

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 5/19/2015, at Kyle City Hall, 100 West Center Street, Kyle, Texas for the purpose of discussing the following agenda.

Posted this 15th day of May, 2015 prior to 7:00 p.m.

I. Call Meeting To Order

II. Approval of Minutes

1. City Council Regular Meeting - May 5, 2015 ~ *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 are encouraged to sign in before the meeting begins. Speakers may be provided with an opportunity to speak during this time period on any agenda item or any other matter concerning city business, and they must observe the three-minute time limit.

IV. Presentation

2. Kyle Area Chamber of Commerce Quarterly Report. ~ *Julie Snyder, Kyle Chamber CEO*

 [Attachments](#)

3. Introduction of Howard Koontz, Planning Director. ~ *James Earp, Assistant City Manager*

 [Attachments](#)

V. Consent Agenda

4. Appointment of Kharley Smith as the City of Kyle's official Emergency Management Coordinator (EMC), and adopt the county's Emergency Management Plan. ~ *James Earp, Assistant City Manager*

 [Attachments](#)

5. Authorize a settlement payment to EDWARDS AQUIFER AUTHORITY in the amount of \$42,057.06 for exceeding the 2011 authorized groundwater withdrawal volume. ~ *Harper Wilder, Director of Public Works*

 [Attachments](#)

6. Approve contract Task Order No. 1 to LOCKWOOD, ANDREWS AND NEWNAM, INC., San Marcos, Texas, in an amount not to exceed \$84,059.00 for the purpose of providing engineering services for assessing the existing conditions and providing recommendations for street repairs within the Post Oak Subdivision, Brookside Subdivision, Masonwood Drive and Old Post Road. ~ *Leon Barba, P.E., City Engineer*

 [Attachments](#)

7. Authorize award and execution of a contract agreement and purchase order to RICHARD'S ELECTRIC, L.P., Leander, Texas, in an amount not to exceed \$17,400.00 for electrical services, remodel and upgrades to the Police Department's Emergency Communications Building and direct staff to bring forward a budget amendment in order to provide funding for this contract award. ~ *Kerry Urbanowicz, Director of Parks and Recreation*

 [Attachments](#)

8. *(First Reading)* Approve an Ordinance amending the City's Approved Budget for Fiscal Year 2014-15 by increasing total appropriations for expenditures in the City's General Fund by \$17,400.00 and decreasing fund balance by the same amount to provide funding for electrical system improvements at the Police Department's Emergency Communications Building. ~ *Perwez A. Moheet, CPA, Director of Finance*

 [Attachments](#)

VI. Consider and Possible Action

9. A resolution of the City of Kyle recognizing the one million plus veterans of all wars who have sacrificed their lives for our freedom, honoring these men and women along with the sons, daughters, wives and other friends and family members who share their sacrifice, recognizing the Kyle/Buda Veterans of Foreign Wars Post 12058 and AMVET Post 115 for their contributions and support of our veterans and their families, and calling on all Kyle residents to take pause on this Memorial Day to remember and honor our veterans. ~ *David Wilson, Council Member*

 [Attachments](#)

10. Consider and take possible action on a request from Mr. Maurice Fifer, 740 Opal Lane, to waive City Code Section 41-142 (f)(2) which requires connection to City wastewater service. - *Leon Barba, P.E., City Engineer*

 [Attachments](#)

11. Consider and take possible action to amend, extend, or rescind the ILA with Mountain City and Hays County. ~ *Todd Webster, Mayor*

 [Attachments](#)

12. Consider and take possible action to approve a proposal to conduct a hotel study utilizing \$15,000.00 to \$20,000.00 of Hotel Occupancy Tax Funds. ~ *James Earp, Assistant City Manager*

 [Attachments](#)

VII. City Managers Report

13. Update on various capital improvement projects, road projects, building program, and/or general operational activities. ~ *James Earp, Assistant City Manager*

 [Attachments](#)

VIII. General Discussion

14. Discussion only regarding council requests for future agenda items.

 [Attachments](#)

IX. Executive Session

15. Pursuant to Chapter 551, Texas Government Code, the City Council reserves the right to convene in Executive Session(s) from time to time as deemed necessary during this meeting. The City Council may convene into Executive Session pursuant to any lawful exception contained in Chapter 551 of the Texas Government Code including any or all of the following topics.

1. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071.

- Aqua Operations vs. City of Kyle, Cause #13-0894 428th Judicial District Hays Co. TX

2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.

3. Personnel matters pursuant to Section 551.074.

- Regarding disciplinary action and possible appeal of a police officer.

4. Economic development negotiations pursuant to Section 551.087

 [Attachments](#)

16. Take action on items discussed in Executive Session.

X. 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

Approval of minutes

Meeting Date: 5/19/2015
Date time: 7:00 PM

Subject/Recommendation: City Council Regular Meeting - May 5, 2015 ~ *Amelia Sanchez, City Secretary*

Other Information:

Legal Notes:

Budget Information:

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

Attachments / click to download

[City Council Regular Meeting - May 5, 2015](#)

The City Council of the City of Kyle, Texas met in Regular Session on May 5, 2015, at 7:00 p.m. at Kyle City Hall, with the following persons present:

Mayor Todd Webster
Mayor Pro Tem Diane Hervol
Council Member Samantha Bellows
Council Member Becky Selbera
Council Member Tammy Swaton
Council Member Shane Arabie
Council Member David Wilson
Scott Sellers, City Manager
James Earp, Assistant City Manager
Cody Faulk, City Attorney
Perwez Moheet, Finance Director
Jerry Hendrix, Chief of Staff
Mario Perez, Building Official
Connie Brooks, Library Director
Sandra Duran, HR Director
Pedro Hernandez, Captain PD

James Wilson
Evalina Solis

CALL MEETING TO ORDER

Mayor Webster called the meeting to order at 7:03 p.m.

ROLL CALL

Mayor Webster called for roll call. Present were Mayor Webster, Mayor Pro Tem Hervol, Council Member Selbera, Council Member Swaton, Council Member Arabie, Council Member Wilson.

Mayor Webster stated that Council Member Bellows had called and would be arriving soon.

Council Member Bellows arrived at 7:20 p.m.

APPROVAL OF MINUTES

CITY COUNCIL REGULAR MEETING – APRIL 21, 2015 ~ *AMELIA SANCHEZ, CITY SECRETARY*

Mayor Pro Tem Hervol moved to approve the minutes of the City Council Regular Meeting of April 21, 2015. Council Member Arabie seconds the motion. All aye. Motion carried 6-0.

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

CITY COUNCIL REGULAR MEETING

May 5, 2015 – Page 2

Kyle City Hall

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.

Mayor Webster opened the Citizens Comments at 7:02 p.m. James Wilson spoke about the Bunton Creek PID and that the residents did not like the liens placed on their properties and wanted the illegal liens lifted immediately to enjoy their properties and encourage prospective new residents. Evalina Solis spoke and thanked the council for the proclamation as May 15th to wear purple day on behalf of the lupus foundation. She stated she was diagnosed with lupus and effects many people and hoped cure would be found someday. With no one else wishing to speak Mayor Webster closed Citizens Comments at 7:07 p.m.

CONSENT AGENDA

(SECOND READING) AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING CHAPTER 29, "SIGN STANDARDS AND PERMITS" OF THE CITY'S CODE OF ORDINANCES RELATIVE TO PERMITTING EXISTING OFF-PREMISE COMMERCIAL BILLBOARDS TO BE CONVERTED TO CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS ("CEVMS") SUBJECT TO SPECIFIC APPROVAL OF THE CITY COUNCIL; AMENDING SECTION (N) 'SUNSET' OF THE SIGN REGULATIONS TO BE CONSISTENT WITH THE ABILITY TO CONVERT EXISTING COMMERCIAL BILLBOARDS INTO CEVMS; REPEALING ALL CONFLICTING ORDINANCES; REQUIRING A SIGN FACE EXCHANGE RATIO FOR DIGITAL DISPLAY SIGNS; PROVIDING OPERATIONAL REQUIREMENTS TOR DIGITAL DISPLAY SIGNS. ~ *MARIO PEREZ, BUILDING OFFICIAL*

Planning and Zoning Commission voted 5-2 to recommend approval

(SECOND READING) AN ORDINANCE BY THE CITY OF KYLE, TEXAS, ("CITY") RESPONDING TO THE APPLICATION OF CENTERPOINT ENERGY ENTEX, SOUTH TEXAS DIVISION TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; AUTHORIZING THE CITY TO PARTICIPATE WITH OTHER CITIES IN THE REVIEW OF THE GRIP REQUEST; DETERMINING THAT THE MEETING AT WHICH THE ORDINANCE 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, CHIEF OF STAFF*

Mayor Pro Tem Hervol moved to approve Consent Agenda items # 2 ~ *(Second Reading)* An Ordinance of the City of Kyle, Texas, amending Chapter 29, "Sign Standards and Permits" of the City's Code of Ordinances relative to permitting existing off-premise commercial billboards to be

CITY COUNCIL REGULAR MEETING

May 5, 2015 – Page 3

Kyle City Hall

converted to changeable electronic variable message signs ("CEVMS") subject to specific approval of the City Council; Amending Section (n) 'Sunset' of the sign regulations to be consistent with the ability to convert existing commercial billboards into CEVMS; Repealing all conflicting ordinances; requiring a sign face exchange ratio for digital display signs; Providing operational requirements for digital display signs; #3 ~ (*Second Reading*) An Ordinance by the City of Kyle, Texas, ("City") responding to the application of Centerpoint Energy Entex, South Texas Division to increase rates under the Gas Reliability Infrastructure Program; suspending the effective date of this rate application for forty-five days; authorizing the City to participate with other cities in the review of the GRIP request; determining that the meeting at which the ordinance was adopted complied with the Texas Open Meetings Act; making such other findings and provisions related to the subject; and declaring an effective date. Council Member Arabie seconds the motion. All aye. Motion carried 6-0.

CONSIDER AND POSSIBLE ACTION

(*First Reading*) An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of rezoning approximately 6.24 acres of land from Retail Service District 'RS' to Multi-Family Residential-3 'R-3-3', on property located at 22557 IH 35, in Hays County, Texas. (Center Street Village, LP, Z-15-002) ~ *Debbie A. Guerra, Planning Technician*

Planning and Zoning Commission voted 4-1 to recommend approval of the rezone request

PUBLIC HEARING

Mayor Webster opened the Public Hearing at 7:10 p.m. to hear comments on (*First Reading*) An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of rezoning approximately 6.24 acres of land from Retail Service District 'RS' to Multi-Family Residential-3 'R-3-3', on property located at 22557 IH 35, in Hays County, Texas. James Wilson spoke and stated his concern with increased traffic in this area. With no one else wishing to speak Mayor Webster closed the Public Hearing at 7:11 p.m.

Mayor Webster move to deny approval of (*First Reading*) An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of rezoning approximately 6.24 acres of land from Retail Service District 'RS' to Multi-Family Residential-3 'R-3-3', on property located at 22557 IH 35, in Hays County, Texas. Council Member Bellows seconds the motion. All aye. Motion carried 7-0.

AUTHORIZE NEGOTIATION AND EXECUTION OF AN INTERLOCAL AGREEMENT (ILA) BY AND BETWEEN THE CITY OF KYLE, HAYS COUNTY, AND THE CITY OF MOUNTAIN CITY, TO ESTABLISH THE TERMS AND COMPENSATION FOR COUNTY ASSISTANCE IN THE CONSTRUCTION, IMPROVEMENT, AND OR REPAIR TO PUBLIC ROADS/STREETS LOCATED WITHIN HAYS COUNTY, TEXAS AND WITHIN THE

CITY COUNCIL REGULAR MEETING

May 5, 2015 – Page 4

Kyle City Hall

MUNICIPAL BOUNDARIES OF THE CITY OF MOUNTAIN CITY, TEXAS AND THE RELEASE AND ACQUISITION OF EXTRA TERRITORIAL JURISDICTION (ETJ) WITHIN HAYS COUNTY. ~ *J. SCOTT SELLERS, CITY MANAGER*

Council Member Wilson moved to authorize negotiation and execution of an interlocal agreement (ILA) by and between the City of Kyle, Hays County, and the City of Mountain City, to establish the terms and compensation for County assistance in the construction, improvement, and or repair to public roads/streets located within Hays County, Texas and within the municipal boundaries of the City of Mountain City, Texas and the release and acquisition of extra territorial jurisdiction (ETJ) within Hays County. Council Member Arabie seconds the motion. All aye. Motion carried 7-0.

APPROVE A RESOLUTION OF THE CITY OF KYLE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE A DEVELOPMENT AGREEMENT WITH LEHMAN FAMILY LIMITED PARTNERSHIP AND LEHMAN FAMILY TRUST; REPEALING A PRIOR DEVELOPMENT AGREEMENT IN ITS ENTIRETY; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS. ~ *JAMES EARP, ASSISTANT CITY MANAGER*

Mayor Pro Tem Hervol moved to approve a resolution of the City of Kyle, Texas, authorizing the Mayor to execute a development agreement with Lehman Family Limited Partnership and Lehman Family Trust; repealing a prior development agreement in its entirety; making findings of fact; and providing for related matters. Council member Bellows seconds the motion. All aye. Motion carried 7-0.

CITY MANAGERS REPORT

UPDATE ON VARIOUS CAPITAL IMPROVEMENT PROJECTS, ROAD PROJECTS, BUILDING PROGRAM, AND/OR GENERAL OPERATIONAL ACTIVITIES. ~ *J. SCOTT SELLERS, CITY MANAGER*

- Update on stage 2 drought classification to stage 1.

City Manager Scott Sellers stated that the city's water management plan dictates periods of time for any sort of water rationing or drought staging, and that the city had been on stage two drought restrictions since May 2013. He stated the management plan stated every May 1st we go to stage one which is a voluntary stage.

GENERAL DISCUSSION

DISCUSSION ONLY REGARDING COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS.

CITY COUNCIL REGULAR MEETING

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Kyle City Hall

Council Member Wilson requested a Memorial Day proclamation. Mayor Webster suggested a resolution for the next agenda. Council Member Selbera requested discussion of the current overlay plan. City Manager Scott Sellers stated that every 5 years it is reviewed and this would be the fifth year for reviewing. He stated he wanted to include the new Planning Director, who would be starting this next week in the process and bring back a presentation.

EXECUTIVE SESSION

PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE, THE CITY COUNCIL RESERVES THE RIGHT TO CONVENE IN EXECUTIVE SESSION(S) FROM TIME TO TIME AS DEEMED NECESSARY DURING THIS MEETING. THE CITY COUNCIL MAY CONVENE INTO EXECUTIVE SESSION PURSUANT TO ANY LAWFUL EXCEPTION CONTAINED IN CHAPTER 551 OF THE TEXAS GOVERNMENT CODE TO DISCUSS ANY OR ALL OF THE FOLLOWING TOPICS:

1. PENDING OR CONTEMPLATED LITIGATION OR TO SEEK THE ADVICE OF THE CITY ATTORNEY PURSUANT TO SECTION 551.071

Lawsuit update

2. POSSIBLE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL ESTATE PURSUANT TO SECTION 551.072

3. PERSONNEL MATTERS PURSUANT TO SECTION 551.074

Chief of Police

4. ECONOMIC DEVELOPMENT NEGOTIATIONS PURSUANT TO SECTION 551.087

Council Member Wilson moved to Convene into Executive Session at 8:22 p.m. Pursuant to Chapter 551, Texas Government Code, the City Council reserves the right to convene in Executive Session(s) from time to time as deemed necessary during this meeting. The City Council may convene into Executive Session pursuant to any lawful exception contained in Chapter 551 of the Texas Government Code including any or all of the following topics. Mayor Pro Tem Hervol seconds the motion. All aye. Motion carried 7-0.

1. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071 - *Lawsuit Update*
2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
3. Personnel matters pursuant to Section 551.074 - *Chief of Police*
4. Personnel matters pursuant to Section 551.074

CITY COUNCIL REGULAR MEETING

May 5, 2015 – Page 6

Kyle City Hall

TAKE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION

Council Member Bellows moved to reconvene into open session at 9:45 p.m. Mayor Pro Tem Hervol seconds the motion. All aye. Motion carried 7-0.

Mayor Pro Tem Hervol stated no action was taken on item #1, but that action on item #3 would be taken now. Mayor Webster called up City Manager Scott Sellers.

Mr. Sellers stated that by the authority granted to him per the city charter as the City Manager that allowed him to make certain changes as are necessary in the operations of the city, he stated that at this time he would recommend to council the appointment of the Acting Chief of Police Chuck Edge for the City of Kyle.

Mayor Webster stated to Council that they have heard the recommendation they are required by statute to confirm the appointment of the Acting Police Chief.

Council Member Bellows moved to approve the recommendation of the City Manager for the Acting Police Chief Chuck Edge. Council Member Arabie seconds the motion. All aye. Motion carried 7-0.

ADJOURN

With no further business to discuss, Council Member Bellows moves to adjourn. Mayor Pro Tem Hervol seconds the motion. All votes aye. Motion carried 7-0.

The City Council meeting adjourned at 9:46 p.m.

R. Todd Webster, Mayor

Attest: Amelia Sanchez, City Secretary



CITY OF KYLE, TEXAS

Kyle Area Chamber of Commerce Quarterly Report

Meeting Date: 5/19/2015
Date time: 7:00 PM

Subject/Recommendation: Kyle Area Chamber of Commerce Quarterly Report. ~ *Julie Snyder,*
Kyle Chamber CEO

Other Information:

Legal Notes:

Budget Information:

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

Attachments / click to download

 [KACC JanMar 2015 Tourism Report](#)



KYILE

AREA CHAMBER OF COMMERCE & VISITOR'S BUREAU



January 1, 2015 –
March 31, 2015

[KYLE CHAMBER OF COMMERCE & VISITORS BUREAU TOURISM METRICS]

Texas Hotel/Motel Performance – October 1, 2014 – December 31, 2014							
City	No. of Rooms FY 2014	\$ Room Revenue FY 2013/2014 (000's)	Est. \$ Rate FY 2013	Est. \$ Rate FY 2014	Occupancy FY 2013	Occupancy FY 2014	Point Change
Kyle	79	607/752	121.40	125.33	68.8	82.6	13.8
Austin	23,325	200,215/218,943	126.32	134.98	75.3	75.6	.3
Buda	395	2,219/2,370	82.19	91.15	74.3	71.5	-2.8
San Marcos	1,788	9,390/10,729	83.84	87.94	70.7	74.2	3.4
Pflugerville	64	425/421	106.25	105.25	67.9	67.9	0

2014 Quarterly Sales Receipts October - December				2015 Monthly Lodging February Sales Receipts			
Hotel Name	2013	2014	% Change	Hotel Name	2014	2015	% Change
La Quinta Inn & Suites	\$330,218.83	\$410,628.16	24.35%	La Quinta Inn & Suites	\$90,663.17	\$124,098.50	36.88%
Best Western Inn & Suites	\$212,034.16	\$257,365.82	21.38%	Best Western Inn & Suites	\$46,849.64	\$73,688.34	57.29%

City of Kyle Sales Tax	
January – 15	\$387,232 15.65% up from 2014
February – 15	\$597,254 21.19% up from 2014
March - 15	\$383,110 27.85% up from 2015

Website Traffic – 2015 vs 2014					
January		February		March	
4,188	3,083	3,561	2,717	3,862	3,198
Total Traffic January – December 2015: 17,025					



Tourism/Visitor Center Activity

	Oct 13-Sept 14	Oct 14-Dec 14	Jan 15-Mar 15	April 15-June 15	July 15-Sept 15
Walk-ins	354	32	64		
Visitor Guide Requests	4866	400	144		
Brochure Requests	1849	309	828		
Relocation Guide Requests	443	182	76		



Promotions and Advertising – Social Media/Online

- **Facebook:** 2,374 likes – Reaching 1690
 - New member videos / Fan Page / events in Kyle and region
 - 302 “friends”
- **Twitter:** 1,247 followers, 1,880 tweets
 - Tweet 2x week/ retweet when applicable
 - Kyle attractions, restaurants, lodging
- **Pinterest:** 154 followers, 742 pins
 - Top 3 followed boards – Helpful Hints & Business Tips, Wedding Fever, Texas
 - Pin boards: Wedding Fever, Sports and the Outdoors, To Eat and Drink, Historical Kyle, Texas, Wineries & Vineyards, Places to Stay, All About Kyle, Texas Our Texas
- **Other Online Media**
 - KyleChamber.org – community calendar, events, banners
 - www.kylechamber.org
 - www.tourtexas.com – Texas travel directory

Promotions and Advertising – Social Media/Online

Weekly Emails:
Reaching 895
with a
37% Open Rate
and a
15% Click Through Rate

Friday, April 24

The Kyle Jubilee @ Gregg-Clarke Park



The Kyle Parks and Recreation Department is excited to provide opportunities to be active, get outside, spend time with your family, and promote community togetherness. Activities include live music, inflatables, s'mores, face painting, and great outdoor family fun!!! Free to attend.

[Click here for Website](#)

Time: 5:30pm - 10:00pm

**Location: Gregg-Clarke Park
1100 W Center St, Kyle TX**

Reading at Katherine Anne Porter House



Literary readings are held at the Katherine Anne Porter Literary Center on a monthly basis. The series is sponsored by Texas State University's Department of English, the Lindsey Literary Series, the Burdine Johnson Foundation, and the Katherine Anne Porter Literary Center. Visiting reader is Adam Johnson. Free and open to the public.

[Click here for website](#)

Time: 7:30pm - 8:30pm

**Location: Katherine Anne Porter House
508 Center St, Kyle TX**

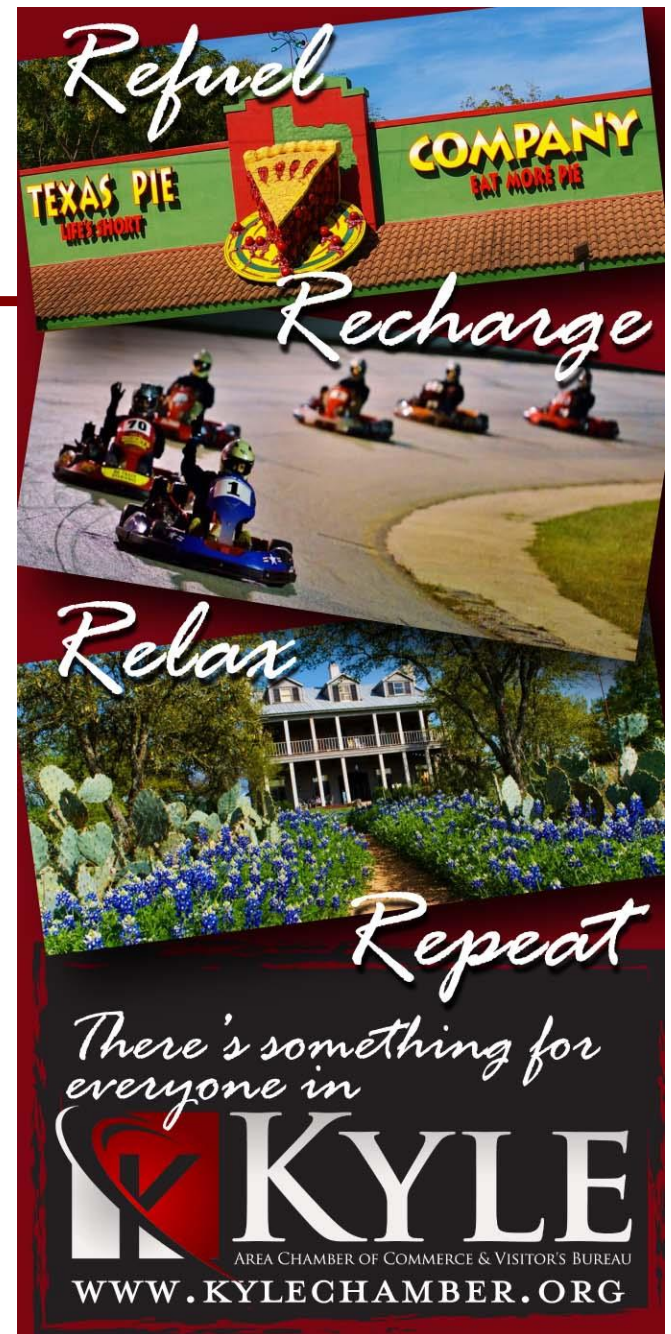


2015 Texas State Travel Guide

- Distribution: 1,180,608
- 70% of total travel to Texas is **leisure**
- Overnight leisure trips last an average of 3.43 nights

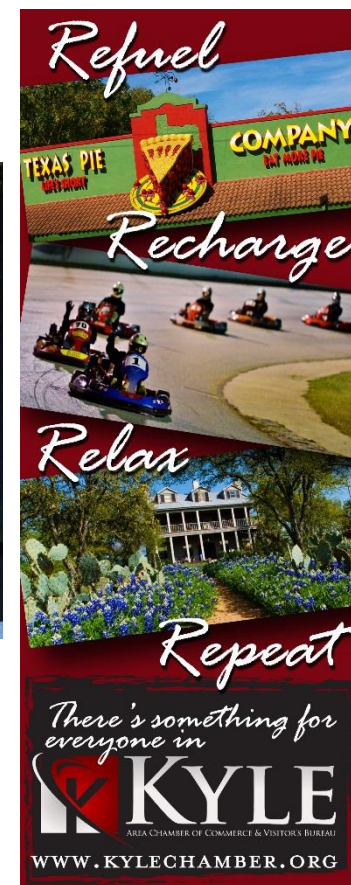
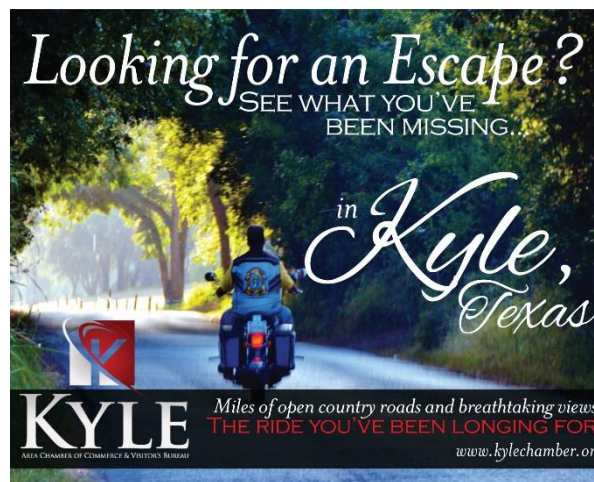
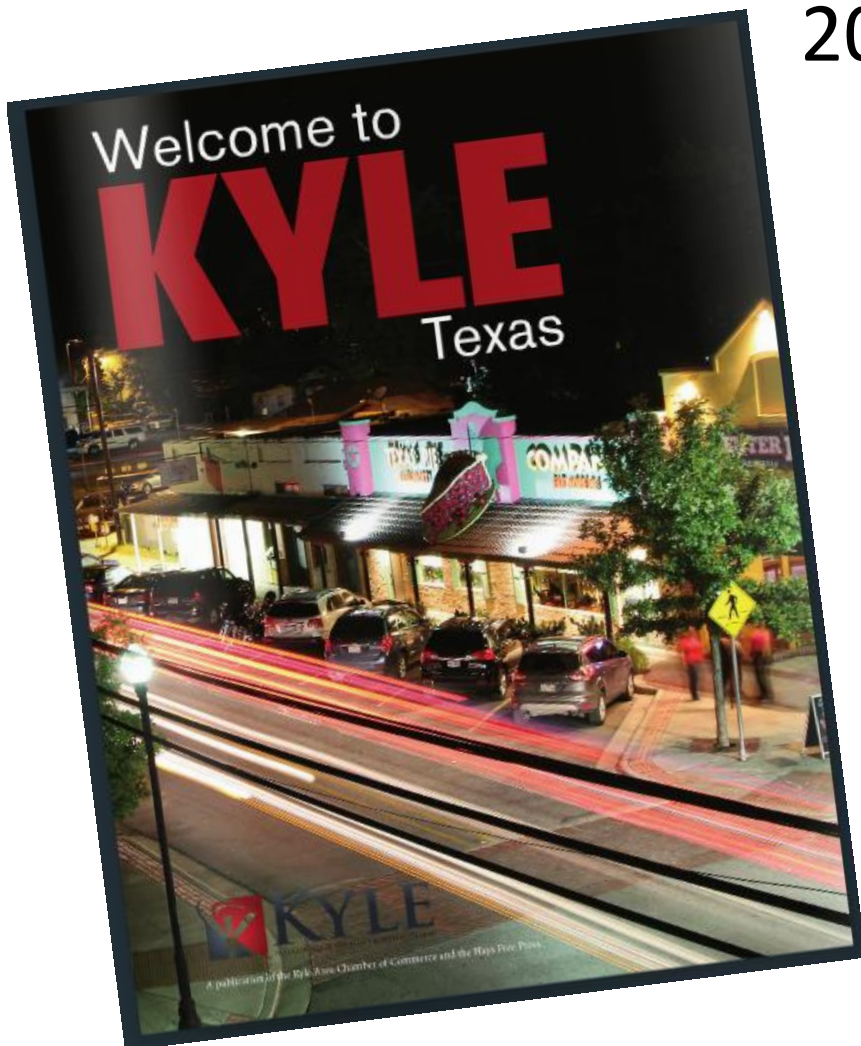


Received 212 requests for additional information about Kyle, TX to date



2015 Guide To Kyle

Distribution: 12,000





Texas Highway Events Calendar Ad

Winter Issue Distribution: 65,000

Save the Date!

JANUARY 1, 2015

9:00AM

RESOLUTION RUN

New Year's Day
KYLE CHAMBER
KYLE-O-METER

run - walk - resolution

presented by



www.kylechamber.org/5k

**STUDENT
DISCOUNT
AVAILABLE!**

Event Listings

KERRVILLE: Dec. 20 Kerr County Market Days
Kerr County Courthouse. www.kerrmarketdays.org
830/895-7524

KYLE: Dec. 3 Santa's Arrival and Tree Lighting Ceremony
City Square Park, 101 S. Burleson Road.
www.cityofkyle.com/recreation 512/262-3939

LLANO: Nov. 28-Dec. 31 Starry, Starry Nights
Stroll down a lighted path along the Llano River that begins with hot chocolate and ends with Santa. Badu Park. www.llanochamber.org 325/247-5354

KERRVILLE: Jan. 11 "Vocal Trash" This electrifying theatrical show features a cappella harmonies, urban-style break dance and mesmerizing drumming. Cailloux Theater, 910 Main St. 830/896-9393

KYLE: Jan. 1 Kyle-o-Meter Resolution Run
Includes a 5K race and Kids' Dash. Wallace Middle School. www.kylechamber.org/5k 512/268-4220

KYLE: Jan. 1 Polar Bear Splash Brave swimmers jump into a new year at the pool, 1100 W. Center St. www.cityofkyle.com/recreation 512/262-3939

LLANO: Jan. 8-10 Llano Junior Livestock Show
John L. Kuykendall Events Center. 325/247-5354



Hill Country Current Ad

JANUARY 1, 2015

New Year's Day
**KYLE CHAMBER
KYLE-O-METER**

run - walk - resolution presented by **H·E·B**

Resolution Run
Kick the New Year in the Boot!
www.kylechamber.org/5k

Texas Highways Magazine

JANUARY 1, 2015

KYLE CHAMBER Presented by **H·E·B**
KYLE-O-METER

Resolution Run
Kick the New Year in the Boot!
www.kylechamber.org/5k



Received 43 requests for additional information about Kyle, TX to date

Say "I Do..."



in Beautiful
Kyle, Texas



Your Texas
Wedding Destination



WWW.KYLECHAMBER.ORG



Texas Highways Events

Spring 2015

65,000 Readers

Distributed to all 12 Texas Travel Information Centers
and

Over 100 CVB's around the state

Received 24 requests for additional
information about Kyle, TX to date



Lone Star Literary Life

847 page views

Average time on page – 1:30




Texas's Top Ten Bookish Destinations 2015

10 SAN ANGELO >>
9 CANYON >>
8 EL PASO >>
7 DALLAS >>
6 SAN MARCOS/KYLE >>
5 ABILENE >>
4 SAN ANTONIO >>
3 HOUSTON >>
2 MIDLAND/ODESSA >>
1 AUSTIN >>

HONORABLE MENTION

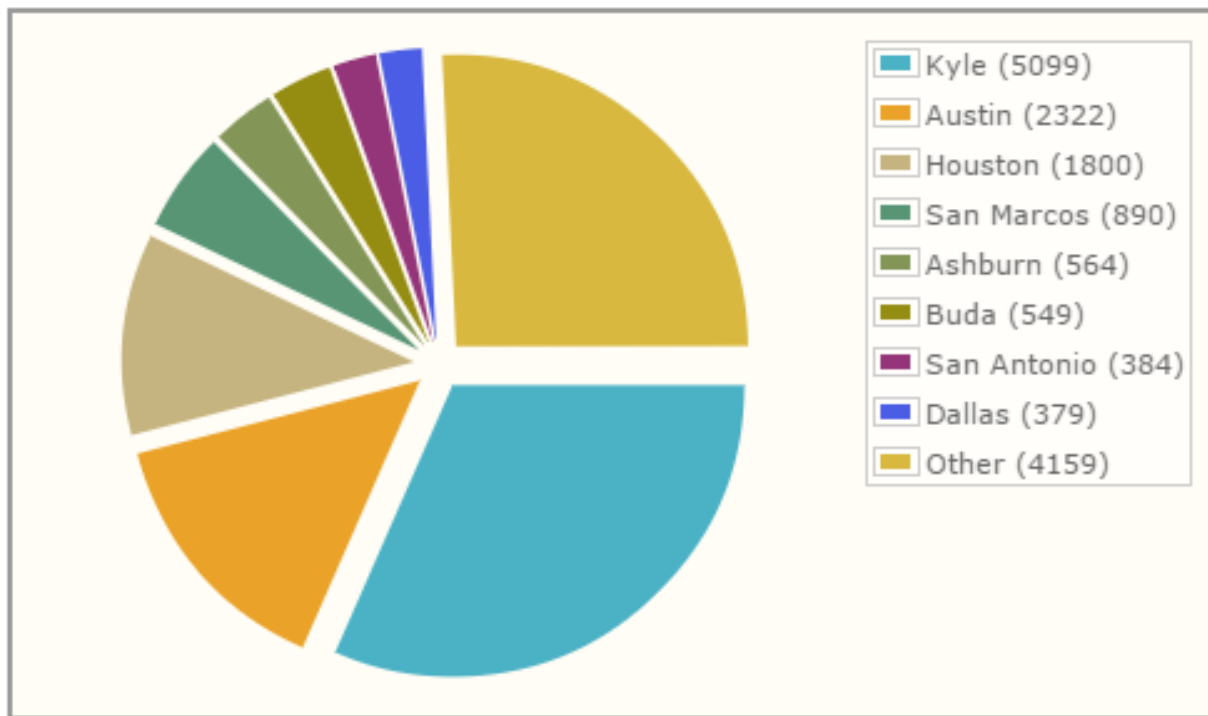
- ARCHER CITY >>
- MASON >>
- HAWKINS/NACOGDOCHES >>



Website Traffic

City Overview

2015 City Visits



Page Views

January – 8859
 February – 7515
 March – 8362
 April – 8999
 May - 2302

New Visitors

January – 70.34%
 February – 67.76%
 March – 70.84%
 April – 73.30%
 May – 73.39%



Thank you!



CITY OF KYLE, TEXAS

Introduction of Planning Director

Meeting Date: 5/19/2015
Date time: 7:00 PM

Subject/Recommendation: Introduction of Howard Koontz, Planning Director. ~ *James Earp, Assistant City Manager*

Other Information:

Legal Notes:

Budget Information:

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Attachments / click to download



CITY OF KYLE, TEXAS

Appointment of EMC

Meeting Date: 5/19/2015
Date time: 7:00 PM

Subject/Recommendation: Appointment of Kharley Smith as the City of Kyle's official Emergency Management Coordinator (EMC), and adopt the county's Emergency Management Plan. ~ *James Earp, Assistant City Manager*

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[TDEM - 147](#)

[Basic Plan 2015](#)

EMERGENCY MANAGEMENT DIRECTOR/COORDINATOR NOTIFICATION

Section 418.101 of the Texas Government Code states: “*The presiding officer of the governing body of each political subdivision will notify the Division of Emergency Management of the manner in which the political subdivision is providing or securing an emergency management program, identify the person who heads the agency responsible for the program, and furnish additional pertinent information.*” This form is used to make the required notification to TDEM.

The information on this form may be released to those inquiring about local emergency management programs pursuant to the Texas Open Records Act. Hence, TDEM recommends that you provide business addresses and telephone numbers rather than home addresses and telephone numbers.

COUNTY:		<i>(Required)</i>
Jurisdiction:		<i>(City or County Name)</i>
Official’s Title:		<i>(Mayor/Judge)</i>
Name:		<i>(First & Last Name)</i>
Mailing Address:		<i>(The best address to receive mail)</i>
City, State, Zip:		
Office Number:		
Cell Number:		
Fax Number:		
E-mail:		<i>(Please include – this is a back up for mailing)</i>

EMERGENCY MANAGEMENT PROGRAM APPOINTMENT STATUS

- I HAVE NOT appointed an Emergency Management Coordinator and will personally direct the local emergency management program.
- I HAVE appointed/re-appointed the Emergency Management Coordinator identified below to conduct the emergency management program for this jurisdiction. **The effective date of the appointment is:** _____
- We share our EMC with _____ *(name of jurisdiction)*.

If the COUNTY Emergency Management Coordinator has been appointed to other jurisdictions within the county, the County Judge and the participating City Mayors must sign this form. (See second page for additional signature blocks.)

EMERGENCY MANAGEMENT COORDINATOR

	Coordinator	Asst Coordinator
Name:		
Mailing Address:		
City, State, Zip:		
Office Phone:		
Cell Number:		
Fax Number:		
E-mail Address:		
Emergency Operations Center Number:		

Judge’s or Mayor’s Signature

Date

PLEASE RETURN TO:

Texas Division of Emergency Management
 Operations Section
 PO Box 4087
 Austin, TX 78773-0220

Phone: (512) 424-2208 Email: soc@dps.texas.gov

FOR SHARED EMC USE ONLY

By signing this form, you agree the appointed Emergency Management Coordinator (EMC) listed on the first page is also your EMC. If you have a separate EMC, you must submit the first page for your jurisdiction.

	Mayor
City:	
Name:	
Mailing Address:	
City, State, Zip	
Office Phone:	
Cell Phone:	
Fax Number:	
E-mail Address:	
Signature:	

	Mayor
City:	
Name:	
Mailing Address:	
City, State, Zip	
Office Phone:	
Cell Phone:	
Fax Number:	
E-mail Address:	
Signature:	

	Mayor
City:	
Name:	
Mailing Address:	
City, State, Zip	
Office Phone:	
Cell Phone:	
Fax Number:	
E-mail Address:	
Signature:	

EMERGENCY MANAGEMENT PLAN

FOR

HAYS COUNTY

APPROVAL & IMPLEMENTATION

Hays County

Emergency Management Plan

This emergency management plan is hereby approved. This plan is effective immediately and supercedes all previous editions.



Hays County Judge

1-5-2015

Date

Mayor of Buda

Date

Mayor of Dripping Springs

Date

Mayor of Hays

Date

Mayor of Kyle

Date

Mayor of Mountain City

Date

Mayor of Niederwald

Date

Mayor of Uhland

Date

Mayor of Woodcreek

Date

Mayor of Village of Bear Creek

Date

APPROVAL & IMPLEMENTATION

Hays County

Emergency Management Plan

This emergency management plan is hereby approved. This plan is effective immediately and supercedes all previous editions.

Mayor of Wimberley

Date

Hays County Emergency Management Coordinator

Date

RECORD OF CHANGES

Basic Plan

Change #	Date of Change	Change Entered By	Date Entered

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BASIC PLAN

I. AUTHORITY

A. Federal

1. Robert T. Stafford Disaster Relief & Emergency Assistance Act, (as amended), 42 U.S.C. 5121
2. Emergency Planning and Community Right-to-Know Act, 42 USC Chapter 116
3. Emergency Management and Assistance, 44 CFR
4. Hazardous Waste Operations & Emergency Response, 29 CFR 1910.120
5. Homeland Security Act of 2002
6. Homeland Security Presidential Directive. *HSPD-5*, Management of Domestic Incidents
7. Homeland Security Presidential Directive, *HSPD-3*, Homeland Security Advisory System
8. National Incident Management System
9. National Response Plan
10. National Strategy for Homeland Security, July 2002
11. Nuclear/Radiological Incident Annex of the National Response Plan
12. Presidential Policy Directive 8 – National Preparedness

B. State

1. Government Code, Chapter 418 (Emergency Management)
2. Government Code, Chapter 421 (Homeland Security)
3. Government Code, Chapter 433 (State of Emergency)
4. Government Code, Chapter 791 (Inter-local Cooperation Contracts)
5. Health & Safety Code, Chapter 778 (Emergency Management Assistance Compact)
6. Executive Order of the Governor Relating to Emergency Management
7. Executive Order of the Governor Relating to the National Incident Management System
8. Administrative Code, Title 37, Part 1, Chapter 7 (Division of Emergency Management)
9. *The Texas Homeland Security Strategic Plan*, Parts I and II, December 15, 2003
10. *The Texas Homeland Security Strategic Plan*, Part III, February 2004

C. Local

1. Commissioner's Court Order # 12852, dated January 2005.
2. Joint Resolution between the County of Hays and the Cities of Bear Creek, Buda, Dripping Springs, Hays, Kyle, Mountain City, Neiderwald, Uhland, Woodcreek and Wimberley.
3. Inter-local Agreements & Contracts. See the summary in Attachment 6.

II. PURPOSE

This Basic Plan outlines our approach to emergency operations, and is applicable to Hays County and all cities listed within the Joint resolution. It provides general guidance for emergency management activities and an overview of our methods of mitigation, preparedness,

response, and recovery. The plan describes our emergency response organization and assigns responsibilities for various emergency tasks. This plan is intended to provide a framework for more specific functional annexes that describe in more detail who does what, when, and how. This plan applies to all local officials, departments, and agencies. The primary audience for the document includes our chief elected official and other elected officials, the emergency management staff, department and agency heads and their senior staff members, leaders of local volunteer organizations that support emergency operations, and others who may participate in our mitigation, preparedness, response, and recovery efforts to include the whole of community

III. EXPLANATION OF TERMS

A. Acronyms

AAR	After Action Report
ARC	American Red Cross
CFR	Code of Federal Regulations
DDC	Disaster District Committee
DHS	Department of Homeland Security
EOC	Emergency Operations or Operating Center
FBI	Federal Bureau of Investigation
FEMA	Federal Emergency Management Agency, an element of the U.S. Department of Homeland Security
Hazmat	Hazardous Material
HSPD-5	Homeland Security Presidential Directive 5
ICP	Incident Command Post
ICS	Incident Command System
IP	Improvement Plan
JFO	Joint Field Office
JIC	Joint Information Center
NIMS	National Incident Management System
NRP	National Response Plan
OSHA	Occupational Safety & Health Administration
PIO	Public Information Officer
SOPs	Standard Operating Procedures
SOC	State Operations Center
TRRN	Texas Regional Response Network
TSA	The Salvation Army

B. Definitions

1. Area Command (Unified Area Command). An organization established (1) to oversee the management of multiple incidents that are each being managed by an ICS organization or (2) to oversee the management of large or multiple incidents to which several Incident Management Teams have been assigned. Sets overall strategy and priorities, allocates critical resources according to priorities, ensures that incidents are properly managed, and ensures that objectives are met and strategies followed. Area Command becomes Unified Area Command when incidents are multijurisdictional.

2. Disaster District. Disaster Districts are regional state emergency management organizations mandated by the Executive Order of the Governor relating to Emergency Management whose boundaries parallel those of Highway Patrol Districts and Sub-Districts of the Texas Department of Public Safety.
3. Disaster District Committee. The DDC consists of a Chairperson (the local Highway Patrol captain or command lieutenant), and agency representatives that mirror the membership of the State Emergency Management Council. The DDC Chairperson, supported by committee members, is responsible for identifying, coordinating the use of, committing, and directing state resources within the district to respond to emergencies.
4. Emergency Operations Center. Specially equipped facilities from which government officials exercise direction and control and coordinate necessary resources in an emergency situation.
5. Public Information. Information that is disseminated to the public via the news media before, during, and/or after an emergency or disaster.
6. Emergency Situations. As used in this plan, this term is intended to describe a *range* of occurrences, from a minor incident to a catastrophic disaster. It includes the following:
 - a. Incident. An incident is a situation that is limited in scope and potential effects. Characteristics of an incident include:
 - 1) Involves a limited area and/or limited population.
 - 2) Evacuation or in-place sheltering is typically limited to the immediate area of the incident.
 - 3) Warning and public instructions are provided in the immediate area, not community-wide.
 - 4) One or two local response agencies or departments acting under an incident commander normally handle incidents. Requests for resource support are normally handled through agency and/or departmental channels.
 - 5) May require limited external assistance from other local response agencies or contractors.
 - 6) For the purposes of the NRP, incidents include the full range of occurrences that require an emergency response to protect life or property.
 - b. Emergency. An emergency is a situation that is larger in scope and more severe in terms of actual or potential effects than an incident. Characteristics include:
 - 1) Involves a large area, significant population, or important facilities.
 - 2) May require implementation of large-scale evacuation or in-place sheltering and implementation of temporary shelter and mass care operations.
 - 3) May require community-wide warning and public instructions.
 - 4) Requires a sizable multi-agency response operating under an incident commander.
 - 5) May require some external assistance from other local response agencies, contractors, and limited assistance from state or federal agencies.
 - 6) The EOC will be activated to provide general guidance and direction, coordinate external support, and provide resource support for the incident.

- 7) For the purposes of the NRP, an emergency (as defined by the Stafford Act) is “any occasion or instance for which, in the determination of the President, Federal assistance is needed to supplement State and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of catastrophe in any part of the United States.”
- c. Disaster. A disaster involves the occurrence or threat of significant casualties and/or widespread property damage that is beyond the capability of the local government to handle with its organic resources. Characteristics include:
 - 1) Involves a large area, a sizable population, and/or important facilities.
 - 2) May require implementation of large-scale evacuation or in-place sheltering and implementation of temporary shelter and mass care operations.
 - 3) Requires community-wide warning and public instructions.
 - 4) Requires a response by all local response agencies operating under one or more incident commanders.
 - 5) Requires significant external assistance from other local response agencies, contractors, and extensive state or federal assistance.
 - 6) The EOC will be activated to provide general guidance and direction, provide emergency information to the public, coordinate state and federal support, and coordinate resource support for emergency operations.
 - 7) For the purposes of the NRP, a *major disaster* (as defined by the Stafford Act) is any catastrophe, regardless of the cause, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster federal assistance.
 - d. Catastrophic Incident. For the purposes of the NRP, this term is used to describe any natural or manmade occurrence that results in extraordinary levels of mass casualties, property damage, or disruptions that severely affect the population, infrastructure, environment, economy, national morale, and/or government functions. An occurrence of this magnitude would result in sustained national impacts over prolonged periods of time, and would immediately overwhelm local and state capabilities. All catastrophic incidents are *Incidents of National Significance*.
7. Hazard Analysis. A document, published separately from this plan, that identifies the local hazards that have caused or possess the potential to adversely affect public health and safety, public or private property, or the environment.
 8. Hazardous Material (Hazmat). A substance in a quantity or form posing an unreasonable risk to health, safety, and/or property when manufactured, stored, or transported. The substance, by its nature, containment, and reactivity, has the capability for inflicting harm during an accidental occurrence. Is toxic, corrosive, flammable, reactive, an irritant, or a strong sensitizer, and poses a threat to health and the environment when improperly managed. Includes toxic substances, certain infectious agents, radiological materials, and other related materials such as oil, used oil, petroleum products, and industrial solid waste substances.
 9. Incident of National Significance. An actual or potential high-impact event that requires a coordinated and effective response by and appropriate combination of federal, state, local, tribal, nongovernmental, and/or private sector entities in order to save lives and

minimize damage, and provide the basis for long-term communication recovery and mitigation activities.

10. Inter-local agreements. Arrangements between governments or organizations, either public or private, for reciprocal aid and assistance during emergency situations where the resources of a single jurisdiction or organization are insufficient or inappropriate for the tasks that must be performed to control the situation. Commonly referred to as mutual aid agreements.
11. Stafford Act. The Robert T. Stafford Disaster Relief and Emergency Assistance Act authorizes federal agencies to undertake special measures designed to assist the efforts of states in expediting the rendering of aid, assistance, emergency services, and reconstruction and rehabilitation of areas devastated by disaster.
12. Standard Operating Procedures. Approved methods for accomplishing a task or set of tasks. SOPs are typically prepared at the department or agency level. May also be referred to as Standard Operating Guidelines (SOGs).

IV. SITUATION AND ASSUMPTIONS

A. Situation

Hays County is exposed to many hazards, all of which have the potential for disrupting the community, causing casualties, and damaging or destroying public or private property. A summary of our major hazards is provided in Figure 1. More detailed information is provided in our Hazard Analysis, published separately.

Figure 1

HAZARD SUMMARY

Hazard Type:	Likelihood of Occurrence*	Estimated Impact on Public Health & Safety			Estimated Impact on Property		
	(See below)	Limited	Moderate	Major	Limited	Moderate	Major
<i>Natural</i>							
Drought	OCCASIONAL	MODERATE			MAJOR		
Earthquake	UNLIKELY	N/A			N/A		
Flash Flooding	HIGHLY LIKELY	MAJOR			MAJOR		
Flooding (river or tidal)	HIGHLY LIKELY	MAJOR			MAJOR		
Hurricane	OCCASIONAL	MAJOR			MODERATE TO MAJOR		
Subsidence	LIKELY	MODERATE			MODERATE		
Tornado	LIKELY	MODERATE			MODERATE TO MAJOR		
Wildfire	LIKELY	MODERATE			MODERATE TO MAJOR		
Winter Storm	OCCASIONAL	LIMITED			LIMITED TO MODERATE		
<i>Technological</i>							
Dam Failure	UNLIKELY	N/A			N/A		
Energy/Fuel Shortage	OCCASIONAL	LIMITED			N/A		
Hazmat/Oil Spill (fixed site)	LIKELY	MODERATE			MODERATE TO MAJOR		
Hazmat/Oil Spill (transport)	HIGHLY LIKELY	MODERATE TO MAJOR			MODERATE TO MAJOR		
Major Structural Fire	HIGHLY LIKELY	MODERATE			MODERATE TO MAJOR		

Nuclear Facility Incident	UNLIKELY	N/A	N/A
Water System Failure	OCCASIONAL	LIMITED	N/A
Security			
Civil Disorder	OCCASIONAL	MODERATE	LIMITED TO MAJOR
Enemy Military Attack	UNLIKELY	N/A	N/A
Terrorism	LIKELY	MAJOR	LIMITED TO MAJOR
* Likelihood of Occurrence: Unlikely, Occasional, Likely, or Highly Likely			

B. Assumptions

1. Hays County will continue to be exposed to and subject to the impact of those hazards described above and as well as lesser hazards and others that may develop in the future.
2. It is possible for a major disaster to occur at any time and at any place. In many cases, dissemination of warning to the public and implementation of increased readiness measures may be possible. However, some emergency situations occur with little or no warning.
3. Outside assistance will be available in most emergency situations, affecting our county. Since it takes time to summon external assistance, it is essential for us to be prepared to carry out the initial emergency response on an independent basis.
4. Proper mitigation actions, such as floodplain management, and fire inspections, can prevent or reduce disaster-related losses. Detailed emergency planning, training of emergency responders and other personnel, and conducting periodic emergency drills and exercises can improve our readiness to deal with emergency situations.

V. CONCEPT OF OPERATIONS

A. Objectives

The objectives of our emergency management program are to protect public health and safety and preserve public and private property.

B. General

1. It is our responsibility to protect public health and safety and preserve property from the effects of hazardous events. We have the primary role in identifying and mitigating hazards, preparing for and responding to, and managing the recovery from emergency situations that affect our community.
2. It is impossible for government to do everything that is required to protect the lives and property of our population. Our citizens have the responsibility to prepare themselves and their families to cope with emergency situations and manage their affairs and property in ways that will aid the government in managing emergencies. We will assist our citizens in carrying out these responsibilities by providing public information and instructions prior to and during emergency situations.

3. Local government is responsible for organizing, training, and equipping local emergency responders and emergency management personnel, providing appropriate emergency facilities, providing suitable warning and communications systems, and for contracting for emergency services. The state and federal governments offer programs that provide some assistance with portions of these responsibilities.
4. To achieve our objectives, we have organized an emergency management program that is both integrated (employs the resources of government, organized volunteer groups, and businesses) and comprehensive (addresses mitigation, preparedness, response, and recovery). This plan is one element of our preparedness activities.
5. This plan is based on an all-hazard approach to emergency planning. It addresses general functions that may need to be performed during any emergency situation and is not a collection of plans for specific types of incidents. For example, the warning annex addresses techniques that can be used to warn the public during any emergency situation, whatever the cause.
6. Departments and agencies tasked in this plan are expected to develop and keep current standard operating procedures that describe how emergency tasks will be performed. Departments and agencies are charged with ensuring the training and equipment necessary for an appropriate response are in place.
7. This plan is based upon the concept that the emergency functions that must be performed by many departments or agencies generally parallel some of their normal day-to-day functions. To the extent possible, the same personnel and material resources used for day-to-day activities will be employed during emergency situations. Because personnel and equipment resources are limited, some routine functions that do not contribute directly to the emergency may be suspended for the duration of an emergency. The personnel, equipment, and supplies that would normally be required for those functions will be redirected to accomplish emergency tasks.
8. We have adopted the National Incident Management System (NIMS) in accordance with the President's Homeland Security Directive (HSPD)-5. Our adoption of NIMS will provide a consistent approach to the effective management of situations involving natural or man-made disasters, or terrorism. NIMS allows us to integrate our response activities using a set of standardized organizational structures designed to improve interoperability between all levels of government, private sector, and nongovernmental organizations.
9. This plan, in accordance with the National Response Plan (NRP), is an integral part of the national effort to prevent, and reduce America's vulnerability to terrorism, major disasters, and other emergencies, minimize the damage and recover from attacks, major disasters, and other emergencies that occur. In the event of an Incident of National Significance, as defined in HSPD-5, we will integrate all operations with all levels of government, private sector, and nongovernmental organizations through the use of NRP coordinating structures, processes, and protocols.

C. Operational Guidance

We will employ the six components of the NIMS in all operations, which will provide a standardized framework that facilitates our operations in all phases of emergency management. Attachment 7 provides further details on the NIMS.

1. Initial Response. Our emergency responders are likely to be the first on the scene of an emergency situation. They will normally take charge and remain in charge of the incident until it is resolved or others who have legal authority to do so assume responsibility. They will seek guidance and direction from our local officials and seek technical assistance from state and federal agencies and industry where appropriate.
2. Implementation of ICS
 - a. The first local emergency responder to arrive at the scene of an emergency situation will implement the incident command system and serve as the incident commander until relieved by a more senior or more qualified individual. The incident commander will establish an incident command post (ICP) and provide an assessment of the situation to local officials, identify response resources required, and direct the on-scene response from the ICP.
 - b. For some types of emergency situations, a specific incident scene may not exist in the initial response phase and the EOC may accomplish initial response actions, such as mobilizing personnel and equipment and issuing precautionary warning to the public. As the potential threat becomes clearer and a specific impact site or sites identified, an incident command post may be established, and direction and control of the response transitioned to the Incident Commander.
3. Source and Use of Resources.
 - a. We will use our own resources, all of which meet the requirements for resource management in accordance with the NIMS, to respond to emergency situations, purchasing supplies and equipment if necessary, and request assistance if our resources are insufficient or inappropriate. §418.102 of the Government Code provides that the county should be the first channel through which a municipality requests assistance when its resources are exceeded. If additional resources are required, we will:
 - 1) Summon those resources available to us pursuant to inter-local agreements. See Attachment 6 to this plan, which summarizes the inter-local agreements and identifies the officials authorized to request those resources.
 - 2) Summon emergency service resources that we have contracted for. See Attachment 6.
 - 3) Request assistance from volunteer groups active in disasters.
 - 4) Request assistance from industry or individuals who have resources needed to deal with the emergency situation.

- b. When external agencies respond to an emergency situation within our jurisdiction, we expect them to conform to the guidance and direction provided by our incident commander, which will be in accordance with the NIMS.

D. Incident Command System (ICS)

1. We intend to employ ICS, an integral part of the NIMS, in managing emergencies. ICS is both a strategy and a set of organizational arrangements for directing and controlling field operations. It is designed to effectively integrate resources from different agencies into a temporary emergency organization at an incident site that can expand and contract with the magnitude of the incident and resources on hand. A summary of ICS is provided in Attachment 7.
2. The incident commander is responsible for carrying out the ICS function of command -- managing the incident. The four other major management activities that form the basis of ICS are operations, planning, logistics, and finance/administration. For small-scale incidents, the incident commander and one or two individuals may perform all of these functions. For larger incidents, a number of individuals from different departments or agencies may be assigned to separate staff sections charged with those functions.
3. An incident commander using response resources from one or two departments or agencies can handle the majority of emergency situations. Departments or agencies participating in this type of incident response will normally obtain support through their own department or agency.
4. In emergency situations where other jurisdictions or the state or federal government are providing significant response resources or technical assistance, it is generally desirable to transition from the normal ICS structure to a Unified or Area Command structure. This arrangement helps to ensure that all participating agencies are involved in developing objectives and strategies to deal with the emergency. Attachment 7 provides additional information on Unified and Area Commands.

E. ICS - EOC Interface

1. For major emergencies and disasters, the Emergency Operations Center (EOC) will be activated. When the EOC is activated, it is essential to establish a division of responsibilities between the incident command post and the EOC. A general division of responsibilities is outlined below. It is essential that a precise division of responsibilities be determined for specific emergency operations.
2. The incident commander is generally responsible for field operations, including:
 - a. Isolating the scene.
 - b. Directing and controlling the on-scene response to the emergency situation and managing the emergency resources committed there.
 - c. Warning the population in the area of the incident and providing emergency instructions to them.
 - d. Determining and implementing protective measures (evacuation or in-place sheltering) for the population in the immediate area of the incident and for emergency responders at the scene.

- e. Implementing traffic control arrangements in and around the incident scene.
 - f. Requesting additional resources from the EOC.
3. The EOC is generally responsible for:
- a. Providing resource support for the incident command operations.
 - b. Issuing community-wide warning.
 - c. Issuing instructions and providing information to the general public.
 - d. Organizing and implementing large-scale evacuation.
 - e. Organizing and implementing shelter and mass arrangements for evacuees.
 - f. Coordinating traffic control for large-scale evacuations.
 - g. Requesting assistance from the State and other external sources.
4. In some large-scale emergencies or disasters, emergency operations with different objectives may be conducted at geographically separated scenes. In such situations, more than one incident command operation may be established. If this situation occurs, a transition to an Area Command or a Unified Area Command is desirable, and the allocation of resources to specific field operations will be coordinated through the EOC.

F. State, Federal & Other Assistance

1. State & Federal Assistance

- a. If local resources are inadequate to deal with an emergency situation, we will request assistance from the State. State assistance furnished to local governments is intended to supplement local resources and not substitute for such resources, including mutual aid resources, equipment purchases or leases, or resources covered by emergency service contracts. As noted previously, cities must request assistance from their county before requesting state assistance.
- b. Requests for state assistance should be made to the Disaster District Committee (DDC) Chairperson, who is located at the Department of Public Safety District Office in Austin, Texas (6B). See Appendix 3 to Annex M, Resource Management, for a form that can be used to request state assistance. In essence, state emergency assistance to local governments begins at the DDC level and the key person to validate a request for, obtain, and provide that state assistance and support is the DDC Chairperson. A request for state assistance must be made by the County Judge and may be made by telephone, fax, or teletype. The DDC Chairperson has the authority to utilize all state resources within the district to respond to a request for assistance, with the exception of the National Guard. Use of National Guard resources requires approval of the Governor.
- c. The Disaster District staff will forward requests for assistance that cannot be satisfied by state resources within the District to the State Operations Center (SOC) in Austin for action.

2. Other Assistance

- a. If resources required to control an emergency situation are not available within the State, the Governor may request assistance from other states pursuant to a number

of interstate compacts or from the federal government through the Federal Emergency Management Agency (FEMA).

- b. For major emergencies and disasters for which a Presidential declaration has been issued, federal agencies may be mobilized to provide assistance to states and local governments. The *National Response Plan (NRP)* describes the policies, planning assumptions, concept of operations, and responsibilities of designated federal agencies for various response and recovery functions. The *Nuclear/Radiological Incident Annex of the NRP* addresses the federal response to major incidents involving radioactive materials.
- c. FEMA has the primary responsibility for coordinating federal disaster assistance. No direct federal disaster assistance is authorized prior to a Presidential emergency or disaster declaration, but FEMA has limited authority to stage initial response resources near the disaster site and activate command and control structures prior to a declaration and the Department of Defense has the authority to commit its resources to save lives prior to an emergency or disaster declaration. See Annex J, Recovery, for additional information on the assistance that may be available during disaster recovery.
- d. The NRP applies to Stafford and non-Stafford Act incidents and is designed to accommodate not only actual incidents, but also the threat of incidents. Therefore, NRP implementation is possible under a greater range of incidents.

G. Emergency Authorities

1. Key federal, state, and local legal authorities pertaining to emergency management are listed in Section I of this plan.
2. Texas statutes and the Executive Order of the Governor Relating to Emergency Management provide local government, principally the chief elected official, with a number of powers to control emergency situations. If necessary, we shall use these powers during emergency situations. These powers include:
 - a. Emergency Declaration. In the event of riot or civil disorder, the County Judge may request the Governor to issue an emergency declaration for this jurisdiction and take action to control the situation. Use of the emergency declaration is explained in Annex U, Legal.
 - b. Disaster Declaration. When an emergency situation has caused severe damage, injury, or loss of life or it appears likely to do so, the County Judge may by executive order or proclamation declare a local state of disaster. The County Judge may subsequently issue orders or proclamations referencing that declaration to invoke certain emergency powers granted the Governor in the Texas Disaster Act *on an appropriate local scale* in order to cope with the disaster. These powers include:
 - 1) Suspending procedural laws and rules to facilitate a timely response.
 - 2) Using all available resources of government and commandeering private property, subject to compensation, to cope with the disaster.
 - 3) Restricting the movement of people and occupancy of premises.

- 4) Prohibiting the sale or transportation of certain substances.
- 5) Implementing price controls.

A local disaster declaration activates the recovery and rehabilitation aspects of this plan. A local disaster declaration is required to obtain state and federal disaster recovery assistance. See Annex U, Legal, for further information on disaster declarations and procedures for invoking emergency powers.

- c. Authority for Evacuations. State law provides a county judge or mayor with the authority to order the evacuation of all or part of the population from a stricken or threatened area within their respective jurisdictions.

H. Actions by Phases of Emergency Management

1. This plan addresses emergency actions that are conducted during all four phases of emergency management.

- a. Mitigation

We will conduct mitigation activities as an integral part of our emergency management program. Mitigation is intended to eliminate hazards, reduce the probability of hazards causing an emergency situation, or lessen the consequences of unavoidable hazards. Mitigation should be a pre-disaster activity, although mitigation may also occur in the aftermath of an emergency situation with the intent of avoiding repetition of the situation. Our mitigation program is outlined in Annex P, Mitigation.

- b. Preparedness

We will conduct preparedness activities to develop the response capabilities needed in the event an emergency. Among the preparedness activities included in our emergency management program are:

- 1) Providing emergency equipment and facilities.
- 2) Emergency planning, including maintaining this plan, its annexes, and appropriate SOPs.
- 3) Conducting or arranging appropriate training for emergency responders, emergency management personnel, other local officials, and volunteer groups who assist us during emergencies.
- 4) Conducting periodic drills and exercises to test our plans and training.

- c. Response

We will respond to emergency situations effectively and efficiently. The focus of most of this plan and its annexes is on planning for the response to emergencies. Response operations are intended to resolve an emergency situation while minimizing casualties and property damage. Response activities include warning, emergency medical services, firefighting, law enforcement operations, evacuation, shelter and mass care, emergency public information, search and rescue, as well as other associated functions.

d. Recovery

If a disaster occurs, we will carry out a recovery program that involves both short-term and long-term efforts. Short-term operations seek to restore vital services to the community and provide for the basic needs of the public. Long-term recovery focuses on restoring the community to its normal state. The federal government, pursuant to the Stafford Act, provides the vast majority of disaster recovery assistance. The recovery process includes assistance to individuals, businesses, and to government and other public institutions. Examples of recovery programs include temporary housing, restoration of government services, debris removal, restoration of utilities, disaster mental health services, and reconstruction of damaged roads and bridges. Our recovery program is outlined in Annex J, Recovery.

VI. ORGANIZATION AND ASSIGNMENT OF RESPONSIBILITIES
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A. Organization

1. General

Most departments and agencies of local government have emergency functions in addition to their normal day-to-day duties. During emergency situations, our normal organizational arrangements are modified to facilitate emergency operations. Our governmental organization for emergencies includes an executive group, emergency services, and support services. Attachment 3 depicts our emergency organization.

2. Executive Group

The Executive Group provides guidance and direction for emergency management programs and for emergency response and recovery operations. The Executive Group includes the County Judge, Mayor(s), City Manager(s), and Emergency Management Coordinator(s).

3. Emergency Services

Emergency Services include the Incident Commander and those departments, agencies, and groups with primary emergency response actions. The incident commander is the person in charge at an incident site.

4. Emergency Support Services

This group includes departments and agencies that support and sustain emergency responders and also coordinate emergency assistance provided by organized volunteer organizations, business and industry, and other sources.

5. Volunteer and Other Services

This group includes organized volunteer groups and businesses that have agreed to provide certain support for emergency operations.

B. Assignment of Responsibilities

1. General

For most emergency functions, successful operations require a coordinated effort from a number of departments, agencies, and groups. To facilitate a coordinated effort, elected and appointed officials, departments and agency heads, and other personnel are assigned primary responsibility for planning and coordinating specific emergency functions. Generally, primary responsibility for an emergency function will be assigned to an individual from the department or agency that has legal responsibility for that function or possesses the most appropriate knowledge and skills. Other officials, departments, and agencies may be assigned support responsibilities for specific emergency functions. Attachment 4 summarizes the general emergency responsibilities of local officials, department and agency heads, and other personnel.

2. The individual having primary responsibility for an emergency function is normally responsible for coordinating preparation of and maintaining that portion of the emergency plan that addresses that function. Plan and annex assignments are outlined in Attachment 5. Listed below are general responsibilities assigned to the Executive Group, Emergency Services, Support Services, and other Support Agencies. Additional specific responsibilities can be found the functional annexes to this Basic Plan.

3. Executive Group Responsibilities

a. The County Judge will:

- 1) Establish objectives and priorities for the emergency management program and provide general policy guidance on the conduct of that program.
- 2) Monitor the emergency response during disaster situations and provides direction where appropriate.
- 3) With the assistance of the Public Information Officer, keep the public informed during emergency situations.
- 4) With the assistance of the legal staff, declare a local state of disaster, request the Governor declare a state of emergency, or invoke the emergency powers of government when necessary.
- 5) Request assistance from other local governments or the State when necessary
- 6) Direct activation of the EOC.
- 7) Implement the policies and decisions of the governing body relating to emergency management.
- 8) Assign emergency management program tasks to departments and agencies.

b. The Emergency Management Coordinator will:

- 1) Serve as the staff advisor to our County Judge on emergency management matters.

- 2) Keep the County Judge and governing body apprised of our preparedness status and emergency management needs.
- 3) Coordinate local planning and preparedness activities and the maintenance of this plan.
- 4) Prepare and maintain a resource inventory.
- 5) Arrange appropriate training for local emergency management personnel and emergency responders.
- 6) Coordinate periodic emergency exercises to test our plan and training.
- 7) Manage the EOC, develop procedures for its operation, and conduct training for those who staff it.
- 8) Activate the EOC when required.
- 9) Perform day-to-day liaison with the state emergency management staff and other local emergency management personnel.
- 10) Coordinate with organized volunteer groups and businesses regarding emergency operations.
- 11) Coordinate the operational response of local emergency services.
- 12) Ensure that departments and agencies participate in emergency planning, training, and exercise activities.
- 13) Organize the emergency management program and identifies personnel, equipment, and facility needs.

4. Common Responsibilities

All emergency services and support services will:

- a. Provide personnel, equipment, and supplies to support emergency operations upon request.
- b. Develop and maintain SOPs for emergency tasks.
- c. Provide trained personnel to staff the incident command post and EOC and conduct emergency operations.
- d. Provide current information on emergency resources for inclusion in the Resource List in Appendix 1 to Annex M, Resource Management.
- e. Report information regarding emergency situations and damage to facilities and equipment to the Incident Commander or the EOC.

5. Emergency Services Responsibilities

- a. The Incident Commander will:
 - 1) Manage emergency response resources and operations at the incident site command post to resolve the emergency situation.
 - 2) Determine and implement required protective actions for response personnel and the public at an incident site.
- b. Warning.

- 1) Primary responsibility for this function is assigned to the Hays County Sheriff's Office Emergency Communications Director, who will prepare and maintain Annex A (Warning) to this plan and supporting SOPs.
 - 2) Emergency tasks to be performed include:
 - a) Receive information on emergency situations.
 - b) Alert key local officials of emergency situations.
 - c) Disseminate warning information and instructions to the public through available warning systems.
 - d) Disseminate warning and instructions to special facilities such as schools and hospitals.
- c. Communications.
- 1) Primary responsibility for this function is assigned to Hays County Office of Emergency Management, Emergency Management Coordinator, who will prepare and maintain Annex B (Communications) to this plan and supporting SOPs.
 - 2) Emergency tasks to be performed include:
 - a) Identify the communications systems available with the local area and determine the connectivity of those systems, and ensure their interoperability.
 - b) Develop plans and procedures for coordinated use of the various communications systems available in this jurisdiction during emergencies.
 - c) Determine and implement means of augmenting communications during emergencies, including support by volunteer organizations.
- d. Radiological Protection.
- 1) Primary responsibility for this function is assigned to the Hays County Fire Chief's Association and Hazardous Materials Coordinator who will prepare and maintain Annex D (Radiological Protection) to this plan and supporting SOPs.
 - 2) Emergency tasks to be performed include:
 - a) Maintain inventory of radiological equipment.
 - b) Ensure response forces include personnel with current training in radiological monitoring and decontamination.
 - c) Respond to radiological incidents and terrorist incidents involving radiological materials.
 - d) Make notification concerning radiological incidents to state and federal authorities.
- e. Evacuation.

- 1) Primary responsibility for this function is assigned to the Hays County Sheriff, who will prepare and maintain Annex E (Evacuation) to this plan and supporting SOPs.
 - 2) Emergency tasks to be performed include:
 - a) Identify areas where evacuation has been or may in the future and determine of population at risk.
 - b) Perform evacuation planning for known risk areas to include route selection and determination of traffic control requirements.
 - c) Develop simplified planning procedures for ad hoc evacuations.
 - d) Determine emergency public information requirements.
 - e) Perform evacuation planning for special needs facilities (schools, hospitals, nursing homes, and other institutions).
- f. Firefighting.
- 1) Primary responsibility for this function is assigned to the Hays County Fire Chief's Association and the Hays County Fire Marshal, who will prepare and maintain Annex F (Firefighting) to this plan and supporting SOPs.
 - 2) Emergency tasks to be performed include:
 - a) Fire prevention activities.
 - b) Fire detection and control.
 - c) Hazardous material and oil spill response.
 - d) Terrorist incident response.
 - e) Evacuation support.
 - f) Post-incident reconnaissance and damage assessment.
 - g) Fire safety inspection of temporary shelters.
 - h) Prepare and maintain fire resource inventory.
- g. Law Enforcement.
- 1) Primary responsibility for this function is assigned to the Hays County Sheriff's Office, who will prepare and maintain Annex G (Law Enforcement) to this plan and supporting SOPs.
 - 2) Emergency tasks to be performed include:
 - a) Maintenance of law and order.
 - b) Traffic control.
 - c) Terrorist incident response.
 - d) Provision of security for vital facilities, evacuated areas, and shelters.
 - e) Access control for damaged or contaminated areas.
 - f) Warning support.
 - g) Post-incident reconnaissance and damage assessment.
 - h) Prepare and maintain law enforcement resource inventory.

h. Health and Medical Services.

- 1) Primary responsibility for this function is assigned to the Hays County Health Department, who will prepare and maintain Annex H (Health & Medical Services) to this plan and supporting SOPs.
- 2) Emergency tasks to be performed include:
 - a) Coordinate health and medical care and EMS support during emergency situations.
 - b) Public health information and education.
 - c) Inspection of food and water supplies.
 - d) Develop emergency public health regulations and orders.
 - e) Coordinate collection, identification, and interment of deceased victims.

i. Direction and Control.

- 1) Primary responsibility for this function is assigned to the Hays County Office of Emergency Management, Emergency Management Coordinator, who will prepare and maintain Annex N (Direction & Control) to this plan and supporting SOPs.
- 2) Emergency tasks to be performed include:
 - a) Direct and control our local operating forces.
 - b) Maintain coordination with neighboring jurisdictions and the Disaster District in Region 6B, Austin, Texas.
 - c) Maintain the EOC in an operating mode or be able to convert the designated facility space into an operable EOC rapidly.
 - d) Assigns representatives, by title, to report to the EOC and develops procedures for crisis training.
 - e) Develops and identifies the duties of the staff, use of displays and message forms, and procedures for EOC activation.
 - f) Coordinates the evacuation of areas at risk.

j. Hazardous Materials & Oil Spill.

- 1) The primary responsibility for this function is assigned to the Hays County Fire Chief's Association and HazMat Coordinator, who will prepare and maintain Annex Q (Hazardous Materials & Oil Spill Response) to this plan and supporting SOPs.
- 2) Emergency tasks to be performed include:
 - a) In accordance with OSHA regulations, establish ICS to manage the response to hazardous materials incidents.

- b) Establish the hazmat incident functional areas (e.g., Hot Zone, cool zone, Cold Zone, etc.)
- c) Determine and implement requirements for personal protective equipment for emergency responders.
- d) Initiate appropriate actions to control and eliminate the hazard in accordance with established hazmat response guidance and SOPs.
- e) Determine areas at risk and which public protective actions, if any, should be implemented.
- f) Apply appropriate firefighting techniques if the incident has, or may, result in a fire.
- g) Determines when affected areas may be safely reentered.

k. Search & Rescue.

- 1) The primary responsibility for this function is assigned to the Hays County Fire Chief's Association, who will prepare and maintain Annex R (Search and Rescue) to this plan and supporting SOPs.
- 2) Emergency tasks to be performed include:
 - a) Coordinate and conduct search and rescue activities.
 - b) Identify requirements for specialized resources to support rescue operations.
 - c) Coordinate external technical assistance and equipment support for search and rescue operations.

l. Terrorist Incident Response.

- 1) Primary responsibility for this function is assigned to the Hays County Sheriff's Office, who will prepare and maintain Annex V (Terrorist Incident Response) to this plan and supporting SOPs.
- 2) Emergency tasks to be performed include:
 - a) Coordinate and carry out defensive anti-terrorist activities, including criminal intelligence, investigation, protection of facilities, and public awareness activities.
 - b) Coordinate and carry out offensive counter-terrorist operations to neutralize terrorist activities.
 - c) Carry out terrorism consequence operations conducted in the aftermath of a terrorist incident to save lives and protect public and private property.
 - d) Ensure required notification of terrorist incidents is made to state and federal authorities.

6. Support Services Responsibilities

a. Shelter and Mass Care.

- 1) Primary responsibility for this function is assigned to the Hays County Emergency Preparedness Coordinator, who will prepare and maintain Annex C (Shelter and Mass Care) to this plan and supporting SOPs

2) Emergency tasks to be performed include:

- a) Perform emergency shelter and mass care planning.
- b) Coordinate and conduct shelter and mass care operations with our other departments, relief agencies, and volunteer groups.

b. Public Information.

1) Primary responsibility for this function is assigned to the Hays County Communication Specialist, who will prepare and maintain Annex I (Public Information) to this plan and supporting SOPs.

2) Emergency tasks to be performed include:

- a) Establish a Joint Information Center (JIC)
- b) Conduct on-going hazard awareness and public education programs.
- c) Pursuant to the Joint Information System (JIS), compile and release information and instructions for the public during emergency situations and respond to questions relating to emergency operations.
- d) Provide information to the media and the public during emergency situations.
- e) Arrange for media briefings.
- f) Compiles print and photo documentation of emergency situations.

c. Recovery.

1) Primary responsibility for this function is assigned to the Finance Director/Tax Assessor, who will prepare and maintain Annex J (Recovery) to this plan and supporting SOPs.

2) Emergency tasks to be performed include:

- a) Establish and train a damage assessment team using local personnel. Coordinate the efforts of that team with state and federal damage assessment personnel who may be dispatched to assist us.
- b) Assess and compile information on damage to public and private property and needs of disaster victims and formulate and carry out programs to fill those needs.
- c) If damages are beyond our capability to deal with, compile information for use by our elected officials in requesting state or federal disaster assistance.
- d) If we are determined to be eligible for state or federal disaster assistance, coordinate with state and federal agencies to carry out authorized recovery programs.

d. Public Works & Engineering.

1) Primary responsibility for this function is assigned to the County Engineer, who will prepare and maintain Annex K (Public Works & Engineering) to this plan and supporting SOPs.

2) Emergency tasks to be performed include:

- a) Protect government facilities and vital equipment where possible.
- b) Assess damage to streets, bridges, traffic control devices, and other public facilities.
- c) Direct temporary repair of vital facilities.
- d) Restore damaged roads and bridges.
- e) Restore waste treatment and disposal systems.
- f) Arrange for debris removal.
- g) General damage assessment support.
- h) Building inspection support.
- i) Provide specialized equipment to support emergency operations.
- j) Support traffic control and search and rescue operations.

e. Utilities.

1) Primary responsibility for this function is assigned to the Hays County Development Services Director, who will prepare and maintain Annex L (Energy and Utilities) to this plan and supporting SOPs.

2) Emergency tasks to be performed include:

- a) Prioritize restoration of utility service to vital facilities and other facilities.
- b) Arrange for the provision of emergency power sources where required.
- c) Identify requirements for emergency drinking water and portable toilets to the department or agency responsible for mass care.
- d) Assess damage to, repair, and restore public utilities.
- e) Monitor recovery activities of privately owned utilities.

f. Resource Management.

1) Primary responsibility for this function is assigned to the Hays County Human Resources Director, Hays County Purchasing Agent and the Hays County Emergency Management Coordinator who will prepare and maintain Annex M (Resource Management) to this plan and supporting SOPs.

2) Emergency tasks to be performed include:

- a) Maintain an inventory of emergency resources.
- b) During emergency operations, locates supplies, equipment, and personnel to meet specific needs.
- c) Maintain a list of suppliers for supplies and equipment needed immediately in the aftermath of an emergency.
- d) Establish emergency purchasing procedures and coordinate emergency procurements.
- e) Establish and maintain a manpower reserve and coordinate assignment of reserve personnel to departments and agencies that require augmentation.
- f) Coordinate transportation, sorting, temporary storage, and distribution of resources during emergency situations.
- g) Establish staging areas for resources, if required.

- h) During emergency operations, identify to the Donations Management Coordinator those goods, services, and personnel that are needed.
- i) Maintain records of emergency-related expenditures for purchases and personnel.

g. Human Services.

- 1) Primary responsibility for this function is assigned to the Hays County Development Services Director and the Hays County Human Resources Director. Prepare and maintain Annex O (Human Services) to this plan and supporting SOPs
- 2) Emergency tasks to be performed include:
 - a) Identify emergency feeding sites.
 - b) Identify sources of clothing for disaster victims.
 - c) Secure emergency food supplies.
 - d) Coordinate the operation of shelter facilities, whether operated by local government, local volunteer groups, or organized disaster relief agencies such as the American Red Cross.
 - e) Coordinate special care requirements for disaster victims such as the aged, special needs individuals, and others.
 - f) Coordinate the provision of disaster mental health services to disaster victims, emergency workers, and/or others suffering trauma due to the emergency incident/disaster.

h. Hazard Mitigation.

- 1) The primary responsibility for this function is assigned to the Hays County Emergency Management Coordinator and Hays County Grants Administrator, who will prepare and maintain Annex P (Hazard Mitigation) to this plan and supporting SOPs.
- 2) Emergency tasks to be performed include:
 - a) Maintain the local Hazard Analysis.
 - b) Identify beneficial pre-disaster hazard mitigation projects and seek approval from local officials to implement such projects.
 - c) In the aftermath of an emergency, determine appropriate actions to mitigate the situation and coordinate implementation of those actions.
 - d) Coordinate and carry out post-disaster hazard mitigation program.

i. Transportation.

- 1) The primary responsibility for this function is assigned to the Hays County Transportation Director, who will prepare and maintain Annex S (Transportation) to this plan and supporting SOPs.

2) Emergency tasks to be performed include:

- a) Identifies local public and private transportation resources and coordinates their use in emergencies.
- b) Coordinates deployment of transportation equipment to support emergency operations.
- c) Establishes and maintains a reserve pool of drivers, maintenance personnel, parts, and tools.
- d) Maintains records on use of transportation equipment and personnel for purpose of possible reimbursement.

j. Donations Management.

1) The primary responsibility for this function is assigned to the Hays County Auditor, who will prepare and maintain Annex T (Donations Management) to this plan and supporting SOPs.

2) Emergency tasks to be performed include:

- a) Compile resource requirements identified by the Resource Management staff.
- b) Solicit donations to meet known needs.
- c) Establish and implement procedures to receive, accept or turn down offers of donated goods and services, and provide instructions to donors of needed goods or services.
- d) In coordination with the Resource Management staff, establish a facility to receive, sort, and distribute donated goods.

k. Legal.

1) The primary responsibility for this function is assigned to the Hays County Attorney who will prepare and maintain Annex U (Legal) to this plan and supporting SOPs.

2) Emergency tasks to be performed include:

- a) Advise local officials on emergency powers of local government and procedures for invoking those measures.
- b) Review and advise our officials on possible legal issues arising from disaster operations.
- c) Prepare and/or recommend legislation to implement the emergency powers that may be required during and emergency.
- d) Advise local officials and department heads on record-keeping requirements and other documentation necessary for the exercising of emergency powers.

l. Department and agency heads not assigned a specific function in this plan will be prepared to make their resources available for emergency duty at the direction of our chief elected official.

7. Volunteer & Other Services

- a. Volunteer Groups. The following are local volunteer agencies that can provide disaster relief services and traditionally have coordinated their efforts with our local government:

1) AUSTIN/NEW BRAUNFELS Chapter, American Red Cross.

Provides shelter management, feeding at fixed facilities and through mobile units, first aid, replacement of eyeglasses and medications, provision of basic clothing, and limited financial assistance to those affected by emergency situations. The Red Cross also provides feeding for emergency workers.

2) Hays County CERT

Provides shelter management, First Responder rehabilitation, light search and rescue operations, and EOC support.

The Salvation Army.

Provides emergency assistance to include mass and mobile feeding, temporary shelter, counseling, missing person services, medical assistance, and the warehousing and distribution of donated good including food clothing, and household items. It also provides referrals to government and private agencies for special services.

3) Southern Baptist Convention Disaster Relief.

Provides mobile feeding units staffed by volunteers. Active in providing disaster childcare, the agency has several mobile childcare units. Can also assist with clean-up activities, temporary repairs, reconstruction, counseling, and bilingual services.

4) RACES.

The Radio Amateur Civil Emergency Service provides amateur radio support for emergency operations, including communications support in the EOC.

VII. DIRECTION AND CONTROL

A. General

1. The County Judge is responsible for establishing objectives and policies for emergency management and providing general guidance for disaster response and recovery

operations, all in compliance with the NIMS. During disasters, he/she may carry out those responsibilities from the EOC.

2. The Executive Assistant to the Judge and/or EMC will provide overall direction of the response activities of all our departments. During major emergencies and disaster, he/she will normally carry out those responsibilities from the EOC.
3. Emergency Management Coordinator will manage the EOC.
4. The Incident Commander, assisted by a staff sufficient for the tasks to be performed, will manage the emergency response at an incident site.
5. During emergency operations, department heads retain administrative and policy control over their employees and equipment. However, personnel and equipment will carry out mission assignments directed by the incident commander. Each department and agency is responsible for having its own operating procedures to be followed during response operations, but interagency procedures, such a common communications protocol, may be adopted to facilitate coordinated effort.
6. If our own resources are insufficient or inappropriate to deal with an emergency situation, we may request assistance from other jurisdictions, organized volunteer groups, or the State. The process for requesting State or federal assistance is covered in section V.F of this plan; see also the Request for Assistance form in Annex M, Appendix 3. External agencies are expected to conform to the general guidance and directed provided by our senior decision-makers.

B. Emergency Facilities

1. Incident Command Post. Except when an emergency situation threatens, but has not yet occurred, and those situations for which there is no specific hazard impact site (such as a severe winter storm or area-wide utility outage), an incident command post or command posts will be established in the vicinity of the incident site(s). As noted previously, the incident commander will be responsible for directing the emergency response and managing the resources at the incident scene.
2. Emergency Operating Center. When major emergencies and disasters have occurred or appear imminent, we will activate our EOC, which is located at the Hays County Sheriff's Office.
3. The following individuals are authorized to activate the EOC:
 - a. County Judge
 - b. Emergency Management Coordinator
 - c. Fire Marshal.
4. The general responsibilities of the EOC are to:
 - a. Assemble accurate information on the emergency situation and current resource data to allow local officials to make informed decisions on courses of action.

- b. Working with representatives of emergency services, determine and prioritize required response actions and coordinate their implementation.
 - c. Provide resource support for emergency operations.
 - d. Suspend or curtail government services, recommend the closure of schools and businesses, and cancellation of public events.
 - e. Organize and activate large-scale evacuation and mass care operations.
 - f. Provide emergency information to the public.
5. Representatives of those departments and agencies assigned emergency functions in this plan will staff the EOC. EOC operations are addressed in Annex N (Direction and Control). The interface between the EOC and the incident command post is described in paragraph V.E above.
 6. Our Alternate EOC is located at 1307 Uhland Road, San Marcos, Texas. This facility will be used if our primary EOC becomes unusable.
 7. We have a mobile command and control vehicle, operated by Hays County Emergency Management, which may be used as an incident command post.

C. Line of Succession

1. The line of succession for the County Judge is:
 - a. Hays County Commissioner(s).
2. The line of succession for the Chief of Staff to the Judge is:
 - a. County Attorney
 - b. County Auditor
3. The line of succession for the Emergency Management Coordinator is:
 - a. Fire Marshal
4. The lines of succession for each of our department and agency heads shall be in accordance with the SOPs established by those departments and agencies.

VIII. READINESS LEVELS

A. Many emergencies follow some recognizable build-up period during which actions can be taken to achieve a gradually increasing state of readiness. We use a four-tier system. Readiness Levels will be determined by the County Judge or, for certain circumstances, the Emergency Management Coordinator. General actions to be taken at each readiness level

are outlined in the annexes to this plan; more specific actions will be detailed in departmental or agency SOPs.

B. The following Readiness Levels will be used as a means of increasing our alert posture.

1. Level 4: Normal Conditions

- a. Emergency incidents occur and local officials are notified. One or more departments or agencies respond to handle the incident; an incident command post may be established. Limited assistance may be requested from other jurisdictions pursuant to established inter-local agreements.
- b. The normal operations of government are not affected.

2. Level 3: Increased Readiness

- a. Increased Readiness refers to a situation that presents a greater potential threat than "Level 4", but poses no immediate threat to life and/or property. Increased readiness actions may be appropriate when the situations similar to the following occur:
 - 1) Tropical Weather Threat. A tropical weather system has developed that has the potential to impact the local area. Readiness actions may include regular situation monitoring, a review of plans and resource status, determining staff availability and placing personnel on-call.
 - 2) Tornado Watch indicates possibility of tornado development. Readiness actions may include increased situation monitoring and placing selected staff on alert.
 - 3) Flash Flood Watch indicates flash flooding is possible due to heavy rains occurring or expected to occur. Readiness actions may include increased situation-monitoring, reconnaissance of known trouble spots, deploying warning signs.
 - 4) Wildfire Threat. During periods of extreme wildfire threat, readiness actions may include deploying additional resources to areas most at risk, arranging for standby commercial water tanker support, conducting daily aerial reconnaissance, or initiating burn bans.
 - 5) Mass Gathering. For mass gatherings with previous history of problems, readiness actions may include reviewing security, traffic control, fire protection, and first aid planning with organizers and determining additional requirements.
- b. Declaration of "Level 3" will generally require the initiation of the "Increased Readiness" activities identified in each annex to this plan.

3. Level 2: High Readiness

- a. High Readiness refers to a situation with a significant potential and probability of causing loss of life and/or property. This condition will normally require some degree

of warning to the public. Actions could be triggered by severe weather warning information issued by the National Weather Service such as:

- 1) Tropical Weather Threat. A tropical weather system may impact the local area within 72 hours. Readiness actions may include continuous storm monitoring, identifying worst-case decision points, increasing preparedness of personnel and equipment, updating evacuation checklists, verifying evacuation route status, and providing the public information for techniques to protect homes and businesses on the evacuation routes.
- 2) Tornado Warning. Issued when a tornado has actually been sighted in the vicinity or indicated by radio, and may strike in the local area. Readiness actions may include activating the EOC, continuous situation monitoring, and notifying the public about the warning.
- 3) Flash Flood Warning. Issued to alert persons that flash flooding is imminent or occurring on certain streams or designated areas, and immediate action should be taken. Readiness actions may include notifying the public about the warning, evacuating low-lying areas, open shelters to house evacuees, and continuous situation monitoring.
- 4) Winter Storm Warning. Issued when heavy snow, sleet, or freezing rain are forecast to occur separately or in a combination. Readiness actions may include preparing for possible power outages, putting road crews on stand-by to clear and/or sand the roads, and continuous situation monitoring.
- 5) Mass Gathering. Civil disorder with relatively large-scale localized violence is imminent. Readiness actions may include increased law enforcement presence, putting hospitals and fire departments on alert, and continuous situation monitoring.

- b. Declaration of a "Level 2" will generally require the initiation of the "High Readiness" activities identified in each annex to this plan.

4. Level 1: Maximum Readiness

- a. Maximum Readiness refers to situation that hazardous conditions are imminent. This condition denotes a greater sense of danger and urgency than associated with a "Level 2" event. Actions could also be generated by severe weather warning information issued by the National Weather Service combined with factors making the event more imminent.

- 1) Tropical Weather Threat. The evacuation decision period is nearing for an approaching tropical weather system that may impact the local area. Readiness actions may include continuous situation monitoring, cull activation of the EOC, recommending precautionary actions for special facilities, placing emergency personnel and equipment into position for emergency operations, and preparing public transportation resources for evacuation support.

- 2) Tornado Warning. Tornado has been sited especially close to a populated area or moving towards a populated area. Readiness actions may include taking immediate shelter and put damage assessment teams on stand-by.
 - 3) Flash Flood Warning. Flooding is imminent or occurring at specific locations. Readiness actions may include evacuations, rescue teams on alert, sheltering evacuees and/or others displaced by the flooding, and continuous monitoring of the situation.
 - 4) Mass Gathering. Civil disorder is about to erupt into large-scale and widespread violence. Readiness actions may include having all EMS units on stand-by, all law enforcement present for duty, notify the DDC that assistance may be needed and keep them apprised of the situation, and continuous situation monitoring is required.
- b. Declaration of "Level 1" will generally require the initiation of the "Maximum Readiness" activities identified in each annex to this plan.

IX. ADMINISTRATION AND SUPPORT

A. Agreements and Contracts

1. Should our local resources prove to be inadequate during an emergency, requests will be made for assistance from other local jurisdictions, other agencies, and industry in accordance with existing mutual-aid agreements and contracts and those agreements and contracts concluded during the emergency. Such assistance may include equipment, supplies, or personnel. All agreements will be entered into by authorized officials and should be in writing whenever possible. Agreements and contracts should identify the local officials authorized to request assistance pursuant to those documents.
2. In an effort to facilitate assistance pursuant to mutual aid agreements, our available resources are identified and are a part of the Texas Regional Response Network (TRRN).
3. The agreements and contracts pertinent to emergency management that we are a party to are summarized in Attachment 6.

B. Reports

1. Hazardous Materials Spill Reporting. If we are responsible for a release of hazardous materials of a type or quantity that must be reported to state and federal agencies, the department or agency responsible for the spill shall make the required report. See Annex Q, Hazardous Materials and Oil Spill Response, for more information. If the party responsible for a reportable spill cannot be located, the Incident Commander shall ensure that the required report(s) are made.

2. Initial Emergency Report. This short report should be prepared and transmitted by the EOC when an on-going emergency incident appears likely to worsen and we may need assistance from other local governments or the State. See Annex N, Direction and Control for the format and instructions for this report.
3. Situation Report. A daily situation report should be prepared and distributed by the EOC during major emergencies or disasters. See Annex N, Direction and Control, for the format of and instructions for this report.
4. Other Reports. Several other reports covering specific functions are described in the annexes to this plan.

C. Records

1. Record Keeping for Emergency Operations

Hays County is responsible for establishing the administrative controls necessary to manage the expenditure of funds and to provide reasonable accountability and justification for expenditures made to support emergency operations. This shall be done in accordance with the established local fiscal policies and standard cost accounting procedures.

- a. Activity Logs. The Incident Command Post and the EOC shall maintain accurate logs recording key response activities, including:
 - 1) Activation or deactivation of emergency facilities.
 - 2) Emergency notifications to other local governments and to state and federal agencies.
 - 3) Significant changes in the emergency situation.
 - 4) Major commitments of resources or requests for additional resources from external sources.
 - 5) Issuance of protective action recommendations to the public.
 - 6) Evacuations.
 - 7) Casualties.
 - 8) Containment or termination of the incident.
- b. Incident Costs. All department and agencies shall maintain records summarizing the use of personnel, equipment, and supplies during the response to day-to-day incidents to obtain an estimate of annual emergency response costs that can be used as in preparing future department or agency budgets.
- c. Emergency or Disaster Costs. For major emergencies or disasters, all departments and agencies participating in the emergency response shall maintain detailed of costs for emergency operations to include:
 - 1) Personnel costs, especially overtime costs
 - 2) Equipment operations costs
 - 3) Costs for leased or rented equipment
 - 4) Costs for contract services to support emergency operations
 - 5) Costs of specialized supplies expended for emergency operations

These records may be used to recover costs from the responsible party or insurers or as a basis for requesting financial assistance for certain allowable response and recovery costs from the state and/or federal government.

2. Preservation of Records

- a. In order to continue normal government operations following an emergency situation disaster, vital records must be protected. These include legal documents as well as property and tax records. The principal causes of damage to records are fire and water; therefore, essential records should be protected accordingly. Each agency responsible for preparation of annexes to this plan will include protection of vital records in its SOPs.
- b. If records are damaged during an emergency situation, we will seek professional assistance to preserve and restore them.

D. Training

It will be the responsibility of each agency director to ensure that agency personnel, in accordance with the NIMS, possess the level of training, experience, credentialing, currency, physical and medical fitness, or capability for any positions they are tasked to fill.

E. Consumer Protection

Consumer complaints regarding alleged unfair or illegal business practices often occur in the aftermath of a disaster. Such complaints will be referred to the County Attorney, who will pass such complaints to the Consumer Protection Division of the Office of the Attorney General.

F. Post-Incident and Exercise Review

The Hays County Judge and/or EMC are responsible for organizing and conducting a critique following the conclusion of a significant emergency event/incident or exercise. The After Action Report (AAR) will entail both written and verbal input from all appropriate participants. An Improvement Plan will be developed based on the deficiencies identified, and an individual, department, or agency will be assigned responsibility for correcting the deficiency and a due date shall be established for that action.

X. PLAN DEVELOPMENT AND MAINTENANCE
--

A. Plan Development

The Hays County Judge is responsible for approving and promulgating this plan.

B. Distribution of Planning Documents

1. The Hays County Judge shall determine the distribution of this plan and its annexes. In general, copies of plans and annexes should be distributed to those individuals,

departments, agencies, and organizations tasked in this document. Copies should also be set-aside for the EOC and other emergency facilities.

2. The Basic Plan should include a distribution list (See Attachment 1 to this plan) that indicates who receives copies of the basic plan and the various annexes to it. In general, individuals who receive annexes to the basic plan should also receive a copy of this plan, because the Basic Plan describes our emergency management organization and basic operational concepts.

C. Review

The Basic Plan and its annexes shall be reviewed annually by local officials. The Hays County Judge and/or EMC will establish a schedule for annual review of planning documents by those tasked in them.

D. Update

1. This plan will be updated based upon deficiencies identified during actual emergency situations and exercises and when changes in threat hazards, resources and capabilities, or government structure occur.
2. The Basic Plan and its annexes must be revised or updated by a formal change at least **every five years**. Responsibility for revising or updating the Basic Plan is assigned to the Hays County Emergency Management Coordinator. Responsibility for revising or updating the annexes to this plan is outlined in Section VI.B, Assignment of Responsibilities, as well as in each annex. For details on the methods of updating planning documents as well as more information on when changes should be made, refer to Chapter 3 of the Division of Emergency Management (DEM) *Local Emergency Management Planning Guide* (DEM-10).
3. Revised or updated planning documents will be provided to all departments, agencies, and individuals tasked in those documents.

§418.043(4) of the Government Code provides that DEM shall review local emergency management plans. The process for submitting new or updated planning documents to DEM is described in Chapter 6 of the DEM-10. The EMC is responsible for submitting copies of planning documents to our DEM Regional Liaison Officer for review.

ATTACHMENTS:

1. Distribution List
2. References
3. Organization for Emergencies
4. Functional Responsibility Matrix
5. Annex Assignments
6. Summary of Agreements & Contracts
7. National Incident Management System

**ATTACHMENT 1
DISTRIBUTION LIST**

<u>Jurisdiction/Agency Plan</u>	<u>Basic Plan</u>	<u>Annexes</u>
EOC Reference Library	1	All
County Judge	1	All
City Manager	8	All
Each County Commissioner	1	All
HazMat Coordinator	1	A,D,E,F,I,M,Q
EMC	1	All
County Sheriff	2	All
Police Chief	2	All
Each Constable	1	All
Fire Chiefs	5	All
County Health Department	1	C, D, H, O, Q
Tax Assessor	1	J, M
County Engineer	1	E, G, J, K, L
Development Services Director	1	H,I,J,K,L,M,N,O,
Human Resources Director/Human Resources	1	C, M, O, T
County Attorney	1	All
Justices of the Peace	1	G, H, N
RACES Officer	1	All
Seton Hays		C,E,S
Central Texas Medical Center	1	C, E, S
County Sheriff's Office/Animal Control	1	E, H
Independent School District's	4	C, E, O, S
County Local Emergency Planning Committee	1	All
Hays County CERT		C,E,J,O,R,T
American Red Cross	1	C, E, J, O, T
The Salvation Army	1	C, E, J, O, T
GDEM Regional Liaison Officer	1	All
Fire Marshal	1	F
Information Technology	1	A,B,I,J
Treasurer	1	
Auditor	1	T
Grants Administrator	1	All
Veterans Administrator	1	C,J,S

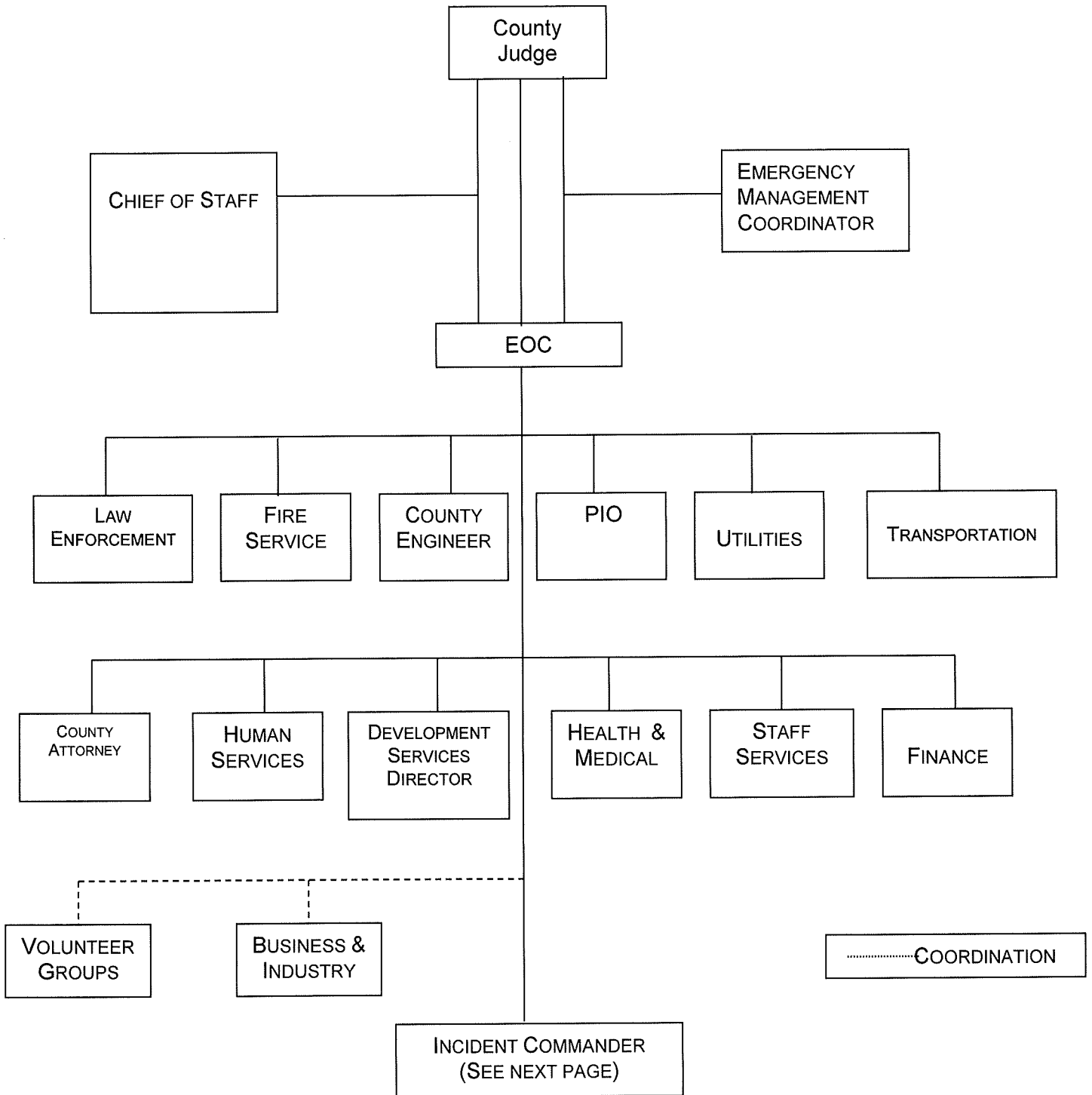
**ATTACHMENT 2
REFERENCES**

1. Texas Department of Public Safety, Governor's Division of Emergency Management, *Local Emergency Management Planning Guide*, DEM-10
2. Texas Department of Public Safety, Governor's Division of Emergency Management, *Disaster Recovery Manual*
3. Texas Department of Public Safety, Governor's Division of Emergency Management, *Mitigation Handbook*
4. FEMA, Independent Study Course, IS-288: *The Role of Voluntary Organizations in Emergency Management*
5. FEMA, *State and Local Guide (SLG) 101: Guide for All-Hazard Emergency Operations Planning*
6. U. S. Department of Homeland Security, *National Response Plan*
7. 79th Texas Legislature, *House Bill 3111*

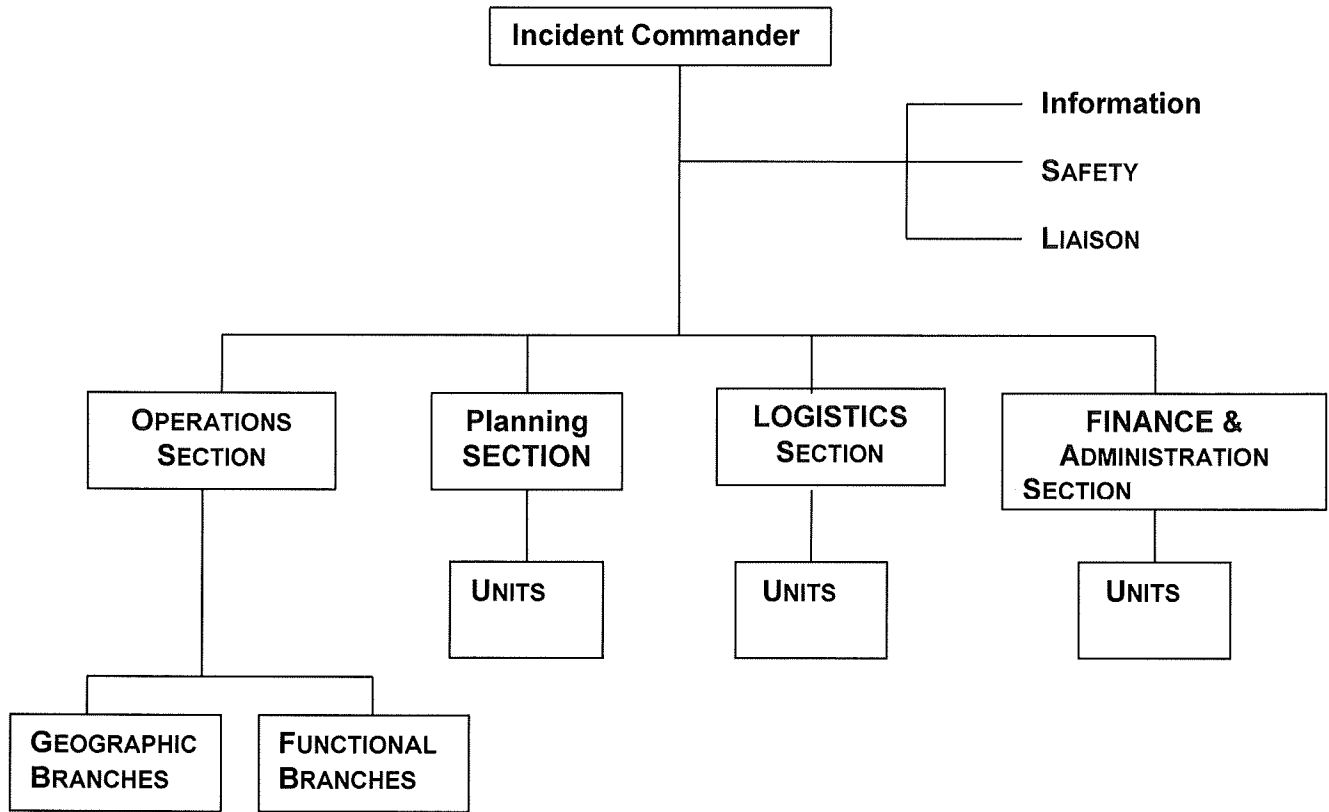
**ATTACHMENT 3
ORGANIZATION FOR EMERGENCY MANAGEMENT**

TAB 1 TO ATTACHMENT 2

HAYS COUNTY ORGANIZATION FOR EMERGENCY MANAGEMENT



**ORGANIZATION FOR EMERGENCY MANAGEMENT
(Continued)**



**ATTACHMENT 4
EMERGENCY MANAGEMENT FUNCTIONAL RESPONSIBILITIES**

	Warning	Communications	Shelter & Mass Care	Radiological Protection	Evacuation	Firefighting	Law Enforcement	Health & Medical	Public Information	Recovery	Public Works & Engineering	Utilities	Resource Management	Direction & Control	Human Services	Hazard Mitigation	Hazmat & Oil Spill Response	Search & Rescue	Transportation	Donations Management	Legal	Terrorist Incident Response	
County Judge	S	S	S	S	S	S	S	S	S	S	S	S	S	P	S	S	S	S	S	S	S	S	S
Chief of Staff										S			S							S			
EMC	S	P	C	C	S	C	C	C	S	S	S	C	S	P	C	P	S	C	C	P	C	C	C
Law Enforcement	P	P	S	S	P		P		S				S	S	S		S	S		S			P
Fire Service	S	S	S	P	S	P							S	S		S	S	P		S			S
County Engineer		S	S	S	S		S			S	P	S	S	S		P	S	S					S
Development Services Director		S	S		S			P		S	S	P	S	S		S	S			S			S
Health Department			S	S	S			P					S	S	S		S	S	S	S			S
Human Resources			S		S				S				S		P	S					S		S
Human Resources Auditor			S							P			P			S					S		
Transportation/ISD			S		S								S		S		S		P				S
County Attorney's Office													S			S				S	P		S
Public Health			S																				
Communication Specialist	S								P														
Emergency Preparedness			P																				
HazMat Coordinator				S			S										P						

P – INDICATES PRIMARY RESPONSIBILITY
S – INDICATES SUPPORT RESPONSIBILITY
C – INDICATES COORDINATION RESPONSIBILITY

**ATTACHMENT 5
ANNEX ASSIGNMENTS**

ANNEX	ASSIGNED TO:
Annex A: Warning	Hays County Sheriff's Office Emergency Communications
Annex B: Communications	Hays County OEM
Annex C: Shelter & Mass Care	Hays County Emergency Preparedness
Annex D: Radiological Protection	Fire Chief HazMat Coordinator
Annex E: Evacuation	Hays County Sheriff
Annex F: Firefighting	Hays County Fire Chief's Association/Fire Marshal
Annex G: Law Enforcement	Hays County Sheriff's Office
Annex H: Health and Medical Services	Hays County Health Department
Annex I: Public Information	Hays County Communication Specialist
Annex J: Recovery	Hays County Auditor
Annex K: Public Works & Engineering	Hays County Engineer
Annex L: Utilities	Development Services Director
Annex M: Resource Management	Human Resources Director
Annex N: Direction & Control	EMC
Annex O: Human Services	Development Services Director / Human Resources Director
Annex P: Hazard Mitigation	EMC/Grants Administrator
Annex Q: Hazardous Materials & Oil Spill Response	HazMat Coordinator
Annex R: Search & Rescue	Hays County Fire Chief's Association
Annex S: Transportation	County or ISD Transportation Director's
Annex T: Donations Management	Hays County Auditor
Annex U: Legal	County Attorney
Annex V: Terrorist Incident Response	Hays County Sheriff/EMC

**ATTACHMENT 6
SUMMARY OF AGREEMENTS & CONTRACTS**

Agreements

Description: .CAPCOG REGIONAL MUTUAL AID AGREEMENT

Summary of Provisions: MUTUAL AID - INCLUDES, BUT IS NOT LIMITED TO, SUCH RESOURCES AS FACILITIES, EQUIPMENT, SERVICES, SUPPLIES, AND PERSONNEL.

Officials Authorized to Implement: EMERGENCY MANAGEMENT DIRECTOR OR DESIGNEE

Costs: ALL COSTS ASSOCIATED WITH THE PROVISION OF MUTUAL AID, INCLUDING BUT NOT LIMITED TO COMPENSATION FOR PERSONNEL; OPERATION AND MAINTENANCE OF EQUIPMENT; DAMAGE TO EQUIPMENT; MEDICAL EXPENSES; AND FOOD, LODGING AND TRANSPORTATION EXPENSES SHALL BE BORNE BY THE ASSISTING PARTY FOR THE FIRST FORTY-EIGHT (48) HOURS THAT ASSISTANCE IS PROVIDED. THEREAFTER, ALL COSTS ASSOCIATED WITH THE PROVISION OF MUTUAL AID, INCLUDING BUT NOT LIMITED TO COMPENSATION FOR PERSONNEL; OPERATION AND MAINTENANCE OF EQUIPMENT; DAMAGE TO EQUIPMENT; MEDICAL EXPENSES; AND FOOD, LODGING AND TRANSPORTATION EXPENSES SHALL BE PAID FOR BY THE ASSISTING PARTY AND REIMBURSED BY THE REQUESTING PARTY AT ACTUAL COST. REQUESTS FOR REIMBURSEMENT MUST BE SUBMITTED WITHIN TEN (10) WORKING DAYS OF THE RETURN OF ALL PERSONNEL DEPLOYED UNDER THIS AGREEMENT. SUCH REQUEST SHALL IDENTIFY WITH SPECIFICITY EACH SERVICE, LABOR, OR EQUIPMENT PROVIDED AND THE UNIT AND TOTAL COSTS ASSOCIATED WITH EACH. THE ASSISTING PARTY SHALL BE RESPONSIBLE FOR CREATING AND MAINTAINING FOR A PERIOD OF THREE YEARS A RECORD OF ALL COSTS INCURRED, BOTH REIMBURSED AND UNREIMBURSED COSTS, IN PROVIDING AID UNDER THIS AGREEMENT. SUCH COSTS AND REIMBURSEMENTS SHALL BE PAID FROM CURRENT FUNDS OF THE RESPECTIVE PARTY. ALL PARTIES ACKNOWLEDGE THAT UNREIMBURSABLE COSTS INCURRED DURING THE INITIAL 48-HOUR PERIOD WILL NOT BE SUBJECT TO REIMBURSEMENT WITH ANY AVAILABLE FEDERAL FUNDS.

Copies Held By: ALL JURISDICTIONS PARTICIPATING IN THE CAPCOG REGIONAL MUTUAL AID AGREEMENT.

ATTACHMENT 7
NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) SUMMARY

A. BACKGROUND

1. NIMS is a comprehensive, national approach to incident management that is applicable to all jurisdictional levels and across functional disciplines. This system is suitable across a wide range of incidents and hazard scenarios, regardless of size or complexity. It provides a flexible framework for all phases of incident management, as well as requirements for processes, procedures, and systems designed to improve interoperability.
2. NIMS is a multifaceted system that provides a national framework for preparing for, preventing, responding to, and recovering from domestic incidents.

B. COMPONENTS

1. Command and Management. The incident management structures employed by NIMS can be used to manage emergency incidents or non-emergency events such as celebrations. The system works equally well for small incidents and large-scale emergency situations. The system has built-in flexibility to grow or shrink depending on current needs. It is a standardized system, so personnel from a variety of agencies and geographic locations can be rapidly incorporated into a common management structure.
 - a. Incident Management System. A system that can be used to manage emergency incidents or non-emergency events such as celebrations.

1) FEATURES OF ICS

ICS has a number of features that work together to make it a real management system. Among the primary attributes of ICS are:

- a) Common Terminology. ICS requires the use of common terminology, such as the use of standard titles for facilities and positions within an organization, to ensure efficient and clear communications.
- b) Organizational Resources. All resources including personnel, facilities, major equipment, and supply items used to support incident management activities must be "typed" with respect to capability. This typing will minimize confusion and enhance interoperability.
- c) Manageable Span of Control. Span of control should ideally vary from three to seven. Anything less or more requires expansion or consolidation of the organization.
- d) Organizational Facilities. Common terminology is used to define incident facilities, the activities conducted at these facilities, and the organizational positions that can be found working there.

- e) Use of Position Titles. All ICS positions have distinct titles.
- f) Reliance on an Incident Action Plan. The incident action plan, which may be verbal or written, is intended to provide supervisory personnel a common understanding of the situation and direction for future action. The plan includes a statement of objectives, organizational description, assignments, and support material such as maps. Written plans are desirable when two or more jurisdictions are involved, when state and/or federal agencies are assisting local response personnel, or there has been significant turnover in the incident staff.
- g) Integrated Communications. Integrated communications includes interfacing disparate communications as effectively as possible, planning for the use of all available systems and frequencies, and requiring the use of clear text in communications.
- h) Accountability. ICS is based on an orderly chain of command, check-in for all responders, and only one supervisor for each responder.

2) UNIFIED COMMAND

- a) Unified Command is a variant of ICS used when there is more than one agency or jurisdiction with responsibility for the incident or when personnel and equipment from a number of different agencies or jurisdictions are responding to it. This might occur when the incident site crosses jurisdictional boundaries or when an emergency situation involves matters for which state and/or federal agencies have regulatory responsibility or legal requirements.
- b) ICS Unified Command is intended to integrate the efforts of multiple agencies and jurisdictions. The major change from a normal ICS structure is at the top. In a Unified command, senior representatives of each agency or jurisdiction responding to the incident collectively agree on objectives, priorities, and an overall strategy or strategies to accomplish objectives; approve a coordinated Incident Action Plan; and designate an Operations Section Chief. The Operations Section Chief is responsible for managing available resources to achieve objectives. Agency and jurisdictional resources remain under the administrative control of their agencies or jurisdictions, but respond to mission assignments and direction provided by the Operations Section Chief based on the requirements of the Incident Action Plan.

3) AREA COMMAND

- a) An Area Command is intended for situations where there are multiple incidents that are each being managed by an ICS organization or to oversee the management of large or multiple incidents to which several Incident Management Teams have been assigned. Area Command becomes Unified Area Command when incidents are multijurisdictional.

- b) The organization of an Area Command is different from a Unified Command in that there is no operations section, since all operations are conducted on-scene, at the separate ICPs.
- b. Multiagency Coordination Systems. Multiagency coordination systems may be required for incidents that require higher level resource management or information management. The components of multiagency coordination systems include facilities, equipment, EOCs, specific multiagency coordination entities, personnel, procedures, and communications; all of which are integrated into a common framework for coordinating and supporting incident management.
- c. Public Information. The NIMS system fully integrates the ICS Joint Information System (JIS) and the Joint Information Center (JIC). The JIC is a physical location where public information staff involved in incident management activities can collocate to perform critical emergency information, crisis communications, and public affairs functions. More information on JICs can be obtained in the DHS *National Incident Management System Plan*, dated March 2004.
2. Preparedness. Preparedness activities include planning, training, and exercises as well as certification of response personnel, and equipment acquisition and certification. Activities would also include the creation of mutual aid agreements and Emergency Management Assistance Compacts. Any public information activities such as publication management would also be preparedness activities.
3. Resource Management. All resources, such as equipment and personnel, must be identified and typed. Systems for describing, inventorying, requesting, and tracking resources must also be established.
4. Communications and Information Management. Adherence to NIMS specified standards by all agencies ensures interoperability and compatibility in communications and information management.
5. Supporting Technologies. This would include any technologies that enhance the capabilities essential to implementing the NIMS. For instance, voice and data communication systems, resource tracking systems, or data display systems.
6. Ongoing Management and Maintenance. The NIMS Integration Center provides strategic direction and oversight in support of routine review and continual refinement of both the system and its components over the long term.



CITY OF KYLE, TEXAS

Authorize a \$42,057.06 Settlement Payment to Edwards Aquifer Authority

Meeting Date: 5/19/2015
Date time: 7:00 PM

Subject/Recommendation:

Authorize a settlement payment to EDWARDS AQUIFER AUTHORITY in the amount of \$42,057.06 for exceeding the 2011 authorized groundwater withdrawal volume. ~ *Harper Wilder, Director of Public Works*

Other Information:

The City of Kyle funded a water conservation rebate program as part of the settlement agreement reached with the Edwards Aquifer Authority in lieu of a penalty payment for exceeding the 2011 authorized groundwater withdrawal volume.

All funds remaining (unspent) in the City's water conservation rebate program at the end of February 2015 must be relinquished by the City to the Edwards Aquifer Authority.

For additional information, please refer to the attached documents:

1. Memorandum from City staff dated April 30, 2015
2. Invoice from the Edwards Aquifer Authority

Legal Notes:

Budget Information:

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

Attachments / click to download

- [Memorandum](#)
 - [Invoice](#)
 - [Fiscal Note](#)
-

Purchase Order Request / Justification

April 30, 2015

Director Wilder,

This invoice is the required payment of the remaining funds from the Edwards Aquifer Settlement agreement (V103-068) which we entered into as a response to the over pumping issue in 2011.

The water conservation rebate program was funded as a result of this agreement. That program expired at the end of February 2015 per the provisions in the agreement. Funds not spent in the execution of that program are now due to the EAA.

The EAA must receive the check on or before May 29, 2015 or we may be found in administrative violation for late payment, which would result in our permit name appearing in the newspapers for a violation as well as a \$500 dollar fine.

If there are any questions, please let me know.

Respectfully submitted,



Jason W. Biemer
Utility Coordinator
April 30, 2015



PURCHASE REQUISITION FORM

VENDOR:

Edwards Aquifer Authority
 Office Manager
 900 E. Quincy
 San Antonio, TX 78215

REQUESTING DEPT:

Public Works
 Jason Biemer
 Utility Coordinator
 512-262-3024 X 4012
 512-749-6916

BILL TO:

City of Kyle
 Public Works Department
 520 E. FM 150
 Kyle, TX 78640

VENDOR NO.	VENDOR PHONE NUMBER	TERMS	DATE	REQUIRED DELIVERY DATE
	210-222-2204		04/29/2015	4/29/2015

SHIPPING INSTRUCTIONS

ITEM	QTY	DESCRIPTION OF GOODS/SERVICES	BUDGET AVAIL?	ACCOUNT CODES	UNIT PRICE	AMOUNT
1	1.00	Payment for settlement agreement as related to water conservation rebate	Yes	315-820-55119	42,057.06	42,057.06

SUBTOTAL:	42,057.06
TAX: Not Applicable	N/A
SHIPPING:	0.00
TOTAL:	42,057.06

 AUTHORIZED SIGNATURE

IMPORTANT: PLEASE CHECK THAT THE BUDGET IS AVAILABLE TO MAKE THIS PURCHASE



**EDWARDS AQUIFER
AUTHORITY**

900 E. Quincy
San Antonio, TX 78215
(210) 222-2204

Jason Biemer
City of Kyle
520 East Rural Rd 150
Kyle TX 78640

ACCOUNT NUMBER	BILL DATE	DUE DATE
E100-134	04/29/2015	5/29/2015

INVOICE

INVOICE NUMBER	AMOUNT DUE	AMOUNT ENCLOSED
201504299393	\$42,057.06	

----- Important: Return this portion -----

----- Retain this portion for your records -----

INVOICE NUMBER
201504299393

Edwards Aquifer Authority

900 E. Quincy
San Antonio, TX 78215
(210) 222-2204

ACCOUNT NUMBER	BILL DATE	DUE DATE
E100-134	04/29/2015	05/29/2015

ITEM DESCRIPTION	UNITS	TYPE	PRICE	AMOUNT
V103-068	N/A 0		N/A	42,057.06
<p>Compromise & Settlement Invoice for V103-068 for exceeding 2011 authorized Groundwater Withdrawal Amount P100-217. Payment due by date on Invoice. Thank You.</p>				
*****THANK YOU*****			TOTAL DUE	\$42,057.06

City of Kyle, Texas
FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:
CONTACT CITY DEPARTMENT:
CONTACT CITY STAFF:

May 19, 2015
Public Works
Harper Wilder, Director

SUBJECT:

Authorize a settlement payment to EDWARDS AQUIFER AUTHORITY in the amount of \$42,057.06 for exceeding the 2011 authorized groundwater withdrawal volume.

CURRENT YEAR FISCAL IMPACT:

This settlement payment will require disbursement of remaining funds in the Water Conservation Rebate Fund established in lieu of paying a penalty in the amount of \$46,000.00 for exceeding the 2011 authorized groundwater withdrawal volume as follows:

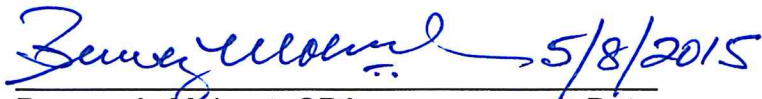
1. City Department:	Public Works
2. Project Name:	EAA Settlement Payment
3. Budget/Accounting Code(s):	315-820-55120
4. Funding Source:	Water and Wastewater Utility Fund
5. Current Appropriation:	\$ 46,000.00
6. Unencumbered Balance:	\$ 44,348.49
7. Amount of This Action:	<u>\$ (42,057.06)</u>
8. Remaining Balance:	<u>\$ 2,291.43</u>

FUNDING SOURCE OF THIS ACTION:

The funding source for this settlement payment to Edwards Aquifer Authority for exceeding the 2011 authorized groundwater withdrawal volume is from the City's Water Utility Fund.

ADDITIONAL INFORMATION/COUNCIL ACTION:

N/A

 5/8/2015

Perwez A. Moheet, CPA - Date
Director of Finance



CITY OF KYLE, TEXAS

Approve LAN for \$84,059.00 for
Engineering Services for Post Oak
Subdivision and Misc. Pavement
Rehab.

Meeting Date: 5/19/2015
Date time: 7:00 PM

Subject/Recommendation: Approve contract Task Order No. 1 to LOCKWOOD, ANDREWS AND NEWNAM, INC., San Marcos, Texas, in an amount not to exceed \$84,059.00 for the purpose of providing engineering services for assessing the existing conditions and providing recommendations for street repairs within the Post Oak Subdivision, Brookside Subdivision, Masonwood Drive and Old Post Road. ~ *Leon Barba, P.E., City Engineer*

Other Information: The scope of work under Task Order No. 1 includes three separate projects.

The first project is the evaluation of the road conditions in the Post Oak Subdivision and the Brookside Subdivision. The cost for the proposed services is \$72,829.00. A majority of the fee is for the geotechnical work being done by HVJ Associates (\$58,029.00). HVJ's work is for the drilling, sampling, testing and evaluation of 22 bores at a 10' depth.

HVJ's recommendations will be evaluated and construction funding will need to be identified in order to proceed with any proposed repairs. Once that determination is made, the proposal also includes preparation of plans and specifications, letting the project and providing construction phase services.

The second project is for providing a recommendation for the proposed resurfacing of Masonwood Drive, preparation of plans and specifications, letting the project and providing construction phase services. The engineering services fee is \$5,180.00.

The third project provides project coordination between the City of Kyle and the Hays County in order to complete improvements on Old Post Rd. The engineering services fee is \$6,050.00.

Legal Notes: N/A

Budget Information: A Fiscal Note is attached.

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

Attachments / click to download

-  [LAN Task Order No. 1](#)
 -  [Fiscal Note](#)
-



April 21, 2015
(Revised April 27, 2015)

Leon Barba, PE, City Engineer
City of Kyle
520 E. RR 150
Kyle, Texas 78640

Via email: cityengineer@cityofkyle.com

**Re: Proposal for Professional Engineering Services
Post Oak Subdivision and Miscellaneous Pavement Rehabilitation
General Civil Engineering Rotation List - Task Order #1**

Dear Mr. Barba:

Lockwood, Andrews & Newman, Inc. (LAN) is pleased to provide this letter as our proposal for Professional Engineering Services under our General Civil Engineering Services Rotation List contract. As discussed at our March 24th, 2015 scoping meeting and subsequent emails, the City is requesting professional services to assess and provide recommendations for pavement repairs to address failing pavement sections within the City of Kyle, specifically within the Post Oak Subdivision, Brookside Subdivision and other areas. In addition, the City would like engineering support and project management oversight of additional proposed pavement projects to be performed by City crews and/or in conjunction with Hays County. A more detailed breakdown of the scope of services to be provided is included below.

**Post Oak Subdivision and Brookside Subdivision (Arbor Knot Dr.)
Pavement Evaluation/Design**

The Post Oak Subdivision and Arbor Knot Drive within the Brookside Subdivision are experiencing pavement failure throughout the neighborhood. The City has requested that a geotechnical field investigation and borings be performed throughout the neighborhoods to provide the City a recommendation for pavement rehabilitation. A subconsultant proposal from HVJ Associates, Inc. dated April 9, 2015, outlines the proposed geotechnical investigations and pavement engineering for these areas.

HVJ will provide a Technical Memorandum summarizing their findings, and providing typical pavement sections options for rehabilitation. LAN will calculate paving quantities and provide an Opinion of Probable Construction Costs for City consideration. These recommendations and costs will be summarized and presented to City Council for direction on final pavement design.

LAN will prepare a construction bid package to include City of Kyle Contract sections, pavement specifications, bid items, exhibits showing the project paving limits, and a Final Opinion of Probable Construction Costs.

Bid Phase Services

LAN will perform the following bid phase services:

- Meetings: LAN will attend a Pre-Bid meeting and the Bid Opening.
- Respond to Bidder's questions.

- Prepare addenda to Bid Documents (assumes no more than 1 addenda)
- Perform due diligence of low bid Contractor, and provide Letter of Recommendation for contract award

Construction Phase Services

LAN will perform the following Construction Phase Services:

- Meetings: LAN will attend up to four meetings (including a pre-construction meeting).
- Submittals: LAN will review and respond to Contractors submittals, which shall include but not be limited to asphalt, base, and traffic control.
- RFI's: LAN will respond to Contractor RFI's (assumes no more than 2 RFI's).
- Site Visits: LAN will perform site visits to review the progress of work, including a Final Completion walk-through (assumes 4 site visits).

Masonwood Drive

Pavement Evaluation/Design

City crews have recently replaced existing utility service connections within the right-of-way of Masonwood Drive, and have temporarily patched the disturbed locations. A total of 30 utility connections have been replaced, between GoForth Road and Lehman Road. The City intends to prepare a separate bid package for a permanent asphalt pavement overlay over the entire length of Masonwood Drive (approx. 0.6 miles).

LAN will provide a recommendation for permanent pavement overlay of Masonwood Drive, and calculate quantities and provide an opinion of probable construction costs. LAN will prepare a bid package with an exhibit of proposed paving limits, final quantities, specifications, and City of Kyle contract sections.

Bid Phase Services

LAN will perform the following bid phase services:

- Meetings: LAN will attend the Bid Opening. Due to limited scope of construction contract, it is anticipated that a Pre-Bid meeting will not be required.
- Respond to Bidder's questions.
- Prepare addenda to Bid Documents (assumes no more than 1 addenda)
- Perform due diligence of low bid Contractor, and provide Letter of Recommendation for contract award

Construction Phase Services

LAN will perform the following construction phase services:

- Meetings: LAN will attend up to two meetings (including a pre-construction meeting).
- Submittals: LAN will review and respond to Contractors submittals for asphalt and traffic control.
- RFI's: LAN will respond to Contractor RFI's (assumes no more than 2 RFI's).
- Site Visits: LAN will perform site visits to review the progress of work, including a Final Completion walk-through (assumes 2 site visits).

Old Post Road (Chip Seal)

The City intends to self-perform right of way preparation in anticipation of Hays County crews performing chip sealing operations on Old Post Road, from FM150 to FM158. LAN will provide project management oversight in assisting the City with completing the work and coordinating with County crews to complete the chip sealing operations. Tasks may include attending

meetings, site visits/inspections, review of submittals, responding to questions from City/County crews, performing quantity takeoffs, and providing general engineering support as needed.

Assumptions:

The following assumptions were made in the preparation of this scope and fee:

- No subconsultant services, other than those to be provided by HVJ & Associates, are included in this proposal. This includes, but is not limited to, Surveying, Environmental Engineering, SUE Services, etc.
- Bid documents will be prepared using City of Kyle Standard Contract sections, and City of Austin specifications.
- City of Kyle will handle the advertisement of the proposed project.
- No sealed engineering documents (Plans, Specifications or Cost Estimates) will be provided for the work associated with Old Post Road and Windy Hill Road.

Schedule:

A schedule for geotechnical field investigations and pavement recommendations is included in HVJ's subconsultant proposal enclosed. Once the geotechnical memorandum is prepared, the findings and recommendations will be presented to the next available City Council meeting. Once a final pavement section is determined, LAN will provide a Draft set of Bid Documents for City review within 2 weeks. Once the City has reviewed and provides comments, LAN will provide a Final set of Bid Documents within 1 week for project bidding.

Budget:

A fee estimate spreadsheet is included as Attachment B to this proposal. The total estimated fee for this Task Order is \$83,909, which will be billed on a Time & Materials basis in accordance with the rate schedule included in our Master Agreement. This total includes services to be performed by HVJ, and includes a 5% markup for subconsultant services.

If you have questions or require additional information about this project, please contact me at (512) 338-2722.

Sincerely,



Travis Michel, P.E., CPESC
Infrastructure Manager

Attachments: HVJ Proposal

Cc: Harper Wilder, Public Works Director



Houston | 4201 Freidrich Lane, Ste. 110
 Austin, TX 78744-1045
 Austin | 512.447.9081 Ph
 Dallas | 512.443.3442 Fax
 San Antonio | www.hvj.com

April 1, 2015, *revised April 9, 2015*

Mr. Travis Michel, PE
 Lockwood Andrews and Newnam, Inc
 10801 N. Mopac, Suite 120
 Austin, Texas 78759

Re: Post Oak Subdivision
 Geotechnical Investigation and Pavement Evaluation/Design Scope
 Hays County, Texas
 Owner: City of Kyle
 HVJ Project No. AG1313443

Dear Mr. Michel:

HVJ Associates, Inc.(HVJ) is pleased to submit this proposal for providing a geotechnical investigation and pavement engineering services for the subject site. This letter outlines HVJ's proposed scope of work for providing a geotechnical investigation and pavement evaluation/design for the Post Oak Subdivision roadways.

Project Description

It is understood that the project goal is to evaluate the existing roadway pavements, recommend rehabilitation and associated costs for consideration to the City Council. The project is not intended to address drainage, sidewalks, or curb and gutter. There are several roadways included in the study which are summarized in the following table. All streets with the exception of Arbor Knot are included in the Post Oak Subdivision. The total project length is approximately 21,920 feet.

Street	From	To	Length (ft)
Atlantis	Enterprise (west end)	Enterprise (east end)	3,500
Challenger	Enterprise	Stennis	900
Endeavour	Enterprise	Stennis	1,000
Soyuz	Atlantis	Discovery	250
Stennis	Atlantis	Goddard	2,150
Enterprise	Old Post Rd	Musgrav	1,650
Donatello	Unity	Discovery	1,100
Leonardo	Unity	Discovery	1,100
Unity	Enterprise	Leonardo	720

Mr. Travis Michel, PE
 AG1313443
 April 1, 2015, *revised April 9, 2015*

Street	From	To	Length (ft)
Discovery	Leonardo	Soyuz	1,350
Musgrav	Enterprise	Stennis	1,200
Langley	Dunbar	Stennis	1,000
Goddard	Dunbar	Stennis	1,550
Dunbar	Musgrav	Ames Cv	1,150
Voyager Cv	Dunbar	cul-de-sac	500
Ames Cv	Dunbar	cul-de-sac	500
Lox – NB	Stennis	E RR150	500
Lox – SB	Stennis	E RR151	500
Arbor Knot Dr	Caddis Cv	end	1,300
		TOTALS	21,920

Geotechnical Investigation Scope

HVJ proposes to drill up to twenty-two (22) soil borings for pavement to depths of 10 feet below the existing ground surface. Total drilling footage is 220 feet. Should existing geotechnical reports be available for the project site, the number of borings may be reduced. However, pavement cores would still be required to confirm existing pavement thickness. The initial estimated number of borings per street is shown below.

Street	Length (ft)	# Borings	Footage (15-ft depth)
Atlantis	3,500	3	30
Challenger	900	1	10
Endeavour	1,000	1	10
Soyuz	250	0*	0
Stennis	2,150	2	20
Enterprise	1,650	2	20
Donatello	1,100	1	10
Leonardo	1,100	0*	0
Unity	720	1	10
Discovery	1,350	2	20
Musgrav	1,200	1	10
Langley	1,000	1	10
Goddard	1,550	2	20
Dunbar	1,150	1	10

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Street	Length (ft)	# Borings	Footage (15-ft depth)
Voyager Cv	500	1	10
Ames Cv	500	0*	0
Lox - NB	500	1	10
Lox - SB	500	0*	0
Arbor Knot Dr	1,300	2	20
	21,920	22	220

** Boring will be on adjacent street unless NDT indicates significant difference
(see discussion below on NDT)*

The soil borings will be properly backfilled with bentonite chips and a single lift of cold patch asphalt where applicable. The soil samples will be obtained using Shelby tubes and/or split-spoon samplers. Field-testing of soil samples will include pocket penetrometer in the cohesive soils and Standard Penetration Test (SPT) in the cohesionless soils.

All the field sampling and laboratory tests will be performed according to typical geotechnical standards, where applicable, or with other well established procedures. HVJ will perform appropriate laboratory tests on soil samples recovered from the borings. Laboratory testing will include moisture content, liquid limit, plastic limit, unconfined compression, particle size analysis tests, lime series, pH, Sulfate, and three Texas Triaxial tests.

Additional detail regarding pavement design scope follows.

Pavement Evaluation/Design Scope

Because one goal is to assess the existing pavement conditions, HVJ plans to complete a visual condition survey as well as conduct nondestructive deflection testing.

Based on a brief review of the Google aerials, it is apparent that there is significant pavement distress ranging from longitudinal cracking to roughness, expected to be caused by shrinkages/swell of underlying high swell subgrade soils. An assessment of the relevant pavement distresses will be completed for each street that will allow a condition rating for comparison purposes.

HVJ proposes to collect NDT data with the Falling Weight Deflectometer (FWD). The NDT data provides an indication of the variability of pavement and underlying subgrade support allowing a comparison of all roadways within the subdivision. The data will be used to calculate subgrade design parameters for the required pavement section designs. The data may also be used to finalize boring locations to ensure geotechnical data is collected for any changes in subgrade conditions identified in profiles of the NDT data, and can actually reduce the number of borings required if minimal variation is observed in the NDT data.

The pavement design will include consideration of traffic loads, lab test results, and borings. The TxDOT pavement design procedure will be followed, using the FPS21 analysis program. It is

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anticipated that two road classifications, collector (Enterprise and Lox) and local (remaining streets) will require different pavement sections.

The traffic data will be developed by HVJ for pavement design, based on current traffic count data to be collected as part of HVJ's scope. Traffic data require includes current and projected AADT traffic counts, growth rates, truck percentages, truck load factors, and estimated ATDWL (Average of the Ten Heaviest Wheel Loads Daily) value. The ATDWL is required by FPS21 to make the necessary Texas Triaxial design check. Any existing traffic data shall be provided to HVJ for consideration in the design traffic development. Due to construction traffic for the current build out of the Phases 4B, 5A and 5B of the Post Oak Subdivision, it is expected that several roadways in the project limits will be experiencing more truck traffic due to the construction activities, thus traffic counts in these locations will be important.

For the collectors, HVJ proposes to provide up to three flexible pavement section design alternatives (HMAC over FLEX, HMAC over HMAC, and HMAC over recycled existing pavement material stabilized with Portland cement) to achieve a 20-Year Design Life. For the local streets, HVJ proposal to provide up to two flexible sections (HMAC over FLEX and HMAC over recycled existing pavement material stabilized with Portland cement). Recommendations will also be provided related to minimizing future swelling soils impacts on pavement performance. The latest Capital Area Pavement Engineering Council (CAPEC) design concepts and guidelines will be incorporated into the review of the expected high plasticity clay subgrades.

Engineering Report Deliverables

HVJ anticipates the geotechnical and pavement evaluation/design deliverable will include a draft geotechnical report with pavement design and recommendations submitted to LAN for review and LAN comments addressed for the draft report submittal. The final geotechnical report will be prepared following receipt of comments from City of Kyle as appropriate.

In general, the following items will be included in HVJ's engineering report:

- Site Vicinity map,
- Geology map,
- Plan of borings,
- Boring logs,
- Laboratory test results summary,
- Swell potential evaluations,
- Groundwater conditions,
- Generalized subsurface conditions,
- Pavement evaluation results,
- Pavement thickness design(s), and
- Recommendations regarding swelling subgrade soil treatment.

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Schedule

The estimated schedule for the geotechnical and pavement evaluation/design work is as follows:

Task	Estimated Schedule
Field coordination and permitting	1 to 2 Weeks following Notice to Proceed
Field Investigations (NDT/Drilling)	1 to 2 Weeks (dependent on weather)
Laboratory test assignments	1 Week after completion of field work
Laboratory Testing	2 Weeks after test assignments
Draft Engineering Report for LAN review	2 Weeks after completion of laboratory testing
Draft Engineering Report addressing LAN comments	2 Weeks after completion of receipt of comments
Final Engineering Report	2 Weeks following receipt of comments from City of Kyle

Fees

Based on the scope of work and conditions as outlined in the next section, the estimated fee for HVJ services will not exceed \$55,266. A detailed breakdown is attached.

Insurance

Insurance certificates verifying HVJ's general liability, auto, worker compensation, and errors and omissions insurance coverage, listing LAN as a certificate holder, will be provided upon request.

Invoice

Invoices will be submitted at the end of each month based on the time spent on the work and items completed. HVJ credit terms are 30 days net. HVJ will include monthly progress reports with each invoice.

Conditions

LAN will be responsible for providing the following:

- Site plan, with facility locations shown, suitable for use as a base map for our plan of borings.
- Surveying the horizontal and vertical location of the borings after completion of drilling operations.
- Prior to beginning boring operations, LAN will provide drawings showing underground utilities in the vicinity of the proposed borehole locations.
- HVJ will be responsible for avoiding conflicts with utility facilities by contacting the One Texas calling facility
- HVJ Associates, Inc is assuming that no street cut permit is required for the drilling nor is a ROW Use permit required for the NDT.
- Any available Traffic data for pavement designs will be provided by LAN, however HVJ is proposing to collect current traffic counts in two locations to verify total ADT and trucks.

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- No construction cost estimates are included in HVJ's scope of work.
- Only minor traffic control (signs and cones) will be necessary for the field work.

Sample Retainage

Soil samples will be retained in our laboratory for 30 days after the geotechnical investigation report has been issued. Upon written request from the LAN project manager, samples will be shipped to the LAN facility.

HVJ is pleased to be of service on this project. A cost proposal will be prepared following approval of the proposed scope of work described herein.

Sincerely,

HVJ ASSOCIATES, INC.



Jason Schwarz, PE
Geotechnical Unit Manager



Linda L. Barlow, PE
Pavement Unit Manager

JS/FC

Mr. Travis Michel, PE
 AG1313443
 April 1, 2015, *revised April 9, 2015*

ATTACHMENT				
PROFESSIONAL ENGINEERING SERVICES				
POST OAK SUBDIVISION, KYLE TX				
LOCKWOOD, ANDREWS & NEWNAM, INC				
HVJ PROJECT NO. AG 13 13443				
ENGINEERING FEE PROPOSAL				
Item Description	Unit Price	Units	Cost	
<u>Geotechnical Investigation</u>				
Field Investigation:				
Mobilization/Demobilization - Austin	\$400.00	lump sum	1	\$400.00
Drilling & Sampling - Soils	\$22.50	per foot	220	\$4,950.00
Drilling & Sampling - Rock	\$25.00	per foot	0	\$0.00
Borehole Grouting - Bentonite Chips	\$8.25	per foot	220	\$1,815.00
Standard Penetration Tests (SPT)	\$22.50	each	33	\$742.50
Pavement Coring - Asphalt	\$84.00	each	22	\$1,848.00
Logging - Technician	\$55.00	per hour	48	\$2,640.00
Staking and Utility Clearance - Sr. Technician	\$55.00	per hour	11	\$605.00
Traffic Control	\$1,200.00	per day	0	\$0.00
		Subtotal		\$13,000.50
Laboratory Testing:				
Natural Moisture Content (Including Visual Classification)	\$16.50	each	44	\$726.00
Atterberg Limits (Liquid and Plastic Limits)	\$63.00	each	44	\$2,772.00
Unconfined Compression Tests-Soil (ASTM D2166)	\$50.00	each	44	\$2,200.00
Resilient Modulus	\$1,200.00	each	0	\$0.00
Texas Triaxials	\$1,750.00	each	3	\$5,250.00
Percent Passing No. 200 Sieve	\$40.50	each	44	\$1,782.00
Soil Lime Testing	\$365.00	each	3	\$1,095.00
Sulfates, Chlorides & pH	\$78.00	per set	14	\$1,092.00
		Subtotal		\$14,917.00
Geotechnical Labor:				
Senior Engineer , P.E.	\$175.00	per hr	6	\$1,050.00
Project Manager, P.E.	\$150.00	per hr	10	\$1,500.00
Staff Engineer, E.I.T.	\$100.00	per hr	20	\$2,000.00
Senior Engineering Technician	\$85.00	per hr	4	\$340.00
Clerical / Word Processor	\$70.00	per hr	4	\$280.00
		Subtotal		\$5,170.00
<u>Pavement Engineering</u>				
Field Investigation:				
Mobilization/Demobilization - Austin	\$400.00	lump sum	1	\$400.00
Nondestructive Deflection Testing	\$2,600.00	per day	2	\$5,200.00
Traffic Control	\$1,200.00	per day	0	\$0.00
Traffic Counts	\$250.00	each	2	\$500.00
		Subtotal		\$6,100.00
Pavement Labor:				
Senior Engineer , P.E.	\$175.00	per hr	8	\$1,400.00
Project Manager, P.E.	\$150.00	per hr	48	\$7,200.00
Staff Engineer, E.I.T.	\$100.00	per hr	58	\$5,800.00
Senior Engineering Technician	\$85.00	per hr	16	\$1,360.00
Clerical / Word Processor	\$70.00	per hr	4	\$280.00
		Subtotal		\$16,040.00
<u>Reimbursable Expenses</u>				
Printing, delivery, misc.	\$50.00			\$38.50
		Subtotal		\$38.50
		Total		\$55,266.00



**Lockwood, Andrews
& Newnam, Inc.**
A LEO A DALY COMPANY

Exhibit B

City of Kyle
Post Oak Subdivision & Miscellaneous Pavement Rehabilitation
General Civil Engineering Rotation List - Task Order #1
Revised 4/27/2015

DESCRIPTION	Principal \$230	Sr. PROJECT MANAGER \$180	Sr. ENGINEER \$150	PROJECT ENGINEER \$110	GIS/ CADD TECH \$100	ADMIN \$85	Subconsultants	Subconsultant Markup (5%)	Expenses	Total Cost
POST OAK/ARBOR KNOT										
PAVEMENT EVALUATION									\$150	
Project Mgmt/Subconsultant Mgmt		4		4						\$ 1,160
Site Visit		2		2						\$ 580
Collect / Review Existing Data & Reports			4	4	4					\$ 1,440
Geotechnical Field Investigation & Lab Testing							\$33,087.50	\$1,654.38		\$ 34,742
Pavement Engineering & Recommendations							\$22,178.50	\$1,108.93		\$ 23,287
Presentation to City Council		4		4	2	2				\$ 1,530
Prepare Final Bid Documents		4	8	20	4	2				\$ 4,690
BID PHASE										
Respond to Bidder's Questions				4						\$ 440
Attend Bid Opening		1		1						\$ 290
Review Bids and Provide Recommendation for Project Award		1		4						\$ 620
CONSTRUCTION PHASE									\$100	\$ 100
Meetings (Assumes 4 total)		4		8						\$ 1,600
RFI's (Assumes 2 total)				4						\$ 440
Submittals				8						\$ 880
Site Visits (Assumes 4)				8						\$ 880
Subtotal Post Oak/Arbor Knot										\$ 72,679
MASONWOOD DRIVE										
Pavement Bid Package		2	4	8	2	2				\$ 2,210
Bid Phase		2		8						\$ 1,240
Construction Phase		2		12					\$50	\$ 1,730
Subtotal Masonwood Dr.										\$ 5,180
OLD POST ROAD										
Project Mgmt/Oversight/Coordination		8	16	16	4				\$50	\$ 6,050
TOTAL	0	34	32	115	16	6	\$55,266.00	\$2,763.30	\$350	\$ 83,909

City of Kyle, Texas
FISCAL NOTE

DATE OF COUNCIL CONSIDERATION: May 19, 2015
CONTACT CITY DEPARTMENT: Engineering Services
CONTACT CITY STAFF: Leon Barba, P.E., City Engineer

SUBJECT:

Approve contract Task Order No. 1 to LOCKWOOD, ANDREWS AND NEWNAM, INC., San Marcos, Texas, in an amount not to exceed \$84,059.00 for the purpose of providing engineering services for assessing the existing conditions and providing recommendations for street repairs within the Post Oak Subdivision, Brookside Subdivision, Masonwood Drive and Old Post Road.

CURRENT YEAR FISCAL IMPACT:

This engineering services contract Task Order No. 1 to LOCKWOOD, ANDREWS AND NEWNAM, INC., will require expenditure of budgeted funds from the General Fund as follows:


1. City Department:	Public Works/Street Maintenance
2. Project Name:	Condition Assessment of Selected Streets
3. Budget/Accounting Code(s):	110-161-55621
4. Funding Source:	General Fund
5. Current Appropriation:	\$ 596,159.10
6. Unencumbered Balance:	\$ 488,338.85
7. Amount of This Action:	<u>\$(84,059.00)</u>
8. Remaining Balance:	<u>\$ 380,518.60</u>

FUNDING SOURCE OF THIS ACTION:

The funding source for this contract award is from the FY 2014-15 approved budget of the Public Works Department (General Fund).

ADDITIONAL INFORMATION/COUNCIL ACTION:

N/A.


Pervez A. Moheet, CPA - Date
Director of Finance



CITY OF KYLE, TEXAS

Dispatch Electrical

Meeting Date: 5/19/2015
Date time: 7:00 PM

Subject/Recommendation:

Authorize award and execution of a contract agreement and purchase order to RICHARD'S ELECTRIC, L.P., Leander, Texas, in an amount not to exceed \$17,400.00 for electrical services, remodel and upgrades to the Police Department's Emergency Communications Building and direct staff to bring forward a budget amendment in order to provide funding for this contract award. ~ *Kerry Urbanowicz, Director of Parks and Recreation*

Other Information:

Legal Notes:

Budget Information:

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

Attachments / click to download

- [Proposal from Richard's Electric](#)
 - [Memo for Richards Electric](#)
 - [Fiscal Note](#)
-



2967 Hero Way
Leander, TX 78641
Phone: 512 - 259 - 4595
Fax: 512 - 259 - 4596

To: Kyle PD
Reference: Electrical Remodel
Attention:

Date: 5/4/2015
Phone:
Fax:

We are pleased to provide the following proposal for our understanding of the electrical activities for the above referenced project.

New Furniture Lump Sum Proposal: \$ 6,872.00

Qualifications:

1. We will supply and install two power poles as per drawing.
2. We will install two dedicated circuits to each cubicle for normal power at a single point connection by the furniture manufacture.
3. We will extend existing circuits and install new as necessary.

Building Misc. Electrical Lump Sum Proposal: \$ 4,530.00

Qualifications:

1. We will supply and install a 3/4" x 10' copper ground rod at the service pole location to replace the existing ground rod.
2. We will verify all connections are tight and making good connections.
3. We will verify that proper ground wire was installed in the service entrance conduit when previously installed.
4. We will separate the two AHU's circuits as needed and install proper sized breakers.
5. We will install separate circuits for the microwave and the refrigerator to solve problem of breaker tripping.
6. We will separate switching from one location to individual switching at each office location.

Replace Main Panel Lump Sum Proposal: \$ 5,991.00

Qualifications:

1. We will label all circuits and demo existing panel for building.
2. We will supply and install a new wire way above panel to make new installation neater and new panel to replace the old existing.
3. We will terminate and label panel.

Inclusions:

1. Electrical permit
2. This proposal is based on scheduled days of 5/31- 6/3/2015 from 7:00am-3:30pm.

Exclusions:

1. Procurement and installation of any Fire Alarm System, Tele-Data Systems, and Security Systems.
2. Cost of any generator and associated fuel and maintenance required for temporary electrical services.
3. Cost of any Utility Providers, Federal, State, and County and/or City fees other than one electrical permit.
4. All painting and patching of any type including sidewalks, walkways, driveways, roads or the like.
5. All cost associated with any errors and omissions.
6. All Formed concrete pads, pole bases.

7. Cost for repair of any unforeseen underground utilities damaged by others during excavation.
8. All roof penetrations including curbs, hoods, screens, covers and sealing of any penetrations.
9. Any unforeseen code violations above ceiling will be addressed during project at our time and material rate.

This proposal is void after 30 days and price may change upon reevaluation

Richard's Electric L.P.
TECL # 17395

Richard Mauck
Tom Green



Parks and Recreation

Memorandum

To: Perwez Moheet, Director of Financial Services
Scott Sellers, City Manager

From: Kerry Urbanowicz, Director of Parks, Recreation & Facilities

Date: May 7, 2015

Re: Richard's Electric Services at Police Dispatch

Mr. Sellers and Mr. Moheet,

Yesterday, May 6, 2015, it was brought to our attention that the electrical contractor, Richard's Electric, is proposing \$17,393.00 of electrical services and upgrades to the Police Dispatch building. Upon further investigations, it was determined that these are related to the new communications desks being installed on May 30, 2015.

During all meetings that the Facilities Division was included, it was our understanding that all these expenses were covered under the CAPCOG agreement. I have just come to understand that it was not.

CAPCOG Network Administrator, Randy Rogers, states that Richard's Electric is the contracted vendor for CAECD/CAPCOG for work performed on the 9-1-1 Equipment. Mr. Rogers also confirms that Richard's is CAPCOG preferred vendor that does all the work for us on the 9-1-1 equipment when we require electrical work. They have used them for several years at their location as well as at the PSAPs that have the 9-1-1 equipment. They have been very happy with their work and cost to do the work. Other PSAPs have hired them to do additional work as well. We have never heard of a problem or complaint about their work.

Due to the timeline we are given, the nature of work to be performed and the recommendations from CAPCOG, I recommend that Richard's Electric's proposal be submitted to City Council for approval.

Thank you,

Kerry B Urbanowicz, C. P. S. M. – Director
City Of Kyle-Parks, Recreation & Facilities Department

City of Kyle, Texas
FISCAL NOTE

DATE OF COUNCIL CONSIDERATION: May 19, 2015
CONTACT CITY DEPARTMENT: Parks and Recreation
CONTACT CITY STAFF: Kerry Urbanowicz, Director

SUBJECT:

Authorize award and execution of a contract agreement and purchase order to RICHARD'S ELECTRIC, L.P., Leander, Texas, in an amount not to exceed \$17,400.00 for electrical services, remodel and upgrades to the Police Department's Emergency Communications Building and direct staff to bring forward a budget amendment in order to provide funding for this contract award.

CURRENT YEAR FISCAL IMPACT:

This contract award electrical services, remodel and upgrades to the Police Department's Emergency Communications Building will require a budget amendment to provide sufficient funding for the planned expenditures from the City's General Fund as follows:

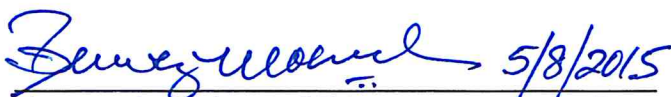
1. City Department:	Parks and Recreation
2. Project Name:	Electrical Improvements - KPD
3. Budget/Accounting Code(s):	110-256-53132
4. Funding Source:	General Fund
5. Current Appropriation:	\$ 1,000.00
6. Budget Amendment:	\$ 17,400.00
7. Unencumbered Balance:	\$ 18,400.00 (after budget amendment #4)
8. Amount of This Action:	<u>\$ (17,400.00)</u>
9. Remaining Balance:	<u>\$ 1,000.00</u>

FUNDING SOURCE OF THIS ACTION:

The funding source for this contract award, if City Council approves the budget amendment, in the amount of \$17,400.00 will be provided from the FY 2014-15 amended budget of the Parks and Recreation Department (General Fund).

ADDITIONAL INFORMATION/COUNCIL ACTION:

N/A.


Perwez A. Moheet, CPA - Date
Director of Finance



CITY OF KYLE, TEXAS

Budget Amendment No. 4 for FY 2014-15: \$17,400.00 for Electrical Improvements at KPD's Emergency Communications Building

Meeting Date: 5/19/2015
Date time: 7:00 PM

Subject/Recommendation: *(First Reading)* Approve an Ordinance amending the City's Approved Budget for Fiscal Year 2014-15 by increasing total appropriations for expenditures in the City's General Fund by \$17,400.00 and decreasing fund balance by the same amount to provide funding for electrical system improvements at the Police Department's Emergency Communications Building. ~ *Perwez A. Moheet, CPA, Director of Finance*

Other Information: This budget amendment number 4 for Fiscal Year 2014-15 totaling \$17,400.00 will provide funding for electrical improvements and upgrades at the Police Department's Emergency Communications building (former police headquarters).

Supporting documents are attached including a breakdown of the electrical improvements and related costs.

Legal Notes:

Budget Information:

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

Attachments / click to download

- [Justification Memorandum](#)
 - [Cost Proposal](#)
 - [Ordinance - Budget Amendment #4](#)
 - [Fiscal Note](#)
-



Parks and Recreation

Memorandum

To: Pervez Moheet, Director of Financial Services
Scott Sellers, City Manager

From: Kerry Urbanowicz, Director of Parks, Recreation & Facilities

Date: May 7, 2015

Re: Richard's Electric Services at Police Dispatch

Mr. Sellers and Mr. Moheet,

Yesterday, May 6, 2015, it was brought to our attention that the electrical contractor, Richard's Electric, is proposing \$17,393.00 of electrical services and upgrades to the Police Dispatch building. Upon further investigations, it was determined that these are related to the new communications desks being installed on May 30, 2015.

During all meetings that the Facilities Division was included, it was our understanding that all these expenses were covered under the CAPCOG agreement. I have just come to understand that it was not.

CAPCOG Network Administrator, Randy Rogers, states that Richard's Electric is the contracted vendor for CAECD/CAPCOG for work performed on the 9-1-1 Equipment. Mr. Rogers also confirms that Richard's is CAPCOG preferred vendor that does all the work for us on the 9-1-1 equipment when we require electrical work. They have used them for several years at their location as well as at the PSAPs that have the 9-1-1 equipment. They have been very happy with their work and cost to do the work. Other PSAPs have hired them to do additional work as well. We have never heard of a problem or complaint about their work.

Due to the timeline we are given, the nature of work to be performed and the recommendations from CAPCOG, I recommend that Richard's Electric's proposal be submitted to City Council for approval.

Thank you,

Kerry B Urbanowicz, C. P. S. M. – Director

City Of Kyle-Parks, Recreation & Facilities Department



2967 HERO WAY
LEANDER, TX 78641
Phone: 512 - 259 - 4595
Fax: 512 - 259 - 4596

To: Kyle PD
Reference: Electrical Remodel
Attention:

Date: 5/4/2015
Phone:
Fax:

We are pleased to provide the following proposal for our understanding of the electrical activities for the above referenced project.

New Furniture Lump Sum Proposal: \$ 6,872.00

Qualifications:

1. We will supply and install two power poles as per drawing.
2. We will install two dedicated circuits to each cubicle for normal power at a single point connection by the furniture manufacture.
3. We will extend existing circuits and install new as necessary.

Building Misc. Electrical Lump Sum Proposal: \$ 4,530.00

Qualifications:

1. We will supply and install a 3/4" x 10' copper ground rod at the service pole location to replace the existing ground rod.
2. We will verify all connections are tight and making good connections.
3. We will verify that proper ground wire was installed in the service entrance conduit when previously installed.
4. We will separate the two AHU's circuits as needed and install proper sized breakers.
5. We will install separate circuits for the microwave and the refrigerator to solve problem of breaker tripping.
6. We will separate switching from one location to individual switching at each office location.

Replace Main Panel Lump Sum Proposal: \$ 5,991.00

Qualifications:

1. We will label all circuits and demo existing panel for building.
2. We will supply and install a new wire way above panel to make new installation neater and new panel to replace the old existing.
3. We will terminate and label panel.

Inclusions:

1. Electrical permit
2. This proposal is based on scheduled days of 5/31- 6/3/2015 from 7:00am-3:30pm.

Exclusions:

1. Procurement and installation of any Fire Alarm System, Tele-Data Systems, and Security Systems.
2. Cost of any generator and associated fuel and maintenance required for temporary electrical services.
3. Cost of any Utility Providers, Federal, State, and County and/or City fees other than one electrical permit.
4. All painting and patching of any type including sidewalks, walkways, driveways, roads or the like.
5. All cost associated with any errors and omissions.
6. All Formed concrete pads, pole bases.

7. Cost for repair of any unforeseen underground utilities damaged by others during excavation.
8. All roof penetrations including curbs, hoods, screens, covers and sealing of any penetrations.
9. Any unforeseen code violations above ceiling will be addressed during project at our time and material rate.

This proposal is void after 30 days and price may change upon reevaluation

Richard's Electric L.P.
TECL # 17395

Richard Mauck
Tom Green

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING ORDINANCE NO. 820 ADOPTED ON SEPTEMBER 3, 2014, MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015, BY INCREASING THE TOTAL AMOUNT OF APPROPRIATIONS FOR EXPENDITURES IN THE CITY'S GENERAL FUND BY \$17,400.00; DECREASING THE FUND BALANCE BY THE SAME AMOUNT IN THE GENERAL FUND; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLIC NOTICE PURSUANT TO THE TEXAS OPEN MEETINGS ACT; ESTABLISHING AN EFFECTIVE DATE; AND MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED HERETO.

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

Section 1. Amendment to Current Budget. The appropriations for the Fiscal Year beginning October 1, 2014, and ending September 30, 2015, for the support of the general government of the City of Kyle, Texas, is hereby AMENDED for said term by increasing the amount of appropriations for expenditures in the City's General Fund by \$17,400.00 and decreasing the fund balance by the same amount in the General Fund in order to provide funding for the following expenditure items:

- (A) \$17,400.00 for electrical improvements and upgrades at the Police Department's Emergency Communications Building.

Section 2. Approval of Amendment. This amendment is hereby approved in all aspects and adopted as an amendment to the City budget for the Fiscal Year beginning October 1, 2014, and ending September 30, 2015.

Section 3. Conflict. Any and all ordinances, and parts thereof, that are in conflict herewith are hereby repealed to the extent of the conflict only.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby and to this end the provisions of this ordinance are declared to be severable.

Section 5. 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, Ch. 551, Local Gov't Code.

Section 6. Effective Date. This Ordinance shall be in full force and take effect from and after the date of its final passage and publication as required by law.

PASSED AND APPROVED on First Reading the ____ day of May, 2015.

PASSED AND ADOPTED on Second Reading the ____ day of June, 2015.

THE CITY OF KYLE, TEXAS

By: _____
R. Todd Webster, Mayor

ATTEST:

Amelia Sanchez, City Secretary

City of Kyle, Texas
FISCAL NOTE

DATE OF COUNCIL CONSIDERATION: May 19, 2015
CONTACT CITY DEPARTMENT: Financial Services
CONTACT CITY STAFF: Perwez A. Moheet, CPA
Director of Finance

SUBJECT:

An ordinance of the City of Kyle, Texas, amending Ordinance No. 820 adopted on September 3, 2014, making appropriations for the support of the City for the fiscal year beginning October 1, 2014, and ending September 30, 2015, by increasing the total amount of appropriations for expenditures in the City's General Fund by \$17,400.00 and decreasing the General Fund Balance by the same amount.

CURRENT YEAR FISCAL IMPACT:

1. City Department:	Parks & Recreation
2. Project Name:	Electrical Improvements - KPD
3. Budget/Accounting Code(s):	110-256-53132
4. Funding Source:	General Fund
5. General Fund Balance:	\$10,406,625.37 (as of 5-8-2015, changes daily)
6. Current Appropriation:	\$ 1,000.00
7. Amount of This Action:	\$ 17,400.00 (increase in appropriation)
8. Amended Line Item Budget:	\$ 18,400.00

FUNDING SOURCE OF THIS ACTION:

The funding source for this budget amendment in the amount of \$17,400.00 will be provided from the fund balance of the City's General Fund.

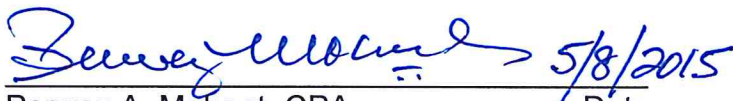
ADDITIONAL INFORMATION/COUNCIL ACTION:

If approved by City Council, this will be Budget Amendment No. 4 for FY 2014-15 to increase appropriations for expenditures by \$17,400.00 and decreasing the fund balance in the City's General Fund by the same amount.

To date, budget amendments as approved by City Council for Fiscal Year 2014-15 totals \$201,119.13 for the following items:

- On April 21, 2015, City Council approved Budget Amendment No. 3 for FY 2014-15 by increasing total appropriations for expenditures by \$16,629.13; City's General Fund by \$9,529.13 and the Hotel Occupancy Fund by \$7,100.00. Budget Amendment No. 3 provided \$9,529.13 for Train Depot Construction Contract Phase 3, \$4,600.00 for the structural assessment of Historic Water Tower, and \$2,500.00 for Cinco de Mayo Fiesta.

- On March 17, 2015, City Council approved Budget Amendment No. 2 for FY 2014-15 by increasing total appropriations for expenditures by \$69,890.00; City's General Fund by \$9,490.00, Water and Wastewater Utility Fund by \$50,000.00, Park Development Fund by \$3,600.00, and \$6,800.00 for the Court Special Revenue Fund. Budget Amendment No. 2 provided funding for: \$9,490 for the City's Economic Development Strategic Plan & Market Study, \$50,000 for the purchase and installation of a blower at the City's wastewater treatment plant, \$3,600 for the City's share of the cost of installing an aeration system at Lake Kyle, and \$6,800 for the purchase of a Data911 in-car video system for a police vehicle.
- On December 2, 2014, City Council approved Budget Amendment No. 1 for Fiscal Year 2014-15 by increasing total appropriations for expenditures by \$114,600.00; City's General Fund by \$95,800.00 and \$18,800.00 for the Water and Wastewater Utility Fund. Budget Amendment No. 1 provided funding for: \$52,500.00 for fiber network connectivity of City facilities, \$33,300.00 for migration to Microsoft Office 365, \$10,000.00 for the Granicus project management system, and \$18,800.00 for payment of fine to Texas Commission on Environmental Quality (TCEQ).

 5/8/2015

Perwez A. Moheet, CPA
Director of Finance

-

Date



CITY OF KYLE, TEXAS

Meeting Date: 5/19/2015
Date time: 7:00 PM

Executive Session

Subject/Recommendation:

Pursuant to Chapter 551, Texas Government Code, the City Council reserves the right to convene in Executive Session(s) from time to time as deemed necessary during this meeting. The City Council may convene into Executive Session pursuant to any lawful exception contained in Chapter 551 of the Texas Government Code including any or all of the following topics.

1. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071.

- Aqua Operations vs. City of Kyle, Cause #13-0894 428th Judicial District Hays Co. TX

2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.

3. Personnel matters pursuant to Section 551.074.

- Regarding disciplinary action and possible appeal of a police officer.

4. Economic development negotiations pursuant to Section 551.087

Other Information:

Legal Notes:

Budget Information:

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



CITY OF KYLE, TEXAS

Reconvene

Meeting Date: 5/19/2015
Date time: 7:00 PM

Subject/Recommendation: Take action on items discussed in Executive Session.

Other Information:

Legal Notes:

Budget Information:

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

Attachments / click to download



CITY OF KYLE, TEXAS

Meeting Date: 5/19/2015
Date time: 7:00 PM

Resolution Memorial Day

Subject/Recommendation:

A resolution of the City of Kyle recognizing the one million plus veterans of all wars who have sacrificed their lives for our freedom, honoring these men and women along with the sons, daughters, wives and other friends and family members who share their sacrifice, recognizing the Kyle/Buda Veterans of Foreign Wars Post 12058 and AMVET Post 115 for their contributions and support of our veterans and their families, and calling on all Kyle residents to take pause on this Memorial Day to remember and honor our veterans. ~
David Wilson, Council Member

Other Information:

Legal Notes:

Budget Information:

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Attachments / click to download

[Resolution](#)

Resolution # _____

A RESOLUTION OF THE CITY OF KYLE RECOGNIZING THE ONE MILLION PLUS VETERANS OF ALL WARS WHO HAVE SACRIFICED THEIR LIVES FOR OUR FREEDOM, HONORING THESE MEN AND WOMEN ALONG WITH THE SONS, DAUGHTERS, WIVES AND OTHER FRIENDS AND FAMILY MEMBERS WHO SHARE THEIR SACRIFICE, RECOGNIZING THE KYLE/ BUDA VETERANS OF FOREIGN WARS POST 12058 AND AMVET POST 115 FOR THEIR CONTRIBUTIONS AND SUPPORT OF OUR VETERANS AND THEIR FAMILIES, AND CALLING ON ALL KYLE RESIDENTS TO TAKE PAUSE ON THIS MEMORIAL DAY TO REMEMBER AND HONOR OUR VETERANS.

Whereas, Since our Nation’s founding, America’s sons and daughters have given their lives in service to our country. From Concord and Gettysburg to Marne and Normandy, from Inchon and Khe Sanh to Baghdad and Kandahar, they departed our world as heroes and gave their lives for a cause greater than themselves, and...

Whereas, On Memorial Day, we pay tribute to those who have paid the ultimate price to defend the United States and the principles upon which America was founded, and...

Whereas, Today, Americans from all backgrounds and corners of our country serve with valor, courage, and distinction in the United States Armed Forces. They stand shoulder to shoulder with the giants of our Nation’s history, writing their own chapter in the American story. Many of today’s warriors know what it means to lose a friend too soon, and all our service members and their families understand the true meaning of sacrifice, and...

Whereas, This Memorial Day, we express our deepest appreciation to the men and women in uniform who gave their last full measure of devotion so we might live in freedom. We cherish their memory and pray for the peace for which they laid down their lives. We mourn with the families and friends of those we have lost, and hope they find comfort in knowing their loved ones died with honor. We ask for God’s grace to protect those fighting in distant lands, and we renew our promise to support our troops, their families, and our veterans. Their unwavering devotion inspires us all -- they are the best of America, and...

Whereas, It is our sacred duty to preserve the legacy of these brave Americans, and it remains our charge to work for peace, freedom, and security. Let us always strive to uphold the founding principles they died defending; let their legacy continue to inspire our Nation; and let this solemn lesson of service and sacrifice be taught to future generations of Americans, and...

Whereas, **MICHAEL RODNEY DORMAN & ALFREDO LOPEZ JR**, citizens of the City of Kyle, were sent into harms way to protect our freedoms in Vietnam and lost their lives defending our freedoms, we recognize those from Kyle, Texas who died and are forever honored on the Vietnam Wall in Washington, D.C., and...

MICHAEL RODNEY DORMAN

SSGT - E5 - Army - Selective Service
25th Infantry Division

Length of service 1 years
His tour began on Aug 29, 1968
Casualty was on Apr 25, 1969
In BINH DUONG, SOUTH VIETNAM
HOSTILE, GROUND CASUALTY
ARTILLERY, ROCKET, or MORTAR
Body was recovered

Panel 26W - Line 45

ALFREDO LOPEZ JR

PFC - E3 - Army - Selective Service

Length of service 0 years
His tour began on Apr 14, 1968
Casualty was on Sep 10, 1968
In QUANG TRI, SOUTH VIETNAM
HOSTILE, GROUND CASUALTY
ARTILLERY, ROCKET, or MORTAR
Body was recovered

Panel 44W - Line 17

Therefore, In honor of all Kyle area veterans, especially those who have paid the ultimate sacrifice, The Mayor and City Council of the City of Kyle resolves that May 25th, 2015 be observed as “MEMORIAL DAY IN KYLE. We additionally recognize Central Texas AMVET Post 115 and the Kyle Buda VETERANS of FOREIGN WARS POST 12058 for their efforts in recognizing our veterans who have given their lives for their country this memorial day of 2015.

SIGNED AND ENTERED THIS 19th DAY OF May 2015

R. Todd Webster, Mayor

Diane Hervol, Mayor Pro Tem

Becky Selbera, Council District 2

Shane Arabie, Council District 3

David Wilson, Council District 4

Samantha Bellows, Council District 5

Tammy Swaton, Council District 6



CITY OF KYLE, TEXAS

Request for Waiver to 41-142 (f)(2) - Maurice Fifer

Meeting Date: 5/19/2015
Date time: 7:00 PM

Subject/Recommendation: Consider and take possible action on a request from Mr. Maurice Fifer, 740 Opal Lane, to waive City Code Section 41-142 (f)(2) which requires connection to City wastewater service. - *Leon Barba, P.E., City Engineer*

Other Information: Mr. Maurice Fifer owns property at 740 Opal Lane and intends to build his home on this parcel. This parcel is within the City of Kyle ETJ. The closest available wastewater service is approximately 400 feet away and is located on S. Sledge Street.

City Code Section 41-142(f)(2) states as follows:

No permit shall be issued for the installation of a septic tank on any lot, tract or parcel within the jurisdiction of the city if adequate sewer service is available within 500 feet of the property line of the lot to be sewerred.

Mr. Fifer is requesting a waiver to this requirement and is wanting to build an Off-Site Sewage Facility (septic system) due to the expense related to extending the existing wastewater system up to his property.

Additionally, Mr. Fifer also agrees if the City extends a sewer line up to or along his property, he will connect to the wastewater system within 12 months of completion of the wastewater line.

Legal Notes: N/A

Budget Information: N/A

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

Attachments / click to download

[Letter and Map](#)

Cover Memo

May 6, 2015

James R. Earp, CPM
Assistant City Manager
City of Kyle, Texas

Dear Mr. Earp:

My name is Maurice Fifer and I own 1.9012 acres of land located in the Z. Hinton Survey, Hays County, Texas. The address is 740 Opal Lane. I'm requesting a variance of the City Code requiring landowners to hook up to the City's sewer system if their property is within 500 feet of the City's hookup. Last month, I received a quote from Kelly Kilber, a Professional Engineer. The quote was \$95,000. This is not cost effective.

Therefore, this letter serves as my formal request to allow me to put a septic tank on my property. Once the City runs a sewer line in front of my property, I will hook up to the City's sewer service within 12 months and stop using the septic system.

I have spoken with several people from the City regarding this matter including yourself, Jason Biemer, Al Garza, and Leon Barba. My wish is that the City grant my request. Thanks for your time and consideration.

Sincerely,

Maurice Fifer - *Maurice Fifer 5-11-15*

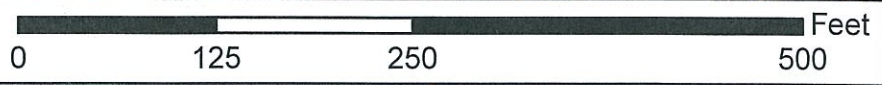
POB 804, Kyle, Texas 78640

512-417-8615

Utilities near 740 Opal Ln



- ➔ Waste Water Lines
- WW manholes
- Water Lines
- ▭ Parcel Lines





CITY OF KYLE, TEXAS

Discussion of ILA

Meeting Date: 5/19/2015
Date time: 7:00 PM

Subject/Recommendation: Consider and take possible action to amend, extend, or rescind the ILA with Mountain City and Hays County. ~ *Todd Webster, Mayor*

Other Information:

Legal Notes:

Budget Information:

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

Attachments / click to download



CITY OF KYLE, TEXAS

Hotel Study

Meeting Date: 5/19/2015
Date time: 7:00 PM

Subject/Recommendation: Consider and take possible action to approve a proposal to conduct a hotel study utilizing \$15,000.00 to \$20,000.00 of Hotel Occupancy Tax Funds. ~ *James Earp, Assistant City Manager*

Other Information:

Legal Notes:

Budget Information:

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

Attachments / click to download

[Hotel Study](#)



HOSPITALITY | REAL ESTATE | WWW.STONEHRE.COM

May 13, 2015

Mr. Scott Sellers
City of Kyle
100 W. Center Street
Kyle, Texas 78640

RE: Market Study for a Hotel in Kyle, Texas

Dear Mr. Sellers:

Stone Hospitality & Real Estate, is pleased to submit our proposal to conduct a hotel market study and financial projections for a hotel to be developed on a pre-determined site to be designated by Kyle Economic Development in Kyle, Texas. It is our understanding that the market study is to be used as a piece of the development decision making process, as well as in a presentation to governing entities in the area.

We take pride in our relentless effort to provide the most accurate and pertinent studies for each client. Our expert analysis and attention to specific market details sets us apart from other firms in the industry. Each project is uniquely and individually considered by our team to insure the highest quality report acceptable by institutions, lenders, developers, and industry professionals.

This proposal sets forth the objective and scope of our work and the time requirements and fees associated with our services. Please contact Jeremy Stone at (832) 541-2651 or jeremy@stonehre.com with any questions regarding this proposal.

Sincerely,

A handwritten signature in blue ink that reads "Jeremy Stone". The signature is fluid and cursive, written over a light-colored rectangular background.

Jeremy Stone, PhD
Principal
Stone Hospitality and Real Estate

OBJECTIVE / PURPOSE AND SCOPE OF THE ASSIGNMENT

The City of Kyle is trying to determine whether a hotel can be supported within the Kyle local and regional marketplace. Also, to determine what the specifics of location, sizing, and performance for such a facility might be upon completion. Our role, as we view it, will be to:

- Perform an in-depth evaluation of the market for operation of a hotel facility.
- Investigate potential and existing demand on a local and regional scale to determine market sources of demand including transient, weekday/weekend meeting demand characteristics and other trends pertinent to the project.
- Develop recommendations pertaining to the nature and extent of facilities and services that would be the most effective in attracting and accommodating the identified and existing market sources of demand, and evaluate the proposed facilities' ability to meet future needs.

The scope of our work will include, but not necessarily be limited to, the following:

Market Analysis

This portion of our study will include the following procedures:

- Meet with you and/or your associates in order to obtain input from you that confirms or amends our understanding of the details of the project and provides additional pertinent information such as plot plans, appraisals and other material you may have related to the project.
- Inspect the site and local market and the surrounding area in order to determine their impact on the performance of the proposed hotel. Such determination will not include any engineering or environmental considerations, but will encompass an evaluation of the property's accessibility, visibility, proximity to lodging demand generators, and physical characteristics that might affect the marketability of the proposed development.
- Gather information regarding the level and characteristics of demand likely to be generated for the proposed hotel.
- Evaluate existing and proposed transportation patterns in the subject area to determine their impact on the marketability of the proposed facilities.
- Evaluate the existing supply of transient lodging serving the primary market to determine the degree of competition they are likely to offer the proposed hotel. This evaluation would include interviews with management representatives of the competitive hotels. We will establish:
 - Levels of market support
 - Pricing/marketing practices
 - Major customers
 - Business outlook
 - Facility characteristics
- Develop a census of competitive lodging facilities for the proposed hotel. We will evaluate both Kyle area competitors and other hotels located in the region. This census will include the following factors:

PROPOSED OBJECTIVE AND COST

- Name
 - Location
 - Number of rooms
 - Meeting space and other amenities
 - Date opened and/or last renovated
 - Franchise/management affiliation
 - Current and, if available, historical market mix
 - Current and historical occupancy and room rates (in the aggregate to protect confidentiality)
- Analyze relevant basic socioeconomic characteristics of the primary and secondary market areas and the growth potential of possible market sources of demand for the facilities.

Recommended Facilities and Operational Strategy

In this portion of our study, we will develop final conclusions and recommendations regarding:

- Suitability of the proposed facilities and site
- Identified market sources of demand
- Specific facilities and services that would be needed to attract and accommodate the identified demand sources:
 - Number and size of meeting rooms
 - Number of lodging units
 - Amenities package
 - Service levels required
 - Identify other potential components that complement the project
- Estimate occupancy and average daily rate.

Preliminary Estimates of Financial Performance

At this point in our study, we will begin the analysis of the proposed project in terms of:

- Estimate financial performance based on recommended facilities

We will prepare estimates of annual revenue and expenses for each of the major components of the development to the point of cash flow from operations available for debt service and income taxes for the first five years of operation. The bases for the prospective financial analysis and key assumptions underlying inflation estimates will be indicated in the financial section of the report.

Executive Summary Report

At the conclusion of this portion of our study, we will prepare a formal written report for the development setting forth our findings, conclusions and recommendations concerning the proposed project; the extent of this written report will depend upon your needs for internal use and distribution for project development and/or financing purposes. The following topic headings provide an overview of the expected content:

PROPOSED OBJECTIVE AND COST

- Executive Summary
- Area Economic Overview
- Site Evaluation
- Recommended Facilities
- Historic Competitive Market
- Prospective Future Competitive Market
- Attainable Competitive Position
- Prospective Financial Analysis

FUTURE ADDITIONAL STUDY RECOMMENDATIONS

Depending on the outcome and results of the market study, there may be additional areas that could be considered for additional study and analysis and is not contained within the scope of this proposal; such as:

- Feasibility and Financial Gap Analysis
- Economic Impact Study
- Conference Center Market Analysis

CLIENT

It is our understanding that the report will be used for internal decision-making within the development entity and in a presentation to the governing entity of the proposed site of the hotel. We request that you seek our written authorization before releasing the report to any other party. Payment for these services is not contingent upon the closing of a loan or funding. For purposes of payment the client will be the authorized person that signs this proposal.

LIMITING CONDITIONS

The report will be subject to the attached standard statement of assumptions and limiting conditions.

TIMING

Based on our current scheduling, we would be able to commence this assignment within one to two weeks of receiving your retainer and authorization to proceed. The report will be delivered within four to six weeks after receipt of your written authorization (signed proposal), retainer and the required information. Failure to provide the requested information in a timely fashion may delay the delivery of the final report. Stone Hospitality and Real Estate reserves the right to modify its delivery date and fee where significant delays are encountered.

FEE

Our fees are based on the amount of time required to ensure high quality service. Based on our experience from similar advisory engagements, we have estimated our fees for the above services (excluding out-of-pocket expenses) at **\$15,000** for the scope included above.

Out-of-pocket expenses (i.e. data costs, mileage, etc.) will be invoiced in addition to the professional fees above. This will not exceed **\$2,000** without prior written consent from the client.

PROPOSED OBJECTIVE AND COST

We will communicate the status of our work throughout the engagement. We will provide our findings to you in a written report. Our report may not be suited for every purpose and as such will be restricted for your internal use only.

Firm policy requires a **retainer of \$6,000** prior to commencement of the engagement. The base fee includes typical liaison with the client and a presentation to the appropriate group along with one round of draft revisions. Balance of entire fee is due prior to the delivery of a final report. Any additional meetings will be billed at our standard hourly rate in addition to the base fee.

Our fee for this engagement is based upon the estimated amount of time spent in the performance of the work as outlined above at our standard rates. These hourly rates will apply to any additional services beyond the scope as outlined herein.

Principals \$250 - \$300
Consultants \$100 - \$250

The client may stop the additional professional services at any time by depositing a written stop work notice with Stone Hospitality and Real Estate. Client agrees to pay for all work done up to the date of deposit of the stop work with Stone Hospitality and Real Estate.

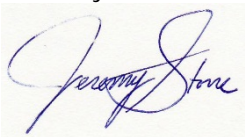
ENGAGEMENT TEAM

For efficiency in communication, Jeremy Stone, Principal, will act as engagement coordinator. Any necessary ancillary services will function under the direction of Stone Hospitality and Real Estate.

ACCEPTANCE PROCEDURES

We appreciate the opportunity to submit this proposal for our services. We invite any questions you may have about the scope and detail of this proposal. If you wish for us to proceed on the basis set forth, please return this contract with your written authorization and the appropriate retainer, if applicable. If you have any questions, please call 832-541-2651.

Sincerely,



Jeremy Stone, PhD
Principal

ACCEPTED BY:

Signature

Name Printed

Title

Company or Venture

Date

FIRM BACKGROUND AND EXPERIENCE

Jeremy Stone, PhD

Principal

Stone Hospitality and Real Estate

Dr. Stone is an expert in hospitality related real estate consulting, including general and special purpose real estate consultation and valuation, development consulting, site selection analyses, market trends and feasibility studies, sales and marketing analyses and consulting, market demand and absorption studies, investment analysis, due diligence investigations, portfolio valuations and development management.



Dr. Stone has done extensive work in the areas of development, underwriting, feasibility, appraisals, due diligence, and disposition strategies and has been involved in the feasibility work for numerous hotels, resorts, conference/convention centers and golf courses.

Prior to starting Stone Hospitality and Real Estate, Jeremy was a Vice President with Kairos Hospitality, a full-service, boutique hospitality consulting and brokerage company. Dr. Stone also spent many years consulting and appraising in the hospitality industry for PKF Consulting. Specific areas of focus included the following:

- Market demand analysis.
- Facility sizing and building program analysis.
- Financial operating analysis.
- Economic and fiscal impact analysis.
- Project funding analysis.
- Site/location analysis.
- Operational and management structure analysis.
- Marketing strategy development analysis.

Education: Bachelor of Environmental Design
Texas A&M University

M.S. in Land Development
Texas A&M University

Ph.D. in Urban and Regional Science
Texas A&M University

Certificate in Historic Preservation
Texas A&M University

Recent Representative Projects:



Barton Creek Resort and Spa
Austin, TX



The Summit at Rivery Park
Georgetown, TX



Proposed Tyler Hotel Conference Center
Tyler, TX



Capital City Center Crowne Plaza
Jackson, MS

ASSOCIATED PROJECTS

Jeremy Stone, PhD has been involved in a real estate advisory capacity for a number of properties in a conference or convention market. His range of involvement includes preliminary consulting, market analysis, supply and demand analysis, financial feasibility, market surveys, space and sizing analysis, appraisal, and valuation. The following are representative projects:

Existing Markets and Facilities

- Hilton Daytona Beach Oceanfront Resort – Ocean Center Daytona Beach, FL
- Holiday Inn Superdome – New Orleans, LA
- Hilton Palacio Del Rio – San Antonio Convention Center – San Antonio, TX
- Miller & Rhoads Building – Hilton Garden Inn adjacent to Greater Richmond Convention Center – Richmond, VA
- Intercontinental Hotel – New Orleans, LA
- Barton Creek Resort & Spa – Austin, TX
- Hilton Houston Plaza at Medical Center – Houston, TX
- Hilton Lafayette – Lafayette, LA

Proposed Facilities

- Proposed Headquarters Hotel at the New Convention Center – Oklahoma City, OK
- Proposed Hotel in the City of Rowlett – Rowlett, TX
- Proposed Crowne Plaza at the Convention Center – Jackson, MS
- Proposed Hotel & Conference Center – for the City of Tyler, TX
- Proposed Summit at Rivery Park Hotel & Conference Center – Georgetown, TX
- Proposed Renaissance Hotel at Legacy – Plano, TX
- Proposed Executive Conference Center Hotel – Prescott, AZ
- Proposed Storyville Hotel & Conference Center – New Orleans, LA
- Proposed Westin Hotel – for the Lafayette Economic Development Authority, LA
- Proposed Hotel & Conference Center – Grapevine, TX
- Proposed Renaissance Hotel & Conference Center – Baton Rouge, LA
- Proposed Hotel at the World Trade Center – New Orleans, LA
- Proposed Embassy Suites at Convention Center/Six Flags – Arlington, TX
- Proposed Pointe Vista Master planned Development – Lake Texoma, OK

ADDITIONAL INFORMATION

JEREMY STONE

drjstone@gmail.com

Wylie, Texas 75098 USA

Tel: +1 832 541 2651 (cell)

BUSINESS EXPERIENCE

Principal, Stone Hospitality and Real Estate, Wylie, Texas, 2010-present

- Providing contracted, independent consulting services to the commercial real estate and hospitality industries, including:
 - Mass commercial appraisal assistance with Real Estate Research Corporation (RERC)
 - Hospitality focused appraisal with Real Estate Research Corporation Hospitality (RERCH)
 - Supply and demand analysis for recreational assets in a 26,000-acre National Park Service operated park in conjunction with Capital Hotel Management (CHM) Government Services team
 - Litigation support and subject matter consulting
 - Real estate development and financial modeling
 - Due diligence / underwriting services
 - Management and development consulting for hospitality brokerage provider

Vice President, Kairos Hospitality Real Estate Capital, ¹ McKinney, Texas, 2010-2012

- Kairos is a firm of management and development consultants, industry specialists and brokers, who provide a full range of services to the real estate and hospitality industries
 - Performed asset analysis for existing or to be developed luxury resorts and hotels in a variety of North American markets
 - Responsible for preparations to execute long-term asset management agreements upon closing of any resort, hotel, or golf assets
 - Active in identifying potential off-market assets and modeling the feasibility of a purchase based on client requirements and parameters and return on investment

Senior Consultant, PKF Consulting, ² Dallas, Texas, 2007-2010

- Provided development consulting, market, and financial services for real estate projects, including:
 - Market and financial feasibility analysis for hotel, resort, golf, residential, retail, and mixed-use developments in various size markets
 - Appraisal for hotels, golf courses, and associated facilities
 - Real estate development and financial modeling
 - Asset management – analysis and reporting
 - Strategic market analysis for residential, golf, and resort communities
 - Market research for acquisition and operation of commercial, golf, and resort properties primarily in the hospitality industry
 - Assistance in rebranding and repositioning of hospitality assets
 - Market research for cities looking for public / private development projects involving mixed-use, hotel, and conference center properties
 - Market and financial analysis for government entities such as the National Park Service and the United States Armed Services

Principal, Stone Consulting, College Station, Texas, 2002-2004

Consulted to private entities and municipalities in the areas of project management, market analysis, financial feasibility, design, and development; including golf course renovation

¹ Kairos Hospitality Real Estate Capital is comprised of real estate, hotel, resort and golf industry experts specifically skilled to help advise, value, broker, manage and develop real estate and hospitality related assets.

² PKF specializes in providing real estate consulting services in the hospitality industry.

ADDITIONAL INFORMATION

Director of Golf, American Golf Corporation, Bryan Golf Course, Bryan, Texas, 1999-2002

Assisted in the general management of the facility. Responsible for budgeting, capital improvements, business planning, hiring and termination of employees, payroll, merchandising, sales team, inventory, marketing/advertising, and day-to-day accounting

Event Coordinator, American Golf Corporation, Bryan Golf Course, Bryan, Texas, 1996-1999

Planning, staffing, and administering all golf events and tournaments - increased tournament sales by 147% during tenure

ACADEMIC FACULTY EXPERIENCE

Lecturer, University of Auckland, Auckland, New Zealand, Department of Property, 2005-2007

- Provided instruction through lectures
- Developed curriculum and materials for undergraduate and postgraduate courses, including:

Undergraduate classes taught

- Property Management
- Portfolio / Asset Management
- Property Project - Directed Study in Property Development, Investment, and Management
- Research Methods in Policy Analysis

Graduate classes taught

- Sustainable Development
- Methods and Practices for Policy Development
- Advanced Planning Studio
- Urban Development Processes

Postgraduate Advisor, University of Auckland, Department of Property, 2005-2007

- Advised local and international students on coursework, academic, and professional requirements, and research issues

Visiting Professor, Blinn College, Bryan, Texas, 2004

Taught courses in:

- Principles of Marketing
- Property Management

PUBLICATIONS

- "The Influence of Vintage on House Value," *Pacific Rim Property Research Journal*, V. 12, No. 3, September 2006 (co-author)
- Monthly article in *Greater Dallas Hotel Association Newsletter*, 2007-2010 (author)

AFFILIATIONS

- Urban Land Institute (member)
- Appraisal Institute (Associate member)
- Beta Gamma Sigma International Honor Society (member)

EDUCATION

Ph.D., Urban and Regional Science, Texas A&M University, August 2002

Dissertation: *Retail Property Performance: An Examination of the Influence of Size, Age, and Renovation on the Internal Rate of Return*

M.S., Land Development, Texas A&M University, December 2000

B.E.D. (Environmental Design), Texas A&M University, December 1996

Certificate in Historic Preservation, August 2002

SELECT REFERENCES

Jeremy Stone, PhD began Stone Hospitality and Real Estate in 2010 after leaving PKF Consulting. Jeremy's broad range of international experience comes from 14 years in hospitality operations, consulting, and 3 years of teaching at both the graduate and undergraduate university level. He has taught in the subject areas of Real Estate Research, Property Management, Real Estate Development, Sustainable Development, Asset Management, Real Estate Market Analysis, Urban Design and Marketing to name a few.

Please find the following select references for your review in the potential engagement:

City of Oklahoma City, Oklahoma

Cathy O'Connor
(cathy.oconnor@theallianceokc.org)
President, The Alliance for Economic
Development of Oklahoma City, Inc.
105 N. Hudson, Suite 101
Oklahoma City, OK 73103
Direct: 405-604-6780

City of Rowlett, Texas

Jim Grabenhorst
(jgrabenhorst@rowlett.com)
Director of Economic Development
3901 Main Street
Rowlett, TX 75088
Direct: 214-729-7936
Main: 972-463-3953

Wynne Jackson, Inc.

Frank Murphy
(fmurphy@wynnejackson.com)
Senior Vice President
600 North Pearl, Suite 650 – L.B. 149
Dallas, TX 75201
Main: 214-880-8600
Mobile: 214-536-1900

Capital Hotel Management (CHM)

Carey Stavrevski
(cstavrevski@chmhotel.com)
Vice President, CHM Government Services
548 Cabot Street
Beverly, MA 01915
Direct: 301-355-4627
Mobile: 781-367-2800

GiANT Capital Fund

Andrew Ranson
(andrew@giantcapital.biz)
President
2575 Kelley Pointe Parkway, Suite 330
Edmond, OK 73013
Main: 405-513-5300
Mobile: 405-388-1964

MJS Realty, Inc.

Mark Small (msmall@mjsrealtyinc.com)
President
14185 North Dallas Parkway, Suite 890
Dallas, TX 75254
Direct: 972-644-8010
Mobile: 214-435-0000

Catalyst

Jason Claunch
(jason@catalystcommercial.net)
President / Owner
5307 East Mockingbird Lane, 5th Floor
Dallas, TX 75206
Main: 972-999-0081, ext. 101
Mobile: 817-680-7180

Town of Northlake, Texas

Drew Corn (dcorn@town.northlake.tx.us)
Town Administrator
1400 FM 407
Northlake, TX 76247
Direct: 940-242-5701
Main: 940-648-3290

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS

The following Standard Conditions apply to real estate consulting assignments by *Stone Hospitality and Real Estate*:

Economic and Social Trends - The consultant assumes no responsibility for economic, physical or demographic factors which may affect or alter the opinions in this report if said economic, physical, or demographic factors were not present as of the date of the letter of transmittal accompanying this report. The consultant is not obligated to predict future political, economic or social trends.

Information Furnished by Others - In preparing the report, the consultant relied on information furnished by other individuals or found in previously existing records and/or documents. Unless otherwise indicated, such information is presumed to be reliable. However, no warranty, either express or implied, is given by the consultant for the accuracy of such information and the consultant assumes no responsibility for information relied upon later found to have been inaccurate. The consultant reserves the right to make such adjustments to the analyses, opinions and conclusions set forth in this report as may be required by consideration of additional data or more reliable data that may become available.

Title - No opinion as to the title of the subject property is rendered. The property is evaluated assuming it to be under responsible ownership and competent management.

Hidden Conditions - The consultant assumes no responsibility for hidden or unapparent conditions of the property, subsoil, ground water or structures that render the subject more or less valuable. No responsibility is assumed for arranging for engineering, geologic or environmental studies that may be required to discover such hidden or unapparent conditions.

Hazardous Materials - The consultant has not been provided any information regarding the presence of any material or substance on or in any portion of the subject property or improvements thereon, which material or substance possesses or may possess toxic, hazardous and/or other harmful and/or dangerous characteristics. Unless otherwise stated in the report, the consultant did not become aware of the presence of any such material or substance during the consultant's inspection of the subject property. However, the consultant is not qualified to investigate or test for the presence of such materials or substances. Unless otherwise stated, this report assumes the subject property is in compliance with all federal, state and local environmental laws, regulations and rules.

Zoning and Land Use - Unless otherwise stated, the subject property is evaluated assuming it to be in full compliance with all applicable zoning and land use regulations and restrictions.

Licenses and Permits - Unless otherwise stated, the property is evaluated assuming that all required licenses, permits, certificates, consents or other legislative and/or administrative authority from any local, state or national government or private entity or organization have been or can be obtained or renewed for any use on which the analysis contained in this report is based.

Engineering Survey - No engineering survey has been made by the consultant. Except as specifically stated, data relative to size and area of the subject property was taken from sources considered reliable and no encroachment of the subject property is considered to exist.

Maps, Plats and Exhibits - Maps, plats and exhibits included in this report are for illustration only to serve as an aid in visualizing matters discussed within the report. They should not be considered as surveys or relied upon for any other purpose, nor should they be removed from, reproduced or used apart from the report.

Legal Matters - No opinion is intended to be expressed for matters which require legal expertise or specialized investigation or knowledge beyond that customarily employed by real estate consultants.

Right of Publication - Possession of this report, or a copy of it, does not carry with it the right of publication. Without the written consent of *Stone Hospitality and Real Estate*, this report may not be used for any purpose by any person other than the party to whom it is addressed. In any event, this report may be used only with properly written qualification and only in its entirety for its stated purpose.

Testimony in Court - Testimony or attendance in court or at any other hearing is not required by reason of rendering this report, unless such arrangements are made a reasonable time in advance of said hearing. Further, unless otherwise indicated, separate arrangements shall be made concerning compensation for the consultant's time to prepare for and attend any such hearing.

ADDITIONAL INFORMATION

Income Data Provided by Third Party – Any income and expense data related to the property provided by the client is assumed, but not warranted, to be accurate.

Asbestos - The consultant is not aware of the existence of asbestos in any improvements on the subject property. However, the consultant is not trained to discover the presence of asbestos and assumes no responsibility should asbestos be found in or at the subject property. For the purposes of this report, the consultant assumes the subject property is free of asbestos and that the subject property meets all federal, state and local laws regarding asbestos abatement.

Archaeological Significance - No investigation has been made by the consultant and no information has been provided to the consultant regarding potential archaeological significance of the subject property or any portion thereof. This report assumes no portion of the subject property has archaeological significance.

Definitions and Assumptions - The definitions and assumptions upon which our analyses, opinions and conclusions are based are set forth in appropriate sections of this report and are to be part of these general assumptions as if included here in their entirety.

Dissemination of Material - Neither all nor any part of the contents of this report (including the identity of the consultant or *Stone Hospitality and Real Estate*) shall be disseminated to the general public through advertising or sales media, public relations media, news media or other public means of communication without the prior written consent and approval of Stone Hospitality and Real Estate.

Distribution and Liability to Third Parties - The party for whom this appraisal report was prepared may distribute copies of this report only in its entirety to such third parties as may be selected by the party for whom this report was prepared; however, portions of this report shall not be given to third parties without the written consent of Stone Hospitality and Real Estate. Liability to third parties will not be accepted.

Use in Offering Materials - This report, including all cash flow forecasts, market surveys and related data, conclusions, exhibits and supporting documentation may not be reproduced or references made to the report or to Jeremy Stone, PhD in any sales offering, prospectus, public or private placement memorandum, proxy statement or other document (“Offering Material”) in connection with a merger, liquidation or other corporate transaction unless Stone Hospitality and Real Estate has approved in writing the text of any such reference or reproduction prior to the distribution and filing thereof.

Limits of Liability – *Stone Hospitality and Real Estate* cannot be held liable in any cause of action resulting in litigation for any dollar amount which exceeds the total fees collected from this individual engagement.



CITY OF KYLE, TEXAS

General Discussion Council Requests

Meeting Date: 5/19/2015
Date time: 7:00 PM

Subject/Recommendation: Discussion only regarding council requests for future agenda items.

Other Information:

Legal Notes:

Budget Information:

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

Attachments / click to download



CITY OF KYLE, TEXAS

City Managers Report

Meeting Date: 5/19/2015
Date time: 7:00 PM

Subject/Recommendation: Update on various capital improvement projects, road projects, building program, and/or general operational activities. ~ *James Earp, Assistant City Manager*

Other Information:

Legal Notes:

Budget Information:

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

Attachments / click to download
