500	6,395	-
FICA/Social Security	20,868	26,755	38,063	13,779	38,063	-
Workers Compensation	17,807	11,779	24,148	13,676	24,148	-
State Unemployment Taxes	214	2,383	4,860	45	4,860	-
Retirement - TMRS	22,811	28,671	35,657	15,892	35,657	-
Health Insurance	37,339	43,760	57,277	25,135	57,277	-
Dental Insurance	2,418	3,049	1,833	1,917	1,833	-
Life Insurance	429	493	811	274	811	-
ST/LT Disability Insurance	-	-	1,326	1,610	1,326	-
Long-Term Disabilities	-	-	1,638	-	1,638	-
Uniforms (Buy)	7,182	8,710	11,000	1,651	11,000	-
Uniform Rental	2,615	2,514	-	-	-	-
Business - Transportation	-	-	-	-	-	-
Business - Lodging	-	-	-	-	-	-
Business - Food & Meals	-	33	-	-	-	-
Training/Registration	480	982	1,520	-	1,520	-
Professional Conferences	-	365	2,240	-	2,240	-
Memberships and Dues	676	650	-	672	-	-
Subscription and Books	27	-	-	-	-	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
110-133-51186	1,443	77	-	-	-	-
110-133-51187	-	362	640	-	640	-
110-133-51188	73	680	320	255	320	-
110-133-52111	5,851	3,067	3,500	1,163	3,500	-
110-133-52115	-	-	-	-	-	-
110-133-52122	110	698	750	305	750	-
110-133-52123	113	-	125	-	125	-
110-133-52124	530	61	150	121	150	-
110-133-52126	-	-	500	-	500	-
110-133-52131	2,441	686	2,500	322	2,500	-
110-133-52133	659	128	200	336	200	-
110-133-52141	339	704	600	-	600	-
110-133-52163	-	-	-	-	-	-
110-133-52164	-	-	-	-	-	-
110-133-52165	1,001	3,992	4,000	1,640	4,000	-
110-133-52166	-	-	500	-	500	-
110-133-52168	1,169	399	-	-	-	-
110-133-52171	-	-	-	-	-	-
110-133-52172	-	-	-	-	-	-
110-133-52173	33	-	-	-	-	-
110-133-52212	196	-	-	-	-	-
110-133-52221	5,783	4,511	8,000	4,111	8,000	-
110-133-52222	-	-	-	-	-	-
110-133-52228	26	27	-	-	-	-
110-133-52229	-	1,989	1,750	1,750	1,750	-
110-133-52231	178	261	250	354	250	-
110-133-53121	19,219	17,611	16,318	7,342	16,318	-
110-133-53122	195	278	294	546	294	-
110-133-53123	-	146	5,000	253	5,000	-
110-133-53124	3,433	4,706	-	1,644	4,032	4,032
110-133-53127	2,129	14,365	6,000	9,712	24,902	18,902
110-133-53128	3,074	437	2,730	194	2,730	-
110-133-53132	585	-	-	-	-	-
110-133-53134	84	-	-	-	-	-
110-133-53136	124	339	3,000	-	3,000	-
110-133-53141	8,029	6,578	6,000	-	6,000	-
110-133-53149	536	249	2,000	-	2,000	-
110-133-53151	-	-	-	-	-	-
110-133-53152	1,024	392	1,500	1,490	1,500	-
110-133-53153	18	327	1,200	400	1,200	-
110-133-54112	33	25	-	-	-	-
110-133-54113	-	-	-	-	-	-
110-133-54114	-	-	-	-	-	-
110-133-54131	4,532	1,894	5,000	1,923	5,000	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Trailers/Light Vehicles Maint.	2,866	4,164	3,200	3,200	3,200	-
Truck/Heavy Equipment Repair	1,678	1,760	2,000	1,231	2,000	-
Extended Warranty	-	-	-	-	-	-
Inspection/Registration/Etc	-	61	100	-	100	-
Body Shop Repairs	-	-	-	50	-	-
Machine Tools Maint/Repair	741	379	750	908	750	-
Other Equip Maint/Repair	12,180	7,489	1,000	1,042	1,000	-
Fuel	16,921	28,042	17,750	8,742	35,000	17,250
Oil & Lube Svc/Seasonal Maint	1,152	596	600	1,339	600	-
Tires/Batteries	2,880	2,111	1,500	953	1,500	-
Insurance & Bonds	6,583	8,884	6,912	6,814	6,912	-
Landscaping/Groundskeeping	6,643	-	-	-	-	-
Office Furniture (>\$5,000)	-	13,644	32,000	-	32,000	-
Computer Equipment	-	-	-	-	-	-
Instruments/Apparatus	-	-	-	-	-	-
Machine Tools/Apparatus	-	-	-	-	-	-
Light Equipment	15,200	14,754	-	4,710	4,710	4,710
Motor Vehicles	-	22,021	-	-	-	-
Heavy Equipment	35,800	-	-	-	-	-
Other Equipment	5,204	4,560	-	-	-	-
Payment of Claims	-	1,026	-	-	-	-
Total Parks Maintenance & Operations	\$ 591,086	\$ 674,449	\$ 793,366	\$ 324,243	\$ 838,261	\$ 44,894
Facilities Maintenance & Operations						
Regular Full Time Wages	\$ 83,316	\$ 85,846	\$ 88,641	\$ 41,353	\$ 88,641	\$ -
Regular Part Time Wages	4,446	1,074	20,000	4,960	20,000	-
Temporary/Seasonal Wages	2,961	-	-	-	-	-
Overtime Wages	329	1,197	-	1,058	-	-
Vacation Leave	2,747	5,332	3,409	1,238	3,409	-
Sick Leave - Regular	3,124	4,068	-	2,204	-	-
Cost of Living Adjustment	-	-	443	-	443	-
Merit Increase	279	-	886	-	886	-
Longevity Pay	696	1,251	972	648	972	-
FICA/Social Security	7,332	6,972	8,813	3,289	8,813	-
Workers Compensation	5,120	3,466	5,497	2,158	5,497	-
State Unemployment Taxes	31	613	1,296	18	1,296	-
Retirement - TMRS	9,280	8,459	8,086	3,984	8,086	-
Health Insurance	14,257	12,334	13,218	6,196	13,218	-
Dental Insurance	833	868	423	475	423	-
Life Insurance	161	140	187	68	187	-
ST/LT Disability Insurance	-	-	306	424	306	-
Long-Term Disabilities	-	-	378	-	378	-
Uniforms (Buy)	1,555	2,000	3,000	125	3,000	-
Uniform Rental	1,313	1,162	-	-	-	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Business - Transportation	-	-	-	-	-	-
Business - Lodging	-	-	-	-	-	-
Business - Food & Meals	-	-	-	-	-	-
Training/Registration	119	-	-	-	-	-
Professional Conferences	-	-	320	-	320	-
Memberships and Dues	160	291	140	80	140	-
Subscription and Books	-	-	-	-	-	-
Training - Transportation	489	-	-	-	-	-
Training - Lodging	-	-	240	-	240	-
Training - Meals	-	192	160	-	160	-
General Office Supplies	6,665	3,260	2,000	186	2,000	-
Computer Supplies	-	-	-	-	-	-
Safety Signs and Barricades	1,259	999	500	-	500	-
Building Materials	228	1,264	1,250	740	1,250	-
Electrical/Plumbing Supplies	935	5,464	6,700	1,761	6,700	-
Machine Fabricated Parts	26	-	-	-	-	-
Misc Hardware	89	860	800	408	800	-
City Sponsored Event Supplies	52	663	-	-	-	-
Medical Supplies	570	561	1,500	79	1,500	-
Pesticides	225	-	-	-	-	-
Minor Tools/Instruments	2,966	345	1,500	2,254	1,500	-
Training Supplies	-	-	-	-	-	-
Misc Occasions Supplies	-	-	-	-	-	-
Food/Meals	-	-	-	-	-	-
Misc Supplies	-	691	625	674	625	-
Office Furniture (<\$5,000)	-	67	-	-	-	-
Communication Equipment	28	-	-	-	-	-
Other Office Equipment	-	-	-	3,044	-	-
Grounds Keeping Equipment	4	-	-	-	-	-
Facility Maint. Tools	2,105	650	625	-	625	-
Other Field Equipment	3,330	-	-	-	-	-
Other Operational Equipment	-	-	4,500	2,428	4,500	-
Annual Facility Lease	4,697	8,352	8,400	-	8,400	-
Short Term Facility Rental	-	-	-	-	-	-
Light & Power	72,573	63,069	75,650	19,676	75,650	-
Natural Gas/Propane	1,812	1,971	3,009	1,580	3,009	-
Trunk Telephone System	1,395	2,247	1,300	1,176	1,300	-
Cell Phones/Pagers	810	1,412	1,100	877	1,100	-
Internet Service	16,848	15,983	14,766	8,144	14,766	-
Water/Sewer/Trash	36,911	3,836	4,532	1,720	4,532	-
Roofing Repairs	-	1,630	1,500	-	1,500	-
Electrical Repairs	3,277	852	3,500	671	3,500	-
Heating/Cooling Repairs	4,027	3,219	6,000	4,398	6,000	-
Plumbing Repairs	255	125	800	355	800	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Carpentry/Painting	-	904	4,500	2,080	4,500	-
Concrete Masonary	-	-	-	-	-	-
Grounds Maintenance/Repair	5,869	-	-	-	-	-
Misc Bldg Repairs/Maint	2,085	338	500	-	500	-
Janitorial Service - Contract	1,084	-	-	-	-	-
Cleaning Supplies	2,803	3,583	7,500	7,192	7,500	-
Cleaning - Paper Products	339	2,951	7,500	7,424	7,500	-
Light Equipment Rental	33	25	-	-	-	-
Motor Vehicle Repair/Maint	818	2,007	2,100	7	2,100	-
Trailers/Light Vehicles Maint.	-	978	-	-	-	-
Truck/Heavy Equipment Repair	150	-	-	-	-	-
Extended Warranty	-	-	-	-	-	-
Inspection/Registration/Etc	-	44	-	15	-	-
Body Shop Repairs	-	-	-	-	-	-
Machine Tools Maint/Repair	52	-	-	-	-	-
Other Equip Maint/Repair	1,401	498	-	-	-	-
Fuel	2,316	4,035	1,000	1,432	1,000	-
Oil & Lube Svc/Seasonal Maint	690	361	450	(978)	450	-
Tires/Batteries	422	536	500	-	500	-
Insurance & Bonds	9,554	8,891	10,032	9,873	10,032	-
Testing/Certification	-	-	1,050	-	1,050	-
Other Contract Services	1,413	6,660	9,500	9,418	9,500	-
Testing/Certification	509	-	-	-	-	-
Trash Collection Service	351	282	210	118	210	-
Landscaping/Groundskeeping	26,150	8,920	6,000	-	6,000	-
Public Works OCS	492	-	-	-	-	-
Computer Equipment	-	-	-	-	-	-
Instruments/Apparatus	-	-	-	-	-	-
Other Capital Outlay	-	19,972	-	-	-	-
Machine Tools/Apparatus	-	-	-	-	-	-
Light Equipment	12,950	-	-	-	-	-
Motor Vehicles	24,242	-	-	-	-	-
Heavy Equipment	10,000	-	-	-	-	-
Other Equipment	-	-	-	-	-	-
Building & Storage Facilities	7,594	-	-	8,246	-	-
Total Facilities Maintenance & Operations	\$ 410,955	\$ 313,771	\$ 347,814	\$ 163,272	\$ 347,814	\$ -
Public Library						
Regular Full Time Wages	\$ 119,047	\$ 126,049	\$ 226,307	\$ 78,704	\$ 226,307	\$ -
Regular Part Time Wages	51,688	24,537	48,651	12,482	48,651	-
Temporary/Seasonal Wages	82	19,650	-	3,340	-	-
Overtime Wages	507	1,276	1,000	199	1,000	-
Vacation Leave	4,373	6,342	8,704	217	8,704	-
Sick Leave - Regular	1,317	3,036	-	1,902	-	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Cost of Living Adjustment	-	-	1,132	-	1,132	-
Merit Increase	154	51	2,263	-	2,263	-
Longevity Pay	156	657	972	360	972	-
Language Incentive	-	2,562	2,700	900	2,700	-
FICA/Social Security	13,103	13,189	24,342	7,178	24,342	-
Workers Compensation	732	630	1,562	831	1,562	-
State Unemployment Taxes	46	1,305	2,970	196	2,970	-
Retirement - TMRS	12,597	11,806	20,315	7,055	20,315	-
Health Insurance	17,898	15,688	26,436	10,425	26,436	-
Dental Insurance	1,187	1,105	846	784	846	-
Life Insurance	213	179	374	112	374	-
ST/LT Disability Insurance	-	-	612	702	612	-
Long-Term Disabilities	-	-	756	-	756	-
Business - Transportation	624	587	800	-	800	-
Business - Lodging	-	-	-	-	-	-
Business - Food & Meals	25	28	50	-	50	-
Training/Registration	115	60	300	70	300	-
Professional Conferences	-	-	-	-	-	-
Memberships and Dues	190	291	270	125	270	-
Subscription and Books	-	-	-	-	-	-
Training - Transportation	208	-	500	37	500	-
Training - Lodging	-	-	-	-	-	-
Training - Meals	10	-	100	12	100	-
General Office Supplies	6,958	6,889	5,800	1,780	5,800	-
Copier/Plotter Supplies	-	175	3,080	-	3,080	-
Computer Supplies	771	1,294	4,500	-	4,500	-
Postage	1,762	1,794	3,200	655	3,200	-
Office Security Supplies	-	2	100	101	100	-
City Sponsored Event Supplies	209	362	375	-	375	-
Medical Supplies	-	-	50	-	50	-
Training Supplies	-	-	-	-	-	-
Misc Occasions Supplies	175	201	1,350	17	1,350	-
Food/Meals	-	6	-	-	-	-
Lone Star Grant Supplies	5,128	6,564	6,564	3,001	6,564	-
Periodicals	759	1,718	2,000	1,667	2,000	-
Library Books	17,967	14,197	18,500	4,081	18,500	-
Books on CD/Movies	3,910	4,320	4,000	716	4,000	-
Office Furniture (<\$5,000)	472	6,484	8,984	-	8,984	-
Communication Equipment	-	-	-	-	-	-
Computer Hardware	201	509	-	-	-	-
Computer Software	-	-	-	-	-	-
Computer Accessories	74	600	-	-	-	-
Instruments/Apparatus	-	-	-	-	-	-
General Electronic Equipment	540	-	-	-	-	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Other Office Equipment	-	269	1,950	-	1,950	-
Light & Power	6,376	5,922	5,000	1,801	5,000	-
Natural Gas/Propane	380	412	600	319	600	-
Trunk Telephone System	3,035	3,191	3,300	1,381	3,300	-
Water/Sewer/Trash	-	-	700	-	700	-
Carpentry/Painting	8,800	-	-	-	-	-
Grounds Maintenance/Repair	418	170	-	-	-	-
Misc Bldg Repairs/Maint	5	209	-	-	-	-
Janitorial Service - Contract	2,322	2,709	-	-	-	-
Cleaning Supplies	49	159	-	-	-	-
N/A - Office Equipment Rental	25	-	-	-	-	-
Other Equip Maint/Repair	544	806	500	-	500	-
Office Equipment Maint/Repair	303	310	2,000	-	2,000	-
Computer Equip Maint/Repair	304	-	-	-	-	-
Communication Equip Repair	-	-	-	-	-	-
Office Equipment Rental	-	144	4,200	828	4,200	-
Legal Services	5,429	279	500	166	500	-
Insurance & Bonds	2,784	1,584	3,000	2,463	3,000	-
Summer Reading Program	2,523	3,476	5,000	106	5,000	-
Summer Reading Program	-	91	-	-	-	-
Outside Printing	-	-	-	-	-	-
Delivery/Courier Service	-	-	-	-	-	-
Advertising	11	295	400	-	400	-
Testing/Certification	-	-	-	-	-	-
Other Contract Services	831	482	1,320	165	1,320	-
IT Service Maint/License Fees	-	1,342	-	-	-	-
IT Hosting Services	30	-	-	-	-	-
Testing/Certification	260	-	-	-	-	-
Trash Collection Service	-	-	420	-	420	-
Public Works OCS	-	-	-	-	-	-
Office Furniture (>\$5,000)	1,973	-	-	-	-	-
Communication Equipment	-	-	-	-	-	-
Computer Equipment	-	-	-	-	-	-
Instruments/Apparatus	-	-	-	-	-	-
Other Capital Outlay	5,980	-	-	-	-	-
Total Public Library	\$ 305,578	\$ 295,991	\$ 459,355	\$ 144,879	\$ 459,355	\$ -
Police Operations	\$ 1,226,599	\$ 1,260,884	\$ 1,671,423	\$ 679,072	\$ 1,671,423	\$ -
Regular Full Time Wages	-	-	-	-	-	-
Regular Part Time Wages	-	-	-	-	-	-
Temporary/Seasonal Wages	147,139	162,814	35,000	81,437	35,000	-
Overtime Wages	-	-	13,728	-	13,728	-
Shift Pay	-	-	72,059	-	72,059	-
Vacation Leave	48,796	146,081	-	46,215	-	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
110-151-51122	14,997	8,628	-	5,556	-	-
110-151-51123	-	130,829	38,320	10,845	38,320	-
110-151-51127	-	-	660	-	660	-
110-151-51128	85	7,984	1,320	63	1,320	-
110-151-51131	6,354	11,745	13,176	8,280	13,176	-
110-151-51132	-	-	-	-	-	-
110-151-51133	5,500	6,000	6,000	2,500	6,000	-
110-151-51134	3,393	5,158	7,800	4,742	7,800	-
110-151-51135	4,419	6,392	5,700	2,781	5,700	-
110-151-51141	101,215	119,310	130,710	61,612	130,710	-
110-151-51142	72,682	55,664	77,791	60,083	77,791	-
110-151-51143	393	7,006	9,180	154	9,180	-
110-151-51144	129,503	140,134	148,310	72,152	148,310	-
110-151-51151	97,350	118,667	147,597	56,343	147,597	-
110-151-51152	6,791	8,354	4,794	4,286	4,794	-
110-151-51153	1,144	1,397	2,125	632	2,125	-
110-151-51154	-	-	3,654	5,865	3,654	-
110-151-51155	-	-	4,470	-	4,470	-
110-151-51161	37,886	29,871	57,810	17,519	57,810	-
110-151-51162	713	-	-	-	-	-
110-151-51171	39	231	500	-	500	-
110-151-51172	-	1,451	700	137	700	-
110-151-51173	128	496	300	85	300	-
110-151-51181	23,133	22,242	17,000	7,025	17,000	-
110-151-51182	545	-	2,000	-	2,000	-
110-151-51183	2,193	3,155	2,000	556	2,000	-
110-151-51184	1,670	2,753	1,650	913	1,650	-
110-151-51185	3,200	-	-	-	-	-
110-151-51186	1,988	1,448	3,000	3,460	3,000	-
110-151-51187	13,606	9,603	9,500	7,368	9,500	-
110-151-51188	2,057	2,013	500	1,427	500	-
110-151-52111	21,390	17,077	16,200	5,200	16,200	-
110-151-52113	36	2,593	990	543	990	-
110-151-52115	430	251	900	-	900	-
110-151-52117	1,471	610	1,170	244	1,170	-
110-151-52118	-	520	540	-	540	-
110-151-52122	171	-	-	-	-	-
110-151-52124	-	50	-	-	-	-
110-151-52126	-	536	-	-	-	-
110-151-52131	-	36	-	-	-	-
110-151-52141	842	1,306	1,350	1,000	1,350	-
110-151-52151	29,271	-	-	-	-	-
110-151-52152	1,921	-	-	-	-	-
110-151-52154	534	-	-	242	-	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
110-151-52163	256	-	450	71	450	-
110-151-52168	20,851	364	2,970	-	2,970	-
110-151-52171	3,504	60	-	-	-	-
110-151-52172	3,546	3,340	-	137	-	-
110-151-52173	309	1,429	1,350	1,318	1,350	-
110-151-52174	1,667	323	-	38	-	-
110-151-52182	3,214	5,379	13,950	837	13,950	-
110-151-52183	70	1,953	3,240	774	3,240	-
110-151-52211	-	11,968	900	640	900	-
110-151-52212	36,344	15,906	-	-	-	-
110-151-52213	61	886	1,440	-	1,440	-
110-151-52214	7,281	10,367	905	-	905	-
110-151-52215	798	9,959	2,340	-	2,340	-
110-151-52216	1,931	4,417	4,050	3,588	4,050	-
110-151-52217	6,411	-	450	-	450	-
110-151-52218	1,390	331	450	-	450	-
110-151-52219	3,828	727	900	114	900	-
110-151-52227	1,304	678	3,328	2,915	3,328	-
110-151-52228	-	166	-	-	-	-
110-151-53111	2,533	-	-	-	-	-
110-151-53121	10,479	13,748	15,243	4,628	15,243	-
110-151-53122	49	-	-	-	-	-
110-151-53123	18,496	20,063	21,000	8,781	21,000	-
110-151-53124	17,126	13,627	9,900	5,647	9,900	-
110-151-53125	4,765	3,126	6,500	1,046	6,500	-
110-151-53126	1,390	11,270	6,000	4,254	6,000	-
110-151-53127	-	-	-	-	-	-
110-151-53132	79	-	-	-	-	-
110-151-53133	168	-	-	-	-	-
110-151-53134	-	187	-	-	-	-
110-151-53141	5	86	-	-	-	-
110-151-53149	396	1,760	2,000	12	2,000	-
110-151-53151	3,803	2,661	-	-	-	-
110-151-53152	16	388	-	-	-	-
110-151-54111	486	-	-	-	-	-
110-151-54112	-	141	-	-	-	-
110-151-54131	15,419	14,257	25,000	3,459	25,000	-
110-151-54132	-	3,930	-	-	-	-
110-151-54141	-	-	-	-	-	-
110-151-54143	-	44	-	(1,535)	-	-
110-151-54148	4,822	7,242	-	-	-	-
110-151-54154	5,006	26,232	-	15	-	-
110-151-54161	42,848	63,332	65,000	35,290	65,000	-
110-151-54162	2,984	2,213	1,500	1,381	1,500	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Tires/Batteries	4,746	6,667	2,500	2,159	2,500	-
Car Washes (& Tokens)	1,050	904	1,000	600	1,000	-
Office Equipment Maint/Repair	113	54	-	-	-	-
Computer Equip Maint/Repair	4,250	-	2,000	-	2,000	-
Communication Equip Repair	3,302	4,141	6,000	65	6,000	-
Office Equipment Rental	1,278	2,235	-	745	-	-
Legal Services	25,985	16,888	23,000	6,657	23,000	-
Litigation/Mediation	-	25,387	12,500	4,187	12,500	-
Medical Services/Drug Testing	126	294	200	147	200	-
Veterinarian Services	-	407	-	973	-	-
Other Professional Services	-	600	1,000	-	1,000	-
County Recording Fees	-	-	4,000	-	4,000	-
Insurance & Bonds	26,543	35,466	37,870	37,869	37,870	-
Outside Printing	1,402	4,892	2,500	1,272	2,500	-
Delivery/Courier Service	163	594	200	118	200	-
Advertising	4,074	134	2,000	88	2,000	-
New Hire Screening	2,556	2,676	4,000	500	4,000	-
SM-Hays Co Animal Control	52,601	56,474	57,280	57,279	57,280	-
Other Contract Services	6,134	11,911	7,000	3,022	40,000	33,000
IT Service Maint/License Fees	-	12,062	-	-	-	-
Testing/Certification	260	-	-	-	-	-
IT Warranties	-	-	-	-	-	-
Landscaping/Groundskeeping	-	32	-	-	-	-
Streets/Drains/Sidewalks	-	277	-	-	-	-
Public Works OCS	2,090	-	-	-	-	-
Office Furniture (>\$5,000)	-	-	25,000	22,102	25,000	-
Communication Equipment	9,895	-	-	-	-	-
Computer Equipment	11,209	-	6,800	-	6,800	-
Instruments/Apparatus	747	-	-	-	-	-
Machine Tools/Apparatus	12,390	-	-	-	-	-
Light Equipment	158,176	220,486	50,274	-	50,274	-
Motor Vehicles	-	23,032	-	-	-	-
Building & Storage Facilities	18,000	-	-	-	-	-
Interfund Transfer Out	2,580,310	2,971,459	2,943,916	1,359,533	2,976,917	33,000
Total Police Operations	\$ 2,580,310	\$ 2,971,459	\$ 2,943,916	\$ 1,359,533	\$ 2,976,917	\$ 33,000
Police Support Services	\$ 247,092	\$ 219,554	\$ 403,469	\$ 147,262	\$ 403,469	\$ -
Regular Full Time Wages	-	-	-	-	-	-
Regular Part Time Wages	-	-	-	-	-	-
Temporary/Seasonal Wages	30,694	37,595	29,700	20,884	29,700	-
Overtime Wages	5,641	12,850	15,518	3,813	15,518	-
Vacation Leave	6,278	8,817	-	3,016	-	-
Sick Leave - Regular	-	-	2,187	-	2,187	-
Cost of Living Adjustment	-	-	-	-	-	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
110-155-51128	2,111	91	4,375	402	4,375	-
110-155-51131	792	1,233	1,188	720	1,188	-
110-155-51134	1,142	900	900	346	900	-
110-155-51135	-	-	-	-	-	-
110-155-51141	20,939	21,104	31,420	12,955	31,420	-
110-155-51142	1,480	949	1,971	980	1,971	-
110-155-51143	87	1,685	3,240	322	3,240	-
110-155-51144	26,841	24,102	35,650	15,143	35,650	-
110-155-51151	39,591	30,294	52,870	20,779	52,870	-
110-155-51152	2,103	2,103	1,692	1,570	1,692	-
110-155-51153	450	340	748	225	748	-
110-155-51154	-	-	1,326	1,291	1,326	-
110-155-51155	-	-	1,638	-	1,638	-
110-155-51161	1,249	287	2,200	-	2,200	-
110-155-51171	-	-	-	-	-	-
110-155-51172	-	-	-	-	-	-
110-155-51173	90	-	-	-	-	-
110-155-51181	418	-	2,500	-	2,500	-
110-155-51182	-	-	-	-	-	-
110-155-51183	-	200	100	-	100	-
110-155-51184	679	374	-	-	-	-
110-155-51185	-	-	-	-	-	-
110-155-51186	524	30	750	-	750	-
110-155-51187	255	-	500	-	500	-
110-155-51188	107	84	500	-	500	-
110-155-52111	-	-	-	-	-	-
110-155-52115	1,611	-	-	-	-	-
110-155-52117	-	-	-	-	-	-
110-155-52118	-	-	-	-	-	-
110-155-52141	-	9	-	-	-	-
110-155-52163	-	-	-	-	-	-
110-155-52168	159	-	-	-	-	-
110-155-52171	-	-	-	-	-	-
110-155-52172	53	173	-	-	-	-
110-155-52173	25	24	500	-	500	-
110-155-52174	-	89	-	-	-	-
110-155-52212	-	416	500	1,383	500	-
110-155-52216	-	33	-	-	-	-
110-155-53123	-	-	-	-	-	-
110-155-53124	-	-	-	-	-	-
110-155-55225	1,987	4,688	5,050	5,036	5,050	-
110-155-55246	-	-	500	-	500	-
110-155-55329	-	-	4,400	-	4,400	-
110-155-55331	-	702	-	-	-	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Office Furniture (>\$5,000)	-	-	-	-	-	-
Communication Equipment	-	-	-	-	-	-
Computer Equipment	-	-	-	-	-	-
Instruments/Apparatus	-	-	-	-	-	-
Total Police Support Services	\$ 392,401	\$ 368,728	\$ 605,391	\$ 236,129	\$ 605,392	\$ -
Emergency Medical Services (Contract)						
Water/Sewer/Trash	\$ -	\$ 139	\$ -	\$ 173	\$ -	\$ -
Other Equip Maint/Repair	1,874	553	-	-	-	-
Insurance & Bonds	5,173	1,739	-	-	-	-
SM-Hays Co Emerg Medical	63,928	66,204	160,000	160,000	160,000	-
Kyle Fire Dept	5,000	5,000	-	-	5,000	5,000
Other Contract Services	-	-	-	-	-	-
Capital Improv - Construction	-	-	-	-	-	-
Other Contributions	-	-	-	-	-	-
Total Emergency Medical Services (Contract)	\$ 75,975	\$ 73,635	\$ 160,000	\$ 160,173	\$ 165,000	\$ 5,000
Street Maintenance						
Regular Full Time Wages	\$ 219,903	\$ 239,518	\$ 193,247	\$ 95,012	\$ 193,247	\$ -
Regular Part Time Wages	-	-	-	-	-	-
Temporary/Seasonal Wages	-	-	-	-	-	-
Overtime Wages	10,316	13,442	6,000	1,670	6,000	-
Vacation Leave	5,877	23,622	10,242	4,367	10,242	-
Sick Leave - Regular	2,860	7,134	-	2,477	-	-
Cost of Living Adjustment	-	-	1,410	-	1,410	-
Merit Increase	1,364	-	2,821	-	2,821	-
Longevity Pay	1,722	3,294	2,160	1,152	2,160	-
Certification Incentive	-	-	-	-	-	-
FICA/Social Security	16,524	20,224	21,700	7,072	21,700	-
Workers Compensation	18,244	16,463	25,305	14,097	25,305	-
State Unemployment Taxes	67	1,256	1,890	32	1,890	-
Retirement - TMRS	21,742	24,582	24,622	8,967	24,622	-
Health Insurance	22,663	26,446	30,841	12,891	30,841	-
Dental Insurance	1,450	1,861	987	987	987	-
Life Insurance	303	360	437	146	437	-
ST/L T Disability Insurance	-	-	714	1,004	714	-
Long-Term Disabilities	-	-	882	-	882	-
Uniforms (Buy)	1,672	1,005	4,000	311	4,000	-
Uniform Rental	2,087	2,721	5,333	1,656	5,333	-
Business - Transportation	206	-	-	-	-	-
Business - Lodging	-	-	-	-	-	-
Business - Food & Meals	-	-	-	-	-	-
Training/Registration	333	-	2,800	370	2,800	-
Professional Conferences	-	-	800	-	800	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Memberships and Dues	265	241	-	-	-	-
Subscription and Books	60	-	-	-	400	-
Training - Transportation	-	-	400	-	2,000	-
Training - Lodging	67	-	2,000	-	1,008	-
Training - Meals	-	-	1,008	35	1,000	-
General Office Supplies	322	498	1,000	46	-	-
Copier/Printer/Plotter Supply	-	204	-	-	-	-
Computer Supplies	-	-	-	-	-	-
Office Security Supplies	58	-	50	-	50	-
Street Repair Materials	18,617	21,074	18,000	12,287	18,000	-
Safety Signs and Barricades	7,001	9,523	8,000	4,382	8,000	-
Striping and Street Signs	5,538	5,656	7,000	4,195	7,000	-
Building Materials	1,661	2,813	4,000	1,156	4,000	-
Clamps	101	198	300	292	300	-
Sand and Gravel	15,241	15,411	18,000	993	18,000	-
Electrical/Plumbing Supplies	325	737	600	-	600	-
Machine Fabricated Parts	-	990	1,500	4	1,500	-
Misc Hardware	400	112	100	75	100	-
City Sponsored Event Supplies	104	301	350	-	350	-
Fire Prevention Supplies	319	113	350	116	350	-
Laboratory Supplies	-	26	50	-	50	-
Medical Supplies	812	876	1,000	137	1,000	-
Chemicals/Pool Supplies	699	854	6,500	961	6,500	-
Pesticides	-	5	-	-	-	-
Botanical/Landscape	347	73	100	-	100	-
Minor Tools/Instruments	5,951	1,028	1,500	-	1,500	-
Training Supplies	-	-	-	-	-	-
Misc Occasions Supplies	338	193	175	65	175	-
Food/Meals	40	28	150	13	150	-
Misc Supplies	632	2,766	1,100	138	1,100	-
Communication Equipment	133	-	200	-	200	-
General Electronic Equipment	-	-	150	-	150	-
Other Office Equipment	-	-	150	-	150	-
Grounds Keeping Equipment	-	650	150	-	150	-
Street Maintenance Equipment	448	98	2,000	-	2,000	-
Facility Maint. Tools	972	1,007	1,500	71	1,500	-
Other Field Equipment	2,321	4,201	5,000	0	5,000	-
Light & Power	152,828	154,464	154,000	55,921	154,000	-
Natural Gas/Propane	195	244	-	-	-	-
Trunk Telephone System	857	1,137	-	463	-	-
Cell Phones/Pagers	1,837	1,939	4,000	768	4,000	-
Wireless Data Services	601	438	500	226	500	-
Water/Sewer/Trash	-	22	-	-	-	-
Electrical Repairs	1,579	1,164	1,500	-	1,500	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
110-161-53149	509	-	-	-	-	-
110-161-53152	26	302	200	-	200	-
110-161-53153	48	47	100	-	100	-
110-161-54111	193	-	-	-	-	-
110-161-54112	428	329	500	(4)	500	-
110-161-54113	-	-	-	-	-	-
110-161-54114	5,215	11,708	15,000	(395)	15,000	-
110-161-54131	851	1,356	1,500	-	1,500	-
110-161-54132	102	343	500	171	500	-
110-161-54133	-	-	500	9	500	-
110-161-54135	4,544	3,646	5,000	334	5,000	-
110-161-54141	-	-	-	-	-	-
110-161-54143	77	97	200	70	200	-
110-161-54148	2,697	3,925	2,000	100	2,000	-
110-161-54151	113	126	200	-	200	-
110-161-54154	99	61	3,000	1,068	3,000	-
110-161-54161	11,279	14,067	16,000	6,818	16,000	-
110-161-54162	2,444	1,355	2,000	227	2,000	-
110-161-54163	1,085	1,155	2,000	262	2,000	-
110-161-54164	-	-	-	-	-	-
110-161-54175	387	768	-	-	-	-
110-161-55111	945	-	-	-	-	-
110-161-55113	-	8,680	5,000	130	5,000	-
110-161-55115	840	65	1,200	65	1,200	-
110-161-55117	83	32,906	10,000	34,782	37,317	27,317
110-161-55222	8	20	-	-	-	-
110-161-55223	-	1	-	-	-	-
110-161-55225	8,858	12,886	-	-	-	-
110-161-55242	20	332	-	-	-	-
110-161-55341	-	176	-	-	-	-
110-161-55348	50	-	-	-	-	-
110-161-55441	1,721	5,398	5,000	-	30,000	25,000
110-161-57114	-	-	-	-	-	-
110-161-57115	-	-	-	-	-	-
110-161-57121	11,680	-	-	-	-	-
110-161-57122	-	-	-	-	-	-
110-161-57123	19,100	20,698	6,700	-	6,700	-
110-161-57124	-	-	-	-	-	-
110-161-57125	-	9,895	-	-	-	-
110-161-57217	-	38,788	-	-	-	-
Total Street Maintenance	\$ 621,406	\$ 780,146	\$ 655,173	\$ 278,194	\$ 707,491	\$ 52,317
Sanitation (Contract)						
110-163-55341	\$ 1,093,870	\$ 1,281,490	\$ 1,478,900	\$ 543,482	\$ 1,478,900	\$

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Total Sanitation (Contract)	\$ 1,093,870	\$ 1,281,490	\$ 1,478,900	\$ 543,482	\$ 1,478,900	\$ -
Non Departmental						
Health Insurance	\$ 6,158	\$ -	\$ -	\$ -	\$ -	\$ -
Light & Power	-	-	-	-	-	-
Other Contract Services	35	-	-	-	-	-
Trash Collection Service	-	-	-	-	-	-
Public Works OCS	168	-	-	-	-	-
Interfund Transfers Out	399,540	947,724	816,486	408,245	816,486	-
Total Non Departmental	\$ 405,900	\$ 947,724	\$ 816,486	\$ 408,245	\$ 816,486	\$ -
TOTAL EXPENDITURES:	\$ 8,989,985	\$ 10,133,354	\$ 10,640,452	\$ 4,775,142	\$ 10,915,669	\$ 275,212
TOTAL REVENUE & TRANSFERS-IN IN EXCESS (DEFICIT) OVER EXPENDITURES	\$ 235,558	\$ (1,130,066)	\$ -	\$ 1,742,630	\$ (275,217)	
ESTIMATED ENDING FUND BALANCE	\$ 3,809,009	\$ 2,678,943	\$ 2,678,943	\$ 4,421,573	\$ 2,403,726	

City of Kyle, Texas
 Complete Detail Line Item Budget - COMMUNITY DEVELOPMENT
 Fiscal Year 2010-11

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
BEGINNING FUND BALANCE (UNAUDITED)	\$ (593,430)	\$ (761,415)	\$ (721,168)	\$ (721,168)	\$ (721,168)	\$ -
REVENUE:						
Construction Inspection						
Building Inspection Permits	\$ 467,896	\$ 313,300	\$ 385,492	\$ 196,277	\$ 385,492	\$ -
Electrical Inspections	940	595	810	245	810	-
Plumbing Inspections	7,055	10,205	9,546	5,425	9,546	-
Re-Inspections	17,075	24,275	35,189	5,460	35,189	-
Fire Permit Inspections	19,065	14,163	24,077	3,500	24,077	-
Miscellaneous	123	61	30	16	30	-
Total Construction Inspection:	\$ 512,153	\$ 362,599	\$ 455,144	\$ 210,924	\$ 455,144	\$ -
Other Inspection						
Sign Permits	\$ 10,075	\$ 7,358	\$ 7,740	\$ 529	\$ 7,740	\$ -
House Moving	810	900	700	270	700	-
Remodeling	-	(80)	-	-	-	-
Swimming Pool	95	95	160	-	160	-
Total Other Inspection:	\$ 10,980	\$ 8,273	\$ 8,600	\$ 799	\$ 8,600	\$ -
Land Use Planning & Review						
Development Review Fee	\$ 13,193	\$ 10,791	\$ 11,000	\$ 12,163	\$ 11,000	\$ -
Plat Fees	305	-	-	3,221	-	-
Variance Fee	1,400	600	1,030	150	1,030	-
Zoning Amendment Fee	1,442	1,935	3,033	33,045	3,033	-
Miscellaneous	-	100	171	-	171	-
Site Filling/Grading Permit	250	-	-	2,218	-	-
Conditional Use	1,385	456	519	611	519	-
Map Sales	30	220	180	45	180	-
Newspaper Publication Fee	-	-	-	900	-	-
Total Land Use Planning & Review:	\$ 18,006	\$ 14,103	\$ 15,933	\$ 52,352	\$ 15,933	\$ -
Other Revenue						
Contractor License	\$ 3,190	\$ 2,500	\$ 2,741	\$ 1,150	\$ 2,741	\$ -
Lease - Equipment	100	-	-	-	-	-
Claims and Reimbursement	1,873	8,098	-	-	-	-
Total Other Revenue	\$ 5,163	\$ 10,598	\$ 2,741	\$ 1,150	\$ 2,741	\$ -
TOTAL REVENUE:	\$ 546,301	\$ 395,573	\$ 482,418	\$ 265,225	\$ 482,418	\$ -

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
TRANSFERS IN:						
121-461-42613 General Fund	\$ 157,552	\$ 645,993	\$ -	\$ 230,927	\$ 461,853	\$ 461,853
TOTAL TRANSFERS IN:	\$ 157,552	\$ 645,993	\$ -	\$ 230,927	\$ 461,853	\$ 461,853
TOTAL REVENUE AND TRANSFERS IN:						
	\$ 703,853	\$ 1,041,566	\$ 482,418	\$ 496,152	\$ 944,271	\$ 461,853
EXPENDITURES:						
Building Inspection						
121-210-51111 Regular Full Time Wages	\$ 254,743	\$ 226,343	\$ 268,396	\$ 120,843	\$ 268,396	\$ -
121-210-51112 Regular Part Time Wages	-	-	-	-	-	-
121-210-51113 Temporary/Seasonal Wages	-	-	-	-	-	-
121-210-51114 Overtime Wages	2,163	2,492	-	645	-	-
121-210-51121 Vacation Leave	6,375	22,861	9,003	3,251	9,003	-
121-210-51122 Sick Leave - Regular	5,129	7,966	-	6,357	-	-
121-210-51127 Cost of Living Adjustment	-	-	1,342	-	1,342	-
121-210-51128 Merit Increase	346	-	2,684	-	2,684	-
121-210-51131 Longevity Pay	864	2,871	-	1,872	-	-
121-210-51134 Language Incentive	-	2,700	2,700	1,350	2,700	-
121-210-51141 FICA/Social Security	16,270	19,684	21,261	10,013	21,261	-
121-210-51142 Workers Compensation	4,500	1,797	2,661	1,877	2,661	-
121-210-51143 State Unemployment Taxes	73	1,262	1,350	37	1,350	-
121-210-51144 Retirement - TMRS	21,104	22,666	24,124	11,513	24,124	-
121-210-51151 Health Insurance	22,162	23,116	26,435	12,599	26,435	-
121-210-51152 Dental Insurance	1,363	1,633	705	956	705	-
121-210-51153 Life Insurance	293	310	312	160	312	-
121-210-51154 ST/LT Disability Insurance	-	-	510	1,225	510	-
121-210-51155 Long-Term Disabilities	-	-	630	-	630	-
121-210-51161 Uniforms (Buy)	458	968	1,000	-	1,000	-
121-210-51171 Business - Transportation	-	25	-	-	-	-
121-210-51172 Business - Lodging	-	-	-	-	-	-
121-210-51173 Business - Food & Meals	10	-	-	-	-	-
121-210-51181 Training/Registration	3,744	1,060	3,546	440	3,546	-
121-210-51182 Professional Conferences	765	940	2,400	-	2,400	-
121-210-51183 Memberships and Dues	1,681	1,509	960	230	960	-
121-210-51184 Subscription and Books	937	455	400	-	400	-
121-210-51186 Training - Transportation	10	-	1,200	-	1,200	-
121-210-51187 Training - Lodging	515	-	800	-	800	-
121-210-51188 Training - Meals	22	54	400	-	400	-
121-210-52111 General Office Supplies	4,341	4,487	5,000	1,223	5,000	-
121-210-52115 Computer Supplies	-	-	-	-	-	-
121-210-52117 Postage	1,501	387	1,500	348	1,500	-
121-210-52141 City Sponsored Event Supplies	157	331	500	-	500	-
121-210-52163 Medical Supplies	-	-	-	-	-	-
121-210-52168 Minor Tools/Instruments	-	109	200	-	200	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
121-210-52171	-	-	-	-	-	-
121-210-52172	14	-	50	-	50	-
121-210-52173	24	30	-	-	-	-
121-210-52174	259	6	500	-	500	-
121-210-52211	946	-	500	-	500	-
121-210-52212	84	-	-	-	-	-
121-210-52214	-	-	-	-	-	-
121-210-52215	-	-	-	-	-	-
121-210-52216	-	193	500	-	500	-
121-210-52217	-	-	-	-	-	-
121-210-52219	-	599	-	-	-	-
121-210-53121	-	-	-	-	-	-
121-210-53123	1,213	1,137	1,150	463	1,150	-
121-210-53124	2,038	2,066	2,767	870	2,767	-
121-210-53126	1,320	1,644	1,500	619	1,500	-
121-210-54111	17	-	-	-	-	-
121-210-54131	612	1,786	2,500	-	2,500	-
121-210-54143	-	29	-	15	-	-
121-210-54148	-	7,858	-	-	-	-
121-210-54154	-	-	-	-	-	-
121-210-54161	3,862	4,030	3,500	1,640	3,500	-
121-210-54162	-	181	-	362	-	-
121-210-54163	-	728	-	-	-	-
121-210-54164	-	100	-	-	-	-
121-210-54171	-	13	-	-	-	-
121-210-54172	-	-	-	-	-	-
121-210-54173	-	-	-	-	-	-
121-210-54175	4,671	4,662	4,577	5,239	4,577	-
121-210-55111	19,368	4,254	2,500	48	2,500	-
121-210-55112	21,445	66,916	30,000	10,151	30,000	-
121-210-55113	-	-	-	-	-	-
121-210-55211	6	-	100	-	100	-
121-210-55222	1,345	1,184	1,000	459	1,000	-
121-210-55225	4,754	4,238	4,992	4,099	4,992	-
121-210-55241	240	51	1,000	143	1,000	-
121-210-55242	-	-	-	-	-	-
121-210-55243	-	-	-	-	-	-
121-210-55325	-	-	-	-	-	-
121-210-55326	-	-	-	-	-	-
121-210-55329	1,940	1,761	7,000	1,035	20,000	13,000
121-210-55331	10,942	7,077	10,000	-	10,000	-
121-210-55334	195	-	-	-	-	-
121-210-55348	5,410	-	-	-	-	-
121-210-57111	-	-	-	-	-	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Communication Equipment	-	-	-	-	-	-
Computer Equipment	-	-	-	-	-	-
Instruments/Apparatus	-	-	-	-	-	-
Other Capital Outlay	-	-	-	-	-	-
Motor Vehicles	16,079	-	-	-	-	-
Interfund Transfers Out	-	-	-	-	-	-
Total Building Inspection	\$ 446,311	\$ 456,570	\$ 454,154	\$ 200,083	\$ 467,155	\$ 13,000
Current Planning						
121-221-51111 Regular Full Time Wages	\$ 150,148	\$ 133,009	\$ 184,078	\$ 83,371	\$ 184,078	\$ -
121-221-51112 Regular Part Time Wages	-	-	-	-	-	-
121-221-51113 Temporary/Seasonal Wages	-	-	-	-	-	-
121-221-51114 Overtime Wages	724	2,860	-	-	-	-
121-221-51121 Vacation Leave	4,338	8,692	10,230	1,081	10,230	-
121-221-51122 Sick Leave - Regular	1,701	8,184	-	2,411	-	-
121-221-51127 Cost of Living Adjustment	-	-	920	-	920	-
121-221-51128 Merit Increase	2,725	-	1,841	-	1,841	-
121-221-51131 Longevity Pay	84	351	756	504	756	-
121-221-51141 FICA/Social Security	11,672	11,565	14,562	6,326	14,562	-
121-221-51142 Workers Compensation	1,013	552	914	569	914	-
121-221-51143 State Unemployment Taxes	49	634	540	-	540	-
121-221-51144 Retirement - TMRS	14,789	13,312	9,363	7,491	9,363	-
121-221-51151 Health Insurance	11,112	11,778	15,421	7,082	15,421	-
121-221-51152 Dental Insurance	764	752	282	465	282	-
121-221-51153 Life Insurance	169	152	187	87	187	-
121-221-51154 ST/LT Disability Insurance	-	-	306	806	306	-
121-221-51155 Long-Term Disabilities	-	-	378	-	378	-
121-221-51161 Uniforms (Buy)	-	-	-	-	-	-
121-221-51171 Business - Transportation	-	-	-	-	-	-
121-221-51172 Business - Lodging	-	-	-	-	-	-
121-221-51173 Business - Food & Meals	116	-	122	-	122	-
121-221-51181 Training/Registration	111	-	153	-	153	-
121-221-51182 Professional Conferences	-	-	3,528	50	3,528	-
121-221-51183 Memberships and Dues	945	391	1,151	-	1,151	-
121-221-51184 Subscription and Books	328	-	551	50	551	-
121-221-51186 Training - Transportation	-	-	1,008	-	1,008	-
121-221-51187 Training - Lodging	-	-	840	-	840	-
121-221-51188 Training - Meals	-	-	202	-	202	-
121-221-52111 General Office Supplies	338	766	2,500	1,614	2,500	-
121-221-52115 Computer Supplies	-	-	-	-	-	-
121-221-52117 Postage	-	52	289	111	289	-
121-221-52141 City Sponsored Event Supplies	26	1,054	250	-	250	-
121-221-52163 Medical Supplies	-	-	-	-	-	-
121-221-52168 Minor Tools/Instruments	-	-	-	-	-	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
121-221-52171	-	-	-	-	-	-
121-221-52172	12	-	-	-	-	-
121-221-52173	-	10	-	-	-	-
121-221-52174	-	1	750	-	750	-
121-221-52211	1,260	-	-	-	-	-
121-221-52212	-	-	-	-	-	-
121-221-52214	-	-	-	-	-	-
121-221-52215	331	-	-	-	-	-
121-221-52216	-	-	-	-	-	-
121-221-52217	-	-	-	-	-	-
121-221-53121	-	-	-	-	-	-
121-221-53123	857	1,137	800	463	800	-
121-221-53124	-	-	-	-	-	-
121-221-53132	382	-	-	-	-	-
121-221-54131	-	-	-	-	-	-
121-221-54154	-	-	-	-	-	-
121-221-54161	-	-	-	-	-	-
121-221-54171	-	-	-	-	-	-
121-221-54172	-	2,857	-	-	-	-
121-221-54173	-	-	-	-	-	-
121-221-54175	-	17	-	-	-	-
121-221-55111	23,251	9,226	8,500	1,135	8,500	-
121-221-55112	-	-	-	-	-	-
121-221-55113	34,254	13,752	20,000	3,772	20,000	-
121-221-55211	-	-	-	10	-	-
121-221-55225	2,626	965	1,000	821	1,000	-
121-221-55241	583	-	-	-	-	-
121-221-55242	-	-	-	-	-	-
121-221-55243	2,641	5,698	-	-	-	-
121-221-55244	265	-	500	1,048	500	-
121-221-55321	-	-	-	-	-	-
121-221-55325	-	-	-	-	-	-
121-221-55326	-	-	-	-	-	-
121-221-55329	171	56	-	32	-	-
121-221-55331	-	263	-	-	-	-
121-221-55348	972	-	-	-	-	-
121-221-57111	-	-	-	-	-	-
121-221-57112	-	-	-	-	-	-
121-221-57114	-	-	-	-	-	-
121-221-57115	-	-	-	-	-	-
121-221-57117	-	-	-	-	-	-
121-221-57123	-	-	-	-	-	-
121-221-58114	-	-	-	-	-	-
Total Current Planning	\$ 268,760	\$ 228,087	\$ 281,921	\$ 119,300	\$ 281,922	\$ -

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Economic Development						
121-230-51111	\$ 86,143	\$ 64,724	\$ 104,205	\$ 47,248	\$ 104,205	\$ -
121-230-51112	-	-	-	-	-	-
121-230-51113	430	19,249	-	1,084	-	-
121-230-51114	694	101	-	89	-	-
121-230-51121	2,332	7,598	4,008	1,155	4,008	-
121-230-51122	3,173	824	-	1,195	-	-
121-230-51127	-	-	521	-	-	-
121-230-51128	709	-	1,042	-	1,042	-
121-230-51131	852	441	756	360	756	-
121-230-51141	9,608	6,976	8,132	3,901	8,132	-
121-230-51142	449	325	538	339	538	-
121-230-51143	23	326	540	-	540	-
121-230-51144	11,194	6,193	9,227	4,290	9,227	-
121-230-51151	12,289	4,014	8,812	4,188	8,812	-
121-230-51152	787	282	282	305	282	-
121-230-51153	184	91	125	67	125	-
121-230-51154	-	-	216	421	216	-
121-230-51155	-	-	264	-	264	-
121-230-51161	-	205	150	-	150	-
121-230-51171	2,693	3,060	3,975	1,534	3,975	-
121-230-51172	1,340	540	2,993	583	2,993	-
121-230-51173	1,647	237	2,678	228	2,678	-
121-230-51181	2,382	3,277	3,000	829	3,000	-
121-230-51182	1,445	1,581	1,665	-	1,665	-
121-230-51183	1,998	2,526	9,970	5,779	9,970	-
121-230-51184	-	452	200	(116)	200	-
121-230-51186	636	991	1,272	605	1,272	-
121-230-51187	112	1,422	500	1,335	500	-
121-230-51188	97	394	300	87	300	-
121-230-52111	2,225	755	900	89	900	-
121-230-52115	-	-	-	-	-	-
121-230-52117	440	107	300	53	300	-
121-230-52141	304	201	500	57	500	-
121-230-52163	89	-	-	-	-	-
121-230-52168	275	-	-	46	-	-
121-230-52171	-	-	-	-	-	-
121-230-52172	12	-	25	-	25	-
121-230-52173	15	20	100	-	100	-
121-230-52174	29	15	200	124	200	-
121-230-52211	-	99	300	-	300	-
121-230-52212	299	-	-	-	-	-
121-230-52214	15	-	-	-	-	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
121-230-52215	58	80	-	-	-	-
121-230-52216	-	-	-	-	-	-
121-230-52217	-	-	-	-	-	-
121-230-53121	-	-	-	-	-	-
121-230-53123	1,213	1,137	-	463	-	-
121-230-53124	1,109	938	-	397	-	-
121-230-53126	503	438	-	226	-	-
121-230-54154	-	-	-	-	-	-
121-230-54161	-	-	-	-	-	-
121-230-54171	-	-	-	-	-	-
121-230-54172	-	-	-	-	-	-
121-230-54173	-	-	-	-	-	-
121-230-54175	-	9	-	-	-	-
121-230-55111	424	66	-	-	-	-
121-230-55112	-	-	-	-	-	-
121-230-55113	-	-	-	-	-	-
121-230-55211	-	-	-	-	-	-
121-230-55225	988	-	-	-	-	-
121-230-55241	1,607	1,498	5,000	-	5,000	-
121-230-55242	-	-	-	-	-	-
121-230-55243	3,674	3,046	20,000	8,445	20,000	-
121-230-55321	2,273	-	-	-	-	-
121-230-55322	-	240	15,000	(9,290)	19,000	4,000
121-230-55325	-	-	-	-	-	-
121-230-55326	-	5,000	-	-	-	-
121-230-55328	-	-	500	-	500	-
121-230-55331	-	176	-	-	-	-
121-230-57111	-	-	-	-	-	-
121-230-57112	-	-	-	-	-	-
121-230-57114	-	-	-	-	-	-
121-230-57115	-	-	-	-	-	-
121-230-57117	-	-	-	-	-	-
121-230-58411	-	98,429	-	48,998	215,000	215,000
121-230-58412	-	78,579	-	76,779	200,000	200,000
Total Economic Development	\$ 156,767	\$ 316,661	\$ 208,196	\$ 201,892	\$ 627,196	\$ 419,000
TOTAL EXPENDITURES:	\$ 871,838	\$ 1,001,318	\$ 944,271	\$ 521,275	\$ 1,376,273	\$ 432,000
TOTAL REVENUE & TRANSFERS-IN	\$ (167,985)	\$ 40,247	\$ (461,853)	\$ (25,124)	\$ (432,002)	
ESTIMATED ENDING FUND BALANCE	\$ (761,415)	\$ (721,168)	\$ (1,183,021)	\$ (746,291)	\$ (1,153,170)	

City of Kyle, Texas
Complete Detail Line Item Budget - RECREATION
Fiscal Year 2010-11

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
BEGINNING FUND BALANCE (UNAUDITED)						
REVENUE:						
125-326-41261	\$ 20,572	\$ 39,013	\$ 124,872	\$ 124,872	\$ 124,872	\$ 4,000
125-326-41262	\$ 21,240	\$ 10,144	\$ 6,000	\$ 5,244	\$ 10,000	\$ -
125-326-41263	173,456	136,540	144,000	100	144,000	7,000
125-445-42451	18,090	30,217	26,500	18,027	33,500	-
	3,519	1,238	-	66	-	11,000
Total Recreation Program:	\$ 216,305	\$ 178,138	\$ 176,500	\$ 23,437	\$ 187,500	\$ 11,000
Special Events						
125-336-41361	\$ 5,100	\$ 5,020	\$ -	\$ -	\$ 5,000	\$ 5,000
125-336-41362	58,220	54,921	55,000	45,084	55,000	-
125-336-41363	2,525	2,660	-	-	3,000	3,000
125-336-41364	3,006	517	250	942	942	692
125-336-41365	2,193	368	400	370	400	-
125-336-41366	2,908	6,770	4,500	4,150	6,000	1,500
125-336-41367	5,770	1,182	1,000	340	1,000	-
125-336-41368	530	675	-	843	843	843
125-336-41369	2,625	-	-	-	-	-
Total Special Events:	\$ 82,876	\$ 72,113	\$ 61,150	\$ 51,728	\$ 72,185	\$ 11,035
Swimming Pool						
125-334-41264	\$ 3,915	\$ 2,230	\$ 1,900	\$ 1,050	\$ 3,900	\$ 2,000
125-334-41341	2,763	3,260	1,900	1,350	1,900	-
125-334-41342	232	1,669	3,500	-	3,500	-
125-334-41343	5,947	5,168	4,500	-	4,500	-
125-442-42422	4,604	6,980	5,400	2,273	5,400	-
125-442-42424	-	860	-	-	-	-
125-334-41344	33,889	22,947	30,000	295	30,000	-
125-334-41345	19,604	18,487	12,665	-	14,665	2,000
Total Swimming Pool	\$ 70,953	\$ 61,600	\$ 59,865	\$ 4,968	\$ 63,865	\$ 4,000
TOTAL REVENUE:	\$ 370,135	\$ 311,852	\$ 297,515	\$ 80,132	\$ 323,550	\$ 26,035
TRANSFERS IN:						
125-461-42613	\$ 270,628	\$ 301,731	\$ 354,633	\$ 177,317	\$ 354,633	\$ -
TOTAL TRANSFERS IN:	\$ 270,628	\$ 301,731	\$ 354,633	\$ 177,317	\$ 354,633	\$ -

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
	\$	\$	\$	\$	\$	\$
TOTAL REVENUE AND TRANSFERS IN:	640,763	613,583	652,148	257,449	678,183	26,035
EXPENDITURES:						
Recreation Programs						
125-241-51111	81,233	77,460	87,545	38,696	87,545	-
125-241-51112	-	-	-	-	-	-
125-241-51113	79,275	70,667	78,000	6,903	78,000	-
125-241-51114	-	-	-	-	-	-
125-241-51121	4,781	5,463	3,367	3,399	3,367	-
125-241-51122	6,036	3,675	2,694	1,880	2,694	-
125-241-51127	-	-	438	-	438	-
125-241-51128	486	196	875	-	875	-
125-241-51131	378	225	-	288	-	-
125-241-51133	-	-	-	-	-	-
125-241-51134	-	-	-	-	-	-
125-241-51135	-	-	-	-	-	-
125-241-51141	12,249	11,753	11,307	3,784	11,307	-
125-241-51142	462	321	6,666	1,620	6,666	-
125-241-51143	39	2,242	2,233	77	2,233	-
125-241-51144	7,828	7,442	7,931	3,794	7,931	-
125-241-51151	8,168	7,844	8,812	4,181	8,812	-
125-241-51152	564	552	282	319	282	-
125-241-51153	91	89	125	46	125	-
125-241-51154	-	-	204	352	204	-
125-241-51155	-	-	252	-	252	-
125-241-51161	333	399	650	110	650	-
125-241-51162	-	-	-	-	-	-
125-241-51171	-	-	-	-	-	-
125-241-51172	-	-	-	-	-	-
125-241-51173	50	-	-	-	-	-
125-241-51181	-	1,117	640	120	640	-
125-241-51182	-	36	400	-	400	-
125-241-51183	840	873	700	644	700	-
125-241-51184	-	121	480	-	480	-
125-241-51186	1,499	65	-	-	-	-
125-241-51187	-	1,820	1,248	-	1,248	-
125-241-51188	-	246	360	-	360	-
125-241-52111	997	1,501	2,500	282	2,500	-
125-241-52113	-	-	-	-	-	-
125-241-52114	-	-	-	-	-	-
125-241-52115	-	-	-	-	-	-
125-241-52117	231	-	-	-	-	-
125-241-52141	11	438	500	285	500	-
125-241-52142	15,153	1,980	2,000	-	2,000	-
	-	-	-	-	-	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
125-241-52143	17,200	17,200	15,000	15,000	15,000	-
125-241-52144	31,233	63,030	70,000	37,047	70,000	-
125-241-52145	4,230	5,349	6,000	2,200	6,000	-
125-241-52146	2,859	4,004	2,500	-	2,500	-
125-241-52147	5,014	2,678	3,000	1,872	3,000	-
125-241-52148	4,911	3,551	4,000	2,347	4,000	-
125-241-52149	2,882	3,102	4,500	2,934	4,500	-
125-241-52150	11,243	7,604	5,000	3,501	5,000	-
125-241-52151	807	5,680	4,640	1,387	8,640	4,000
125-241-52152	-	192	-	-	-	-
125-241-52153	753	615	580	969	580	-
125-241-52163	-	-	-	-	-	-
125-241-52171	-	-	-	-	-	-
125-241-52172	424	-	-	-	-	-
125-241-52173	122	10	-	-	-	-
125-241-52174	-	6	-	-	-	-
125-241-52211	-	-	-	-	-	-
125-241-52212	28	-	-	-	-	-
125-241-52214	-	319	-	-	-	-
125-241-52215	-	717	-	-	-	-
125-241-52216	-	-	-	-	-	-
125-241-52217	-	-	-	-	-	-
125-241-52218	-	-	-	-	-	-
125-241-52219	-	-	-	-	-	-
125-241-53121	-	-	5,000	3,492	16,250	11,250
125-241-53123	854	1,137	600	463	600	-
125-241-53124	757	1,533	1,260	566	1,260	-
125-241-53125	-	-	-	-	-	-
125-241-54154	-	-	-	-	-	-
125-241-54161	14	26	500	186	500	-
125-241-54175	-	75	-	-	-	-
125-241-55111	126	-	-	-	-	-
125-241-55222	-	2,579	-	403	2,700	2,700
125-241-55225	505	-	550	452	550	-
125-241-55231	15,439	4,326	500	453	500	-
125-241-55232	1,326	75	1,000	-	1,000	-
125-241-55233	2,114	-	-	-	-	-
125-241-55234	1,715	741	250	27	250	-
125-241-55235	18,785	25,324	17,352	11,173	24,352	7,000
125-241-55236	48,157	29,963	52,400	-	52,400	-
125-241-55241	5,651	300	1,375	670	1,375	-
125-241-55243	819	225	625	363	625	-
125-241-55326	-	-	-	-	-	-
125-241-55331	-	176	-	-	-	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
125-241-55332	6,113	5,850	-	-	-	-
125-241-55333	-	-	6,143	-	6,143	-
125-241-57111	-	5,999	-	-	-	-
125-241-57112	-	-	-	-	-	-
125-241-57113	-	-	-	-	-	-
125-241-57114	-	-	-	-	-	-
125-241-57115	-	-	-	-	-	-
125-241-58114	-	-	-	-	-	-
Total Recreation Programs	\$ 404,784	\$ 388,911	\$ 422,984	\$ 152,283	\$ 447,934	\$ 24,950
Aquatic Program						
125-243-51111	\$ 27,292	\$ 2,901	\$ -	\$ -	\$ -	\$ -
125-243-51112	170	-	25,000	-	25,000	-
125-243-51113	79,850	56,233	81,239	3,202	81,239	-
125-243-51114	-	-	-	-	-	-
125-243-51121	1,045	-	-	-	-	-
125-243-51122	262	-	-	-	-	-
125-243-51127	-	-	-	-	-	-
125-243-51128	-	-	-	-	-	-
125-243-51131	-	-	-	-	-	-
125-243-51133	-	-	-	-	-	-
125-243-51134	-	-	-	-	-	-
125-243-51135	-	-	-	-	-	-
125-243-51141	8,230	4,592	5,375	245	5,375	-
125-243-51142	2,921	332	3,169	347	3,169	-
125-243-51143	62	1,979	2,108	33	2,108	-
125-243-51144	2,440	354	-	-	-	-
125-243-51151	4,059	501	-	-	-	-
125-243-51152	223	35	-	-	-	-
125-243-51153	40	6	-	-	-	-
125-243-51161	1,875	1,500	1,750	-	1,750	-
125-243-51162	-	-	-	-	-	-
125-243-51171	-	-	-	-	-	-
125-243-51172	-	-	-	-	-	-
125-243-51173	-	-	-	-	-	-
125-243-51181	720	295	400	210	400	-
125-243-51182	-	-	50	40	50	-
125-243-51183	475	166	250	35	250	-
125-243-51184	-	-	-	-	-	-
125-243-51186	285	42	150	10	150	-
125-243-51187	310	773	900	-	900	-
125-243-51188	60	223	300	-	300	-
125-243-52111	2,108	1,160	1,500	-	1,500	-
125-243-52113	-	-	-	-	-	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
125-243-52114	-	-	-	-	-	-
125-243-52115	-	-	-	-	-	-
125-243-52117	23	-	50	-	50	-
125-243-52141	1,707	30	2,500	-	2,500	-
125-243-52163	-	-	-	-	-	-
125-243-52164	14,248	16,733	19,500	1,315	19,500	-
125-243-52167	2,515	-	-	-	-	-
125-243-52171	918	-	-	-	-	-
125-243-52172	-	-	-	-	-	-
125-243-52173	-	-	-	-	-	-
125-243-52174	539	429	700	-	700	-
125-243-52211	-	-	-	-	-	-
125-243-52212	55	-	-	-	-	-
125-243-52213	1,417	-	-	-	-	-
125-243-52214	-	-	-	-	-	-
125-243-52215	-	-	-	-	-	-
125-243-52216	-	-	-	-	-	-
125-243-52217	-	-	-	-	-	-
125-243-52218	-	-	-	-	-	-
125-243-52219	-	-	-	-	-	-
125-243-52226	-	-	-	-	-	-
125-243-52231	13,401	12,531	7,500	3,577	7,500	-
125-243-53121	-	-	14,026	-	14,026	-
125-243-53122	-	-	-	-	-	-
125-243-53123	942	520	1,759	219	1,759	-
125-243-53124	377	331	-	140	-	-
125-243-53125	-	-	-	-	-	-
125-243-53127	10,273	5,372	7,394	2,810	7,394	-
125-243-53132	2,576	2,114	-	-	-	-
125-243-53149	5,193	-	-	-	-	-
125-243-53152	43	164	-	-	-	-
125-243-54152	-	855	-	-	-	-
125-243-54153	-	-	-	-	-	-
125-243-54154	1,890	1,664	1,800	135	1,800	-
125-243-55111	-	301	-	-	-	-
125-243-55117	28	-	-	-	-	-
125-243-55225	1,514	-	1,620	1,330	1,620	-
125-243-55233	1,637	1,031	3,820	(192)	3,820	-
125-243-55234	1,452	990	805	355	805	-
125-243-55243	468	190	500	350	500	-
125-243-55331	-	-	-	-	-	-
125-243-55332	1,238	1,350	-	-	-	-
125-243-55342	146	-	-	-	-	-
125-243-57111	-	-	-	-	-	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
125-243-57112	14,013	-	-	-	-	-
125-243-57114	8,500	23,115	45,000	45,000	45,000	-
125-243-57117	217,538	138,814	229,164	59,160	229,165	-
Total Aquatic Programs	\$ 622,322	\$ 527,725	\$ 652,148	\$ 211,443	\$ 677,099	\$ 24,950
TOTAL EXPENDITURES:						
TOTAL REVENUE & TRANSFERS-IN	\$ 18,441	\$ 85,858	\$ -	\$ 46,006	\$ 1,084	
IN EXCESS (DEFICIT) OVER EXPENDITURES	\$ 39,013	\$ 124,872	\$ 124,872	\$ 170,878	\$ 125,956	
ESTIMATED ENDING FUND BALANCE						

City of Kyle, Texas
Complete Detail Line Item Budget - UTILITY
Fiscal Year 2010-11

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
BEGINNING FUND BALANCE (UNAUDITED)						
REVENUE:						
Water Sales						
310-327-41271	\$ 3,689,785	\$ 3,427,075	\$ 4,958,350	\$ 1,815,806	\$ 4,958,350	\$ -
310-445-42451	18,380	8,792	18,380	-	18,380	-
310-445-42452	-	888	1,500	16,001	1,500	-
Total Water Sales	\$ 3,708,165	\$ 3,436,754	\$ 4,978,230	\$ 1,831,807	\$ 4,978,230	\$ -
Water Service Charges						
310-327-41272	\$ 1	\$ -	\$ -	\$ -	\$ -	\$ -
310-327-41273	80,188	58,225	32,000	12,505	32,000	-
310-327-41274	23,322	55,200	69,593	1,250	69,593	-
310-327-41275	101,825	86,940	59,191	39,245	59,191	-
310-327-41279	4,822	3,195	8,890	1,416	8,890	-
310-332-41321	36,898	42,641	48,926	17,710	48,926	-
310-447-42471	189,969	179,597	186,684	81,973	186,684	-
Total Water Service Charges	\$ 437,025	\$ 425,798	\$ 405,284	\$ 154,098	\$ 405,284	\$ -
Wastewater Service Fees						
310-328-41281	\$ 2,094,429	\$ 2,109,420	\$ 2,957,537	\$ 1,083,751	\$ 2,957,537	\$ -
310-328-41287	6,868	7,973	8,000	2,683	8,000	-
Total Wastewater Service Fees	\$ 2,101,297	\$ 2,117,394	\$ 2,965,537	\$ 1,086,434	\$ 2,965,537	\$ -
Wastewater Service Charges						
310-328-41283	\$ 147,264	\$ 110,525	\$ 56,977	\$ 14,847	\$ 56,977	\$ -
310-328-41284	30	650	30	-	30	-
310-328-41285	9,529	10,950	5,000	2,650	5,000	-
310-328-41286	-	-	-	-	-	-
310-328-41289	-	-	-	(0)	-	-
Total Wastewater Service Charges	\$ 156,824	\$ 122,125	\$ 62,007	\$ 17,497	\$ 62,007	\$ -
Interest and Other						
310-321-41216	-	\$ 1,379	\$ 110,001	\$ -	\$ 110,001	\$ -
310-441-42412	16,750	4,040	-	1,493	-	-
310-443-42433	74,243	15,357	-	1,611	-	-
Total Interest and Other	\$ 90,993	\$ 20,776	\$ 110,001	\$ 3,103	\$ 110,001	\$ -
TOTAL REVENUE:	\$ 6,494,303	\$ 6,122,847	\$ 8,521,059	\$ 3,092,940	\$ 8,521,059	\$ -

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Transfer Revenue						
Transfer-CIP	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Transfer Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL REVENUE AND TRANSFER IN:	\$ 6,494,303	\$ 6,122,847	\$ 8,521,059	\$ 3,092,940	\$ 8,521,059	\$ -
EXPENDITURES:						
Plum Creek Watershed Grant						
310-710-54135	\$ -	\$ -	\$ -	\$ 103	\$ -	\$ -
310-710-55241	\$ -	\$ -	\$ -	\$ 301	\$ -	\$ -
310-710-55328	\$ -	\$ -	\$ -	\$ 197	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ 600	\$ -	\$ -
Water Administration						
310-810-51111	\$ 326,029	\$ 364,737	\$ 692,887	\$ 216,942	\$ 692,887	\$ -
310-810-51112	-	-	-	-	-	-
310-810-51113	-	-	-	-	-	-
310-810-51114	22,891	30,700	10,000	878	10,000	-
310-810-51121	8,607	23,782	17,482	10,507	17,482	-
310-810-51122	5,318	17,052	-	5,837	-	-
310-810-51127	-	-	1,623	-	1,623	-
310-810-51128	3,440	26	3,247	-	3,247	-
310-810-51131	2,604	4,815	7,290	2,340	7,290	-
310-810-51133	-	-	6,000	1,750	6,000	-
310-810-51134	-	-	225	43	225	-
310-810-51135	-	-	4,000	-	4,000	-
310-810-51141	25,101	31,008	40,852	16,971	40,852	-
310-810-51142	6,174	6,840	15,978	12,777	15,978	-
310-810-51143	105	1,976	2,903	-	2,903	-
310-810-51144	31,327	37,577	46,353	20,434	46,353	-
310-810-51151	35,439	33,827	47,363	13,567	47,363	-
310-810-51152	2,105	2,381	1,516	1,001	1,516	-
310-810-51153	361	448	671	259	671	-
310-810-51154	-	-	1,096	1,499	1,096	-
310-810-51155	-	-	1,354	-	1,354	-
310-810-51161	2,543	2,738	3,000	605	3,000	-
310-810-51162	2,494	2,582	-	-	-	-
310-810-51171	222	208	-	-	-	-
310-810-51172	-	-	-	-	-	-
310-810-51173	53	-	-	-	-	-
310-810-51181	2,819	2,352	3,500	1,201	3,500	-
310-810-51182	-	-	1,000	-	1,000	-
310-810-51183	472	1,045	1,000	50	1,000	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
310-810-51184	-	36	50	-	50	-
310-810-51186	43	29	500	-	500	-
310-810-51187	481	-	2,000	-	2,000	-
310-810-51188	350	440	1,584	-	1,584	-
310-810-52111	4,299	5,766	4,320	961	4,320	-
310-810-52113	200	478	720	380	720	-
310-810-52115	499	40	720	-	720	-
310-810-52117	114	78	720	-	720	-
310-810-52118	1,440	44	144	10	144	-
310-810-52124	871	-	720	6	720	-
310-810-52126	161	-	-	-	-	-
310-810-52131	139	9	720	-	720	-
310-810-52133	40	26	720	-	720	-
310-810-52141	183	576	369	-	369	-
310-810-52154	379	-	360	116	360	-
310-810-52163	17	455	360	156	360	-
310-810-52165	-	5	-	-	-	-
310-810-52168	114	786	2,160	-	2,160	-
310-810-52171	-	-	-	-	-	-
310-810-52172	486	633	720	91	720	-
310-810-52173	47	75	108	-	108	-
310-810-52174	2,239	1,306	1,440	105	1,440	-
310-810-52211	-	820	720	-	720	-
310-810-52212	321	-	360	-	360	-
310-810-52214	690	1,966	2,160	-	2,160	-
310-810-52215	32	111	-	-	-	-
310-810-52216	176	144	216	-	216	-
310-810-52217	-	-	-	-	-	-
310-810-52218	188	16	-	-	-	-
310-810-52219	32	-	-	-	-	-
310-810-52222	25	-	-	-	-	-
310-810-52224	97	-	-	-	-	-
310-810-52228	793	1,095	1,440	-	1,440	-
310-810-52229	109	433	803	-	803	-
310-810-53121	3,168	4,078	15,000	1,420	15,000	-
310-810-53122	-	148	3,000	1,887	3,000	-
310-810-53123	4,899	7,844	9,000	2,607	9,000	-
310-810-53124	3,871	6,268	5,000	2,535	5,000	-
310-810-53125	580	2,187	2,500	1,374	2,500	-
310-810-53126	907	877	1,500	452	1,500	-
310-810-53127	-	692	3,000	2,296	3,000	-
310-810-53132	-	484	1,000	46	1,000	-
310-810-53134	360	-	500	-	500	-
310-810-53141	-	238	1,000	-	1,000	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
310-810-53149	201	-	750	-	750	-
310-810-53151	1,250	875	1,000	-	1,000	-
310-810-53152	99	319	500	-	500	-
310-810-53153	33	82	300	-	300	-
310-810-54111	2,296	-	-	-	-	-
310-810-54112	-	-	1,000	-	1,000	-
310-810-54131	3,963	2,548	2,500	-	2,500	-
310-810-54132	786	134	1,000	9	1,000	-
310-810-54143	29	14	350	29	350	-
310-810-54148	678	-	1,000	-	1,000	-
310-810-54154	5,390	-	3,000	-	3,000	-
310-810-54161	10,621	14,727	9,000	1,409	9,000	-
310-810-54162	997	521	2,000	72	2,000	-
310-810-54163	527	1,092	2,000	-	2,000	-
310-810-54164	53	55	-	-	-	-
310-810-54171	-	-	-	-	-	-
310-810-54172	-	-	-	-	-	-
310-810-54173	-	-	-	-	-	-
310-810-54175	1,514	4,419	7,000	5,496	7,000	-
310-810-55111	-	749	2,500	1,057	2,500	-
310-810-55113	1,404	4,310	9,000	2,527	9,000	-
310-810-55115	1,410	440	1,200	-	1,200	-
310-810-55117	-	-	45,000	12,134	45,000	-
310-810-55222	5	2	-	-	-	-
310-810-55225	3,618	6,010	10,000	9,658	10,000	-
310-810-55226	-	-	-	-	-	-
310-810-55241	149	748	3,000	72	3,000	-
310-810-55242	-	141	300	22	300	-
310-810-55243	248	333	500	-	500	-
310-810-55244	-	-	-	512	-	-
310-810-55323	-	-	-	-	-	-
310-810-55325	-	-	-	-	-	-
310-810-55329	225	26,356	3,175	3,143	3,175	-
310-810-55331	-	527	-	-	-	-
310-810-55334	-	-	-	-	-	-
310-810-55341	-	-	-	-	-	-
310-810-55342	-	-	-	-	-	-
310-810-55348	-	-	-	-	-	-
310-810-55441	15	-	-	-	-	-
310-810-57111	-	-	-	-	-	-
310-810-57112	-	-	-	-	-	-
310-810-57114	-	-	-	-	-	-
310-810-57115	-	-	-	-	-	-
310-810-57117	-	-	-	-	-	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Machine Tools/Apparatus	-	-	-	-	-	-
Light Equipment	-	-	-	-	-	-
Motor Vehicles	-	-	-	-	-	-
Heavy Equipment	-	-	-	-	-	-
Other Equipment	-	-	-	-	-	-
Building & Storage Facilities	-	-	-	-	-	-
Interfund Transfers Out	-	1,479,956	-	-	-	-
Reserve Expense for OPEB	38,257	19,785	-	-	-	-
GBRA - WTP Debt Service	-	-	-	-	-	-
GBRA - I-35 Pipeline Debt Serv	-	-	-	-	-	-
Total Water Administration	\$ 580,220	\$ 2,166,418	\$ 1,081,049	\$ 357,243	\$ 1,081,049	\$ -
Utility Billing						
Regular Full Time Wages	\$ -	\$ 141,790	\$ 170,358	\$ 70,074	\$ 170,358	\$ -
Regular Part Time Wages	-	-	-	-	-	-
Temporary/Seasonal Wages	-	5,852	1,000	-	1,000	-
Overtime Wages	-	12,252	4,625	1,417	4,625	-
Vacation Leave	-	6,163	6,552	1,920	6,552	-
Sick Leave - Regular	-	-	-	2,625	-	-
Cost of Living Adjustment	-	-	852	-	852	-
Merit Increase	-	-	5,342	-	5,342	-
Longevity Pay	-	882	1,512	576	1,512	-
Language Incentive	-	-	-	-	-	-
Certification Incentive	-	-	1,800	-	1,800	-
FICA/Social Security	-	12,451	14,587	5,747	14,587	-
Workers Compensation	-	536	915	556	915	-
State Unemployment Taxes	-	965	1,566	152	1,566	-
Retirement - TMRS	-	14,667	15,926	6,559	15,926	-
Health Insurance	-	18,953	22,029	9,383	22,029	-
Dental Insurance	-	1,334	705	717	705	-
Life Insurance	-	216	312	103	312	-
ST/LT Disability Insurance	-	-	510	687	510	-
Long-Term Disabilities	-	-	630	-	630	-
Uniforms (Buy)	-	-	300	-	300	-
Training/Registration	-	910	2,800	-	2,800	-
Training - Transportation	-	230	480	-	480	-
Training-Lodging	-	199	500	-	500	-
Training - Meals	-	30	300	-	300	-
General Office Supplies	-	4,100	5,040	943	5,040	-
Copier/Printer/Plotter Supply	-	335	1,260	-	1,260	-
Computer Supplies	-	-	-	-	-	-
Postage	-	36,890	28,800	28,872	37,300	8,500
City Sponsored Event Supplies	-	301	315	23	315	-
Medical Supplies	-	-	-	-	-	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Misc Supplies	-	1	-	-	-	-
Office Furniture (<\$5,000)	-	853	1,372	926	1,372	-
Communication Equipment	-	465	523	-	523	-
Computer Hardware	-	994	-	-	-	-
Computer Accessories	-	-	690	-	690	-
Other Office Equipment	-	1,797	-	-	-	-
Telephone System	-	3,968	3,300	1,746	3,300	-
Cell Phones/Pagers	-	1,447	1,350	364	1,350	-
Office Equipment Rental	-	1,227	1,000	991	1,000	-
Legal Services	-	1,496	-	-	-	-
Credit Card Fees	-	70,036	45,000	30,355	78,000	33,000
Bad Debt Collection Service	-	5,077	4,500	199	4,500	-
Outside Printing	-	807	1,500	237	1,500	-
Delivery/Courier Service	-	111	125	-	125	-
Other Contract Services	-	36,656	20,000	19,666	37,830	17,830
IT Service Maint/License Fees	-	16,779	1,700	-	1,700	-
Public Works OCS	-	1,608	-	-	-	-
Total Utility Billing	\$ -	\$ 402,379	\$ 370,076	\$ 184,840	\$ 429,406	\$ 59,330
Water Operating						
Regular Full Time Wages	\$ 172,050	\$ 173,864	\$ 193,846	\$ 175,557	\$ 193,846	\$ -
Regular Part Time Wages	-	-	-	-	-	-
Temporary/Seasonal Wages	-	-	7,200	3,760	7,200	-
Overtime Wages	19,070	22,140	27,000	8,840	27,000	-
Vacation Leave	4,249	22,876	5,842	9,550	5,842	-
Sick Leave - Regular	5,273	14,625	-	7,359	-	-
Cost of Living Adjustment	-	-	1,572	-	1,572	-
Merit Increase	240	209	2,664	-	2,664	-
Longevity Pay	2,406	3,717	4,104	4,896	4,104	-
Language Incentive	-	-	-	-	-	-
Certification Incentive	-	-	10,400	-	10,400	-
FICA/Social Security	14,634	15,927	16,041	15,751	16,041	-
Workers Compensation	4,782	7,713	11,298	5,610	11,298	-
State Unemployment Taxes	57	1,247	1,836	127	1,836	-
Retirement - TMRS	19,548	18,320	17,575	17,681	17,575	-
Health Insurance	23,164	24,041	30,841	26,239	30,841	-
Dental Insurance	1,478	1,692	987	1,808	987	-
Life Insurance	260	274	436	259	436	-
ST/LT Disability Insurance	-	-	714	1,842	714	-
Long-Term Disabilities	-	-	882	-	882	-
Uniforms (Buy)	2,384	2,537	4,500	1,658	4,500	-
Uniform Rental	2,692	3,201	7,400	3,067	7,400	-
Business - Transportation	-	-	-	-	-	-
Business - Lodging	-	-	-	-	-	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Business - Food & Meals	-	-	-	-	-	-
Training/Registration	2,892	3,705	4,000	3,599	4,000	-
Professional Conferences	-	-	-	-	-	-
Memberships and Dues	360	180	800	-	800	-
Subscription and Books	-	119	160	-	160	-
Training - Transportation	133	13	400	-	400	-
Training - Lodging	390	-	3,200	-	3,200	-
Training - Meals	600	1,065	1,640	60	1,640	-
General Office Supplies	480	644	927	193	927	-
Copier/Printer/Plotter Supply	-	204	-	239	-	-
Postage	491	226	324	107	324	-
Office Security Supplies	434	194	464	19	464	-
Street Repair Materials	400	1,334	2,318	130	2,318	-
Safety Signs and Barricades	406	-	-	-	-	-
Building Materials	730	2,174	1,854	112	1,854	-
Clamps	2,946	2,818	4,635	298	4,635	-
Sand and Gravel	13,424	9,622	7,416	878	7,416	-
Electrical/Plumbing Supplies	6,817	15,130	4,635	2,472	13,000	8,365
Machine Fabricated Parts	775	-	-	-	-	-
Misc Hardware	761	478	464	8	464	-
City Sponsored Event Supplies	104	271	278	-	278	-
Fire Prevention Supplies	566	113	324	116	324	-
Laboratory Supplies	96	94	139	153	139	-
Medical Supplies	758	841	927	99	927	-
Chemicals/Pool Supplies	6,515	15,198	13,905	12,663	20,000	6,095
Pesticides	263	283	324	30	324	-
Botanical/Landscape	164	3,106	4,635	340	4,635	-
Minor Tools/Instruments	12,114	7,931	9,270	488	9,270	-
Misc Occasions Supplies	373	209	278	78	278	-
Food/Meals	51	73	93	33	93	-
Misc Supplies	1,169	1,779	2,132	255	2,132	-
Communication Equipment	105	150	371	-	371	-
Computer Hardware	-	75	3,708	3,055	3,708	-
Computer Software	-	-	-	-	-	-
Computer Accessories	-	-	-	-	-	-
Instruments/Apparatus	-	-	-	-	-	-
General Electronic Equipment	-	-	-	-	-	-
Street Maintenance Equipment	802	583	927	-	927	-
Fire Hydrants	1,634	387	10,000	309	10,000	-
Water Valves/Meters	56,377	45,537	27,810	23,825	55,447	27,637
Facility Maint. Tools	2,395	960	927	56	927	-
Other Field Equipment	2,967	380	915	25	915	-
Light & Power	133,774	137,059	105,000	52,543	140,000	35,000
Natural Gas/Propane	195	244	1,500	-	1,500	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
310-820-53123	3,001	1,401	2,500	410	2,500	-
310-820-53124	1,538	3,056	3,000	1,188	3,000	-
310-820-53127	3,394	849	-	-	-	-
310-820-53132	40,982	21,227	15,000	1,525	15,000	-
310-820-53134	99	-	-	-	-	-
310-820-53143	96,254	63,100	35,000	25,369	55,000	20,000
310-820-53145	509	-	550	106	-	-
310-820-53149	-	-	-	-	-	-
310-820-53151	-	-	-	-	-	-
310-820-53152	17	290	500	48	500	-
310-820-53153	48	47	100	-	100	-
310-820-54111	193	-	-	-	-	-
310-820-54112	228	122	1,500	12	1,500	-
310-820-54113	-	-	-	-	-	-
310-820-54114	651	-	1,500	-	1,500	-
310-820-54131	1,507	247	2,400	405	2,400	-
310-820-54132	187	142	500	159	500	-
310-820-54135	2,619	3,098	4,000	746	4,000	-
310-820-54143	34	171	200	41	200	-
310-820-54148	31	1,449	2,000	100	2,000	-
310-820-54151	909	126	1,000	-	1,000	-
310-820-54152	1,562	12,189	25,000	15,858	25,000	-
310-820-54153	1,796	5,252	6,000	4,574	30,000	24,000
310-820-54154	59	756	1,000	518	1,000	-
310-820-54161	9,910	18,025	20,000	13,620	40,000	20,000
310-820-54162	1,913	1,142	2,500	717	2,500	-
310-820-54163	758	2,252	2,000	299	2,000	-
310-820-54164	46	-	-	30	-	-
310-820-54172	220	-	-	-	-	-
310-820-54175	1,647	1,098	-	-	-	-
310-820-55111	9,069	2,296	5,000	-	5,000	-
310-820-55113	11,899	-	-	-	-	-
310-820-55115	1,341	710	1,200	65	1,200	-
310-820-55117	188	130	200	12,085	16,500	16,300
310-820-55216	93	-	-	-	-	-
310-820-55222	8	2	-	-	-	-
310-820-55223	275	6	-	-	-	-
310-820-55225	8,181	14,387	22,000	19,524	22,000	-
310-820-55241	1,004	-	-	-	-	-
310-820-55242	9	105	100	-	100	-
310-820-55325	-	-	-	-	-	-
310-820-55328	-	34,839	20,000	18,838	40,000	20,000
310-820-55329	49	198	300	99	300	-
310-820-55334	32,929	9,522	-	-	-	-

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
310-820-55341						
310-820-55342			2,500		2,500	-
310-820-55346		63	15,000		15,000	-
310-820-55348	1,222					-
310-820-55446	1,217					-
310-820-55512	3,610	14,887	2,500	14,887	15,000	12,500
310-820-57111			50,000		50,000	-
310-820-57112						-
310-820-57121						-
310-820-57122			3,700		3,700	-
310-820-57123		48,448	12,500		12,500	-
310-820-57124			10,050		10,050	-
310-820-57125		15,298	6,000		6,000	-
310-820-57211			193,350			(193,350)
310-820-57212						-
310-820-57215		24,927	95,000	5,215	95,000	-
310-820-58114	22,034		866,175	433,087	866,175	-
310-820-58115	675,000					-
310-820-58116	150,000					-
310-820-58117	15,000	86,327		159,175	318,350	318,350
310-820-58118	148,620					-
310-820-58119		836,125	838,398	554,400	778,345	(60,053)
310-820-58312	1,883			316		-
310-820-59132						-
310-820-59133						-
Total Water Operating	\$ 1,778,488	\$ 1,789,872	\$ 2,832,061	\$ 1,669,606	\$ 3,086,905	\$ 254,844
Water Supply						
310-821-55111	\$ 173,211	\$ 154,400	\$ 40,000	\$ 28,306	\$ 40,000	\$ -
310-821-55112		28,107		24,629	60,000	60,000
310-821-55113	9,510	4,579	3,000		3,000	-
310-821-55225						-
310-821-55243		333				-
310-821-55314	7,058					-
310-821-55315	238,846		597,016		597,016	-
310-821-55325						-
310-821-55328		8,708	6,000	3,696	6,000	-
310-821-55334	8,102					-
310-821-55342						-
310-821-55348	8,149	540	13,000		13,000	-
310-821-55513	38,508	16,635	17,000	7,021	17,000	-
310-821-55514	78,864	126,848	29,500	28,878	153,000	123,500
310-821-55516						-
310-821-55517	284,611	310,485	280,000	162,635	325,300	45,300

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
GBRA - Raw Capacity Charge	-	-	-	-	-	-
Transport - City of San Marcos	79,920	79,954	57,302	33,767	80,000	22,698
GBRA - Treated Water	469,898	432,322	400,000	155,228	432,000	32,000
EAA Lease (NBU)	76,000	-	-	-	-	-
Lease - Other Water Rights	-	-	-	-	-	-
Miscellaneous Water Supply	3,020	43,577	-	17,448	40,000	40,000
Water Well & Pumps	-	-	-	-	-	-
Water Rights- Carrizo Wilcox A	-	-	-	-	-	-
GBRA - WTP Debt Service	-	484,995	485,000	242,497	485,000	-
GBRA - I-35 Pipeline Debt Serv	-	438,159	438,158	219,079	438,158	-
Total Water Supply	\$ 1,475,696	\$ 2,129,641	\$ 2,365,976	\$ 923,186	\$ 2,689,474	\$ 323,498
Sewer Operating						
Regular Full Time Wages	\$ 139,674	\$ 176,961	\$ 229,583	\$ 83,742	\$ 229,583	\$ -
Regular Part Time Wages	-	-	-	-	-	-
Temporary/Seasonal Wages	-	-	-	-	-	-
Overtime Wages	12,711	26,966	15,000	4,511	15,000	-
Vacation Leave	1,958	17,903	8,830	2,952	8,830	-
Sick Leave - Regular	2,227	5,065	-	2,500	-	-
Cost of Living Adjustment	-	-	1,148	-	1,148	-
Merit Increase	1,245	-	8,766	-	8,766	-
Longevity Pay	624	1,782	2,160	1,800	2,160	-
Certification Incentive	-	-	-	-	-	-
FICA/Social Security	11,535	16,345	19,395	7,074	19,395	-
Workers Compensation	5,594	4,789	12,086	9,113	12,086	-
State Unemployment Taxes	56	1,268	2,376	-	2,376	-
Retirement - TMRS	15,116	18,784	21,381	8,185	21,381	-
Health Insurance	18,611	26,417	35,247	11,707	35,247	-
Dental Insurance	1,293	1,833	1,128	896	1,128	-
Life Insurance	209	296	499	128	499	-
ST/LT Disability Insurance	-	-	816	877	816	-
Long-Term Disabilities	-	-	1,008	-	1,008	-
Uniforms (Buy)	2,994	1,527	3,400	651	3,400	-
Uniform Rental	2,851	2,839	5,333	1,321	5,333	-
Business - Transportation	-	-	-	-	-	-
Business - Lodging	-	-	-	-	-	-
Business - Food & Meals	-	-	-	-	-	-
Training/Registration	4,183	2,986	3,000	1,129	3,000	-
Professional Conferences	-	-	-	-	-	-
Memberships and Dues	130	60	-	-	-	-
Subscription and Books	-	-	-	-	-	-
Training - Transportation	-	68	500	-	500	-
Training - Lodging	-	-	3,000	-	3,000	-
Training - Meals	1,380	250	1,500	-	1,500	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
310-825-52111	316	576	675	135	675	-
310-825-52113	35	204	-	-	-	-
310-825-52115	-	29	-	-	-	-
310-825-52117	466	226	203	107	203	-
310-825-52118	195	28	68	-	68	-
310-825-52121	2,026	368	1,688	-	1,688	-
310-825-52122	406	-	-	-	-	-
310-825-52124	673	2,149	2,025	169	2,025	-
310-825-52125	307	4	338	241	338	-
310-825-52126	14,750	7,046	10,800	808	10,800	-
310-825-52131	6,627	8,581	4,725	207	4,725	-
310-825-52132	215	-	-	-	-	-
310-825-52133	404	77	68	-	68	-
310-825-52141	78	301	338	-	338	-
310-825-52154	553	113	236	116	236	-
310-825-52162	591	1,009	810	703	810	-
310-825-52163	758	891	675	137	675	-
310-825-52164	15,363	4,780	8,100	307	8,100	-
310-825-52165	-	5	-	-	-	-
310-825-52166	-	-	3,375	-	3,375	-
310-825-52168	6,307	5,264	5,400	-	5,400	-
310-825-52172	357	169	169	65	169	-
310-825-52173	40	50	68	-	68	-
310-825-52174	600	1,613	1,198	174	1,198	-
310-825-52212	175	-	270	-	270	-
310-825-52214	-	-	-	-	-	-
310-825-52215	-	-	-	-	-	-
310-825-52216	-	-	-	-	-	-
310-825-52217	-	-	-	-	-	-
310-825-52218	-	-	-	-	-	-
310-825-52222	482	-	-	-	-	-
310-825-52224	826	-	-	-	-	-
310-825-52225	9,177	2,738	4,050	140	4,050	-
310-825-52228	687	337	203	13	203	-
310-825-52229	1,054	298	203	(11)	203	-
310-825-53121	47,049	38,424	38,000	10,419	38,000	-
310-825-53122	371	472	700	91	700	-
310-825-53123	4,183	3,054	3,500	1,183	3,500	-
310-825-53124	1,255	2,460	2,500	925	2,500	-
310-825-53127	325	711	-	-	-	-
310-825-53132	839	1,985	5,000	-	5,000	-
310-825-53144	68,545	30,262	50,000	5,278	50,000	-
310-825-53145	-	-	-	-	-	-
310-825-53149	509	-	800	37	800	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Janitorial Service - Contract	-	-	-	-	-	-
Cleaning Supplies	17	290	500	-	500	-
Cleaning - Paper Products	48	47	100	-	100	-
N/A - Office Equipment Rental	193	-	-	-	-	-
Light Equipment Rental	43	332	500	156	500	-
Motor Vehicle Rental	-	-	-	-	-	-
Trucks/Heavy Equip Rental	23,832	-	-	-	-	-
Motor Vehicle Repair/Maint	1,990	1,377	2,500	-	2,500	-
Repair/Maintenance - Minor	188	117	200	149	200	-
Truck/Heavy Equipment Repair	4,272	4,594	7,000	429	7,000	-
Inspection/Registration etc.	19	64	200	56	200	-
Body Shop Repairs	31	-	2,000	100	2,000	-
Machine Tools Maint/Repair	61	147	300	-	300	-
Pump Maint Repair	5,837	224	15,000	1,193	15,000	-
Electric Motor Repair	-	-	-	-	-	-
Other Equip Maint/Repair	1,975	1,022	5,000	459	5,000	-
Fuel	8,321	11,932	15,000	5,545	20,000	5,000
Oil & Lube Svc/Seasonal Maint	1,847	1,366	2,000	533	2,000	-
Tires/Batteries	579	1,430	2,000	593	2,000	-
Car Washes (& Tokens)	-	-	-	-	-	-
Office Equipment Rental	1,647	1,097	-	-	-	-
Legal Services	853	793	2,500	149	2,500	-
Engineering Services	245	8,409	13,000	-	13,000	-
Medical Services/Drug Testing	1,270	205	1,200	-	1,200	-
Other Professional Services	75	-	-	12,615	17,000	17,000
Credit Card Fees	8	2	-	-	-	-
Penalties & Interest	275	-	-	-	-	-
Insurance & Bonds	7,600	16,281	25,000	21,894	25,000	-
Outside Printing	-	-	-	-	-	-
Delivery/Courier Service	-	36	100	-	100	-
Advertising	-	269	-	-	-	-
Training Services	-	-	-	-	-	-
Testing/Certification	-	-	-	-	-	-
Other Contract Services	21,049	198	300	99	300	-
Testing/Certification	750	-	-	-	-	-
Trash Collection Service	-	-	-	-	-	-
Landscaping/Groundskeeping	-	-	-	-	-	-
Sewer System Repairs	-	-	-	-	-	-
Public Works OCS	2,090	-	-	-	-	-
Sewer Lines	-	-	-	-	-	-
TCEQ Sewer Permit	-	-	-	-	-	-
Aqua Tex O&M Mgmt	835,254	1,205,279	1,300,000	174,924	1,300,000	-
Office Furniture (>\$5 000)	-	-	30,000	-	30,000	-
Communication Equipment	-	-	-	-	-	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
Machine Tools/Apparatus	-	-	-	-	-	-
Light Equipment	-	-	-	-	-	-
Motor Vehicles	-	41,091	12,500	-	12,500	-
Heavy Equipment	-	-	10,050	-	10,050	-
Other Equipment	-	14,727	-	-	-	-
Water Mains/Sewer Lines	-	-	295,000	-	-	(295,000)
Sewer Manholes	-	-	-	-	-	-
Interfund Transfers Out	-	-	-	-	-	-
Interfund Transfer Out - GF	675,000	-	866,176	433,087	866,176	-
Interfund Transfer Out - CO	129,095	-	-	162,500	325,000	325,000
Interfund Transfer Out - CIP	105,000	-	-	-	-	-
Interfund Transfer Out-CommDev	-	-	-	-	-	-
Transfer Out - Debt Service	-	144,823	144,823	95,770	134,456	(10,367)
Loss on Disposal of Assets	118,718	-	-	-	-	-
GBRA - WTP Debt Service	-	-	-	-	-	-
GBRA - I-35 Pipeline Debt Serv	-	-	-	-	-	-
Total Sewer Operating	\$ 2,357,113	\$ 1,876,521	\$ 3,275,290	\$ 1,068,082	\$ 3,316,923	\$ 41,633
TOTAL EXPENDITURES:	\$ 6,191,516	\$ 8,364,831	\$ 9,924,452	\$ 4,203,557	\$ 10,603,757	\$ 679,305
TOTAL REVENUE & TRANSFERS-IN	\$ 302,787	\$ (2,241,984)	\$ (1,403,393)	\$ (1,110,617)	\$ (2,082,698)	
IN EXCESS (DEFICIT) OVER EXPENDITURES	\$ 7,044,794	\$ 4,802,810	\$ 3,399,417	\$ 3,692,193	\$ 2,720,112	
ESTIMATED ENDING FUND BALANCE						

City of Kyle, Texas
Complete Detail Line Item Budget - POLICE FORFEITURE
Fiscal Year 2010-11

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
BEGINNING FUND BALANCE (UNAUDITED)	\$ 17,458	\$ 18,244	\$ 19,619	\$ 19,619	\$ 19,619	
REVENUE:						
131-353-41551 Police Seizure Revenue	\$ 866	\$ 1,375	\$ 1,375	\$ 2,303	\$ 1,375	\$ -
131-441-42412 Investment Income	-	-	-	-	-	-
TOTAL REVENUE:	\$ 866	\$ 1,375	\$ 1,375	\$ 2,303	\$ 1,375	\$ -
EXPENDITURES:						
131-511-52182 Fire Arms Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
131-511-55329 Other Contract Services	80	-	-	-	-	-
TOTAL EXPENDITURES:	\$ 80	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL REVENUE & TRANSFERS-IN IN EXCESS (DEFICIT) OVER EXPENDITURES	\$ 786	\$ 1,375	\$ 1,375	\$ 2,303	\$ 1,375	\$ -
ESTIMATED ENDING FUND BALANCE	\$ 18,244	\$ 19,619	\$ 20,994	\$ 21,922	\$ 20,994	\$ -

City of Kyle, Texas
 Complete Detail Line Item Budget - COURT SPECIAL REVENUE
 Fiscal Year 2010-11

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
BEGINNING FUND BALANCE (UNAUDITED)	\$ 68,875	\$ 86,110	\$ 100,102	\$ 100,102	\$ 100,102	\$ -
REVENUE:						
133-351-41521 Technology Fee	11,172	12,326	9,500	7,602	9,500	\$ -
133-351-41522 Security Fee	8,379	9,230	7,500	5,698	7,500	-
133-351-41523 Judicial Training Fee	1,460	1,707	1,200	1,064	1,200	-
133-351-41524 Child Safety Fee	361	430	300	245	300	-
TOTAL REVENUE:	\$ 21,372	\$ 23,694	\$ 18,500	\$ 14,608	\$ 18,500	\$ -
EXPENDITURES:						
Technology Expenses						
133-533-54175 Office Equipment Rental	347	704	1,000	-	1,000	\$ -
133-533-52214 Computer Hardware	-	413	19,495	18,900	19,495	-
133-533-52215 Computer Software	-	900	1,000	3,600	1,000	-
133-533-52218 General Electronic Equipment	-	-	1,900	-	1,900	-
133-533-52219 Other Office Equipment	-	1,797	-	-	-	-
133-533-55331 IT Service Maint/License Fees	-	-	-	5,000	5,000	5,000
133-533-55337 IT Warranties	-	68	100	-	100	-
Total Technology Expenses	\$ 347	\$ 3,882	\$ 23,495	\$ 27,500	\$ 28,495	\$ 5,000
Security Expenses						
133-534-51181 Training/Registration	269	100	100	100	100	\$ -
133-534-55329 Other Contract Services	1,570	5,670	6,000	2,625	6,000	-
133-534-55348 OCS	1,850	-	-	-	-	-
Total Security Expenses	\$ 3,689	\$ 5,770	\$ 6,100	\$ 2,725	\$ 6,100	\$ -
Training Expenses						
133-535-51181 Training/Registration	102	50	100	50	100	\$ -
Total Training Expenses	\$ 102	\$ 50	\$ 100	\$ 50	\$ 100	\$ -
TOTAL EXPENDITURES:	\$ 4,138	\$ 9,702	\$ 29,695	\$ 30,275	\$ 34,695	\$ 5,000
TOTAL REVENUE & TRANSFERS-IN						
IN EXCESS (DEFICIT) OVER EXPENDITURES	\$ 17,235	\$ 13,992	\$ (11,195)	\$ (15,667)	\$ (16,195)	\$ 5,000
ESTIMATED ENDING FUND BALANCE	\$ 86,110	\$ 100,102	\$ 88,907	\$ 84,434	\$ 83,907	\$ 5,000

City of Kyle, Texas
Complete Detail Line Item Budget - HOTEL/MOTEL
Fiscal Year 2010-11

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
BEGINNING FUND BALANCE (UNAUDITED)	\$ 198,091	\$ 195,601	\$ 120,559	\$ 120,559	\$ 120,559	\$ -
REVENUE:						
135-313-41546 Hotel/Motel Occupancy Tax	\$ 131,950	\$ 95,351	\$ 122,195	\$ 64,972	\$ 122,195	\$ -
135-441-42412 Investment Income	1,535	363	307	103	307	-
TOTAL REVENUE:	\$ 133,485	\$ 95,714	\$ 122,502	\$ 65,075	\$ 122,502	\$ -
EXPENDITURES:						
135-450-58119 Transfer Out - I & S Fund	\$ -	\$ 36,118	\$ 37,000	\$ 18,000	\$ 37,000	\$ -
135-540-52157 Tourism	-	-	5,000	-	5,000	-
135-540-55243 Advertising	5,450	-	-	-	-	-
135-540-58111 Chamber of Commerce	130,525	134,639	134,639	33,660	134,639	-
TOTAL EXPENDITURES:	\$ 135,975	\$ 170,757	\$ 176,639	\$ 51,660	\$ 176,639	\$ -
TOTAL REVENUE & TRANSFERS-IN IN EXCESS (DEFICIT) OVER EXPENDITURES	\$ (2,490)	\$ (75,042)	\$ (54,137)	\$ 13,415	\$ (54,137)	\$ -
ESTIMATED ENDING FUND BALANCE	\$ 195,601	\$ 120,559	\$ 66,422	\$ 133,974	\$ 66,422	\$ -

City of Kyle, Texas
Complete Detail Line Item Budget - DEBT SERVICES
Fiscal Year 2010-11

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
BEGINNING FUND BALANCE (UNAUDITED)	\$ 810,432	\$ (99,510)	\$ (71,180)	\$ (71,180)	\$ (71,180)	
REVENUE:						
Property Taxes						
151-310-40111 Property Taxes - Current	\$ 2,511,421	\$ 3,117,157	\$ 2,900,000	\$ 2,723,619	\$ 2,900,000	\$ -
151-310-40112 Property Taxes - Delinquent	16,533	16,243	13,000	15,962	13,000	-
151-310-40114 Property Taxes - Rollbacks	1,727	-	-	4,853	-	-
151-310-40115 Property Taxes - P & I	17,434	15,072	12,000	14,060	12,000	-
Total Property Taxes	\$ 2,547,116	\$ 3,148,472	\$ 2,925,000	\$ 2,758,495	\$ 2,925,000	\$ -
Investment Income & Other						
151-441-42412 Invest Income on Bank Balance	\$ 13,327	\$ 55,545	\$ 50,000	\$ 10,223	\$ 50,000	\$ -
151-445-42451 Claims and Reimbursement	183,319	-	-	-	-	-
151-445-42452 Refunds	-	-	-	-	-	-
Total Investment Income & Other	\$ 196,647	\$ 55,545	\$ 50,000	\$ 10,223	\$ 50,000	\$ -
Transfer In						
151-452-42521 Transfer In - Operating Fund	\$ 511,075	-	-	-	\$ -	\$ -
151-452-42522 Transfer In CIP OP & Bond Fund	-	-	-	-	-	-
151-462-42621 Transfer - Utility Operating	-	980,948	1,300,339	650,170	912,801	(387,538)
151-462-42624 Transfer - Hotel Tax	-	36,118	36,000	18,000	36,000	-
151-463-42631 Transfer - 2008 CO's	-	-	-	425,000	425,000	425,000
Total Transfer In	\$ 511,075	\$ 1,017,066	\$ 1,336,339	\$ 1,093,170	\$ 1,373,801	\$ 37,462
TOTAL REVENUE AND TRANSFERS IN:	\$ 3,254,837	\$ 4,221,083	\$ 4,311,339	\$ 3,861,888	\$ 4,348,801	\$ 37,462
EXPENDITURES:						
151-570-55221 Bank Charges/Paying Agent Fees	\$ 2,072	\$ 2,800	\$ -	\$ -	\$ -	\$ -
151-570-58114 Interfund Transfers Out	1,080,987	228,286	300,000	150,000	300,000	-
151-570-58211 Financial/Admin Services	-	-	-	-	-	-
151-570-59111 Principal	-	-	-	-	-	-
151-570-59112 Interest	-	-	-	-	-	-
151-570-59121 Principal (Short Term)	-	-	-	-	-	-
151-570-59122 Interest (Short Term)	-	-	-	-	-	-
151-570-59132 GBRA - WTP Debt Service	-	-	-	-	-	-
151-570-59133 GBRA - I-35 Pipeline Debt Serv	-	-	-	-	-	-
151-570-59200 2000 Series CO Interest	63,380	4,500	-	-	-	-
151-570-59202 2002 Series CO Interest	175,930	169,788	162,920	81,460	162,920	-
151-570-59203 2003 Series CO Interest	51,336	41,768	31,832	15,916	31,832	-

EXHIBIT C

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
151-570-59207	401,200	394,200	382,800	191,400	382,800	-
151-570-59208	1,396,725	1,007,706	987,581	493,791	987,581	-
151-570-59209	3,150	170,919	131,056	70,247	131,056	-
151-570-59210	-	27,788	118,816	21,101	42,020	(76,796)
151-570-59211	-	-	165,084	-	-	(165,084)
151-570-59300	40,000	75,000	-	-	-	-
151-570-59302	195,000	205,000	210,000	-	210,000	-
151-570-59303	260,000	270,000	275,000	-	275,000	-
151-570-59307	175,000	285,000	395,000	-	395,000	-
151-570-59308	290,000	575,000	505,000	-	505,000	-
151-570-59309	-	710,000	755,000	755,000	755,000	-
151-570-59310	-	25,000	51,250	18,125	18,125	(33,125)
151-570-59311	30,000	-	140,000	-	-	(140,000)
151-570-59389	-	-	-	-	-	-
TOTAL EXPENDITURES:	\$ 4,164,779	\$ 4,192,754	\$ 4,611,339	\$ 1,797,039	\$ 4,196,334	\$ (415,005)
TOTAL REVENUE & TRANSFERS-IN						
IN EXCESS (DEFICIT) OVER EXPENDITURES	\$ (909,942)	\$ 28,329	\$ (300,000)	\$ 2,064,849	\$ 152,467	
ESTIMATED ENDING FUND BALANCE	\$ (99,510)	\$ (71,180)	\$ (371,180)	\$ 1,993,668	\$ 81,287	

City of Kyle, Texas
Complete Detail Line Item Budget - SIB/TIF LOAN I&S
Fiscal Year 2010-11

	Actual 2008-09	Actual 2009-10	Approved Budget 2010-11	Year to Date w/Encumbrance 2010-11	Proposed Budget Amendment 2010-11	Increase (Decrease)
BEGINNING FUND BALANCE (UNAUDITED)	\$ 269,297	\$ 90,646	\$ 253,070	\$ 253,070	\$ 253,070	
REVENUE:						
Property Taxes						
152-310-4111 Property Taxes - Current	\$ 1,950	\$ 1,008	\$ 390,450	\$ -	\$ 390,450	\$ -
152-310-40120 Property Taxes- County TIRZ/TIF	-	424,406	-	311,444	-	-
Total Property Taxes	\$ 1,950	\$ 425,414	\$ 390,450	\$ 311,444	\$ 390,450	\$ -
Investment Income						
152-441-42412 Invest Income on Bank Balance	\$ 1,902	\$ 190	\$ 3,000	\$ 64	\$ 3,000	\$ -
Total Investment Income	\$ 1,902	\$ 190	\$ 3,000	\$ 64	\$ 3,000	\$ -
Transfer In						
152-450-42623 Transfer in I & S Fund	\$ 1,080,987	\$ 228,286	\$ 389,375	\$ 150,000	\$ 300,000	\$ (89,375)
Total Transfer In	\$ 1,080,987	\$ 228,286	\$ 389,375	\$ 150,000	\$ 300,000	\$ (89,375)
TOTAL REVENUE AND TRANSFERS IN:	\$ 1,084,839	\$ 653,890	\$ 782,825	\$ 461,508	\$ 693,450	\$ (89,375)
EXPENDITURES:						
152-570-59210 2009 GO Refunding Interest	\$ -	\$ 408,966	\$ 460,772	\$ 269,943	\$ 537,568	\$ 76,796
152-570-59310 2009 GO Refunding Principal	-	-	198,750	231,875	231,875	33,125
152-572-55221 Bank Charges/Paying Agent Fees	-	82,500	-	-	-	-
152-572-59134 SIB Loan I Interest	647,801	-	-	-	-	-
152-572-59135 SIB Loan I Principal	615,688	-	-	-	-	-
TOTAL EXPENDITURES:	\$ 1,263,489	\$ 491,466	\$ 659,522	\$ 501,818	\$ 769,443	\$ 109,921
TOTAL REVENUE & TRANSFERS-IN IN EXCESS (DEFICIT) OVER EXPENDITURES	\$ (178,650)	\$ 162,424	\$ 123,303	\$ (40,310)	\$ (75,993)	
ESTIMATED ENDING FUND BALANCE	\$ 90,646	\$ 253,070	\$ 376,373	\$ 212,760	\$ 177,077	

City of Kyle, Texas
 Complete Detail Line Item Budget - CO 2010
 Fiscal Year 2010-11

Budget Line Item Description	Actual FY 2008-09	Actual FY 2009-10	Approved Budget FY 2010-11	Year to Date Expenditures 3/31/2011	Proposed Budget Amendment 2010-11	Increase (Decrease)
Revenue:						
1. 2010 CO Proceeds	\$ -	\$ -	\$ -	\$ 4,290,000	\$ 4,290,000	\$ 4,290,000
Total Revenue:	\$ -	\$ -	\$ -	\$ 4,290,000	\$ 4,290,000	\$ 4,290,000
Expenditures:						
1. PW - Utility Improvements	\$ -	\$ -	\$ -	\$ 54,739	\$ 54,740	\$ 54,740
2. PW - Sidewalk Improvements	-	-	-	2,379	30,150	30,150
3. PW - City Engineer	-	-	-	7,040	25,000	25,000
4. Construction - Building	-	-	-	3,567,000	3,567,000	3,567,000
5. PSI Testing & Inspection	-	-	-	11,361	11,361	11,361
6. Furniture, Fixtures & Equipment	-	-	-	-	500,000	500,000
7. Cost of Issuance	-	-	-	62,756	62,756	62,756
8. Contingency (City's)	-	-	-	-	38,993	38,993
Total Expenditures:	\$ -	\$ -	\$ -	\$ 3,705,275	\$ 4,290,000	\$ 4,290,000
Total CO 2010 Fund:	\$ -	\$ -	\$ -	\$ 584,725	\$ -	\$ -



CITY OF KYLE, TEXAS

City Managers Report

Meeting Date: 5/17/2011
Date time: 7:00 PM

Subject/Recommendation:

Update on Various Capital Improvement Projects, Road Projects, Building Program, and/or General Operational Activities ~ *Lanny Lambert, City Manager*

- Update on Bond Funded Capital Improvement Projects

Other Information:

Budget Information:

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

[Update on Bond Funded CIPs](#)

City of Kyle, Texas
Summary Capital Projects Budget Status Report - By Fund
for the Period Ended February 28, 2011

Project Management Fund 182 (2007 CO Bond Fund - \$9,910,000.00)

Project Name	Approved Project Budget	Expenditures Year to Date	Expenditures Inception To Date	Encumbrances	Total Funds Obligated	% Obligated	Funds Available	% Budget/ Funds Available
Cost of Issuance	\$ 267,060.65	\$ -	\$ 267,060.65	\$ -	\$ 267,060.65	100.00%	\$ -	0.00%
Kohlers Crossing	7,853,730.41	-	7,853,730.41	-	7,853,730.41	100.00%	-	0.00%
Kohlers Crossing-Hays Co Reimbursement	(1,868,000.00)	-	(1,868,000.00)	-	(1,868,000.00)	100.00%	-	0.00%
TXDOT Reimb - Hometown Kyle	448,116.17	-	448,116.17	-	448,116.17	100.00%	-	0.00%
TXDOT Reimb-FM2770/Kohlers to FM150	750,000.00	-	849,601.44	-	849,601.44	113.28%	(99,601.44)	-13.28%
Lehman HS-Safety Improv-Sidewalk	15,381.51	-	15,381.51	-	15,381.51	100.00%	-	0.00%
SCC/Seton - Engineering	-	-	12,897.08	-	12,897.08	-	(12,897.08)	-
Dry Hole Rd	492,410.00	-	492,410.00	-	492,410.00	100.00%	-	0.00%
Downtown Streetscape/Employee Parking Lot	1,664,932.00	-	1,867,344.13	-	1,867,344.13	112.16%	(202,412.13)	-12.16%
Spring Branch Dr-Corridor Study	-	-	16,826.94	-	16,826.94	-	(16,826.94)	-
Annual St Maint - Burton Rd & 135 Frontage	-	-	13,010.00	-	13,010.00	-	(13,010.00)	-
Transfer to Debt Service	251,287.22	-	251,287.22	-	251,287.22	100.00%	-	0.00%
Transferred 2002 CO into 2007	(250,577.40)	-	(250,577.40)	-	(250,577.40)	100.00%	-	0.00%
Center SV/FM150 Extension	-	1,410.00	14,969.22	-	14,969.22	-	(14,969.22)	-
TXDOT Improv - Aesthetics	285,659.44	-	11,400.00	-	11,400.00	3.99%	274,259.44	96.01%
Total All Projects in Fund 182	\$ 9,910,000.00	\$ 1,410.00	\$ 9,995,457.37	\$ -	\$ 9,995,457.37	100.86%	\$ (85,457.37)	-0.86%

City of Kyle, Texas
Summary Capital Projects Budget Status Report - By Fund
for the Period Ended February 28, 2011

Project Management Fund 184 (2008 CO Bond Fund - \$22,800,000.00)

Project Name	Approved Project Budget	Expenditures Year to Date	Expenditures Inception To Date	Encumbrances	Total Funds Obligated	% Obligated	Funds Available	% Budget/ Funds Available
Bank Building	\$ 1,500,000.00	\$ -	\$ 1,062,614.38	\$ 437,385.62	\$ 1,500,000.00	100.00%	\$ -	0.00%
Public Works Facility Development	1,500,000.00	(32.62)	2,666,390.04	-	2,666,390.04	177.76%	(1,166,390.04)	-43.74%
Park Land Purchase & Improvements	460,000.00	-	526,504.00	-	526,504.00	114.46%	(66,504.00)	-12.63%
Dacy Lane Engr & Const	-	724.07	73,088.99	2,001,911.01	2,075,000.00	-	(2,075,000.00)	-100.00%
Tenorio Addition Ph1A - WW line	-	246,864.36	338,564.46	-	338,564.46	-	(338,564.46)	-100.00%
IT Improvements	471,000.00	-	656,470.58	-	656,470.58	139.38%	(185,470.58)	-28.25%
Traffic Signals	550,000.00	-	-	-	-	0.00%	550,000.00	0.00%
Extension of FM1626 (Seton)	9,500,000.00	-	9,079,117.88	-	9,079,117.88	95.57%	420,882.12	4.64%
Eco Dev Industrial Park Road	2,300,000.00	-	27,599.62	-	27,599.62	1.20%	2,272,400.38	8233.45%
HCPUA O&M Expenses	-	-	191,774.00	-	191,774.00	-	(191,774.00)	-100.00%
Water Well #5	500,000.00	-	484,495.00	-	484,495.00	96.90%	15,505.00	3.20%
Sewer Imprv-Thiele & Front @ RR	550,000.00	6,018.20	153,531.49	-	153,531.49	27.91%	396,468.51	258.23%
HCPUA Expenses	-	-	383,487.00	-	383,487.00	-	(383,487.00)	-100.00%
Asset Valuation	-	-	87,240.52	-	87,240.52	-	(87,240.52)	-100.00%
SIB II Suppl-135 & FM150 Improv	3,000,000.00	-	-	1,000,000.00	1,000,000.00	33.33%	2,000,000.00	200.00%
Tenorio Addition Ph1B	-	-	-	57,904.05	57,904.05	-	(57,904.05)	-100.00%
Cost of issuance	769,000.00	-	880,867.07	-	880,867.07	114.55%	(111,867.07)	-12.70%
Transfer to SIB Loan (Incode 275-530-310	-	-	14,475.00	-	14,475.00	-	(14,475.00)	-100.00%
Post Oak .75MG EST	-	-	915,030.92	-	915,030.92	-	(915,030.92)	-100.00%
Old Stagecoach Rd GST	-	-	49,335.18	-	49,335.18	-	(49,335.18)	-100.00%
Yarrington Rd GST	-	-	58,347.75	-	58,347.75	-	(58,347.75)	-100.00%
Plum Creek 16" WL	-	-	99,155.65	-	99,155.65	-	(99,155.65)	-100.00%
Transfer to I&S to pay down debt	1,700,000.00	425,000.00	425,000.00	1,275,000.00	1,700,000.00	-	-	0.00%
Total All Projects in Fund 184	\$ 22,800,000.00	\$ 678,574.01	\$ 18,173,089.53	\$ 4,772,200.68	\$ 22,945,290.21	100.00%	\$ (145,290.21)	-0.63%

City of Kyle, Texas
Summary Capital Projects Budget Status Report - By Fund
for the Period Ended February 28, 2011

Project Management Fund 185 (2009 Tax Notes Fund - \$5,600,000.00)

Project Name	Approved Project Budget	Expenditures Year to Date	Expenditures Inception To Date	Encumbrances	Total Funds Obligated	% Obligated	Funds Available	% Budget/Funds Available
Cost of Issuance	\$ 78,000.00	\$ -	\$ 74,275.68	\$ -	\$ 74,275.68	95.23%	\$ 3,724.32	4.77%
Historic City Hall	900,000.00	-	816,844.06	-	816,844.06	90.76%	-	0.00%
Equipment Purchases	643,763.00	-	637,561.73	-	637,561.73	99.04%	-	0.00%
SCADA System	393,000.00	67,603.05	451,032.05	10,310.76	461,342.81	117.39%	(19,722.81)	-5.02%
Recreation Center - Architect/Engr Fees	1,177,237.00	-	1,254,839.48	-	1,254,839.48	106.59%	-	0.00%
Police Records Mgmt System	503,000.00	228,123.00	259,116.40	190,883.60	450,000.00	89.46%	-	0.00%
Flex-Net Meter Reading System	870,000.00	2,400.04	50,880.46	818,301.29	869,181.75	99.91%	818.25	0.09%
Building Permits/Planning Software-Edgesoft	163,000.00	-	169,858.40	-	169,858.40	104.21%	-	0.00%
Comprehensive Plan Consultant Svcs	272,000.00	-	299,253.93	-	299,253.93	110.02%	-	0.00%
Train Depot Renovation	250,000.00	84.91	19,169.52	230,858.14	250,027.66	100.01%	(27.66)	-0.01%
Library Land Purchase	350,000.00	105.00	342,853.27	-	342,853.27	97.96%	(105.00)	-0.03%
Total All Projects in Fund 185	\$ 5,600,000.00	\$ 298,316.00	\$ 4,375,684.98	\$ 1,250,353.79	\$ 5,626,038.77	100.46%	\$ (15,312.90)	-0.27%

City of Kyle, Texas
Summary Capital Projects Budget Status Report - By Fund
for the Period Ended February 28, 2011

Project Management Fund 187 (2010 CO Bond Fund - \$4,290,000.00)

Project Name	Approved Project Budget	Expenditures Year to Date	Expenditures Inception To Date	Encumbrances	Total Funds Obligated	% Obligated	Funds Available	% Budget/ Funds Available
Cost of Issuance	\$ 64,600.00	\$ 62,756.13	\$ 62,756.13	\$ -	\$ 62,756.13	97.15%	\$ 1,843.87	2.85%
Library Construction	3,567,000.00	134,502.33	419,800.70	3,147,199.30	3,567,000.00	100.00%	-	0.00%
Library FF&E	500,000.00	-	-	500,000.00	500,000.00	100.00%	-	0.00%
PW Utility Improvements	85,000.00	59,622.31	59,622.31	41,555.69	101,178.00	119.03%	(16,178.00)	-19.03%
PW Sidewalk Improvements	15,000.00	-	-	37,064.00	37,064.00	247.09%	(22,064.00)	-147.09%
Other : Contingency	58,400.00	-	-	22,001.87	22,001.87	37.67%	36,398.13	62.33%
Total All Projects in Fund 187	\$ 4,290,000.00	\$ 256,880.77	\$ 542,179.14	\$ 3,747,820.86	\$ 4,290,000.00	100.00%	\$ -	0.00%



Grace Nino <gracenino@cityofkyle.com>

Fwd: FW: RM 150 - Hays County & City of Kyle Interlocal Agreement

5 messages

Lanny Lambert <l.lambert@cityofkyle.com>

Wed, Mar 9, 2011 at 11:02 AM

To: Grace Nino <gracenino@cityofkyle.com>, Perwez Moheet <pmoheet@cityofkyle.com>

grace, please set up a meeting, thanks, lanny

----- Forwarded message -----

From: **James R. Earp, CPM** <jrearp@cityofkyle.com>

Date: Wed, Mar 9, 2011 at 10:55 AM

Subject: RE: FW: RM 150 - Hays County & City of Kyle Interlocal Agreement

To: Lanny Lambert <l.lambert@cityofkyle.com>

Cc: Perwez Moheet <pmoheet@cityofkyle.com>, Jerry Hendrix <jhendrix@cityofkyle.com>

I've asked the county to provide documentation on Dacy. I do not believe any exists outside of budget documents or CIP budgets, which do not constitute agreements.

The commitment for Dacy is \$2 million. I met with Perwez yesterday to get him up to speed. I can join you whenever.

James R. Earp, CPM**Assistant City Manager****City of Kyle, TX****(o) 512.262.3924****(f) 512.262.3987**

From: Lanny Lambert [mailto:l.lambert@cityofkyle.com]**Sent:** Wednesday, March 09, 2011 10:39 AM**To:** James R. Earp, CPM**Cc:** Perwez Moheet; Jerry Hendrix**Subject:** Re: FW: RM 150 - Hays County & City of Kyle Interlocal Agreement

so, we are one million short? No documentation available on what was agreed? Any Council authorization? Any Council actions on the agenda, minutes? Does the Council understand that we are short on these projects? What was the Mayor's response? Let's meet with Perwez ASAP to discuss... lanny

Item # 19

On Mon, Mar 7, 2011 at 2:41 PM, James R. Earp, CPM <jrearp@cityofkyle.com> wrote:

See email below.

I asked for a meeting last spring with Commissioner Barton, representatives from the county, myself and staff from the city because I was concerned about what our total commitments on the road projects were. We met and we were told by the county that the commitments on the city were \$3 million, \$2 million of which was for Dacy, the remaining for RR150, and of course the SIB project which was separate and operating through TxDOT. I do not think the county will give up the funds, despite misinforming us. The very next day I gave directions to staff that RR150 was only \$1 million, so I know that is what we were told – but I am doubtful it will matter.

We should have \$11 million for the SIB loan projects (we may have already given this to TxDOT) and we have \$3 million for Hays County Projects in the bond/tax note funds. I broke the ice on this issue with the Mayor last week stating that we didn't issue debt for Dacy, and if the County came back and said we owed \$5 mill for the remaining Hays County Projects (150 and Dacy when they told us in a meeting last spring that it was only \$3 million total) then we would have to find it. I put money in the CIP to cover \$5 mill just in case, but that isn't the same thing as funding it. If we had to, there were extra bond funds to cover the Dacy project (\$4 million in ED Park funds), so we wouldn't have to issue debt. However, after reconciling the bond funds we now know those funds are not available as originally thought because other projects were added or ran over. The remaining ED Park funds were used by the council to provide tax rate relief for 4 years.

Perwez, I think we can get close finding the \$2 mill if we scratch other projects but we need to meet and discuss and figure out what our options are and take to council. Also, the county has not been willing to release any of our commitment on Dacy, even though the bids came in 30% below estimates. I think we will have to push on that matter.

James R. Earp, CPM

Assistant City Manager

City of Kyle, TX

(o) 512.262.3924

(f) 512.262.3987

From: Vickie Wilhelm [mailto:vickie_wilhelm@co.hays.tx.us]

Sent: Monday, March 07, 2011 11:52 AM

To: jrearp@cityofkyle.com

Cc: Jerry Borcharding; Bill Herzog; Mark Jones; Paula Gruber

Subject: RE: RM 150 - Hays County & City of Kyle Interlocal Agreement

Mr. Earp,

Item # 19

Below is a list of the City commitments with Hays County for road projects in precinct 2;

\$3,000,000.00 – IH35 @ RM150

\$11,000,000.00 – IH35 @ CR210

\$2,000,000.00 – Dacy Lane

I apologize for the delay. Please feel free to contact our office if you have any questions or need additional information.

Vickie Wilhelm

Accountant

Hays County Auditor's Office

512-393-2275 direct

512-393-2283 main

Grace Nino <gracenino@cityofkyle.com>

Sat, Mar 12, 2011 at 7:34 PM

To: Lanny Lambert <l.lambert@cityofkyle.com>, JAMES EARP <jrearp@cityofkyle.com>, Perwez Moheet <pmoheet@cityofkyle.com>, JERRY HENDRIX <jhendrix@cityofkyle.com>

Lanny and James,

I have set the RM 150 - Hays County & City of Kyle Interlocal Agreement meeting for Wednesday, March 16th at 10:00 am, in Lanny's office, and have placed it on your calendars.

Perwez and Jerry,

Please let me know if this date does not work for you.

Thank you.

Grace Niño
Executive Assistant

City of Kyle
P. O. Box 40
Kyle, TX 78640

Item # 19

Phone: (512) 262-3920

Cell: (512) 738-7182

Email: gracenino@cityofkyle.com

[Quoted text hidden]

Jerry Hendrix <jhendrix@cityofkyle.com>

Mon, Mar 14, 2011 at 9:20 AM

To: Grace Nino <gracenino@cityofkyle.com>, Lanny Lambert <l.lambert@cityofkyle.com>, JAMES EARP <jrearp@cityofkyle.com>, Perwez Moheet <pmoheet@cityofkyle.com>

I've place this meeting on my calendar

On 3/12/11 7:34 PM, "Grace Nino" <gracenino@cityofkyle.com> wrote:

Lanny and James,

I have set the RM 150 - Hays County & City of Kyle Interlocal Agreement meeting for Wednesday, March 16th at 10:00 am, in Lanny's office, and have placed it on your calendars.

Perwez and Jerry,

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Thank you.

Grace Niño
Executive Assistant

City of Kyle

P. O. Box 40

Kyle, TX 78640

Phone: (512) 262-3920

Cell: (512) 738-7182

Email: gracenino@cityofkyle.com <<mailto:gracenino@cityofkyle.com>>

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Lanny Lambert <l.lambert@cityofkyle.com>

Tue, Mar 15, 2011 at 3:13 PM

To: Grace Nino <gracenino@cityofkyle.com>

copy for me, thanks, lanny

Item # 19

----- Forwarded message -----

From: **Perwez Moheet** <pmoheet@cityofkyle.com>

Date: Mon, Mar 14, 2011 at 9:51 AM

Subject: Re: FW: RM 150 - Hays County & City of Kyle Interlocal Agreement

To: Lanny Lambert <l.lambert@cityofkyle.com>

Lanny,

If City of Kyle's commitment to Hays County is for a total of \$5.0 million (\$3.0 million for RM 150 and \$2.0 million for Dacy Lane) then we have to find \$2.0 million more. We currently have set aside \$1.0 million for RM 150 and \$2.0 million for Dacy Lane.

There are two options:

(1) Issue new debt to pay for all unfunded roadway improvements including Burluson, Bebee, Goforth, Lehman, RM 150, Dacy Lane, etc. This will take care of all of the immediate roadway improvement needs for the City of Kyle.

(2) Reprogramming current funds: (a) Undo the prepayment of debt service that was approved by Council last year, this will release \$1,275,000 but it will increase the debt service requirement by \$425,000 each year for the next three years. (c) reclassify IT equipment costs from 2008 CO Bonds to 2009 Tax Notes. This will free up approximately \$650,000 in 2008 CO Bonds for RM 150 and require reprogramming of Flex-Net funding in 2009 Tax Notes in the same amount for the IT equipment costs. (c) Reprogram \$75,000 from the Police Bldg renovations, this will leave \$355,000 for renovations. All three steps will provide \$2.0 million in reprogrammed bond funds for RM 150 but we will need to run it by our financial advisor and bond counsel to ensure that we fully comply with bond covenants.

Let's discuss with James because he is trying to confirm the City's commitment with Hays County.

Thanks...
Perwez

On Mon, Mar 14, 2011 at 8:35 AM, Lanny Lambert <l.lambert@cityofkyle.com> wrote:
how we going to pay this? LAN

----- Forwarded message -----

From: **Grace Nino** <gracenino@cityofkyle.com>

Date: Sat, Mar 12, 2011 at 7:34 PM

Subject: Re: FW: RM 150 - Hays County & City of Kyle Interlocal Agreement

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Perwez A. Moheet, CPA
Director of Finance
City of Kyle
100 W. Center Street
P.O. Box 40
Kyle, Texas 78640-0040

Tel: (512) 262-3952

E-mail: pmoneet@cityofkyle.comLanny Lambert <l.lambert@cityofkyle.com>

Tue, Mar 15, 2011 at 3:38 PM

To: Grace Nino <gracenino@cityofkyle.com>

grace, copy for me, thanks, lanny

----- Forwarded message -----

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To: Lanny Lambert <l.lambert@cityofkyle.com>

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Date: Sat, Mar 12, 2011 at 7:34 PM

Subject: Re: FW: RM 150 - Hays County & City of Kyle Interlocal Agreement

To: Lanny Lambert <l.lambert@cityofkyle.com>, JAMES EARP <jrearp@cityofkyle.com>, Perwez Moheet <pmoheet@cityofkyle.com>, JERRY HENDRIX <jhendrix@cityofkyle.com>

3/16/2011 ,

City of Kyle Mail - Fwd: FW: RM 150 - ...

Attachment number 1
Page 11 of 29

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Perwez A. Moheet, CPA
Director of Finance
City of Kyle
100 W. Center Street
P.O. Box 40
Kyle, Texas 78640-0040

Tel: (512) 262-3952
Email: pmoheet@cityofkyle.com

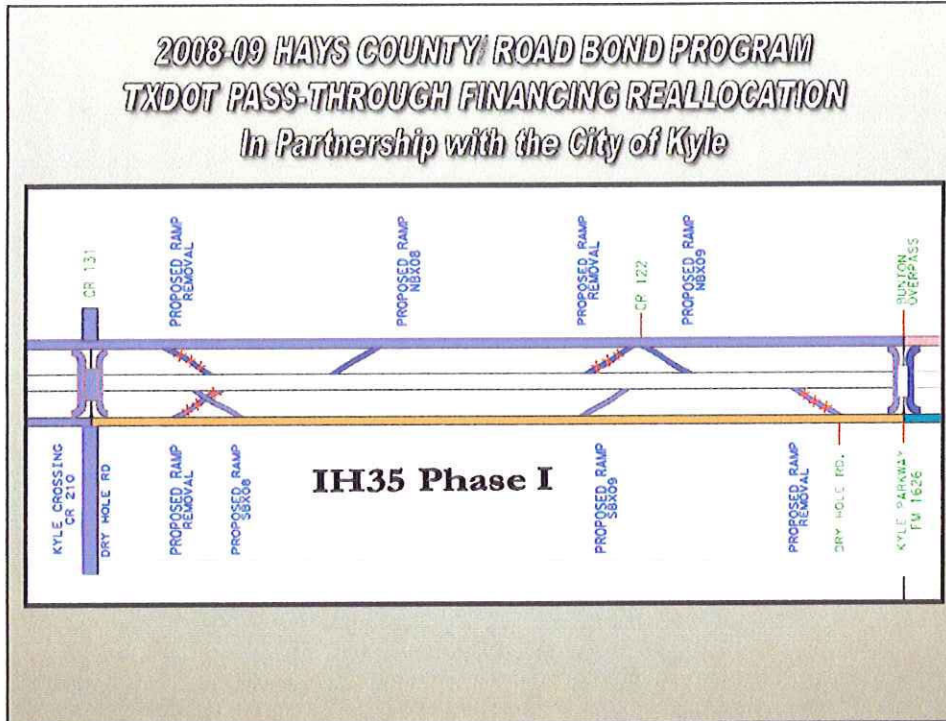
3/16/11

2008-09
HAYS COUNTY ROAD BOND PROGRAM
and
stappt@hayscisd.net
TXDOT PASS-THROUGH
FINANCING REALLOCATION
In Partnership with the City of Kyle

2008-09 HAYS COUNTY ROAD BOND PROGRAM
TXDOT PASS-THROUGH FINANCING REALLOCATION
In Partnership with the City of Kyle

➤ <u>US290</u> – center turn lane/shoulders.....	\$ 7,600,000
➤ <u>IH35</u> – FM2001 (Overpass Road).....	700,000
➤ <u>IH35/KYLE – Phase I</u>	28,747,920
➤ <u>IH35KYLE – Phase II</u>	<u>29,593,600</u>
Total.....	\$66,641,520

3/16/11

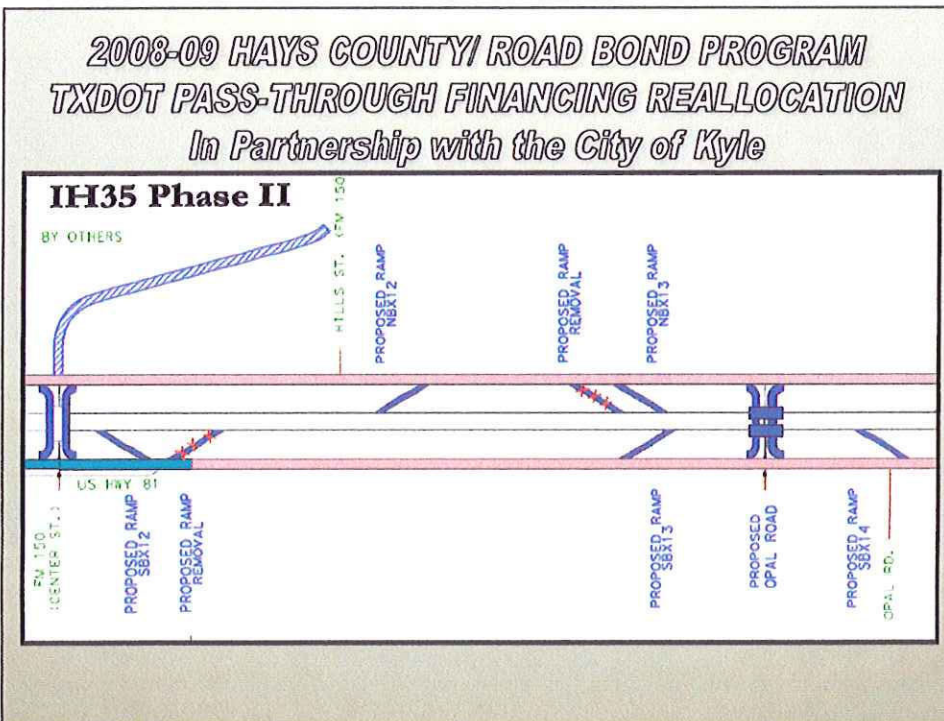
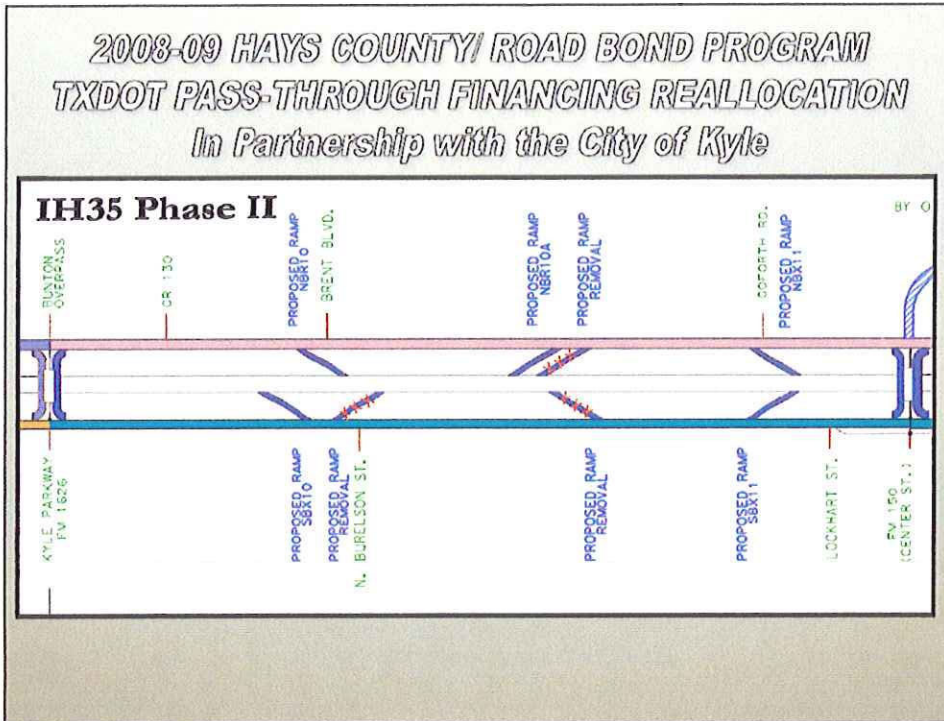


**2008-09 HAYS COUNTY ROAD BOND PROGRAM
TXDOT PASS-THROUGH FINANCING REALLOCATION
In Partnership with the City of Kyle**

IH35 – Phase I

* Frontage road and reverse ramps (CR210 to FM1626).....	12,700,000
* Construct Kyle Crossing.....	3,400,000
* Construct Kyle Crossing/HCR210 Overpass.....	1,800,000
* HCR210 Overpass turnarounds.....	1,750,000
* FM1626 Overpass turnaround.....	650,000
* Utilities.....	4,141,920
* Right-of-way acquisition.....	4,306,000
Total.....	\$ 28,747,920

3/16/11



**2008-09 HAYS COUNTY ROAD BOND PROGRAM
TXDOT PASS-THROUGH FINANCING REALLOCATION
In Partnership with the City of Kyle**

Proposed PTF Reallocation..... \$66,641,520

Available Hays Co. Funding..... (40,000,000)

City of Kyle TIF/SIB 2..... (11,000,000)

City of Kyle – FM150..... (3,000,000)

Current estimated shortfall.... \$12,641,520

(Total ROW Acquisition Budget - \$13,883,500)

**2008-09 HAYS COUNTY ROAD BOND PROGRAM
TXDOT PASS-THROUGH FINANCING REALLOCATION
In Partnership with the City of Kyle**

Development Schedule

- **US290** – Contract letting: May, 2008
- **IH35** – Contract letting: May, 2008
- **IH35 – Phase I** - Contract Award: March, 2009
 - Construction start: May, 2009
 - Completion: November, 2010
- **IH35 – Phase II** - Contract letting: Spring, 2011

3/16/11

**HAYS COUNTY DACY LANE
RECONSTRUCTION PROJECT
In Partnership with the City of Kyle**

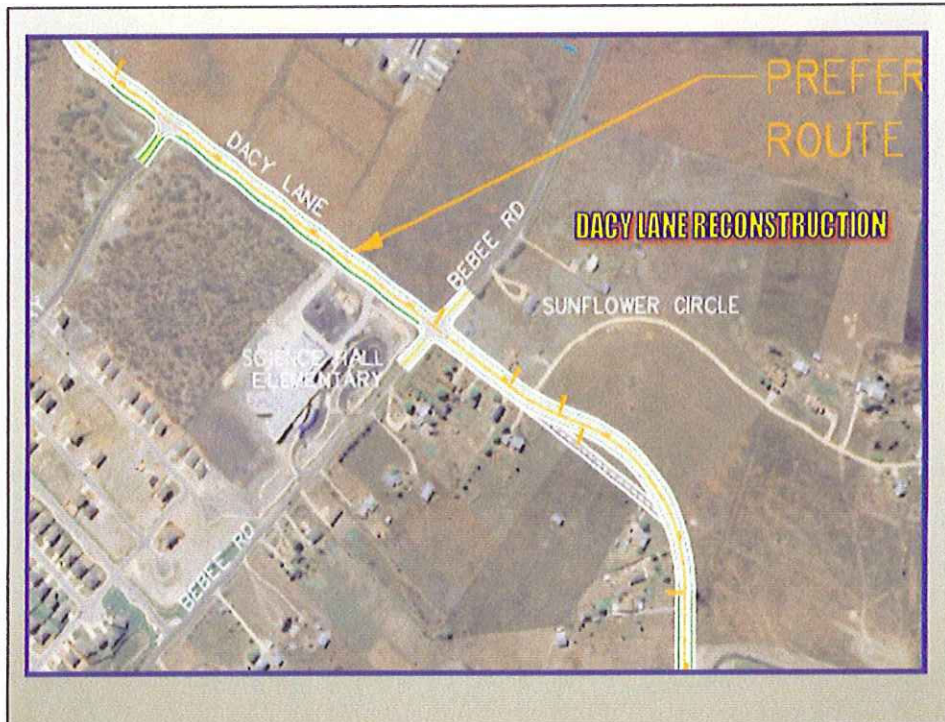
**HAYS COUNTY DACY LANE
RECONSTRUCTION PROJECT
In Partnership with the City of Kyle**

- Two-Phase Construction Project
 - a) Phase I - Geforth Road to Beebe Road
 - b) Phase II - Beebe Road North
- Phase I - 1.6 miles within 80' ROW
- Existing 22' pavement width proposed for expansion to Four (4) Lanes (74' pavement) with Curb and Gutter
- Phase I to be constructed primarily along existing alignment

3/16/11



3/16/11



3/16/11



**HAYS COUNTY DACY LANE
RECONSTRUCTION PROJECT
In Partnership with the City of Kyle**

Dacy Lane – Phase I

* Mobilization/earthwork/base/pavement	2,685,234
* Curb and gutter	270,336
* Storm sewer	675,840
* Bridge	1,950,000
* Traffic signals	350,000
* Utilities	963,623
* Right-of-way acquisition	1,284,830
* Contingency	1,284,830
* Engineering	642,415
* Miscellaneous	492,742

Total **\$ 10,600,000**

3/16/11

**HAYS COUNTY DACY LANE
RECONSTRUCTION PROJECT
In Partnership with the City of Kyle**

PROPOSED COST-SHARING

❖ Hays County - \$ 8,600,000

❖ City of Kyle - \$ 2,000,000

(19% of Total Project Costs)

**HAYS COUNTY DACY LANE
RECONSTRUCTION PROJECT
In Partnership with the City of Kyle**

Estimated Development Schedule

- Project Engineer Authorized - January, 2009
- Plans/Specs Complete - September, 2009
- Construction start - November, 2009
- Project Complete - April, 2011

3/16/11

2008-11 ROAD AND MOBILITY IMPROVEMENTS HAYS COUNTY - CITY OF KYLE PARTNERSHIP

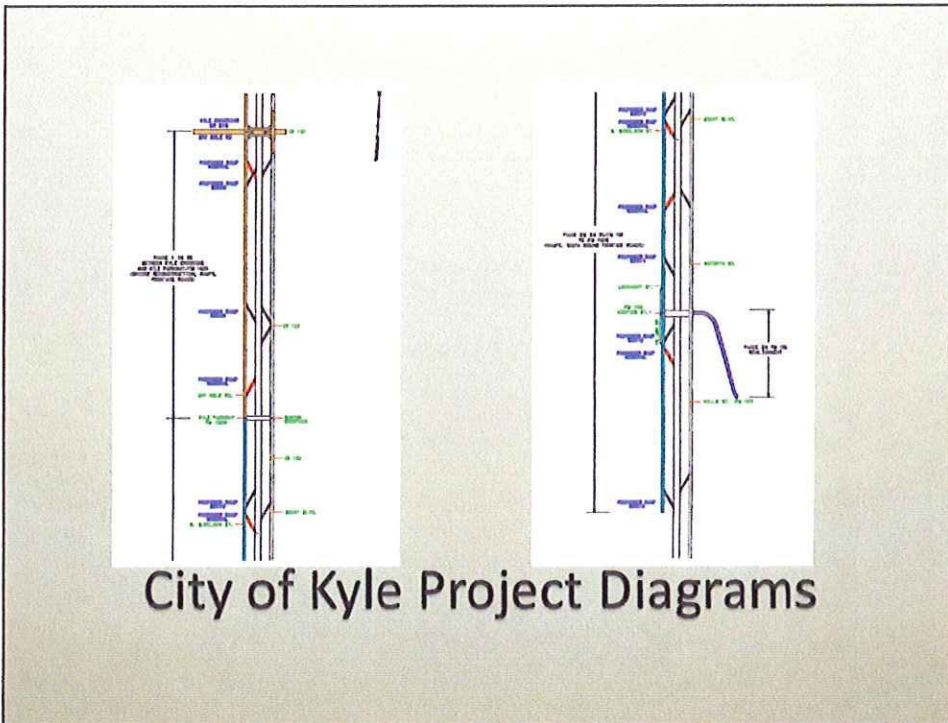
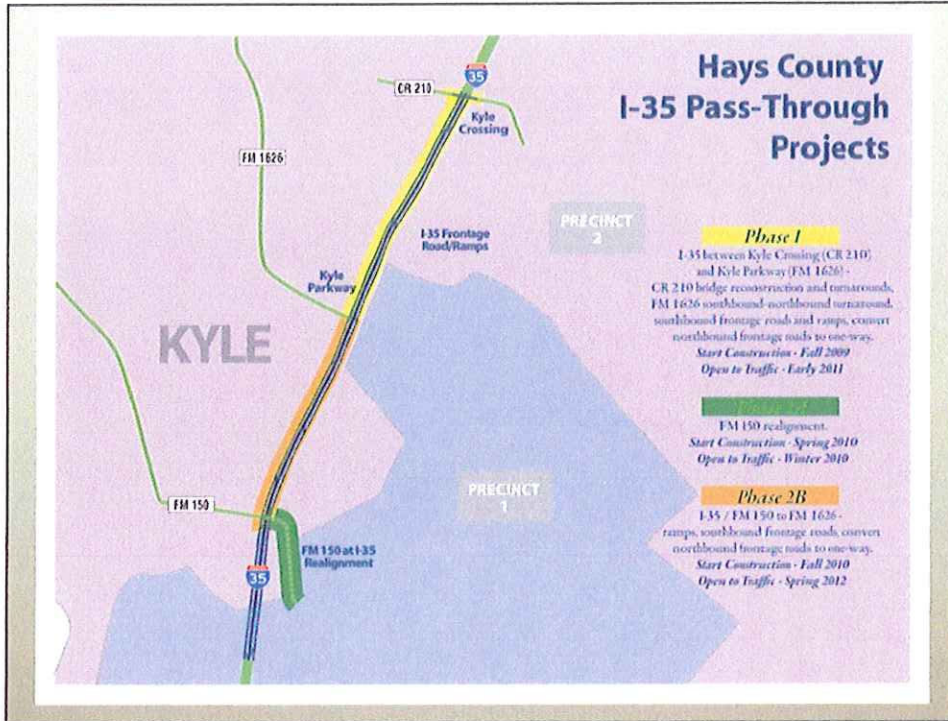
- IH35/KYLE – Phase I..... 28,747,920
 - IH35KYLE – Phase II 29,593,600
 - DACY LANE – Phase I 10,600,000
- Total*..... \$68,941,520

2008-11 ROAD AND MOBILITY IMPROVEMENTS HAYS COUNTY - CITY OF KYLE PARTNERSHIP

City Cost-Sharing

- IH35/KYLE – Phase I..... **11,000,000**
(State Infrastructure Bank (SIB) 2 loan)
 - IH35KYLE – Phase II **3,000,000**
(2007 Certificates of Obligation)
 - DACY LANE – Phase I **2,000,000**
(2010 Certificates of Obligation)
- Total*..... \$16,000,000**

3/16/11



3/16/11

ID	Task Name	Duration	Start	Finish	2009				2010				2011				2012			
					09-04	09-11	09-18	09-25	10-02	10-09	10-16	10-23	10-30	11-06	11-13	11-20	11-27	12-04	12-11	12-18
1	Phase 2B - SRR PM 155 to S of RM 150	135 days	Mon 12-14-09	Sun 7-14-12	[Gantt bar spanning from 12/14/09 to 7/14/12]															
2	Environmental Process	50 days	Mon 12-14-09	Tue 5-25-10	[Gantt bar from 12/14/09 to 5/25/10]															
15	Design (Schematic PS&E)	76 days	Mon 12-14-09	Thu 12-16-10	[Gantt bar from 12/14/09 to 12/16/10]															
34	PMW Acquisition	20 days	Tue 5-25-10	Sat 12-11-10	[Gantt bar from 5/25/10 to 12/11/10]															
36	Utility Relocation	135 days	Mon 1-5-10	Wed 4-29-11	[Gantt bar from 1/5/10 to 4/29/11]															
42	Construction	59 days	Thu 12-16-10	Sun 7-14-12	[Gantt bar from 12/16/10 to 7/14/12]															

Current Status:

Finalizing Schematic

Completed 30% PS&E

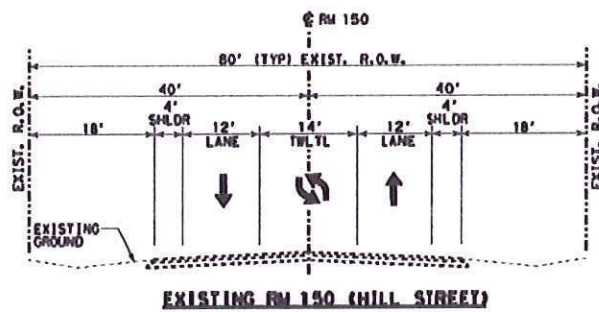
Processing Environmental Documents

RM 155 Phase II B (Frontage Road)

RM 150 Realignment

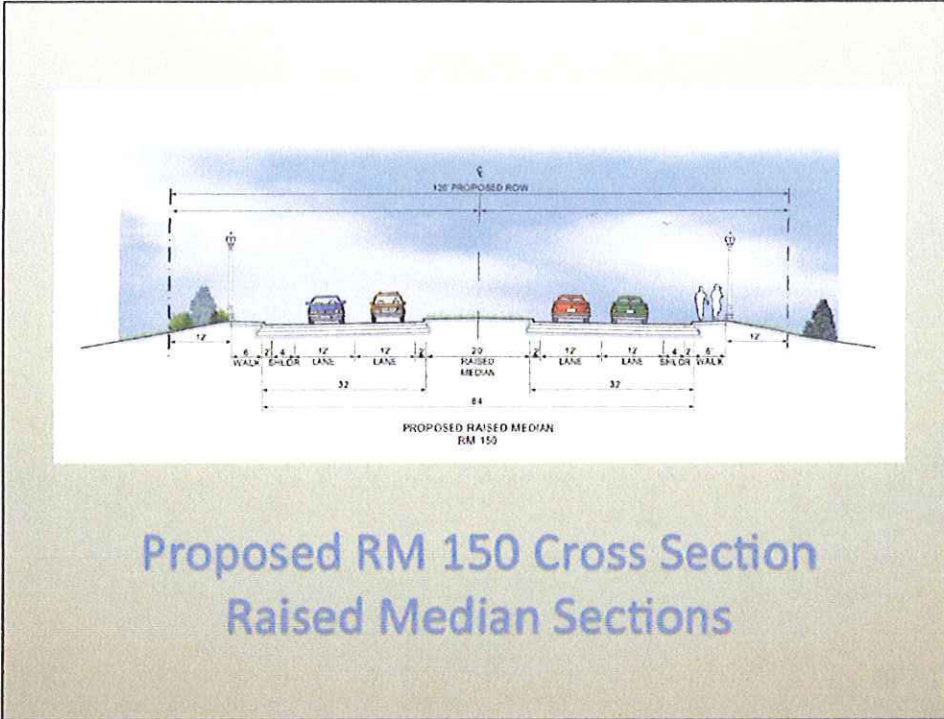


RM 150 Realignment Alternate

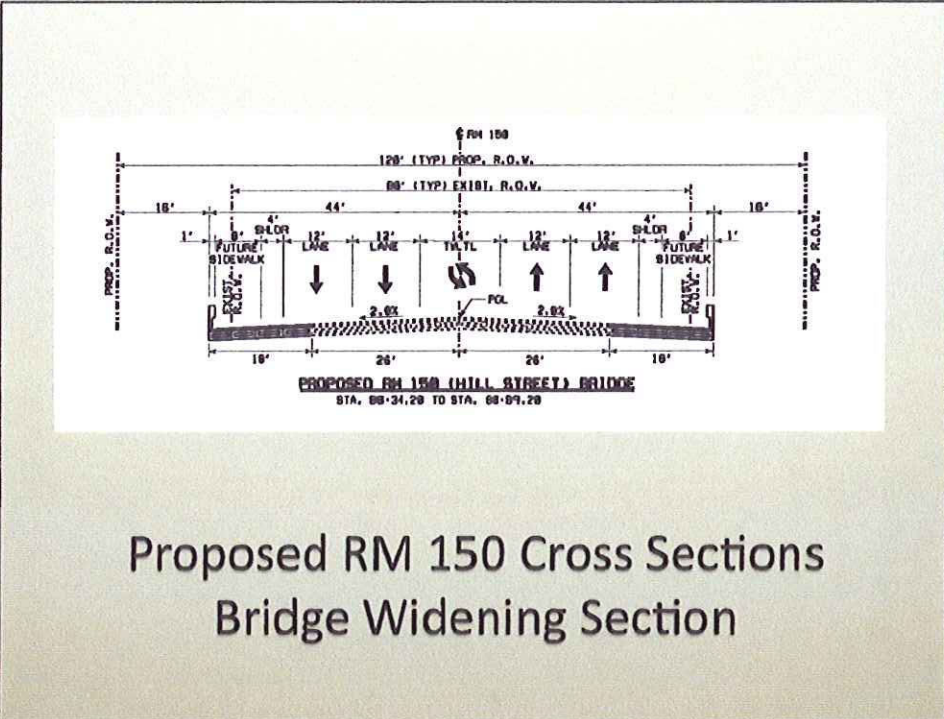


RM 150 (Hill Street) Existing Cross Section

3/16/11

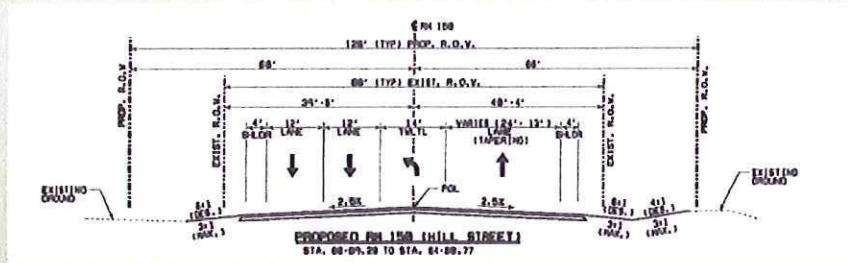


Proposed RM 150 Cross Section
Raised Median Sections

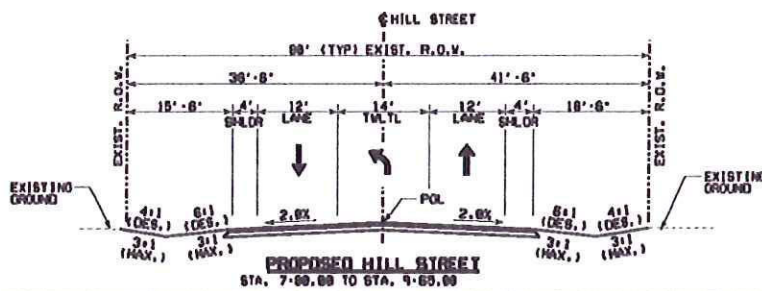


Proposed RM 150 Cross Sections
Bridge Widening Section

3/16/11



Proposed RM 150 Cross Sections
Taper Section to Tie-In



Proposed RM 150 Cross Section
Proposed Hill Street

3/16/11

**2008-09 HAYS COUNTY ROAD BOND PROGRAM
TXDOT PASS-THROUGH FINANCING REALLOCATION
In Partnership with the City of Kyle**

IH35 – Phase I

* Frontage road and reverse ramps (CR210 to FM1626).....	12,700,000
* Construct Kyle Crossing.....	3,400,000
* Construct Kyle Crossing/HCR210 Overpass.....	1,800,000
* HCR210 Overpass turnarounds.....	1,750,000
* FM1626 Overpass turnaround.....	650,000
* Utilities.....	4,141,920
* Right-of-way acquisition.....	4,306,000
Total.....	\$ 28,747,920

**CITY OF KYLE, HAYS COUNTY,
and TXDOT FUNDING AGREEMENT**

***I35/KYLE CROSSING OVERPASS
AND CORRIDOR IMPROVEMENTS***

➤ City of Kyle.....	11,000,000
➤ Hays County.....	9,353,577
➤ TxDOT.....	<u>0</u>
Total.....	\$20,353,577