

# **KYLE CITY COUNCIL MEETING**

**MARCH 20, 2012**



# **KYLE CITY COUNCIL MEETING**

## ***MARCH 20, 2012***

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### **I. Call Meeting to Order**

### **II. Citizen Comment Period With City Council**

- 1.** City Council Regular Meeting - March 6, 2012  
*~ Amelia Sanchez, City Secretary*

### **III. Citizen Comment Period With City Council**

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# KYLE CITY COUNCIL MEETING

## *MARCH 20, 2012*

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### **IV.** Proclamations

2. Proclamation of the City of Kyle, Texas Proclaiming Monday, April 2, 2012 as Autism Awareness Day and April as Autism Awareness Month in the City of Kyle, Texas  
~ *Lucy Johnson, Mayor*

# KYLE CITY COUNCIL MEETING

## *MARCH 20, 2012*

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### **IV.** Proclamations, cont...

3. Proclamation of the City of Kyle, Texas Designating the Month of March as "Women's History Month" in the City of Kyle, Texas  
~ *Lucy Johnson, Mayor*

# KYLE CITY COUNCIL MEETING

## MARCH 20, 2012

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### V. Appointments

4. Consideration of Nomination(s) for Appointment to the Community Relations Committee  
~ *Jerry Hendrix, Director of Community Development Jerold Terry*

# KYLE CITY COUNCIL MEETING

## MARCH 20, 2012

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### VI. Consent

5. *(Second Reading) AN ORDINANCE OF THE CITY OF KYLE, TEXAS, REVIEWING THE REQUEST BY MONARCH UTILITIES I, L.P. TO INCREASE WATER RATES ON A SYSTEMWIDE BASIS BY 62.3 PERCENT AFTER CONSOLIDATING SEVEN STAND-ALONE UTILITIES WITH MONARCH; ADOPTING A FINAL DETERMINATION THAT THE REQUEST TO INCREASE RATES IS REJECTED AND DISMISSED; ORDERING MONARCH NOT TO IMPOSE LATE FEES ON BILLS THAT ARE PAID WITHIN 30 DAYS OF ISSUANCE; ORDERING MONARCH TO RESOLVE ALL SERVICE QUALITY COMPLAINTS PROMPTLY, REQUIRING ALL FIRE HYDRANTS TO BE PAINTED RED (SUBJECT TO STATE LAW); ORDERING MONARCH NOT TO FILE ANY REQUESTS TO INCREASE RATES THAT INCLUDE COSTS FROM OTHER UTILITIES; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE*

*~ Jerry Hendrix, Director of Community Development*

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# KYLE CITY COUNCIL MEETING

## MARCH 20, 2012

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### VI. Consent, cont...

6. *(Second Reading) AN ORDINANCE SUSPENDING THE IMPLEMENTATION OF THE INTERIM RATE ADJUSTMENT UNDER SECTION 104.301 OF THE TEXAS UTILITIES CODE BY TEXAS GAS SERVICE COMPANY WITHIN THE CITY OF KYLE, TEXAS; REQUESTING REIMBURSEMENT FOR THE CITY'S EXPENSES FOR HIRING CONSULTANTS TO ASSIST THE CITY IN ITS REVIEW AND CONSIDERATION OF THE RATE ADJUSTMENT; AND PROVIDING FOR AN EFFECTIVE DATE*  
*~ Jerry Hendrix, Director of Community Development*

# KYLE CITY COUNCIL MEETING

## MARCH 20, 2012

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### **VII.** Consider and Possible Action

7. Authorize award and execution of a Purchase Order to LITTLE GUYS MOVERS, INC., of San Marcos, Texas, to provide moving services to transport and deliver library books, files, and other items from the old library to the new Kyle Public Library and authorize the City Manager to make a bid exception by reducing the cargo insurance requirement to \$100,000 per occurrence

*~ Connie Brooks, Director of Public Library*





**CITY OF KYLE, TEXAS**  
**INVITATION FOR BID (IFB) NO: 2012-01-PM**

Solicitation For: Moving Services for Kyle Public Library

Solicitation Number: IFB 2012-01-PM

Date Issued: February 22, 2012

Description: The City of Kyle, Texas is soliciting bids for moving services to organize, pack, transport, and deliver library books, files, piano, and other items from the old library to the new Kyle Public Library.

Bid Submission  
Deadline: **Must Be Received By:** March 9, 2012 by 2:00 p.m.

Bid Submission: By Email Send to: pmoheet@cityofkyle.com  
By Mail Send to: Mr. Perwez A. Moheet, CPA  
Director of Finance  
City of Kyle  
100 W. Center Street  
Kyle, Texas 78640

Bid Opening Date: March 13, 2012 at 9:00 a.m.  
Finance Conference Room, Kyle City Hall  
100 W. Center Street  
Kyle, Texas 78640

Bid Contact: Andy Alejandro, email: talejandro@cityofkyle.com

Technical Contact: Connie Brooks, Library Director, email:  
cbrooks@cityofkyle.com

Bid Requirements: Available on City of Kyle's website at:  
<http://www.cityofkyle.com/rfps>

City of Kyle, Texas  
 Bid Tabulation for:  
 IFB #2012-01-PM for Library Moving Services  
 March 13, 2012 at 9:00 a.m.

	<u>Name of Firm Responding</u>	<u>Not to Exceed Bid Amount</u>	<u>\$500K/\$500K Cargo Insurance</u>	<u>Signed COU</u>	<u>Signed W-9</u>	<u>Located in</u>	<u>Comments</u>
1	** Little Guys Movers	\$ 5,200.00	\$50K/\$100K	Yes	Yes	San Marcos	
2	** Library Design Systems, Inc.	\$ 7,144.00	No	Yes	Yes	Houston	Additional work @\$55.00 per hour plus expenses
3	** Apple Moving	\$ 7,892.00	\$100K/\$200K	Yes	Yes	Austin	
4	* ABC Moving	\$ 8,599.00	\$50K/\$100K	Yes	Yes	Austin	Listed items, waiting time \$35.00 per man hour
5	** Move Solutions, Ltd.	\$ 8,642.26	\$500K/\$500K	Yes	Yes	Austin	
6	** A-1 Freeman Moving & Storage	\$ 8,955.42	No	Yes	Yes	Round Rock	
7	** Graebel San Antonio Movers, Inc.	\$ 12,870.00	\$1,000K/\$2,000K	Yes	Yes	Shertz	
8	* ACE Relocation Systems, Inc.	\$ 15,470.00	No	Yes	Yes	Kyle	Cargo insurance optional and available

\* Submitted by mail/courier service

\*\* Submitted by email

City of Kyle, Texas  
FISCAL NOTE

DATE OF COUNCIL CONSIDERATION: March 20, 2012  
CONTACT CITY DEPARTMENT: Kyle Public Library  
CONTACT CITY STAFF: Connie Brooks, Director

SUBJECT: Authorize award and execution of a Purchase Order to LITTLE GUYS MOVERS, INC., of San Marcos, Texas, in an amount not to exceed \$5,200.00 to provide moving services to transport and deliver library books, files, and other items from the old library to the new Kyle Public Library and authorize City Manager to make a bid exception by reducing the cargo insurance requirement to \$100,000 per occurrence.

CURRENT YEAR FISCAL IMPACT:

This service contract with LITTLE GUYS MOVERS, INC., will require expenditure of funds from the approved budget of the Library Department.

1. City Department: Kyle Public Library
2. Project Name: Library Moving Services
3. Budget/Accounting Code(s): 110-141-55329
4. Funding Source: FY 2011-12 Approved Budget (General Fund)
5. Current Appropriation: \$ 10,745.00
6. Unencumbered Balance: \$ 10,480.00
7. Amount of This Action: \$( 5,200.00)
8. Remaining Balance: \$ 5,280.00

FUNDING SOURCE OF THIS ACTION:

The funding source for this moving services contract in the amount of \$5,200.00 is provided from the FY 2011-12 approved budget of the Kyle Public Library Department.

ADDITIONAL INFORMATION/COUNCIL ACTION:

N/A.

# KYLE CITY COUNCIL MEETING

## MARCH 20, 2012

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### **VII.** Consider and Possible Action, cont...

8. Consideration and Possible Action on the timeline for the Development and Adoption of the City's annual budget for Fiscal Year 2012-13 including special called City Council meetings for budget workshops and public hearings  
*~ Perwez A. Moheet, CPA, Director of Finance*



City Council's Budget Policy Directives  
For Fiscal Year 2012-13

January 16, 2012

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The following Budget Policy Directives were developed for Fiscal Year 2012-13 resulting from the City Council's Workshop held on January 16, 2012:

1. Utility Rates

- a. Minimize increase for water and sewer rates.
- b. Reduce transfer to the General Fund.

2. Property Tax Rate

- a. Council will consider increase in Maintenance & Operations (M&O) rate component from the FY 2011-12 level to pay for needed City services and for increased operating costs for existing City services.
- b. The Interest & Sinking (I&S) rate component can increase to adjust for the increased debt service due in FY 2013.
- c. Council will consider increasing Property Tax rates to offset the reduction in the amount of the General Fund transfer reduction.

3. Bond Election

- a. City Manager will develop and present a plan for City Council's consideration for a City bond election in November 2012 to include the following:
  - i. Public involvement in the development of the plan
  - ii. Input by the City's Mobility Committee
  - iii. Identification and prioritization of roadway projects
  - iv. Review of roadway cost estimates
  - v. Identification of other high priority capital projects
  - vi. Property tax impact

4. Compensation & Benefits for City Employees

- a. City Council wants to take care of its employees and improve employee morale.
- b. Consideration of a cost of living adjustment for all City employees.
- c. Maintain all benefits at the current levels.
- d. No changes to any employee benefit plans including life, medical, health, and retirement (TMRS).

5. New Positions

- a. City Council will consider proposal for new positions from the City Manager rather than individual Department Directors.
- b. City Manager's proposal for new positions should be based on goals and priorities for City services as established by the City Council and funding availability.



City of Kyle, Texas  
FY 2012-13 Budget Development Timeline

**JANUARY 2012**

Tuesday, January 03, 2012 4th Quarter Financial Performance Report - City Council Meeting  
Monday, January 16, 2012 City Council Budget Policy - Workshop

**FEBRUARY 2012**

Tuesday, February 07, 2012 Independent Auditor's Report Issued

**MARCH 2012**

Tuesday, March 06, 2012 1st Quarter Financial Performance Report - City Council Meeting  
Monday, March 12, 2012 Compilation of Current Year Estimates as of February 29, 2012  
Tuesday, March 20, 2012 Review & Adoption of Budget Development Calendar

**APRIL 2012**

Monday, April 09, 2012 Distribution of 2012 CYEs, Fee Schedules, and Instructions to Departments for the Development of FY 2012-13 Operating & Capital Budgets  
Tuesday, April 17, 2012 2nd Quarter Financial Performance Report - City Council Meeting  
Monday, April 30, 2012 Deadline for Departments to Submit FY 2011-12 Current Year Estimates and Fee Schedules to Financial Services Department for Review & Compilation

**MAY 2012**

Tuesday, May 01, 2012 Begin Compilation of Current Year Estimates and Determination if Budget Amendment is Necessary  
Wednesday, May 23, 2012 Deadline for Departments to Submit FY 2012-13 Proposed Budget to Financial Services for Review & Compilation  
Thursday, May 24, 2012 Begin Compilation and Review of Departmental Proposed Budgets by Financial Services Department staff.

**JUNE 2012**

Friday, June 15, 2012	Completion of Compilation and Review of Departmental Proposed Budgets by Financial Services Department staff.
Monday, June 18, 2012	Proposed Budget Review by City Manager (Group #1) <ul style="list-style-type: none"><li>- Administration</li><li>- Communications</li><li>- Human Resources</li><li>- Parks and Recreation</li></ul>
Tuesday, June 19, 2012	Proposed Budget Review by City Manager (Group #2) <ul style="list-style-type: none"><li>- Economic Development</li><li>- Public Library</li><li>- Municipal Court</li><li>- Police Department</li></ul>
Wednesday, June 20, 2012	Proposed Budget Review by City Manager (Group #3) <ul style="list-style-type: none"><li>- Building Inspection</li><li>- Planning</li><li>- Financial Services</li><li>- Information Technology</li><li>- Public Works</li></ul>
Thursday, June 21, 2012	Proposed Budget Review by City Manager (Group #4) <ul style="list-style-type: none"><li>- Revenue Estimates</li><li>- Personnel Support Costs</li><li>- Capital Improvement Projects by Fund</li><li>- Debt Service</li><li>- Property Tax Rates</li></ul>

**JULY 2012**

Thursday, July 19, 2012	City Manager's Preliminary Review & Discussion on Proposed Budget
Wednesday, July 25, 2012	Last Day for Chief Appraiser to Certify Tax Roll to Taxing Unit
Wednesday, July 25, 2012	Publish Budget Notice #1: Public Hearings on Budget, Rates & Fees
Friday, July 27, 2012	City Manager's Final Review of Proposed Budget

**AUGUST 2012**

Wednesday, August 01, 2012	City Council Budget Work Session #1
(Special Called Meeting)	City Manager Presents FY 2013 Budget to Council as Required by City Charter (No later than 60 days prior to October 1st)  Public Hearing #1 - Proposed Budget Public Hearing #2 - Proposed Fees & Charges Public Hearing #3 - Proposed Water/Wastewater Rates Public Hearing #4 - Proposed Property Tax Rates Council Vote on Proposal to Consider Tax Increase

Thursday, August 02, 2012  
(Special Called Meeting)

City Council Budget Work Session #2

Public Hearing #5 - Proposed Budget  
Public Hearing #6 - Proposed Fees & Charges  
Public Hearing #7 - Proposed Water/Wastewater Rates  
Public Hearing #8 - Proposed Property Tax Rates

Discussion/Action on Proposed Budget:

- Revenue Estimates & Fund Balances
- Mayor & Council
- Administration
- Communications
- Human Resources
- Information Technology
- Parks and Recreation
- Police

Wednesday, August 08, 2012

Publish Budget Notice #2: Effective and Rollback Tax Rates, Unencumbered Fund Balances, Debt Obligation Schedule, and Other Applicable Items.

Wednesday, August 08, 2012  
(Special Called Meeting)

City Council Budget Work Session #3

Public Hearing #9 - Proposed Budget  
Public Hearing #10 - Proposed Fees & Charges  
Public Hearing #11 - Proposed Water/Wastewater Rates  
Public Hearing #12 - Proposed Property Tax Rates

Discussion/Action on Proposed Budget:

- Building Inspection
- Planning
- Economic Development
- Financial Services
- Municipal Court
- Public Library
- Public Works

Wednesday, August 08, 2012

Publish Budget Notice #3: Public Hearings on Tax Increase

Wednesday, August 15, 2012  
(Special Called Meeting)

City Council Budget Work Session #4

Public Hearing #13 - Proposed Budget  
Public Hearing #14 - Proposed Fees & Charges  
Public Hearing #15 - Proposed Water/Wastewater Rates  
**Public Hearing #16 - Proposed Property Tax Rates**

Discussion/Action on Proposed Budget:

- Capital Improvement Projects by Fund
- Debt Service
- Property Tax Rates



Thursday, August 23, 2012  
(Special Called Meeting)

City Council Budget Work Session #5

Public Hearing #17 - Proposed Budget  
Public Hearing #18 - Proposed Fees & Charges  
Public Hearing #19 - Proposed Water/Wastewater Rates  
**Public Hearing #20 - Proposed Property Tax Rates**

Discussion/Action on Proposed Budget:  
- Discussion/Action on All Remaining Budget Items

Wednesday, August 29, 2012

Publish Budget Notice #4: Tax Revenue Increase

**SEPTEMBER 2012**

Tuesday, September 04, 2012

City Council Budget Work Session #6

Public Hearing #21 - Proposed Budget  
Public Hearing #22 - Proposed Fees & Charges  
Public Hearing #23 - Proposed Water/Wastewater Rates  
Public Hearing #24 - Proposed Property Tax Rates

**1st Reading - Budget Adoption Ordinance (Including Fees & Charges, and Water/Wastewater Rates)**

**1st Reading - Property Tax Rate Adoption Ordinance**

Wednesday, September 05, 2012  
(Special Called Meeting)

City Council Budget Work Session #7

**2nd Reading - Budget Adoption Ordinance (Including Fees & Charges, and Water/Wastewater Rates)**

**2nd Reading - Property Tax Rate Adoption Ordinance**

Thursday, September 20, 2012

Charter Deadline for City Council to Adopt Budget by Ordinance. (No later than 3rd Thursday of September)

Monday, September 24, 2012

Last Day for Taxing Units to Adopt 2012 Property Tax Rate or No Later Than 60th Day After the Chief Appraiser Certifies Appraisal Roll to the Taxing Unit.

Monday, October 01, 2012

1st Day of Fiscal Year 2012-13

# KYLE CITY COUNCIL MEETING

## MARCH 20, 2012

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### **VII.** Consider and Possible Action, cont...

9. Consideration and Possible Action to authorize the City Manager to submit grant application to U.S. Department of Justice requesting funding under the COPS Hiring grant program to fund 75% (up to \$125,000) of one police officer position in the Kyle Police Department for a period of 3 years  
~ *Raquel Garcia, Grants Administrator*

**A. Full-Time Entry-Level Sworn Officer Base Salary Information**

Part I: *Instructions:* Please complete the questions below based on your agency's entry-level salary and benefits package for one locally-funded officer position. As applicable per the program specific Application Guide, you may also be required to project Year 2 and Year 3 salaries. To learn more about what types of officer fronge benefit costs are allowable, please click [here](#).

**A. Base Salary Information**

	<u>Year 1 Salary</u> Enter the current <u>first year</u> entry level base salary for one sworn officer position.	<u>Year 2 Salary</u> Enter the current <u>second</u> <u>year</u> entry level base salary for one sworn officer position.	<u>Year 3 Salary</u> Enter the current <u>third year</u> entry level base salary for one sworn officer position.
	\$43,250.00	\$44,331.00	\$45,440.00

**FRINGE BENEFITS**

	<u>Year 1 Fringe Benefits</u>		<u>Year 2 Fringe Benefits</u>		<u>Year 3 Fringe Benefits</u>	
	<u>COST BASE:</u>	<u>% OF</u>	<u>COST BASE:</u>	<u>% OF</u>	<u>COST BASE:</u>	<u>% OF</u>
Social Security	\$2,682.00	6.00 %	\$2,749.00	6.00 %	\$2,817.00	6.00 %
<input type="checkbox"/> Exempt						
<input type="checkbox"/> Fixed Rate						
Medicare	\$627.00	1.40 %	\$643.00	1.50 %	\$659.00	1.50 %
<input type="checkbox"/> Exempt						
<input type="checkbox"/> Fixed Rate						
Health Insurance	\$5,000.00	11.60 %	\$5,500.00	12.40 %	\$6,600.00	14.50 %
Life Insurance	\$300.00	0.70 %	\$300.00	0.70 %	\$300.00	0.70 %
Vacation	\$1,100.00	2.50 %	\$1,100.00	2.50 %	\$1,100.00	2.40 %
Annual Hours	48					
Sick Leave	\$1,100.00	2.50 %	\$1,100.00	2.50 %	\$1,100.00	2.40 %
Annual Hours	50					
Retirement	\$3,755.00	8.70 %	\$3,850.00	8.70 %	\$3,945.00	8.70 %
Worker's Compensation	\$1,513.00	3.50 %	\$1,551.00	3.50 %	\$1,591.00	3.50 %
<input type="checkbox"/> Exempt						
<input type="checkbox"/> Fixed Rate						
Unemployment Insurance	\$1,500.00	3.50 %	\$1,463.00	3.30 %	\$1,500.00	3.30 %
<input type="checkbox"/> Exempt						
<input type="checkbox"/> Fixed Rate						
Disability Insurance	\$1,000.00	2.30 %	\$1,000.00	2.30 %	\$1,000.00	2.20 %
Dental Insurance	\$500.00	1.20 %	\$500.00	1.10 %	\$500.00	1.10 %
SHIFT Differential	\$2,200.00	5.10 %	\$2,200.00	5.00 %	\$2,200.00	4.80 %
Benefits Sub-Total Per Year (1 Position)	\$21,277.00		\$21,956.00		\$23,312.00	
C. Total Year Salary and Benefits (1 Position)	\$64,527.00		\$66,287.00		\$68,752.00	
Total Salary and Benefits for Years 1, 2, and 3 ((1 Position)			\$199,566.00	X 1	Positions	\$199,566.00

<b>Federal/Local Share Costs for Hiring Grants</b>				
	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total Costs for 1 Position @ 3 Years</b>
<b>Federal Share</b>	\$ 43,339	\$ 41,490	\$ 40,171	\$ 125,000
<b>Local Share</b>	\$ 21,188	\$ 24,797	\$ 28,581	\$ 74,566
<b>Total Costs</b>	\$ <b>64,527</b>	\$ <b>66,287</b>	\$ <b>68,752</b>	\$ <b>199,566</b>

# KYLE CITY COUNCIL MEETING

## MARCH 20, 2012

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### **VII.** Consider and Possible Action, cont...

10. *(First Reading) AN ORDINANCE DECLARING THE UNOPPOSED CANDIDATES FOR THE POSITIONS OF COUNCILMEMBER PLACE FIVE AND COUNCILMEMBER PLACE SIX TO BE ELECTED, CANCELING THE GENERAL ELECTION SCHEDULED FOR MAY 12, 2012, PROCEEDING WITH THE SPECIAL LOCAL OPTION ELECTION TO LEGALIZE THE SALE OF ALCOHOLIC BEVERAGES, AND PROVIDING FOR THE NECESSARY POSTING OF THIS ORDINANCE*

*~ Frank Garza, City Attorney*

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE DECLARING THE UNOPPOSED CANDIDATES FOR THE POSITIONS OF COUNCILMEMBER PLACE FIVE AND COUNCILMEMBER PLACE SIX TO BE ELECTED, CANCELING THE GENERAL ELECTION SCHEDULED FOR MAY 12, 2012, PROCEEDING WITH THE SPECIAL LOCAL OPTION ELECTION TO LEGALIZE THE SALE OF ALCOHOLIC BEVERAGES, AND PROVIDING FOR THE NECESSARY POSTING OF THIS ORDINANCE**

**WHEREAS**, a General election was scheduled for May 12, 2012 for the purpose of electing Council members Places 5 and 6 for the City of Kyle; and

**WHEREAS**, the registered voters of the City of Kyle submitted a petition having the minimum number of required signatures to the City Secretary to hold a local option election to determine whether or not to permit the legal sale of alcoholic beverages, including mixed beverages; and

**WHEREAS**, in accordance with Chapter 501 of the Election Code, a Special election was scheduled for May 12, 2012 for the purpose of holding a local option election to determine whether or not to permit the legal sale of alcoholic beverages, including mixed beverages within the city limits of Kyle; and

**WHEREAS**, the City Secretary, the person responsible for having the official ballot prepared, certifies that the following candidates are unopposed for election to office for the election scheduled to be held on May 12, 2012:

FOR COUNCILMEMBER PLACE 5:	SAMANTHA BELLOWS
FOR COUNCILMEMBER PLACE 6:	RAY BRYANT

**WHEREAS**, Election Code Sections 2.051 and 2.053 provide authority for the City Council to declare the unopposed candidates as elected to office and cancel the general election, and provide that the order or ordinance so declaring must be posted on election day; and

**WHEREAS**, since the City will still be conducting a Special Election for the purpose of holding a local option election to determine whether or not to permit the legal sale of alcoholic beverages, Election Code Section 2.051 requires that the uncontested names appear on the ballot under the category "Unopposed Candidates Declared Elected;"

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

**Section 1.** That, **Samantha Bellows** be declared elected Councilmember Place Five; and **Ray Bryant** be declared elected Councilmember Place Six.

**CERTIFICATION OF UNOPPOSED CANDIDATES  
FOR OTHER POLITICAL SUBDIVISIONS (NOT COUNTY)  
CERTIFICACIÓN DE CANDIDATOS ÚNICOS  
PARA OTRAS SUBDIVISIONES POLITICAS (NO EL CONDADO)**

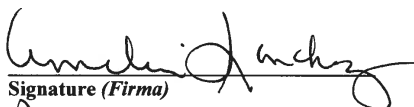
**To: Presiding Officer of Governing Body**  
*Al: Presidente de la entidad gobernante*

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 12, 2012.

*Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 12 de Mayo, 2012.*

**List offices and names of candidates:**  
*Lista de cargos y nombres de los candidatos:*

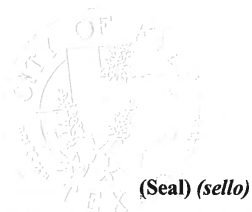
<b>Office(s) Cargo(s)</b>	<b>Candidate(s) Candidato(s)</b>
City Council District 5 (At Large)	Samantha Bellows
City Council District 6	Ray Bryant

  
Signature (*Firma*)

Amelia Sanchez  
Printed name (*Nombre en letra de molde*)

City Secretary  
Title (*Puesto*)

March 7, 2012  
Date of signing (*Fecha de firma*)



# KYLE CITY COUNCIL MEETING

## MARCH 20, 2012

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### **VII.** Consider and Possible Action, cont...

11. RESOLUTION OF THE KYLE CITY COUNCIL TO PROVIDE PREFERENCE TO LOCAL BIDDERS OF CITY CONTRACTS IN ACCORDANCE WITH CHAPTER 271 OF THE LOCAL GOVERNMENT CODE; ESTABLISHING A SEVERABILITY PROVISION AND AN EFFECTIVE DATE

*~ Frank Garza, City Attorney*



**RESOLUTION NO.**

**RESOLUTION OF THE KYLE CITY COUNCIL TO PROVIDE PREFERENCE TO LOCAL BIDDERS OF CITY CONTRACTS IN ACCORDANCE WITH CHAPTER 271 OF THE LOCAL GOVERNMENT CODE; ESTABLISHING A SEVERABILITY PROVISION AND AN EFFECTIVE DATE.**

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**WHEREAS**, Texas state law requires competitive bidding of all contracts greater than \$50,000 that are for goods, services and construction contracts in accordance with Chapters 252 and 271 of the Local Government Code; and

**WHEREAS**, the City of Kyle wishes to have local companies compete for contracts for goods, services and construction projects because the local bidder offers the best combination of price and additional economic development opportunities for the city, including the employment of local residents; and

**WHEREAS**, the Local Government Code allows a municipality to give local preference to a bidder who is not the low bid if the local bidder meets the conditions of Section 271.9051;

**NOW, THEREFORE BE IT RESOLVED AND ORDERED** BY THE CITY COUNCIL OF THE CITY OF KYLE, THAT:

**SECTION 1.** City of Kyle City Council hereby authorizes city staff when evaluation competitive bids to give local preference if the contractor meets the following requirements of Section 271.9051:

- The local bidder's principal place of business is in the city limits of Kyle; and
- The solicitation for bids or proposals for goods or services states that local preference may be considered in awarding the contract; and
- Construction contract is for less than \$100,000 and a contracts for goods and services is less than \$500,000; and
- The local bidder is within ten percent (10%) of the lowest price received; and
- City Council determines in either the Resolution awarding the contract or in the minutes of the council meeting that the local bidder offers the best combination of price and additional economic development opportunities for the City, including the employment of local residents.

**SECTION 2.** This ordinance does not prohibit the City from rejecting all bids and proposals.

**SECTION 3.** Resolution shall take effect upon passage.

# KYLE CITY COUNCIL MEETING

## MARCH 20, 2012

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### **VII.** Consider and Possible Action, cont...

12. *(First Reading) AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING PART II, CHAPTER 2, ARTICLE III, DIVISION 4, SUBDIVISION I & II OF THE CITY OF KYLE MUNICIPAL CODE DEALING WITH THE STRATEGIC PLANNING AND FINANCE COMMITTEE, THE COMMUNITY RELATIONS COMMITTEE, THE PUBLIC WORKS & SERVICE COMMITTEE, THE MOBILITY COMMITTEE, THE PARKS AND RECREATION COMMITTEE, THE SAFETY & EMERGENCY SERVICES COMMITTEE, AND THE ECONOMIC DEVELOPMENT AND TOURISM COMMITTEE; REVISING MEMBERS OF OFFICE; REVISING DUTIES, MEMBERSHIP, TERMS, APPOINTMENTS; AND PROVIDING FOR RELATED MATTERS*  
~ James Earp, Assistant City Manager

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING PART II, CHAPTER 2, ARTICLE III, DIVISION 4, SUBDIVISION I & II OF THE CITY OF KYLE MUNICIPAL CODE DEALING WITH THE STRATEGIC PLANNING AND FINANCE COMMITTEE, THE COMMUNITY RELATIONS COMMITTEE, THE PUBLIC WORKS & SERVICE COMMITTEE, THE MOBILITY COMMITTEE, THE PARKS AND RECREATION COMMITTEE, THE SAFETY & EMERGENCY SERVICES COMMITTEE, AND THE ECONOMIC DEVELOPMENT AND TOURISM COMMITTEE; REVISING MEMBERS OF OFFICE; REVISING DUTIES, MEMBERSHIP, TERMS, APPOINTMENTS; AND PROVIDING FOR RELATED MATTERS.

Whereas, the City Council of the City of Kyle desires to establish committees to promote efficient governmental operations and involvement of citizens in community issues;

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

**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.

**Section 2. Part II, Chapter 2, Article III, Division 4, Subdivision I.** The following paragraphs are hereby amended in their entirety as follows:

**Sec. 2-103. - Membership and appointments; term of office and vacancy.**

- (a) *Membership and appointment.* Each committee shall be composed of seven members: seven residents of the city (the "citizen members"), with one citizen member chosen from each single member voting district and four citizen members chosen from the city at large (the "citizen members"). The city council shall appoint the members of the committees upon the recommendation of the mayor. In making citizen member appointments, preference shall be given to persons who do not already serve on one of the committees or another city board or commission.
- (b) *Citizen members' terms and vacancy.* The citizen members of each Committee shall serve for a two-year term; The places occupied by the citizen members of each committee shall be identified by place numbers one through seven. The citizen members from district 2, district 4, and district 6 shall hold place number 2, place number 4, and place number 6, respectively. Places 1, 3, 5 and 7 shall be held by the at large appointees. The term of the odd-numbered places shall expire on September 30 of odd-numbered years; the term of the even-numbered places shall expire on September 30 of even-numbered years. Citizen members may be appointed to succeed themselves; provided that citizen members shall be limited to serving two consecutive terms on each committee. Vacancies shall be filled for unexpired terms by appointment by the city council upon the recommendation of the Mayor in accordance with subsection 2-103(a), but no member shall be appointed for a term in excess of two years. Newly appointed members shall be installed at the first regular committee meeting after their appointment. Members shall be eligible for re-appointment at any time following the termination of their two-year term, subject to term

limitations.

- (g) *Chairperson and vice-chairperson.* The committee shall determine the chairperson and the vice-chairperson. The vice-chairperson shall serve as chairperson in the absence of the chairperson.

**Section 3. Part II, Chapter 2, Article III, Division 4, Subdivision II.** The following paragraphs are hereby amended as follows:

**Sec. 2-113. - Membership and appointments; term of office and vacancy.**

- (a) *Membership and appointment.* Each committee shall be composed of seven members: seven residents of the city (the "citizen members"), with one citizen member chosen from each single member voting district and four citizen members chosen from the city at large (the "citizen members"). The city council shall appoint the members of the committees upon the recommendation of the mayor. In making citizen member appointments, preference shall be given to persons who do not already serve on one of the committees or another city board or commission.
- (b) *Citizen members' terms and vacancy.* The citizen members of each Committee shall serve for a two-year term; The places occupied by the citizen members of each committee shall be identified by place numbers one through seven. The citizen members from district 2, district 4, and district 6 shall hold place number 2, place number 4, and place number 6, respectively. Places 1, 3, 5 and 7 shall be held by the at large appointees. The term of the odd-numbered places shall expire on September 30 of odd-numbered years; the term of the even-numbered places shall expire on September 30 of even-numbered years. Citizen members may be appointed to succeed themselves; provided that citizen members shall be limited to serving two consecutive terms on each committee. Vacancies shall be filled for unexpired terms by appointment by the city council upon the recommendation of the Mayor in accordance with subsection 2-103(a), but no member shall be appointed for a term in excess of two years. Newly appointed members shall be installed at the first regular committee meeting after their appointment. Members shall be eligible for re-appointment at any time following the termination of their two-year term, subject to term limitations.
- (g) *Chairperson and vice-chairperson.* The committee shall determine the chairperson and the vice-chairperson. The vice-chairperson shall serve as chairperson in the absence of the chairperson.

**Section 7. Repeal of Conflicting Ordinances.** 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 8. 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, Chapt. 551, Loc. Gov't. Code.

# KYLE CITY COUNCIL MEETING

## MARCH 20, 2012

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### **VII.** Consider and Possible Action, cont...

13. Consider and Possible Action regarding resolutions submitted by the Southlake Ranch Homeowners Association requesting stop signs and speed limit reductions  
~ *Jerry Hendrix, Director of Community Development*

SOUTHLAKE RANCH HOMEOWNERS ASSOCIATION  
RESOLUTION OF BOARD OF DIRECTORS  
FOR REDUCTION OF SPEED LIMIT TO 25 MPH

WHEREAS, the Southlake Ranch Homeowners Association Article Board of Directors, in accordance with the Declaration of Covenants, Conditions and Restrictions for Southlake Ranch, Phase One, Article IV, Section 2, in part as follows: . . . and doing any other thing necessary or desirable in the opinion the Board of Directors of the Association . . . which they consider of general benefit to the Owners or occupants of the Subdivision . . ."; and

WHEREAS, many homeowners and residents have complained of motorists speeding on Lake Washington Drive, and as a result of which speeding a serious accident occurred on September 19, 2011,

NOW, THEREFORE, BE IT RESOLVED: That the Board shall request the City Council of the City of Kyle to reduce the speed limit throughout the neighborhood known as Southlake Ranch from 30 mph to 25 mph and replace the 30 mph signs with 25 mph signs.

DATED this 18 day of October, 2011.

SOUTHLAKE RANCH HOMEOWNERS ASSOCIATION

  
\_\_\_\_\_  
JOAN ZIMMERMANN, President

SOUTHLAKE RANCH HOMEOWNERS ASSOCIATION  
RESOLUTION OF BOARD OF DIRECTORS  
FOR INSTALLATION OF STOP SIGN

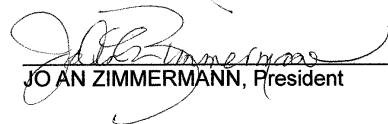
WHEREAS, the Southlake Ranch Homeowners Association Board of Directors, in accordance with the Declaration of Covenants, Conditions and Restrictions for Southlake Ranch, Phase One, Article IV, Section 2, in part as follows: . . . and doing any other thing necessary or desirable in the opinion the Board of Directors of the Association . . . which they consider of general benefit to the Owners or occupants of the Subdivision . . ."; and

WHEREAS, many homeowners and residents have complained of motorists speeding on Lake Washington Drive, and as a result of which speeding a serious accident occurred on September 19, 2011,

NOW, THEREFORE, BE IT RESOLVED: That the Board shall request the City Council of the City of Kyle to cause a stop sign to be installed on Lake Washington Drive at Town Lake Bend in each direction, making that intersection a four-way stop; and, in addition, to cause a stop sign to be installed on Lake Washington Drive at Mansfield Lake Trail in each direction, making that intersection a three-way stop.

DATED this 18 day of October, 2011.

SOUTHLAKE RANCH HOMEOWNERS ASSOCIATION

  
\_\_\_\_\_  
JO AN ZIMMERMANN, President

# KYLE CITY COUNCIL MEETING

## MARCH 20, 2012

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### **VII.** Consider and Possible Action, cont...

14. Consideration and Possible Action on Approval of Contract with SpawGlass Contractor's, Inc., of Austin, Texas, in the amount of \$222,225.00 for the construction of Phase 1 of the Historic Kyle Depot  
~ *Jerry Hendrix, Director of Community Development*





CITY OF KYLE, TEXAS

**INVITATION FOR BID (IFB) NO: 2011-JH01**

Solicitation For: Restoration of the Historic Kyle Depot

Solicitation Number: 2011-JH01

Date Issued: December 8, 2011

Description: The City of Kyle, Texas is soliciting bids for the restoration of the Historic Kyle Depot.

Bid documents will be available on Monday, December 12, 2011. Bid Documents will be available for download at the City of Kyle website below, or contact George Wilcox. George@ClaytonandLittle.com

Mandatory Pre-Bid Conference: December 20, 2011, 2:00 pm.

At Project site

Bid Submission Deadline: Must Be Received By: January 5, 2012 by 2:00 pm.

Finance Conference Room, Kyle City Hall  
100 W. Center Street  
Kyle, Texas 78640

Bid Opening Date: January 5, 2012 at 2:15 pm.

Finance Conference Room, Kyle City Hall  
100 W. Center Street  
Kyle, Texas 78640

Specifications and Other Bid Requirements: To view the specifications for this solicitation and other bid requirements, please go to <http://www.cityofkyle.com/rfps>

Contact Person: City of Kyle Finance - Andy Alejandro, email: [talejandro@cityofkyle.com](mailto:talejandro@cityofkyle.com)

Technical Information - George Wilcox, email: [george@claytonandlittle.com](mailto:george@claytonandlittle.com)

Contractor Qualifications:

This project is a restoration and renovation of a historic building. Bidding contractors must include qualifications (with references) demonstrating the successful completion of at least three (3) similar historic restoration/renovation projects in the last five (5) years. Owner intends to obtain listing for this project on the National Register of Historic Places. Bidding contractors must be knowledgeable of compliance with *The Secretary the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*.

# Original Bids as Submitted

## Kyle Depot Restoration/ Renovation

### **Bid Summary      Bids received on 1.31.12, 2:00 pm**

Summarized by George Wilcox, Clayton&Little Architects

<u>Bid Form Line</u>	<u>Bidding Contractors</u>		Note:
	<u>SpawGlass</u>	<u>G. Creek Construction</u>	
Phase 1	\$237,000.00	\$348,000.00	Stabilization with Dry-in
Phase 2	\$173,000.00	\$142,000.00	Exterior Restoration
Phase 3A	\$417,000.00	\$372,000.00	Interior Finish Out, Ramps and Decking
<u>Phase 3B</u>	<u>\$99,000.00</u>	<u>\$135,000.00</u>	Site Improvements & Caboose Relocation
Total	\$926,000.00	\$997,000.00	
<u>Alternates</u>			
Alternate #1	\$10,000.00	\$7,500.00	Thermally modified wood decking
Alternate #2a	\$17 per square foot	\$24 per square foot	Square foot cost to replace wood flooring above the 10% replacement stipulated
Alternate #2b	\$31,500.00	\$42,000.00	Cost to replace entire historic wood floor
Alternate #3	(\$13,000.00)	(\$12,000.00)	Deduct if all phases performed consecutively
Alternate #4	\$33.60 per brick	\$20 per brick	Inscribed brick pavers for fundraising (approx. 2,000 bricks available for fundraising)
Contract Time	210	240	Calendar Days

# Revised Bid After “Value Engineering” Review by Contractor & Architect

Kyle Depot Restoration/ Renovation

**Bid Summary      Bids received on 1.31.12, 2:00 pm**

Summarized by George Wilcox, Clayton&Little Architects

Revised per Value Engineering options approved by the Depot Board on 3.11.12

Bid Form Line	Bidding Contractors		Note:
	SpawGlass	G. Creek Construction	
Phase 1	\$222,025.00	\$348,000.00	Stabilization with Dry-in
Phase 2	\$173,000.00	\$142,000.00	Exterior Restoration
Phase 3A	\$417,000.00	\$372,000.00	Interior Finish Out, Ramps and Decking
Phase 3B	\$99,000.00	\$135,000.00	Site Improvements & Caboose Relocation
Total	\$911,025.00	\$997,000.00	
<u>Alternates</u>			
Alternate #1	\$10,000.00	\$7,500.00	Thermally modified wood decking
Alternate #2a	\$17 per square foot	\$24 per square foot	Square foot cost to replace wood flooring above the 10% replacement stipulated
Alternate #2b	\$31,500.00	\$42,000.00	Cost to replace entire historic wood floor
Alternate #3	(\$13,000.00)	(\$12,000.00)	Deduct if all phases performed consecutively
Alternate #4	\$33.60 per brick	\$20 per brick	Inscribed brick pavers for fundraising (approx. 2,000 bricks available for fundraising)
Contract Time	210	240	Calendar Days

City of Kyle, Texas  
FISCAL NOTE

DATE OF COUNCIL CONSIDERATION: March 20, 2012  
CONTACT CITY DEPARTMENT: Community Development  
CONTACT CITY STAFF: Jerry Hendrix, Director

SUBJECT: Consideration and possible action on approval of contract with SPAWGLASS CONTRACTOR'S, INC., of Austin, Texas, in the amount of \$222,225.00 for the construction of phase one of the Historical Kyle Depot.

CURRENT YEAR FISCAL IMPACT:

This construction contract with SPAWGLASS CONTRACTOR'S, INC., will require expenditure of funds from two sources; accumulated grant/contributions and from the City's 2009 Tax Notes Fund.

1. City Department:	Community Development
2. Project Name:	Historic Kyle Depot Construction, Phase I
3. Budget/Accounting Code(s):	412-675-57222
4. Funding Source:	Train Depot Donation Fund
5. Unencumbered Balance:	\$ 90,350.00
6. Budget/Accounting Code(s):	185-675-57222
7. Funding Source:	2009 Tax Notes Fund
8. Unencumbered Balance:	\$ 139,405.39
9. Total Funds Available:	\$ 229,755.39
10. Amount of This Action:	<u>\$(222,225.00)</u>
11. Remaining Balance:	<u>\$ 7,530.39</u>

FUNDING SOURCE OF THIS ACTION:

The funding source for this construction contract in the amount of \$222,225.00 is provided from two sources as shown in the Fiscal Note; accumulated grant/contributions and from the City's 2009 Tax Notes Fund.

The City Council's approval of this item will also authorize staff to appropriate and apply accumulated funds in the amount of \$90,350.00 from the Train Depot Donation Fund and \$131,875.00 from the 2009 Tax Notes Fund.

ADDITIONAL INFORMATION/COUNCIL ACTION:

N/A.

# KYLE CITY COUNCIL MEETING

## MARCH 20, 2012

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### **VII.** Consider and Possible Action, cont...

15. Authorize Amendment of Contract with Catalyst Commercial, Inc., of Dallas, TX, in an amount Not to Exceed \$7,650.00 to provide Retail Recruitment Services for an additional six (6) months  
~ *Diana Blank, Director of Economic Development*

Opportunity Name Merchandising Plan - Kyle  
Quote Name Kyle - Implementation Extension 2012



Company Address 4307 McKinney Ave  
Suite 13  
Dallas, TX 75205  
US

Created Date 3/7/2012  
Expiration Date 3/31/2012  
Quote Number 00000072

Prepared By Jason Claunch  
Phone (972) 999-0081  
E-mail jason@catalystcommercial.net  
Fax (972) 999-0082

Contact Name Diana Blank  
Phone (512) 262-3926  
Email diana@cityofkyle.com  
Fax (512) 262-3987

Bill To Name City of Kyle  
Bill To 100 West Center St  
P.O. Box 40  
Kyle, Texas 78640

Ship To Name City of Kyle

Product	List Price	Sales Price	Quantity	Discount	Total Price
Implementation (monthly)	\$1,500.00	\$1,500.00	6.00	15.00%	\$7,650.00

Subtotal \$9,000.00  
Discount 15.00%  
Total Price \$7,650.00  
Grand Total \$7,650.00

#### Notes

Notes Term: April 1, 2012 - September 31, 2012.

City of Kyle, Texas  
FISCAL NOTE

DATE OF COUNCIL CONSIDERATION: March 20, 2012  
CONTACT CITY DEPARTMENT: Economic Development  
CONTACT CITY STAFF: Diana Blank, Director

SUBJECT: Authorize amendment of contract with Catalyst Commercial, Inc., of Dallas, Texas, in an amount not to exceed \$7,650.00 to provide retail recruitment services for an additional six (6) months.

CURRENT YEAR FISCAL IMPACT:

This contract amendment with Catalyst Commercial, Inc., will require additional expenditure of funds from the General Fund allocated to the City's Economic Development Department. An internal line item transfer within the Economic Development Department's budget from Outside Printing in the amount of \$1,800.00 was necessary in order to make a total of \$7,650.00 available for this contract amendment. Budget details are as follows:

1. City Department::	Economic Development
2. Project Name:	Retail Recruitment Services
3. Budget/Accounting Code(s):	110-119-55322
4. Funding Source:	General Fund
5. Current Appropriation:	\$ 7,650.00
6. Unencumbered Balance:	\$ 7,650.00
7. Amount of This Action:	<u>\$(7,650.00)</u>
8. Remaining Balance:	<u>\$ 0.00</u>

FUNDING SOURCE OF THIS ACTION:

The funding source for this contract amendment in the amount of \$7,650.00 for an additional six (6) months of retail recruitment services will be provided from funds included in the approved budget of the City's Economic Development Department (General Fund).

In order to provide unencumbered funds totaling \$7,650.00 for this contract amendment, an internal line item transfer within the Economic Development Department's budget from Outside Printing to Economic Development Consultant Services in the amount of \$1,800.00 was necessary.

ADDITIONAL INFORMATION/COUNCIL ACTION:

N/A

# KYLE CITY COUNCIL MEETING

## *MARCH 20, 2012*

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### **VII.** Consider and Possible Action, cont...

16. Consideration and Possible Action on the Economic Development Agreement between the City of Kyle and the Crossing at Plum Creek  
~ *Diana Blank, Director of Economic Development*



# KYLE CITY COUNCIL MEETING

## *MARCH 20, 2012*

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### **VII.** Consider and Possible Action, cont...

17. Consideration and Possible Action on the Economic Development Agreement between the City of Kyle and Bordeaux's Prime Steakhouse  
~ *Diana Blank, Director of Economic Development*

# KYLE CITY COUNCIL MEETING

## *MARCH 20, 2012*

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### **VIII.** City Manager's Report

18. Update on Various Capital Improvement Projects, Road Projects, Building Program, and/or General Operational Activities  
~ *Lanny Lambert, City Manager*
- Discuss summer water consumption

# **KYLE CITY COUNCIL MEETING**

## ***MARCH 20, 2012***

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### **IX. Executive Session**

19. Convene into Executive Session pursuant to Section 551.087, Tex. Gov't Code, to deliberate offers of financial or other incentives and economic development negotiations with business prospects that the City seeks to have locate, stay or expand in or near the City (Crossing at Plum Creek)
  
20. Convene into Executive Session pursuant to Section 551.087, Tex. Gov't Code, to deliberate offers of financial or other incentives and economic development negotiations with business prospects that the City seeks to have locate, stay or expand in or near the City (Bordeaux's Prime Steakhouse)

# **KYLE CITY COUNCIL MEETING**

## ***MARCH 20, 2012***

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### **IX. Executive Session, cont...**

21. Reconvene into Open Session to take any and all actions as deemed appropriate in the City Council's discretion regarding offers of financial or other incentives and economic development negotiations with business prospects that the City seeks to have locate, stay or expand in or near the City (Crossing at Plum Creek)
  
22. Reconvene into Open Session to take any and all actions as deemed appropriate in the City Council's discretion regarding offers of financial or other incentives and economic development negotiations with business prospects that the City seeks to have locate, stay or expand in or near the City (Bordeaux's Prime Steakhouse)

# **KYLE CITY COUNCIL MEETING**

## ***MARCH 20, 2012***

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### **X. Adjourn**

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